

## POSITION PAPER

# Simplification of Environmental Legislation: Driving Circularity, Decarbonisation and Competitiveness

Brussels, 27/10/2025

### FIEC calls for

- **Addressing Lengthy Permitting Procedures as a Main Driver of High Costs of Construction and the Current Affordable Housing Crisis**
- **Simplification of Procedures for Direct On-Site Recovery**
- **Definition of Clear and Consistent Criteria for By-Products**
- **Harmonisation of End-of-Waste Criteria**
- **Incentives and Reward Measures for the Use of Secondary Materials**
- **Streamlining and Standardisation of Reporting Requirements**
- **Access to Uniform Templates and Guidance Documents**
- **Relief for SMEs and Medium-Sized Construction Companies**
- **Uniform Transposition and Legal Certainty across Member States**



**FIEC** is the European Construction Industry Federation, which through its 32 national member associations in 27 countries (24 EU countries, Norway, Switzerland, and Ukraine) represents construction companies of all sizes, i.e., small, and medium-sized enterprises and "global players", carrying out all forms of building and civil engineering activities.

Bureaucratic and overly complex administrative burdens for corporations as well as for *Small and Medium-sized Enterprises* (SMEs) must be addressed properly, as Europe is facing a competitiveness crisis, with huge bureaucratic burdens and access to finance being one of the main issues for businesses. Streamlining and simplifying environmental legislation with the goal of integrating it into one harmonised framework is a promising approach. It ensures a successful long-term approach to sustainability for companies and our European economy.

The *European Construction Industry Federation* (FIEC) calls on the European Commission to take a pragmatic, legally sound and efficient approach to environmental sustainability. When taking the housing crisis as an example, the figures sadly speak for themselves. Prices are up by more than 20% since 2015, with building permits down by over 20% in five years. This is more than a housing crisis, and difficulties in the housebuilding segment continue. Total costs have been identified as a main challenge, including the costs of construction, lengthy permitting procedures and financing conditions.

The suggested specific simplification measures aim to make the regulatory framework more effective and accessible, without lowering the level of environmental protection set by European legislation. On the contrary, the clarity of criteria, the proportionality of obligations and adequate operational tools will make it possible to achieve climate and environmental objectives more quickly and effectively.

## Relevance of Environmental Legislation for the Construction Sector

The simplification of European legislation is today an essential condition to accelerate the achievement of objectives in terms of sustainability, ecological transition, circular economy, decarbonisation and, more generally, the fight against and prevention of the climate crisis. The current regulatory framework is characterised by provisions of different levels, highly fragmented and layered, which complicate their application in the various territorial contexts of the Member States, generating interpretative uncertainty, procedural delays and a significant increase in administrative burdens for companies and administrations. This complexity, instead of ensuring higher environmental protection, ends up penalising precisely those operators who try to adopt innovative and sustainable solutions, hindering investment and competitiveness.

The construction sector, which contributes significantly to the production of waste, the consumption of natural resources and greenhouse gas emissions, is particularly exposed to this regulatory complexity. The management of construction and demolition waste, excavated soils and rocks, by-products and materials that may cease to be classified as waste (End of Waste) is in fact governed by a set of heterogeneous provisions which, in many cases, have been layered over time without real coordination, resulting in legal uncertainty, operational difficulties, and to a sharp increase of costs of construction – therefore contributing to the current housing crisis.

In this regard, the revision of European environmental legislation must aim at making the regulatory framework simpler, clearer and more functional to European targets, by removing those procedural and permitting obstacles that currently represent a slowdown or, in any case, a limitation to the implementation of environmental protection objectives.

From this perspective, the process of simplifying environmental legislation appears even more effective when it is aimed at areas where greater clarity and accessibility can generate a significant impact in terms of sustainability, circular economy, and emission reduction.

In this light, it seems to be a priority to focus simplification efforts on a few key areas, for which specific operational suggestions can be identified, such as:

- Simplification of procedures for direct on-site recovery
- Definition of clear and consistent criteria for the qualification of by-products, at both national and European levels
- Harmonisation of End-of-Waste criteria at the European level, in order to ensure legal certainty and promote the circulation of recovered materials
- Introduction of incentives and reward measures for those who use recovered resources
- Application of the proportionality principle for SMEs, through graduated requirements and simplified documentation

In this respect, it should be underlined that the European construction industry expressly supports the European Commission's objective of simplifying environmental legislation and promoting digitalisation and consolidation of reporting obligations. FIEC identified various pieces of legislation with room for simplification to reduce the administrative burden for businesses while maintaining a high level of environmental protection. The following simplification measures are necessary to support the acceleration of construction activity in Europe, in order to achieve the ambitious plans of the European Commission with regard to sustainability and resilient targets, as well as contribute to solving the housing crisis in Europe.

## Streamlining and Standardisation of Reporting Requirements

In the regulatory review process, it will be essential to pay the utmost attention to those who are concretely called upon to apply the provisions. Experience has shown that, often during the regulatory phase, the actual effects of the rules on operators and private entities are not

adequately considered. Even when legislative initiatives do not directly target SMEs, their effects may inevitably spill over onto these businesses through data requests and reporting obligations from business partners along the value chain.

A similar phenomenon occurred with the “Do No Significant Harm” (DNSH) principle introduced by the EU Taxonomy. Although it originated in a very specific and purely financial context, that of the Taxonomy, it was subsequently referenced and applied in a wide range of sectoral contexts very different from the original one. This broadening of scope has, in several cases, produced distorted and disproportionate effects, making even minor interventions excessively burdensome and posing a real risk of hindering initiatives that could significantly contribute to the objectives of the ecological transition and the sustainable economic development of the European and national markets.

From this standpoint, it is necessary to promote the development of a solid, clear, and shared regulatory framework at European level, which can be transposed homogeneously and without distortions by Member States, and which allows a proportionate and gradual application of the DNSH principle.

Only in this way can the principle effectively serve its strategic guidance function, while avoiding becoming an administrative or regulatory obstacle to sustainable development, especially in productive sectors most exposed to regulatory complexity.

It is therefore necessary that every new legislative initiative carefully assesses the operational impacts and proportionally calibrates the obligations to the real organisational and economic capacities of the actors involved, in order to avoid overwhelming them.

We propose that a central, digital EU portal with standardised mandatory fields and upload options be provided for all reporting-relevant environmental obligations. In particular, for reuse and recycling rates, a one-time report would be sufficient, which would then be adopted for all relevant legal areas.

Duplicate reporting obligations should be systematically identified and removed. The European Commission should publish an ongoing “catalogue of unnecessary reporting obligations” that is regularly updated and coordinated with stakeholders. Data that is already available (e.g. via electronic waste verification procedures) must be automatically transferred to avoid additional work.

- Include all administrative procedures related to the transport and use of reused materials
- Include the complete digital file of all permitting procedures, including environmental impact assessments (EIAs), the digital submission of all application documents, evidence and expert opinions, as well as digital communication with the authorities
- Digital approval monitoring: Authorities should be obliged to adhere to uniform processing times, which are digitally monitored and published
- Include the abolition of SCIP and similar unnecessary databases

## **Access to Uniform Templates and Guidance Documents**

FIEC calls on the European Commission to provide verified templates for reports and applications free of charge. These should be available in the respective national languages and for the most relevant use cases in the construction industry. Regularly updated FAQs and guidance documents on frequently asked questions should also be published to ensure a legally compliant and nationally comparable application.

## **Relief for SMEs and Medium-Sized Construction Companies**

A threshold system should be introduced whereby reporting and documentation requirements are proportional to company turnover/project volume. For smaller projects and companies, simplified procedures and minimum requirements must be sufficient.

At the same time, it is important that European simplification policies be accompanied by measures that make the use of recovered or recycled materials genuinely advantageous for businesses, particularly SMEs.

This could be achieved through economic incentives, fiscal or procedural benefits, reward criteria, and reductions in administrative burdens for projects that integrate direct on-site recovery solutions or the use of secondary raw materials.

Such instruments would not only promote the circular economy in the construction sector but also reduce overall construction costs, with positive effects on the housing crisis and the competitiveness of the industry.

## **Uniform Transposition and Legal Certainty across Member States**

It is necessary to enhance the development of a solid, clear and shared regulatory framework at European level, which can be transposed homogeneously and without distortions by the Member States, and which allows for a proportionate and gradual application for companies. Only in this way can the principle effectively perform its function as strategic guidance, while avoiding becoming an administrative or regulatory obstacle to sustainable development, especially in the productive sectors most exposed to regulatory complexity.

We therefore call for all new simplification and digitisation measures to be implemented in a harmonised manner in all Member States in order to avoid distortions to competition. Exceptions or “gold plating” by individual Member States must be avoided. The initiative should focus on areas where existing EU law leads to disproportionate or unclear efforts in practical implementation. This applies in particular to regulations that

- lead to different enforcement practices in the Member States,
- trigger double obligations to provide evidence,
- or do not enable practical implementation by SMEs.

## **Missed Simplification Opportunity: EU Deforestation Regulation**

FIEC regrets that simplification measures related to the EU Deforestation Regulation (EU) 2023/1115 did not offer convincing relief for downstream operators, including construction SMEs. The Regulation imposes reporting, and in some cases also due diligence, obligations even on companies far away from the import stage. This value chain approach creates legal uncertainty, high administrative burden, and disproportionate costs without clear added value in combating deforestation.

Introducing a zero-risk category for deforestation-free countries would have significantly reduced unnecessary bureaucracy. Such a “whitelisting” approach is justified when businesses operate in jurisdictions where environmental protection is both adequately guaranteed by law and effectively enforced. This is true for all EU Member States and would simultaneously strengthen the EU Single Market, which is a strategic priority for the EU.

Recognising existing due diligence measures by importers and giving greater weight to long-established forest certification schemes could also have reduced administrative burdens while maintaining environmental objectives. The absence of such proportionality represents a missed opportunity for simplification.

## ANNEX I

### Specific Simplification Suggestions

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| <b>1</b> | <b>Construction Products Regulation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|          | Regulation (EU) 2024/3110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|          | <p>The new Construction Products Regulation (CPR) requires manufacturers to individualise their environmental product declarations. Until now, many of these declarations have been drawn up collectively to share the cost of studies for manufacturers, the majority of whom are SMEs.</p> <p>The costs commonly quoted by design offices responsible for drawing up environmental declarations range from EUR 10.000 per declaration to several tens of thousands of euros for more complex ranges (joinery, etc.). In the end, vast amounts of money will be spent just to individualise collective declarations. These costs will be passed along the construction value chain, to contractors, and finally to clients and customers.</p> <p>These declarations make it possible to determine and display the environmental impact of products, particularly their carbon footprint. The individualisation defined by the CPR aims for more detail and decarbonisation commitment from manufacturers. However, FIEC is concerned that this exercise will lead, above all, to emission savings just on paper, without a huge impact on the products themselves.</p> <p>At the same time, life cycle assessments mainly use generic and aggregated information from databases. As a result, the additional cost for individualisation is disproportionate, and even exorbitant for the final calculation of the environmental weight of the works. Furthermore, individualisation makes it virtually impossible to find alternatives, and raises the question of the impact of the risk of a shortage of high-performance materials for housing construction.</p> |
|          | <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ Amend the CPR to continue to allow manufacturers to refer to an environmental declaration based on a collective life cycle analysis (cf. CPR, Art. 15 &amp; Art. 22 &amp; Art. 42 &amp; Art. 55).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>2</b> | <b>Strategic Environmental Assessment (SEA) Directive</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|          | Directive 2001/42/EC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | <p>Lengthy permitting procedures have been identified as a key contributing factor to high costs of construction over the total project duration, thereby driving the EU's affordable housing crisis. FIEC highlights the redundant nature of the environmental assessments imposed by the SEA Directive and the EIA Directives. The obligation to carry out an assessment both during the preparation of the local urban development plan and at the project stage adds to complexity and time demands.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          | <p><u>Specific Simplification Suggestion(s)</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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|          | <ul style="list-style-type: none"> <li>➤ Simplify the obligations defined by the SEA Directive with the goal of accelerating permitting procedures.</li> <li>➤ Ease obligations from communes related to building and zoning plans for housing development.</li> <li>➤ Merge the SEA Directive and EIA Directives (see No.3) into one streamlined law.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>3</b> | <p><b>Environmental Impact Assessment (EIA) Directives</b></p> <p>Directive 2011/92/EU &amp; Directive 2014/52/EU</p> <p>Lengthy permitting procedures have been identified as a key contributing factor to high costs of construction over the total project duration, thereby driving the EU's affordable housing crisis. FIEC highlights the redundant nature of the environmental assessments imposed by the SEA Directive and the EIA Directives. The obligation to carry out an assessment both during the preparation of the local urban development plan and at the project stage adds to complexity and time demands.</p> <p>Local authorities in some Member States could once make land use plans (e.g. for smaller areas planned for housing only) without a mandatory environmental impact assessment. However, it was ruled by the administrative court that such exemptions are not compatible with EU law. FIEC therefore calls for adjusting the legislative framework to make exemptions for smaller projects legally compatible again.</p> <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ Simplify the obligations defined by the EIA Directives with the goal of accelerating permitting procedures.</li> <li>➤ Introduce a mandatory and fixed scoping procedure at the outset, which conclusively determines all necessary documentation and areas of assessment to avoid subsequent delays due to additional requirements arising at a later stage of a project.</li> <li>➤ Ease obligations from communes related to building and zoning plans for housing development.</li> <li>➤ Introduce accelerated EIA procedures with clearly defined maximum time limits for projects of outstanding economic importance and projects of overriding public interest (e.g. critical infrastructure, construction projects).</li> <li>➤ To simplify procedures and speed up project implementation, the development of construction projects subject to EIA procedures (Art. 7-14) should no longer be subject to an environmental impact assessment if the local urban development plan (cf. SEA Directive) governing them has already been subject to such an assessment. This is all the more important given that the development of construction projects that are subject to an EIA procedure and examination by the environmental authority through an impact study enables the environmental authorities to effectively assess their effects and impacts on the environment.</li> <li>➤ Merge the SEA Directive and EIA Directives (see No.2) into one streamlined law.</li> </ul> |
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| 4 | <b>Waste Framework Directive</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|   | Directive 2008/98/EC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|   | <p>Regulatory fragmentation is particularly evident with regard to the rules on End-of-Waste (EoW) and by-products. These are areas which, despite efforts towards harmonisation at the European level, continue to show significant differences among Member States, generating legal uncertainty, disproportionate administrative burdens and, consequently, becoming a concrete obstacle to the circulation of secondary (recovered) materials within the EU Single Market.</p> <p>The absence of harmonised technical criteria and the high degree of discretion and heterogeneity in permitting processes effectively prevent the development of an EU Single Market for secondary (raw) materials. FIEC considers these shortcomings as limiting factors to the spread of circular practices, effectively discouraging operators, particularly in the construction sector, from driving the use of recovered materials with negative effects both in economic and competitiveness terms, as well as with a view towards environmental objectives.</p> <p>In this context, FIEC highlights the strategic relevance of introducing and promoting measures that specifically support the recovery of materials (see above) through provisions that simplify their management and use. This should translate into practical tools that allow companies to treat, recover and reuse materials directly on site, reducing transport costs, management times and environmental impacts.</p> <p>The construction sector generates large quantities of reusable materials which, if properly managed, represent a valuable resource to reduce the consumption of raw materials, emissions, and disposal costs, while at the same time contributing to the resilience of production systems and industrial decarbonisation. It is therefore important to introduce specific EU-level measures and provisions to promote the use of materials derived from construction or demolition processes that can be reused without being classified as waste.</p> <p>Although the concept of “by-product” has existed in European legislation for many years, its implementation across Member States remains uneven and, in some cases, still very limited. In some Member States, only excavated soils and rocks are governed by specific legislation, which nevertheless remains overly restrictive for certain types of works. Other materials, such as reclaimed asphalt, which some Member States allow to process as by-products, are not even recognised as End of Waste, with the consequence that they must be treated as waste. This not only generates avoidable management and economic burdens but also contradicts the fundamental principles of the circular economy.</p> <p>Depending on the definition of the conditions under which on-site reuse is allowed, we see severe limitations to the implementation of on-site reuse. In particular, this is the case for extraordinary maintenance works on linear infrastructure, where small quantities of material and short execution times are incompatible with the lengthy testing procedures required for contamination analysis.</p> <p>The need for a harmonised approach is evident to drive simplification efforts and to align reuse practices. Processing and reusing materials directly on-site reduces transport costs to often distant treatment plants, bringing considerable time savings and limiting the need for further procurement of raw materials. At the same time, for the community, this choice results in a significant reduction of emissions from logistics, less landfill disposal and a consequent decrease in the extraction of natural resources, thus contributing to a more balanced and sustainable waste management system. Solutions of this kind would, in fact, make it possible to valorise materials on-site, thereby accelerating the process of circularity.</p> <p>Alongside regulatory challenges, there is also a complete lack of tools to encourage the use of secondary materials. The market for secondary (raw) materials still suffers from a profound asymmetry compared to that of virgin raw materials: without a system of</p> |



economic, fiscal and reward-based incentives that makes the use of recycled materials more convenient, companies are discouraged from adopting sustainable solutions, despite the growing interest in the circular economy.

To overcome this disparity and encourage the spread of circular business models, the EU should promote measures that make the use of secondary materials both economically attractive and administrative simpler, for example through tax and financial incentives for the use of recycled materials in construction processes, reward criteria for projects employing secondary resources, reductions or simplifications of permitting requirements for direct on-site recovery activities.

Such an integrated approach, combining regulatory harmonisation, simplification, and targeted incentives, is an essential enabling condition for boosting the competitiveness of the sector, reducing costs of construction, addressing the housing crisis structurally, and accelerating the transition toward a circular economy model.

#### Specific Simplification Suggestion(s)

- Harmonise definitions and the EoW status (WFD, Art. 3 & Art. 6).  
*To provide an example, please note that there are already existing criteria governing the EoW status for certain materials in some Member States, while elsewhere, criteria greatly vary across regions and often remain stricter or non-existent. Moreover, the definition of waste may also be subject to interpretation with regard to the question of intention to discard.*
- Simplify CE requirements for reused materials, without compromising on safety or technical performance.
- Ensure EU-wide recognition of quality-assured secondary materials in construction as products.
- Introduce regulatory clarifications that unequivocally establish that certain flows, such as reclaimed asphalt, if reused directly on site or in other compatible projects, never acquire the status of waste. Such a measure would enable the immediate reuse of materials without additional authorisation, in line with the principles of proportionality and the overall objective of waste reduction.
- Circularity in construction is an important lever for decarbonisation and resilience. FIEC therefore supports the aim of developing an EU Single Market for Secondary Materials and the development of European EoW criteria.  
*We closely follow the review conducted by the EC JRC on EoW criteria at the EU level for mineral Construction & Demolition Waste and contribute with technical details whenever relevant. From the analysis of the technical working document, it clearly emerges that the management criteria for some types of materials, including asphalt, vary significantly among Member States.*
- Facilitate the reuse of materials on construction sites (WFD, Art. 3 & Art. 5 + European Protocol on Construction Waste Management)
- Introduce common general principles and criteria that are ready to be transposed by Member States, with due consideration to national specificities, while providing flexibility regarding their implementation. In other words, if it is already known that certain types of materials can be safely reused under specific conditions, such conditions should be established as shared European principles, thereby ensuring a uniform basis and promoting concrete and consistent progress in the application of reuse practices, in line with the goal of strengthening the circular economy.
- Promote a harmonised and simplified framework for the recognition and use of by-products, establishing clear and uniform criteria that allow the direct reuse of materials in construction processes, especially when there is evidence of absent

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|          | <p>environmental or human health-related risk. Some Member States already allow, under certain conditions, the direct reuse of uncontaminated soil on site, while others oblige the processing of such material by an approved facility.</p> <ul style="list-style-type: none"> <li>➤ Establish general criteria and objective conditions (for example, based on the type of activity, the nature of the work, or the amount of material produced) that allow for direct on-site reuse without analytical characterisation, when the nature and origin of the material present no risk factors.</li> <li>➤ Adapt rules to the size of construction sites (WFD, Art. 17 &amp; Art. 35)</li> <li>➤ Establish simple, harmonised digital traceability with interfaces to construction site tools (WFD Art. 35)</li> <li>➤ Promote recycled materials by introducing regulatory incentives and standard clauses in public tenders to encourage the use of secondary materials (WFD, Art. 11 + Construction Products Regulation)</li> <li>➤ Clarify the status of holder and transfer of responsibility (WFD, Art. 3-15)</li> <li>➤ Harmonise transport, sorting and storage rules at the European level.</li> </ul> |
| <b>5</b> | <b>Waste Shipment Regulation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          | Regulation (EU) 2024/1157                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          | <p>FIEC recognises the need for efficient and environmentally responsible shipment of waste. However, the implementation of the WSR continues to pose significant administrative and legal obstacles, particularly in the context of cross-border transfers of materials intended for recovery and reuse. Diverging interpretations among Member States create legal uncertainty and block circular economy efforts. To support the construction sector's role in resource efficiency and the transition to a circular economy, a harmonised and proportionate regulatory framework is essential.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          | <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ Simplify cross-border transfers (WSR, Art. 14-24)</li> <li>➤ Develop a single transport document, valid throughout Europe, for flows of reused materials</li> <li>➤ Allow exemptions or simplified procedures for certain non-hazardous waste</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>6</b> | <b>Nature Restoration Law</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|          | Regulation (EU) 2024/1991                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          | <p>FIEC supports efforts to restore degraded habitats and to protect biodiversity. Many economic and entrepreneurial activities use healthy ecosystems in their interconnected functionality. Ensuring competitiveness and Europe's economic prosperity requires clearly defined objectives, economically sound measures, coherent instruments, and a reliable, long-term development of a regulatory framework for nature conservation.</p> <p>The Nature Restoration Law should be subject to simplification efforts to ensure that it does not negatively affect the availability of building land in urban areas. Planning</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|   | <p>authorities need to be able to effectively balance nature conservation targets with the need to provide affordable housing and find compromises in their local context.</p> <p>For the construction sector, the principle of non-deterioration is extremely demanding, especially in areas outside Natura 2000 and in areas where no remediation measures are being conducted. Moreover, it is currently still completely unclear what “protection claim” exists for the remediated and restored areas outside the Natura 2000 network. FIEC calls for a careful consideration and balancing of social, ecological, and economic factors.</p> <p>The timelines and general content requirements for national restoration plans are very ambitious and difficult to fulfil, given the high bureaucratic burden and limited capacity in national governments and authorities with regard to personnel and financial resources. The European Commission itself recognises that the preparation of those plans requires comprehensive and quality-assured data. However, the availability of such data generally only applies to priority habitat types and species according to the Habitats Directive. It is impossible to prepare national restoration plans in a timely and comprehensive manner, which form the basis for implementing measures.</p> <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ Introduce exemptions for housing construction</li> <li>➤ Allow Member States more flexible schedules for their national restoration plans</li> <li>➤ Ensure uniform implementation across Member States</li> <li>➤ The Article on the “Restoration of urban ecosystems” (NRR, Art. 8) should be adjusted in a proportionate manner to avoid conflicts with the objective of creating affordable housing in urban centres.</li> <li>➤ The non-deterioration principle should be limited to Natura 2000 areas.</li> <li>➤ The non-deterioration principle (NRR, Art. 4(11)) should be adjusted to allow for flexibility and short-term exemptions. In its current form, it risks the viability of material extraction, limits the potential uses of existing areas, and prohibits economic activity in certain areas.</li> </ul> |
| 7 | <p><b>Soil Monitoring Law</b></p> <p>EC Proposal for a Directive on Soil Monitoring and Resilience (5 July 2023)</p> <p>The aim of the Soil Monitoring Law is to improve soil resilience, ensure better management of contaminated sites, and introduce guiding principles to minimise land consumption, with a particular focus on soil sealing and soil erosion.</p> <p>However, in fact, it risks introducing excessively complex and burdensome procedures for Member States, particularly regarding the identification of potentially contaminated sites and the extension of investigations beyond the soil to the subsoil and bedrock.</p> <p>The planned identification and investigation procedure is complex and potentially disproportionate, as it would require Member States to collect evidence even through historical research on past industrial activities or incidents, as well as to establish lists of potentially contaminating activities or specific events that would automatically trigger environmental investigations, even in the case of simple authorisation or building permit applications. Those complex, lengthy, and costly investigations as defined by the Article on “Investigation of potentially contaminated sites” (cf. SML, Art. 3 &amp; Art. 14) could even extend to the bedrock, also for sites that are only potentially contaminated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|          | <p>A simplified and more proportionate framework, oriented towards actual risk rather than abstract principles, would ensure environmental protection, legal certainty, and faster intervention times, thereby reconciling soil protection objectives with those of housing development and urban regeneration.</p> <p>FIEC supports the goal of achieving healthy soils by 2050 and recognises the importance of reducing land consumption. However, it is essential that their implementation allows Member States sufficient flexibility to apply them in a practical and economically viable way. We explicitly support the transition to circular land use, which emphasises the reactivation of brownfield sites, the reuse of existing infrastructure, and the integration of demolition and recycling processes.</p> <p>Furthermore, the European Commission has rightly identified affordable housing as a key priority, and the Soil Monitoring Law risks working at cross purposes. By imposing stricter regulations on land use, this law could make building land even scarcer and more expensive.</p> <p>Meeting Europe's housing needs requires sufficient building land in areas of population growth, such as urban and economic centres. Specifically, the Article “Principles for reducing land take” has been drafted without sufficient consideration of its impact on the affordability and availability of building land, and by extension, housing. The pressure on housing markets and the urgent need to increase the supply of developable land seem to have been underestimated.</p> |
|          | <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ Appropriate and effective balancing of interests for construction projects</li> <li>➤ The Article on “Principles for reducing land take” must introduce an exemption for housing projects in areas of high demand for housing, bearing in mind the need for flexibility for the construction of houses to alleviate the affordable housing crisis.</li> <li>➤ Clearly define cases and conditions under which investigations (cf. SML, Art. 3 &amp; Art. 14) are actually required to avoid generalised application and procedural duplications.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>8</b> | <p><b>Packaging and Packaging Waste Regulation</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          | <p>Regulation (EU) 2025/40</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|          | <p>As part of the implementation of the Extended Producer Responsibility (EPR) for professional packaging, the notion of “producer” is defined by the European Packaging and Packaging Waste Regulation (PPWR, Art. 3-15). However, this definition is complex and leaves room for numerous interpretations when it comes to applying it to a specific sector across Member States.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | <p><u>Specific Simplification Suggestion(s)</u></p> <ul style="list-style-type: none"> <li>➤ FIEC is calling for an interpretation note on the definition of “producer”, drawn up in conjunction with sector representatives and adapted to their contexts.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |