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Brussels, 24 June 2025

Ms. Roberta Metsola
President
European Parliament
60, rue Wiertz / Wiertzstraat 60
1049 Brussels
Belgium

Dear President,

We are writing you as we are deeply concerned that the Commission is willing to withdraw a legislative file that is in the final stage of negotiations, without any prior consultation with the co-legislators. At the press briefing on Friday, 24th June, the Commission announced that it intended to withdraw its proposal for a Directive on substantiation and communication of explicit environmental claims, also known as the 'Green Claims Directive'.

While we acknowledge the right of the Commission to withdraw legislative proposals as a natural corollary to its power of legislative initiative, we do expect the Commission to adhere to the principle of sincere cooperation. According to point II.9 of the Interinstitutional Agreement on Better Lawmaking, "*when the Commission intends to withdraw a legislative proposal, whether or not such withdrawal is to be followed by a revised proposal, it will provide the reasons for such withdrawal, and, if applicable, an indication of the intended subsequent steps along with a precise timetable, and will conduct proper interinstitutional consultations on that basis. The Commission will take due account of, and respond to, the co-legislators' positions.*" Therefore, we insist that such a decision should be reasoned on valid grounds by the Commission, especially in the very last stage of the negotiation process. We also believe that the non-reasoned statements of the Commission mentioned above had an adverse consequence on certain national delegations, leading the Polish Presidency of the Council to cancel the last trilogue, which was destined to solve the last pending issues.

Until the announcement at the press briefing the Commission had never manifested its intention to withdraw the Green Claims Directive. For instance, it was not mentioned in the list of withdrawals under Annex IV of the Commission Work Programme 2025. It is therefore even more surprising that the announcement was made a few days before the scheduled last trilogue meeting of Monday, 23rd June.

Additionally, the Court of Justice of the EU has ruled that the Commission may withdraw a proposal as long as the Council has not acted. Given the fact that interinstitutional negotiations on this file have been ongoing since 28th January, it stands to reason that the Council has acted and thus a unilateral decision to withdraw the proposal without consultation of the co-legislators would be in violation of this constraint. We consider that this decision would create a dangerous

precedent for our institutional procedures and for the role of the Parliament as co-legislator, and we want to remind the Commission not to misuse the powers granted to it by the Treaties.

In light of the above, we would request you, as President, to defend the Parliament's prerogatives by strongly opposing the plan of the Commission on the Green Claims Directive and the underlying process. Both the Council and the Parliament gave clear mandates to pursue the trilogues, and any dispute on the content should be dealt with within this framework only at this stage.

We have also been informed about the Commission's statement regarding the Forest Monitoring Law, which mentions it might consider withdrawing the proposal should its concerns on data collection not be addressed in the course of the legislative procedure. In this case again, the Commission intervened late in the negotiation process and without consulting the Parliament as co-legislator.

We, therefore, ask you to convey to the Commission that the co-legislators need to be properly consulted in line with the principle of sincere cooperation on this file and any other possible withdrawals. We also consider that the responsible Commissioners should be summoned to the respective committees to explain their intentions. Given the politically sensitive context, we also expect that you raise the issue of the protection of the Parliament and Council's roles in the interinstitutional processes at your customary address at the European Council meeting on Thursday, 26th June in the presence of the Heads of State and Government and the Presidents of the European Commission and the European Council.

Yours sincerely,

Valérie Hayer, President of the Renew Europe Group

Iratxe García Pérez, President of the S&D Group