Mid-term review of the Sixth Community Environment Action Programme

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PURPOSE: to present a communication on the Mid-term review of the Sixth Community Environment Action Programme.

CONTENT: for the past thirty years the EU's environmental programme has been guided by strategic Environmental Action Programmes. The Sixth Community Action Programme (6th EAP) establishes the Community framework for environment policy and covers the period July 2002 to 2012 (see COD/2001/0029). It represents the environmental dimension of the EU's Sustainable Development Strategy and sets out the EU's environmental priorities. It focuses on four issues: climate change, nature and biodiversity, health and the quality of life, and natural resources and waste. The purpose of this report is to offer a mid-term review of the 6th EAP.

It addresses three distinct questions. Firstly, the extent to which the Union is meeting commitments made; secondly, to consider the most recent scientific evidence as a means of assessing whether the original goals set out in the 6th EAP are capable of being met; and thirdly to consider whether the EU's approach to environmental policy needs to be reassessed in light of the changed political context – in other words taking account of the recently revised EU Sustainable Development Strategy, the Lisbon Strategy for growth and jobs and the Commission's Better Regulation agenda.

The Commission concludes the mid-term review of the 6th EAP by stating that the EU's environmental policy is one of its major achievements. Despite the progress that has been made the EU's level of ambition needs to be increased. The EU is not yet on the path of sustainable environmental development. There has only been limited progress with the fundamental issues of integrating environmental concerns into other policy areas and improving the enforcement of EU legislation. Many environmental pressures are actually increasing: global emissions of greenhouse gasses are rising, the loss of biodiversity is accelerating, pollution still has a major effect on public health, the amount of waste produced inside the EU continues to increase, and our ecological footprint is steadily growing.

Climate change, biodiversity, health and resource use remain the most pressing environmental challenges and the 6th EAP is still the correct framework for future action at Community level. The EU is generally on-track with adopting the measures outlined in the Action Programme. However, five years into a ten-year Programme it is too early to see the results of most of the measures proposed under the 6th EAP. Many have only recently been adopted and ensuring implementation will therefore be the immediate priority of the Commission.

A review of the most recent scientific situation does reveal several gaps between the objectives set in the 6th EAP and the measures set out for achieving these objectives. In these areas existing measures will have to be strengthened or new measures adopted.

The perspectives for better policy-making are the following:

Enhanced international co-operation: in the coming years the Commission will concentrate on: a) promoting sustainable development worldwide and further mainstreaming environmental considerations into all EU external policies; b) putting in place an effective "environmental diplomacy" will mean linking environmental objectives with other international negotiations. The EU will continue to promote sustainable development issues in the context of WTO negotiations; c) using the negotiations for Free

Trade Agreements with partners in Asia and Latin America. These will be an opportunity to boost trade in sustainable goods and services; d) promoting our environmental policies and requirements; e) promoting the transfer of technology and/or resources with developing countries as an incentive for them to address global problems such as climate change; f) working with Member Sates in order to develop regional /country support strategies that adequately address environment and natural resource management issues; g) intensifying, together with Member States, the dialogue with key emerging economies such as China, India, Brazil, Ukraine and South Africa; h) improving international environmental governance; i) setting up an International Panel on the Sustainable Use of Natural Resources and supporting a global system to monitor the levels of biodiversity (in particular as regards forests); j) making sure that European environmental policy concerns are also taken forward in coordination with Member States in specialised organisations such as the International Maritime Organisation and the International Civil Aviation Organisation.

"Better Regulation" principles in environmental policy-making: in the coming years, the Commission will focus on strengthening the Better Regulation agenda in environment policy-making by using the market to deliver environmental results; simplifying the existing regulatory environment and reducing administrative costs; cooperating fully with civil society when developing environmental policies and developing a close working relationship with industry in order to promote sustainable development agenda; promoting the dissemination of good regulatory practices; and streamlining reporting requirements while improving the quality of environmental information.

Using the market to deliver environmental results: the Commission has recently adopted a Green Paper on market-based instruments for environment and related policy purposes. The 2007 revision of the IPPC Directive will also consider if market-based mechanisms can be used to strengthen implementation and to promote innovation. An important instrument which can influence consumer behaviour is the optimal use of environment related taxation. However, these taxes need to be applied such a way as to avoid distorting the functioning of the internal market and to maximise the environmental benefit. The EU is also committed to removing environmentally damaging subsidies and by 2008 the Commission will put forward a roadmap for the reform, sector by sector, of these subsidies with a view to eliminating them.

The Commission will propose an extension of performance labelling schemes from electrical appliances and cars to other groups of products.

Simplification, codification and reduction of administrative burden: the Commission envisages revising a number of important legal instruments, with a view to further simplification, codification and reduction of administrative burden.

Working Closely with Stakeholders: the Commission will continue to work closely with civil society when formulating environmental policies. A better approach to regulation also requires a good working relationship with industry – who are ultimately responsible for implementing the majority of environmental laws. The Commission will also build on its dialogue with business, trade unions and NGOs in order to develop ambitious business responses - such as corporate reporting - which go beyond existing minimum legal requirements. The Commission and Member States will need to continue efforts to promote eco-innovations and environmental technologies as industry can make important contributions on environmental protection. There is also a need to improve the functioning of the voluntary instruments that have been designed for industry: EMAS and Eco-label.

Promoting good regulatory practices: the Commission will improve the monitoring of policy effectiveness and promote a more structured dissemination of good practices and turn best practices into standard practices.

Simplified and improved environmental information: ongoing efforts to modernise the way information is created and exchanged will be stepped up, in particular by the development of a Shared

Environmental Information System (SEIS) to ensure wide availability of the information needed to develop and implement environment policy, while cutting unnecessary administrative burdens on Member State authorities.

Promotion of Policy Integration: in the agricultural sector there have been fundamental reforms over the last 15 years that have moved towards seeing farmers as stewards of nature. However, the integration of environmental concerns into other areas has been less successful. To improve the assessment of environmental impacts at national level the Commission will review the effectiveness of Directives on Environmental Impact Assessments and Strategic Environmental Assessments. The Commission will seek to speed up these procedures while ensuring that the protection of the environment is not compromised. The Commission will produce a strategic framework in order to address the issue of policy integration. It will pay particular attention to the sectors where there is the greatest potential for policy synergies in order to improve the quality of the environment (agriculture, fisheries, transport, energy, regional and industrial policy and EU external relations). To improve the assessment of environmental impacts at national level the Commission will review the effectiveness of Directives on Environmental Impact Assessments and Strategic Environmental Assessments. The Commission will seek to speed up these procedures while ensuring that the protection of the environment is not compromised.

Improved implementation and enforcement: if a common environment policy framework is now in place, the high number of complaints and infringement procedures are a sign that the implementation of environmental legislation remains far from satisfactory. In 2007, the Commission will draw up a revised strategy on implementation and enforcement of EC environment law. This strategy will focus particularly on the systematic implementation failures that have been identified and will encourage the use of a mix of legal and non-legal instruments.