Environment: Eco-management and audit scheme EMAS, voluntary participation by organisations (amend. regul. 1836/93/EEC)

1998/0303(COD) - 09/11/2004 - Follow-up document

There are two main objectives to this Commission Report. Firstly, to inform the European Parliament and Council on incentives offered to organisations registering on the EMAS scheme and secondly, to raise national authorities' awareness regarding differing national practices relating to EMAS. The Report not only fulfils the Commission obligation to prepare a study on EMAS as provided for in the EMAS Regulation, it is also acts as a useful information tool for policy makers and Commission officials preparing a revision of the EMAS Regulation.

EMAS itself incorporates a formal environmental management system (EN ISO 14001), although other les formal environmental management systems are available providing for different options for organisations wishing to rely on environmental accounting options. EMAS itself goes beyond EN ISO 14001 – indeed it sets much stricter requirements than other management structures, which may explain in part, the differences between the statistics collected for EMAS and EN ISO 14001 registrations and certifications. The Commission lists a number of reasons why EMAS is an attractive instrument for many organisations – both private and public. It offers, for example, a more sustainable use of resources, offers financial advantages, improves the public image of companies, reduces the risk of non-compliance with environmental legislation and offers proper risk management. Yet, in spite of these advantages, the Commission investigation into EMAS incentives indicates that the scheme is facing a number of challenges. They are:

The number of new registrations has declined over the last two years. The business community is particularly critical of the lack of external incentives. Most registered companies are located in only a few Member States. The scheme has been enlarged to all of the Member States, which joined in May 2004.

When assessing the conclusions of the Report, the Commission notes that the EMAS scheme is facing a number of challenges, which need to be addressed. The Commission suggests that Member States and national authorities could do more to ensure the success of EMAS. The report reveals that most Member States apply measures offering external incentives. Nevertheless, the fact that the business community regularly complains about the shortage of substantial measures seems to indicate that there is room for improvement. The fact that some Member States offer differing incentives – indeed differing schemes (EMAS or EN ISO 14001) is a sign that more co-ordination could be necessary. When preparing the study, the Commission also noted that, in general, incentives are designed to benefit the private sector to the neglect of the public sector. Given that EMAS is also available to public organisations, the Commission calls on national authorities to do more to offer this sector more encouragement – especially local authorities.

As far as the new Member States are concerned, the Commission study reveals that, with a couple of exceptions, incentives in the new Member States are negligible or even non-existent. The Commission urges those new Member States to do more to implement the regime – which they suggest is to their advantage given the huge body of environmental legislation they have or will soon incorporate into their national law. In any case the Commission will continue to offer assistance and support measure necessary for the implementation of EMAS in private and public organisations. Based, in part, on the findings of this Report, the Commission has launched a revision of EMAS, which will include looking at the legal requirements on incentives in order to strengthen their scope and efficiency. According to the

Commission, the EMAS revision represents a turning point in the scheme as well as an opportunity to make incentives play a more crucial role. The Commission will seek to work closely with the national authorities and interested parties in order to encourage the most efficient management system.