Basic information

2001/0029(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Decision	Procedure completed
Environment: 6th Community action programme 2001-2010 **Subject** 3.70 Environmental policy 3.70.20 Sustainable development	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
DELE EP Delegation to Conciliation Committee	MYLLER Riitta (PSE)	05/02/2002

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health, Consumer Policy	MYLLER Riitta (PSE)	04/04/2000
ENVI Environment, Public Health, Consumer Policy	MYLLER Riitta (PSE)	04/04/2000

Former committee for opinion	Former rapporteur for opinion	Appointed
ITRE Industry, External Trade, Research, Energy	SCAPAGNINI Umberto (PPE-DE)	27/02/2001
AGRI Agriculture and Rural Development	FIGUEIREDO Ilda (GUE/NGL)	27/02/2001
RETT Regional Policy, Transport and Tourism	BAKOPOULOS Emmanouil (GUE/NGL)	06/02/2001
PETI Petitions	GONZÁLEZ ÁLVAREZ Laura (GUE/NGL)	06/03/2001

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2407	2002-02-12
Competitiveness (Internal Market, Industry, Research and Space)	2371	2001-09-27

	Environment	2355	2001-06-07
	Environment	2334	2001-03-08
	Fisheries	2435	2002-06-11

European Commission	Commission DG	Commissioner
	Environment	

Key events

Date	Event	Reference	Summary
24/01/2001	Legislative proposal published	COM(2001)0031	Summary
31/01/2001	Committee referral announced in Parliament, 1st reading		
08/03/2001	Debate in Council		Summary
14/05/2001	Vote in committee, 1st reading		Summary
14/05/2001	Committee report tabled for plenary, 1st reading	A5-0175/2001	
30/05/2001	Debate in Parliament		
31/05/2001	Decision by Parliament, 1st reading	T5-0302/2001	Summary
27/09/2001	Council position published	11076/1/2001	Summary
03/10/2001	Committee referral announced in Parliament, 2nd reading		
18/12/2001	Vote in committee, 2nd reading		Summary
18/12/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0456/2001	
17/01/2002	Decision by Parliament, 2nd reading	T5-0007/2002	Summary
12/02/2002	Parliament's amendments rejected by Council		
13/03/2002	Report tabled for plenary, 3rd reading	A5-0170/2002	
19/03/2002	Formal meeting of Conciliation Committee		
19/03/2002	Final decision by Conciliation Committee		Summary
03/05/2002	Joint text approved by Conciliation Committee co-chairs	03618/1/2002	
29/05/2002	Debate in Parliament		
30/05/2002	Decision by Parliament, 3rd reading	T5-0259/2002	Summary
11/06/2002	Decision by Council, 3rd reading		
22/07/2002	Final act signed		
22/07/2002	End of procedure in Parliament		
10/09/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0029(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 175-p3
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/15879

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0175/2001	14/05/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0302/2001 OJ C 047 21.02.2002, p. 0016-0113 E	31/05/2001	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0456/2001	18/12/2001	
Text adopted by Parliament, 2nd reading		T5-0007/2002 OJ C 271 07.11.2002, p. 0061-0154 E	17/01/2002	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A5-0170/2002	13/03/2002	
Text adopted by Parliament, 3rd reading		T5-0259/2002 OJ C 187 07.08.2003, p. 0021-0101 E	30/05/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	11076/1/2001 OJ C 004 07.01.2002, p. 0052-0079	27/09/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0031 OJ C 154 29.05.2001, p. 0218 E	24/01/2001	Summary
Commission communication on Council's position	SEC(2001)1565	02/10/2001	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2002)0084	07/02/2002	Summary
Non-legislative basic document	COM(2007)0225	30/04/2007	Summary
Follow-up document	COM(2008)0773	18/11/2008	Summary

Follow-up document	SEC(2008)2851	18/11/2008	
Follow-up document	SEC(2008)2852	18/11/2008	
Follow-up document	SEC(2008)2876	18/11/2008	Summary
Follow-up document	COM(2011)0531	31/08/2011	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0711/2001 OJ C 221 07.08.2001, p. 0080	30/05/2001	
CofR	Committee of the Regions: opinion	CDR0036/2001 OJ C 357 14.12.2001, p. 0044	13/06/2001	
CSL/EP	Joint text approved by Conciliation Committee co-chairs	03618/1/2002	03/05/2002	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2002/1600
OJ L 242 10.09.2002, p. 0001-0015 Summary

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 30/04/2007

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. 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. 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.

State of the Environment: One of the main findings of this heading is that the EU's environmental policy has improved the quality of life for its citizens. Considerable progress has been made in areas such a reducing greenhouse gas emissions, wetland conservation, sustainable forest practices and waste management. The overall conclusion, however, is that in spite of progress made Europe is not yet on a path of genuine sustainable development.

Growth, Jobs and the Environment: Sustainable Development is the overarching objective of the EU. It governs all of the Union's policies and activities. The concept of sustainable development is underpinned by the synergies that exist between the economic, social and environmental elements. Well designed environmental policies can also contribute to other objectives such as increasing competitiveness, stimulating economic growth and enhancing job creation. Indeed, inaction, as the Stern Report highlights, can have very high economic costs. The Stern Report concluded that limiting temperature rises to safe levels would cost approximately 1% of global GDP while the cost to the global economy of a, business as usual, approach would be up to five times as much. The paper also highlights that environmental performance can trigger innovation, which in turn contributes to the EU's competitiveness. Environmental policy has helped the development of the booming sector of environmental technologies. The annual turnover of European eco-industries is EUR 227 billion, which represent approximately 2.2% of the EU's GDP. The sector alone accounts for 3.4 million full time jobs or 1.7% of total EU employment.

Assessing the 6th EAP Priorities:

Climate Change: The Commission suggests that there are three main issues confronting the EU with respect to climate change. Firstly, the EU must cut emissions of greenhouse gases and make the shift towards a low carbon economy. This is partially being achieved through the EU-wide Emissions Trading Scheme (ETS) as well as the proposed energy climate package to reduce emissions of greenhouse gases by at least 20% by 2020. The key challenge for the EU, in future, will be to deliver on these political commitments.

The second challenge is "climate diplomacy". Climate diplomacy commits the EU to engaging with third countries in order to build support for a global agreement on greenhouse gas emission limitations. This means convincing the United States, and other countries, that it is in their own interests to be at the forefront of the fight against climate change. Climate diplomacy will be accompanied with an increase in technical assistance as well as technology transfer.

The third challenge is "adaptation" to climate change. Although the EU is only now beginning to see the actual impact of climate change the need for adaptation must begin now and be built into all relevant European and national policies. In 2007, the Commission will present a Green Paper on adapting to climate change.

Nature and Bio-diversity: In 2006, the Commission published a strategy on reducing, significantly, the loss of global biodiversity. The main conclusion of the strategy is that the EU policy framework is largely in place – most notably with the NATURA 2000 network of protected areas. The priority for the EU, in future, will be the full and effective implementation of existing legislation. In other areas, the EU is committed to stepping up efforts to stop deforestation and to establish legal requirements on the prevention of bottom-trawling (a practice which is highly destructive to the ocean floor).

Health and the quality of life: Four pieces of legislation from the foundation of the EU's approach to limiting environmental threats to human health: the Water Framework Directive, REACH, the proposed Directive on ambient air quality and cleaner air for Europe and the proposed framework Directive on pesticides. To shape the next generation of environment policies, the Commission will assess whether there are gaps in existing measures that need to be addressed – such as the cocktail effect of chemicals. While respecting the principle of subsidiarity, the Commission will continue to look at ways to improve the urban environment. The Commission will also step up efforts to improve public information on environmental pollution and adverse health impacts.

Natural Resources and Wastes: The 6th EAP aims to decouple economic growth from environmental degradation. The Thematic Strategy on the sustainable use of natural resources provides a long-term framework for achieving this objective and takes the first steps towards making the EU the most resource-efficient economy in the world. In 2007 the Commission will also propose an EU Sustainable Consumption and Production Green Paper, the purpose of which is to reverse unsustainable patterns of consumption and production.

Better regulation principles in environmental policy-making: The Commission is committed to focusing on the Better Regulation agenda in environmental policy by: using the market to deliver environmental results; simplifying the regulatory environment and reducing administrative costs; co-operating fully with civil society when developing environmental policies; developing closer working relationships with industry in order to promote sustainable development; promoting the dissemination of good regulatory practices; and streamlining reporting requirement while improving the quality of environmental information.

Conclusions: 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. There have been substantive reductions of harmful emissions into air and water, waste is better managed and there are fewer harmful chemical substances in the environment. The EU's environmental policy has helped European industry to become a world leader in a number of high growth sectors and it has created millions of jobs.

Yet, in spite of progress achieved thus far, the EU's level of ambition needs to be increased. For example, there has been limited progress in integrating environmental concerns into other policy areas and improving the enforcement of EU legislation. Further, 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 countries continues to increase and the EU's ecological footprint is steadily growing.

As the EU celebrates its first 50 years, it is clear that developing and implementing policies that can effectively protect Europe's environment will be at the heart of the European "project". Implementing and building upon the 6th EAP will be at the centre of the EU's work.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 18/11/2008 - Follow-up document

The Commission presents a Communication on implementing European Community Environmental Law. The aim of this Communication is to show how the new approaches set out in the Communication "A Europe of Results — Applying EU Law" will be applied in the area of environment.

It shows how EC environmental law can be implemented better by a combination of:

- legislative and post-legislative work aimed at the prevention of breaches;
- responding to the specific concerns of the European public;
- more immediate and more intensive treatment of the most important infringements;
- enhanced dialogue with the European Parliament,
- enhanced transparency, communication and dialogue with the public and interested parties.

This review is particularly timely in the light of EU enlargement in the period 2004-2007, the deepening of environmental concerns, a growing environmental acquis, important developments in the case-law of the European Court of Justice (ECJ) and the emergence of new compliance-promoting practices. The Communication reflects the increased priority attached to implementation, especially as expressed in the Sixth Environment Action Programme and its mid-term review, and responds to a long-standing interest of the European Parliament.

The Communication first sets out the challenges in applying environmental law in the EU.

The specific means of promoting and achieving compliance are then outlined, divided between: preventing breaches by improving the quality of new EC environmental legislation and ensuring good-quality national implementation; responding to the specific concerns of the

European public, with an improved problem-solving mechanism and an enhanced Commission presence in the Member States; criteria for identifying breaches which call for an especially high level of attention; and proposals for enhanced dialogue with the European Parliament, the public and interested parties. The Communication is complemented by two separate Commission documents, one a description of sectoral challenges and an outline of preventive measures to promote compliance, and the other a summary of the impact assessment.

Dialogue with the European Parliament: as co-legislator, the European Parliament has a clear interest in effective implementation. The environment accounts for about 10% of all parliamentary questions put to the Commission. The Environment Committee has periodic sessions on the implementation of EC environmental law, and the environment is currently the main subject in 35% of the petitions handled by the Petitions Committee. The work of these Committees can facilitate dialogue on strategic aspects of implementation, such as those relating to the evaluations to be made in future Commission Annual Reports on the Application of EU law. For example, the Environment Committee’s implementation sessions provide an occasion to discuss the situation in particular sectors, such as water, waste and nature conservation. The improved problem-solving mechanism should help the Petitions Committee to address citizens’ grievances. It is to be expected that the Parliament will also have inter-actions with national parliaments, not least because of the role these play in transposing directives for which the Parliament is co-legislator. The Commission is ready to assist in these interactions.

The Commission considers that effective implementation of EC environmental law will use a combination of means. Using

the tools of impact assessment and consultation, preparation of legislation will focus on the most efficient ways of meeting environmental goals. Subsequent work will focus on preventing breaches by helping Member States to adopt national and regional legislation and other measures that are timely, complete and correct. In parallel, the Commission will seek to address the specific concerns of the European public by promoting responses at national and regional level, applying the improved problem-solving mechanism and itself making environmental law expertise available in Member States, initially on a pilot basis. A set of criteria will be used to identify any breaches that call for a particularly high level of attention, including where appropriate requests to the ECJ for interim measures. It is also intended to have enhanced dialogue with the public and interested parties as well as the European Parliament and, where appropriate, to refine the Commission’s approach in the light of this.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 22/07/2002 - Final act

PURPOSE : to establish a programme of Community action on the environment. COMMUNUNITY MEASURE : Decision 1600/2002/EC of the European Parliament and of the council laying down the Sixth Community Environment action Programme CONTENT : the Programme constitutes a framework for the Community's environmental policy. It aims to achieve a decoupling of environmental pressures and economic growth. It will be based particularly on the polluter-pays principle, the precautionary principle and preventive action, and the principle of rectification of pollution at source. The programme aims at: -emphasising climate change as an outstanding challenge of the next ten years and beyond and contributing to the long-term objective of stabilising greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthrpogenic interference with the climate system. A long-term objective of a maximum global temperature increase of 2°C over pre-industrial levels and a CO2 concentration below 550 ppm will guide the Programme. In the longer term this is likely to require a global reduction in emissions of greenhouse gases by 70% as compared with 1990. -protecting natural systems and habitats with the aim of halting desertification and the loss of biodiversity, both in the EU and on a global scale. -contributing to health and quality of life by providing an environment where the level of pollution does not give rise to harmful effects on human health and the environment and by encouraging sustainable urban development. -better resource efficiency and waste management to bring about more sustainable production and consumption patterns, thereby decoupling their use of resources and the generation of waste from the rate of economic growth. The Decision sets out strategic approaches to meeting these objectives. These include the development of new Community legislation and the more effective implementation of existing rules. The Decision also sets out the priority areas for action on dealing with each of the four objectives. The Programme will cover a period of ten years starting from 22 July 2002.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 07/02/2002 - Commission opinion on Parliament's position at 2nd reading

Following the second reading in plenary of the European Commission's proposal for a sixth environmental action programme, the European Parliament tabled 18 amendments. Mostly, they are of a general nature seeking to emphasise sustainability, re-introduce provisions on environmental crime, promote environmental compatibility of subsidies and fiscal measures and to raise the quality of information upon which policy is based. Other amendments seek to subject the various thematic strategies to the co-decision procedure and importantly that these thematic studies be ready within a three year, rather than five year, deadline. Of the 18 amendments proposed the Commission opted to accept three fully and nine either in principle or in part. The remaining four it rejected. The three accepted in full refer to: - the introduction of provisions for measures to combat environmental crime; - an editorial revision on low-fuel-consuming vehicles; and - a clarification of the need to de-couple GDP and transport growth. The nine accepted in part or in principle are generally of an editorial nature or else a clarification of terms in the text. They include, inter alia: - the need to raise awareness amongst local authorities of EU environmental policies; - reduction of greenhouse gas emissions from motor vehicles; and - an integrated, horizontal approach for the urban thematic strategy. Those amendments rejected by the Commission relate to: - subjecting every thematic strategy to co-decision; - bringing the deadline by which strategies must be ready for implementation by two years from five to three; - the additional target of stabilising transport CO2 emissions in the context of the Kyoto 8% reduction target for 2008-2012; and - introduction of a new date (2003) for providing information on indicators. Information, the Commission argues, should be provided on a regular bases and not provided on a one-off platform.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 31/05/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution by Mrs Riitta MYLLER (PES, FIN) approving the Commission's proposed Environment Action Programme for the next ten years, subject to numerous binding amendments that seek to pin the programme down to specific objectives and a firm timetable for achieving them. Voting was 274 to 150 with 31 abstentions. (Please refer to the previous document).

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 08/03/2001

The Council held an orientation debate on the sixth Environmental Action Programme. The issues addressed by the Ministers in this first debate focused on the choice of priority areas, the setting of objectives and targets, the need for timetables and for indicators to monitor progress, the instruments for implementing the programme, the link with the Community's (Cardiff) process of integrating environmental concerns into other policies and the relationship with the strategy on sustainable development to be adopted at the Gothenburg European Council in June 2001. The President concluded the debate by summarising the main points. According to the President, there was in particular: - broad support for the four priority areas as proposed by the Commission; some delegations stressing the importance of tackling urban environment, sustainable transport and eco-efficiency; - the general wish to strengthen the Environmental Action Programme by considering more concrete objectives and possible timetables; - the feeling that the process of integrating environmental concerns into sectoral policy should be further highlighted for the purpose of greater political coherence; - the need to develop indicators in order to ensure an effective monitoring of the Programme; - the desire to better emphasise the enlargement perspective in the Programme, given its 10-year timescale.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 17/01/2002 - Text adopted by Parliament, 2nd reading

The European Parliament adopted the resolution by Mrs Riitta MYLLER (PES, FIN). (Please refer to the decisions of the committee reponsible 18/12 /01). The European Parliament also included an amendment which establishes by 31 December 2003 a list of criteria allowing environmentally negative substances to be recorded, in order to draw upon proposals for progressively eliminating the more negative substances. With regard to the resolution, Commissioner Margot Wallström said that she saw no point in having a long 'shopping list' of demands and she preferred to concentrate on priorities and on the implementation of these measures. She believes that the three-year deadline could not be achieved for all the thematic strategies and that conciliation talks seem likely before Parliament and Council reach an agreement on the Programme.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 27/09/2001 - Council position

The Council's common position has significantly tightened up the original Commission's proposal in terms of objectives, time-tables, the development of thematic strategies, environmental integration, the relationship with candidate countries and the EU's global responsibilities for sustainable development. The common position also states that the environmental objectives should be achieved within ten years unless specified otherwise. Other changes to the text include the enhancing of Article 2 relating to the principles and overall aims of the Programme. The specific objectives of this Article have been moved to those Articles devoted to the four priority areas of the Programme. Further, in all relevant Articles, the Council has made more precise, and where possible, concrete targets and timetables regarding implementation. Of the 221 amendments proposed by the Parliament, the Council has incorporated 174. Whilst the large majority have been incorporated literally, the Council notes that on certain occasions, to make the text more readable, they have been covered either in substance or in principle. The sixth environment action programme, the Council concludes, needs to be both ambitious and comprehensive whilst at the same time remaining realistic and flexible. It feels assured that the common position reflects these ambitions.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 24/01/2001 - Legislative proposal

PURPOSE: to present a proposal for a Council Decision laying down the Community Environment Action Programme 2001-2010. CONTENT: The Community's 5th environmental action programme 'Towards Sustainability' ended in 31.12.2000 having delivered a number of important improvements. However, a number of serious environmental problems persist and require further action. Against this background, the proposed environment action programme establishes the environmental priorities for a Community response, covering a ten year time period to allow sufficient time for identification of new measures, implementation and evaluation of their effects. The overall aims and objectives of the proposed programme are as follows: - the objectives and priorities set out are based on an assessment of the state and trends of the environment and the identification of those persistent environmental problems that require a lead from the Community; - it shall faciliate the integration of environmental protection requirements into other Community policies while, at the same time, ensuring that measures proposed and adopted in favour of the environment take account of the objectives of the economic and social dimensions of sustainable development, full consideration of all options and instruments, as well as being based on extensive dialogue and sound science; - it aims at stabilising the atmospheric concentration of greenhouse gases at a level that will not cause unnatural variations of the earth's climate. This will require making progress towards the long-term requirement established by the Intergovernmental panel on climate change to reduce emissions of greenhouses gases by 70% over 1990 levels: - to protect and restore the funtioning of natural systems and halting the loss of bio-diversity both in the European Union and on a global scale; - to target man-made contaminents that give rise to significant impacts on, or unacceptable risks to, human health; - other aims and objectives relate to better resource efficiency and waste management, sustainable development in candidate countries, a global partnership and an integrated dialogue. The means to achieve stratgies approaches include the following: more effecive implementation of Community legislation on the environment; integration of environmental protection requirements into the definition of all Community policies and activities; promoting the polluter pay principle; promoting partnership and co-operation with enterprises and their representative bodies; to ensure that consumers are better informed; to support environmental integration in the financial sector; to create a Community liability regime; to promote better understanding of environmental issues and finally, more effective land use planning and management decisions. In addition, the objectives on climate change shall be pursued inter alia, meeting the targets of the Kyoto Protocol and second, preparing for measures aimed at adaptation to the consequences of climate change.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 30/05/2002 - Text adopted by Parliament, 3rd reading

The European Parliament approved the joint text of the Conciliation Committee on the Community Environment Action Programme. (Please refer to the document of 19/03/02.)

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 18/11/2008 - Follow-up document

This Commission staff working document accompanies the Commission communication on implementing European Community Environmental Law - preventing breaches of and addressing specific challenges in implementing EC environmental law.

This document consists of two parts which can be summarised as follows:

First part – avoiding breaches of EC environmental law: this part describes some of the general means and methods whereby the Commission tries to avoid breaches of EC environmental law arising. The Commission seeks to prevent breaches of environmental law throughout the legislative life cycle — that is, through all the stages of legislation from conception and design to adoption, follow-up, review and revision.

- **Preparing EC legislation**: the Commission designs its new environmental policy instruments to meet environmental goals in ways that aim to avoid unnecessary administrative burdens and costs. It also reviews existing policies to significantly improve their implementation in the light of experience; legislation on industrial emissions has recently been reviewed, and a review of legislation on waste electronic and electrical equipment and restrictions on hazardous substances will be finished before the end of 2008. As regards the types of proposed future legal act, the Commission does not exclude greater reliance on regulations, the regulation known as REACH being an example. However, because of the need to take account of local and regional environmental conditions and administrative arrangements, the directive is likely to remain an important instrument.
- **Checking and ensuring the quality of national and regional implementing legislation**: a major effort has been underway for some years to ensure good quality national and regional legislation. The effort involves systematically checking conformity, relying on outsourced studies in a first phase of examination where appropriate. Studies have already been obtained for most of the principal parts of the acquis and follow-up action has begun for key waste, nature conservation and water directives. A risk-based approach is being applied — i.e. the Commission identifies and puts particular emphasis on those non-conformity problems likely substantially to might harm or impede practical compliance, as where non-conformity significantly narrows a directive’s intended scope of application.
- **Checking and supporting how tasks and obligations are met at national and regional level**: the environment directorate-general has set up internal task forces for nature conservation, water, air, climate change, waste and impact assessment to ensure the coherent and co-ordinated use of the tools available.
- **Performance scoreboards**: these involve showing the relative levels of compliance or performance of Member States at a given point in time by reference to a common performance indicator. They assist Member States by allowing them to compare how well they are doing by reference to other Member States.
- **Community financial assistance**: Community funds underpin the goals set by EC environmental law. The LIFE Fund, which is exclusively devoted to environmental projects, assists interventions that fall outside the scope of the main funding instruments. Community funding is subject to rules requiring compliance with EC law, including environmental obligations. Plans, programmes and projects co-financed by the Community which are likely to have significant environmental effects should be assessed in accordance to the Strategic Environmental

Assessment (SEA) Directive and the Environmental Impact Assessment (EIA) Directive. This helps secure compliance upstream and eases the process of Community co-financing. Funding of non-compliant projects is suspended where there is an open infringement procedure, and any violation of cross-compliance rules linking direct payments to farmers under the Common Agricultural Policy to respect for certain key environmental directives results in a reduction or cancellation of direct payments.

- **Pre-accession support activities:** the Commission runs a broad range of practical measures supporting transposition and implementation of the acquis by candidate and potential candidate countries. Opening and closing benchmarks are set to guide the acquis alignment and implementation. In addition, the Commission holds explanatory meetings and workshops on new or more complex parts of the acquis and provides technical assistance for drafting legislation. The overall progress made, including in the field of the environment, is assessed in annual progress reports and priorities for action are identified in the accession and European partnerships.
- **Other actions consist of commission guidance documents and other support for Member States and interested Parties, dialogue with authorities, institutions and interested parties with key roles in implementation, legal review and enforcement.**

Second part: this section of the document looks at implementation in the different sectors that make up EC environmental law such as nature conservation, waste management, protecting water resources, air quality, climate change, industrial installations, chemicals, pesticides and biotechnology, environmental liability, etc. For each sector, the main pieces of legislation are set out, the current position on implementation is evaluated, further challenges are described and there is a presentation of the main priorities in terms of Commission enforcement action.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 02/10/2001 - Commission communication on Council's position

The Commission broadly welcomes the Council's common position on the sixth community action programme. A general deadline for the preparation of implementing proposals is included in the common position whilst at the same time, (to the Commission's satisfaction), not setting a detailed work programme for the Commission. The Commission believes that the common position now represents an ambitious, credible and strategic policy approach with sufficiently defined obligations to ensure the commitment of all parties, not only at institutional level but also from stakeholders, Member States and candidate countries. Accordingly, the Commission urges the quick adoption of the programme so that work can begin as soon as possible.

Environment: 6th Community action programme 2001-2010

2001/0029(COD) - 31/08/2011 - Follow-up document

The Commission presents its final assessment of the Sixth Community Environment Action Programme (EAP) which was established by Decision No 1600/2002/EC , the first Environment Action Programme to be adopted through the co-decision procedure.

Findings: the overall conclusion of the final assessment is that on balance the 6th EAP was helpful in that it provided **an overarching framework for environment policy**. The large majority of actions set out in the Programme have been or are in the process of being completed. Preparation of the programme gave actors an opportunity for a comprehensive stock-taking and better understanding of EU environment policy as a whole. As it was **adopted by codecision**, stakeholders see it as having more legitimacy than previous programmes. This has helped to create a wider sense of ownership for subsequent policy proposals. Many stakeholders see the 6th EAP as a reference point from which to defend environment policy against competing policy demands, to secure appropriate funding and to provide predictability for business regarding certain future policy developments. The **seven thematic strategies of the 6th EAP** – air, pesticides, waste prevention and recycling, natural resources, soil, marine environment, urban environment – were developed in order to strengthen policy integration and to improve the knowledge base. Although progress varied across the areas covered by the thematic strategies, in some cases their preparation helped to build political will for the adoption of effective targets and timetables, and their subsequent implementation. This encouraged a more holistic approach to environmental policy-making and established a consensus on how best to proceed in view of concerns over competence or insufficiently robust data. Marine, soil, urban and resources strategies are seen by stakeholders as having provided most impetus. Some of these even spawned specific legislative instruments. Those on air, pesticides, and waste prevention and recycling focused to a greater degree on revising existing measures to improve coherence and to address specific gaps.

However, **evidence of the 6th EAP's capacity to leverage the adoption of specific environmental instruments is not compelling**, and the paper discusses the reasons for this.

Design of the Programme: part of the varying progress towards the objectives set out in the 6th EAP can be explained by the design of the Programme, especially in light of the respective levels of ambition in the different thematic areas. For example, the objectives set for climate change were subsequently overtaken by the dynamic policy developments in that field which were not driven by the 6th EAP. In contrast, the 2010 biodiversity target was not achieved, as strong initial commitment from Member States was not matched by adequate means. The paper notes that the general trend of most indicators relevant to biodiversity has been negative, albeit with significant regional variations, e.g. land abandonment, habitat fragmentation resulting from developments in transport infrastructures, urban sprawl, and inappropriate agricultural practices.

Fragmentation: while the intent of the Treaty is that general environment action programmes should focus on priority objectives, the co-decision process resulted in a 6th EAP with a large number of actions, varying both in scope and effect. This, coupled with the absence of a longer-term vision, compromised the Programme's capacity to deliver a clear message, which would have helped to maintain its profile more effectively throughout its lifespan. The thematic strategies were developed at significant costs in terms of time and human resources: the last strategy was adopted as late as 2006. **Inadequate implementation and enforcement of EU environmental legislation has also been a limiting factor.**

Timeframe: the ten-year timeframe of the 6th EAP was not always appropriate. It proved long enough to cover policy formulation, adoption and the early stages of implementation in some areas (e.g. waste). In others (e.g. resources, biodiversity) it proved to be too short because of the need for more information or because of other obstacles.

Financing: lastly, while the 6th EAP influenced the 2007-2013 multi-annual financial framework, the timing of its adoption in 2002 was too late for the period 2000-2007.

The paper goes on to provide a **detailed assessment of the priority areas of the 6th EAP** – nature and biodiversity, environment and health, natural resources and waste, climate change, and international issues – in terms of their contribution, the achievements and shortfalls of environment policy during the period, and lessons learned. In addition to the priority areas, the 6th EAP refers to a range of policy-making approaches and instruments including coherence and integration, finance and implementation and enforcement, which are also assessed by the Commission.

Challenges for the future: the principal pillars of environment policy and legislation, with the exception of soil, are now in place, although their full potential to deliver improvements has yet to materialise due to shortfalls in implementation. During the lifespan of the 6th EAP, the global economic order has been reshaped and as the global population grows, increasing demand for resources is putting more pressure on the environment. The EU has expanded through its enlargements during this period, and so is increasingly dependent on imported resources. Traditional environment policy still has a very important role to play in protecting the environment. But the increasingly interlinked nature of environmental challenges implies a need to be flexible and to adapt. The **underlying key challenge for future environment policy is to evolve from remediation to prevention of degradation, and to help further integrate the environment in all relevant policies.**

Internationally, the EU should also leverage its potential as a marketplace of some 500 million people with strict environmental standards and related skills and products. It can thus promote sustainable green growth beyond its borders, including among the beneficiaries of EU aid, while continuing to strive for better global environmental governance. Integrating environmental and low-carbon considerations into business models in other sectors, and ensuring coherence from policy formulation through to implementation are essential. **Obstacles to proper implementation of existing legislation need to be addressed, in particular governance issues at all levels in Member States.**

The paper discusses the need to do the following:

- achieve similar gains for resource productivity in future decades, as in past decades for labour productivity, to reduce EU dependency on raw materials and natural resources;
- acquire a more extensive knowledge base to understand better the drivers and barriers, to justify the cost of action and inaction, and to develop reliable indicators to measure progress toward a sustainable future for the EU;
- examine the potential to change the behaviour of consumers in order to ease pressures on the environment;
- expand the use of market-based instruments to mobilise more sustainable consumption patterns;
- continue efforts to remove environmentally harmful subsidies;
- better align environment policy planning with the multi-annual financing frameworks, since these set the publicly funded financial envelopes at EU level and determine the needs for co-financing in other policy domains on whose actions environmental outcomes increasingly depend.

Although the 6th EAP is in its final year, the Commission continues to pursue an ambitious environment policy that is now an integral part of the Europe 2020 Strategy. Policy orientations have been adopted on climate, transport and biodiversity. Others are expected later this year on resource efficiency and initiatives in the areas of water, air pollution, waste legislation and sustainable consumption and production are expected. Against this background, the Commission will consider how a new environment action programme could best provide added value in the rapidly evolving context for environment policy.