Basic information

2012/2104(INI) INI - Own-initiative procedure	Procedure completed
Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness **Subject** 3.70 Environmental policy 3.70.16 Law and environment, liability	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	ROSSI Oreste (EFD)	11/07/2012
	Shadow rapporteur FLORENZ Karl-Heinz (PPE) LEINEN Jo (S&D) SKYLAKAKIS Theodoros (ALDE) HASSI Satu (Verts/ALE) ROSBACH Anna (ECR) FERREIRA João (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
TRAN Transport and Tourism	The committee decided not to give an opinion.	
REGI Regional Development	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	
PETI Petitions	CHICHESTER Giles (ECR)	19/09/2012

European Commission	Commission DG	Commissioner
	Energy	POTOČNIK Janez

Key events

Date	Event	Reference	Summary
07/03/2012	Non-legislative basic document published	COM(2012)0095	Summary
14/06/2012	Committee referral announced in Parliament		
23/01/2013	Vote in committee		
30/01/2013	Committee report tabled for plenary	A7-0028/2013	Summary
12/03/2013	Decision by Parliament	T7-0077/2013	Summary
12/03/2013	Results of vote in Parliament		
12/03/2013	End of procedure in Parliament		

Technical information

Procedure reference	2012/2104(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/09173

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE494.601	25/10/2012	
Committee opinion	PETI	PE496.666	05/12/2012	
Amendments tabled in committee		PE502.042	18/12/2012	
Committee report tabled for plenary, single reading		A7-0028/2013	30/01/2013	Summary
Text adopted by Parliament, single reading		T7-0077/2013	12/03/2013	Summary

European Commission

Document type	Reference	Date	Summary

Commission document (COM)	COM(2012)0095	07/03/2012	Summary

Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness

2012/2104(INI) - 07/03/2012 - Non-legislative basic document

PURPOSE: to improve the delivery of benefits from EU environment measures through better knowledge and responsiveness in dealing with the problems on the ground.

BACKGROUND: the 2010 European Environment State and Outlook report from the European Environment Agency (EEA), confirms that the EU appears to be locked in a number of status-quo and downward trends which are moving away from, rather than toward, sustainability.

With the exception of soil, there is already extensive EU environment legislation, much of it long established, so the main challenge is now one of effective implementation.

Two issues stand out: the extent of our knowledge about the state of the environment and how it is safeguarded; and effective ways of dealing with problems on the ground.

Knowledge and responsiveness are complementary facets of implementation at EU level. To give just one example, better knowledge can enable customs authorities to deploy better control strategies for illegal trade in waste and endangered species.

The costs of not implementing current legislation are broadly estimated at around EUR 50 billion a year. These relate not just to environmental but also to human health impacts. For example, 20 % - 50 % of the European population lives in areas where the air quality breaches European limit values and the estimated annual costs in terms of health expenditure or days of work lost run to EUR billions.

More specifically, full implementation of EU waste legislation is estimated to generate 400,000 jobs and have net costs that are EUR 72 billion per year lower than under the alternative scenario of non-implementation.

This Communication supplements the 2007 and 2008 Communications. It responds to the December 2010 Environment Council request that the Member States and Commission enhance and improve the implementation and enforcement of EU environment legislation in order to improve the state of the environment and ensure a level playing field.

CONTENT: this Communication aims to **examine the means of helping Member States achieve a fully systematic approach in knowledge collection and dissemination and greater responsiveness to problems on the ground**. Effective access to justice is necessary but not sufficient, so it is proposed to also look at inspections and surveillance, complaint mechanisms and formalising partnerships to ensure implementation.

1) Improving knowledge on implementation: knowledge about implementation covers, on the one hand, the state of the environment and, on the other, all the required administrative and other measures intended to protect and improve it. However, it is not always simple to identify quickly the provisions of national law that correspond to a given provision of a directive. Monitoring efforts are uneven across Europe and the information generated is patchy and often out-of-date. Environmental information is available through individual requests rather than systematically published.

Meeting the environmental information needs and expectations of citizens, administrations and businesses requires **information systems to be set up by Member States that generate, manage and communicate information** that shows how EU laws are implemented and complied with in practice.

The objectives described in the Communication aim at:

- examining how to engage more actively with Member States so that they put in place effective information systems;
- providing better aggregated information at EU level;
- ensuring confidence in the information generated as a whole; and
- helping Member States to address data gaps and more effectively monitor land-cover changes.

2) Improving responsiveness at national, regional and local levels: improved knowledge will contribute to better delivery but it is not enough on its own. As guardian of the Treaties, the Commission uses its enforcement powers to address an absence of required end-results. However, the high number of infringements, complaints and petitions related to EU environment legislation points to a need generally to **reinforce implementation monitoring within Member States.**

The Commission proposes to examine a series of initiatives that could address this challenge. The initiatives are complementary and will be more effective in combination:

- **improving the inspections and surveillance applying to EU legislation**, for example by upgrading the existing framework for inspections and surveillance and assessing options for complementing national inspections and surveillance in a targeted way at EU level, including an EU-level inspection and surveillance capacity;

- **better complaint-handling and mediation at national level**: there is currently no general framework on how competent authorities should respond to complaints at national level. A dual approach addressing direct and review-stage complaint handling would make it more likely that concerns and grievances will be dealt with in a consistent way and sooner rather than later. There may be situations in which mediation or other similar dispute resolution mechanisms will add a further useful dimension;

- **improving access to justice**: the Commission considers it appropriate to explore how greater certainty could be provided for national courts and economic and environmental interests. Possibilities include: (i) developing guidance to take account of a significant recent body of case-law in order to improve implementation of existing access to justice provisions; (ii) defining at EU level the conditions for efficient as well as effective access to national courts in respect of all areas of EU environment law;

- **delivering improvements in environmental outcomes through capacity-building and implementation agreements that engage Member States** : where problems emerge, there is a need for clear commitments from Member States to put in place measures, with benchmarks and timelines, to deliver the required results. These commitments need to be formalised and publicly available, so that Member States, the European Parliament, businesses and citizens can have confidence that their concerns are being addressed within a structured framework. This challenge could be addressed through partnership implementation agreements designed to help deliver improved environmental outcomes.

This Communication is addressed to the European Parliament, Member States, their citizens and all actors in the area of implementation and enforcement of environment law. The 7th Environmental Action Programme should ensure a proper follow up and specific measures will be subject to impact assessment.

Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness

2012/2104(INI) - 30/01/2013 - Committee report tabled for plenary, single reading

The Committee on the Environment, Public Health and Food Safety adopted the own-initiative report by Oreste ROSSI (EFD, IT) on improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness, and welcomes the Commission Communication on the subject.

It notes the **unsatisfactory level of implementation of environmental law**, which not only harms the environment and human health but also creates uncertainty for industry and places obstacles to the Single Market. The annual cost of non-implementation of EU environmental legislation is currently EUR 50 billion in health costs and direct costs to the environment, rising to EUR 90 billion from 2020 onwards. Members further note that full implementation of EU legislation in the waste sector alone would generate 400 000 jobs and save EUR 72 billion annually.

Observing that the current fragmented state of implementation in Member States increases uncertainty about the exact requirements, and, in so doing, **discourages investments** in those environmental areas which can generate jobs, Members make a series of recommendations and put forward solutions to assure a more efficient implementation. In particular, they note that much of the **unnecessary administrative costs** linked to environmental legislation are due to inadequate or inefficient public and private administrative practices in various Member States. The committee recommends:

- **dissemination of best practices** between Member States, and between the regional and local authorities that are responsible for implementing EU legislation, as well as through greater cooperation with the European Institutions;

- **improving data** on compliance and enforcement work;

- the setting up of a **user-friendly website** where the most recent indicator measurements would be available and where informal comparisons among the Member States would be possible;

- the setting up of a systematic and easily accessible **online information tool** on implementation;

- involving **citizens** in the implementation process, in a structured way;

- the pooling of knowledge between the respective **judicial systems** of Member States that deal with infringements of EU environmental legislation;

It calls on the Commission to:

- explore the possibility of setting up **partnership implementation agreements** between the Commission and individual Member States, or between Member States, in order to promote better implementation;

- examine whether **greater participation by local authorities** throughout the process of defining environmental policy would be useful;

- re-consider demands for the introduction of a **best-practise database**, and explore ways in which information and communication technology can be deployed to provide as much useful online information as possible on how EU environmental law should be implemented;

- create a **complaint unit** where citizens can communicate problems related to the implementation of environmental legislation;

- set up an **Environmental Law Inspection Unit**, whose role will be to oversee and assist in the implementation of the environmental legislation.

Lastly, Member States are asked to advance further the proper implementation of EU environmental legislation and adopted policies and strategies in the framework of the 7th Environment Action Programme, and to ensure adequate capacity and finances for their full implementation, even in times of austerity.

Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness

2012/2104(INI) - 12/03/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness, and welcomes the Commission Communication on the subject.

Implementation as common task and opportunity: Parliament notes the **unsatisfactory level of implementation of environmental law**, recalling that the annual cost of non-implementation of EU environmental legislation is currently EUR 50 billion in health costs and direct costs to the environment, rising to EUR 90 billion from 2020 onwards. Members further note that full implementation of EU legislation in the waste sector alone would generate 400 000 jobs and save EUR 72 billion annually.

Observing that the current fragmented state of implementation in Member States increases uncertainty about the exact requirements, and, in so doing, **discourages investments** in those environmental areas that can generate jobs, Members make a series of recommendations and put forward solutions to assure a more efficient implementation. In particular, they note that much of the **unnecessary administrative costs** linked to environmental legislation are due to inadequate or inefficient public and private administrative practices in Member States. They call on the Commission, the Member States and the regions concerned to improve the flow of information, and increase transparency, through more active and frequent exchanges.

Solutions to assure a more efficient implementation:Parliament recommends:

- dissemination of best practices between Member States, and between the regional and local authorities, as well as through greater cooperation with the European Institutions;
- improving data on compliance and enforcement work;
- the setting up of a user-friendly website where the most recent indicator measurements would be available and where informal comparisons among the Member States would be possible;
- the setting up of a systematic and easily accessible online information tool on implementation;
- involving citizens in the implementation process, in a structured way;
- the pooling of knowledge between the respective judicial systems of Member States that deal with infringements of EU environmental legislation;

It calls on the Commission to:

- explore the possibility of setting up **partnership implementation agreements** between the Commission and individual Member States, or between Member States, in order to promote better implementation;
- examine whether **greater participation by local authorities** throughout the process of defining environmental policy would be useful;
- re-consider demands for the introduction of a **best-practise database**, and explore ways in which information and communication technology can be deployed to provide as much useful online information as possible on how EU environmental law should be implemented;
- create a **complaint unit** where citizens can communicate problems related to the implementation of environmental legislation;
- set up an **Environmental Law Inspection Unit**, whose role will be to assist in the implementation of the environmental legislation.

Member States are asked to advance strategies in the framework of the 7th Environment Action Programme, and to ensure adequate capacity and finances for their full implementation, even in times of austerity.

Lastly, the European Environment Agency (EEA) is called upon to:

- develop further its capacities to assist in assuring the quality of monitoring and the comparability of the environmental information collected in different parts of the EU;
- focus on capacity building and the dissemination of best practice in the Member States.