



Brussels, 29.11.2012
SWD(2012) 397 final

COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

Proposal for a Decision of the European Parliament and of the Council
on a General Union Environment Action Programme to 2020
‘Living well, within the limits of our planet’

{ COM(2012) 710 final }
{ SWD(2012) 398 final }

COMMISSION STAFF WORKING DOCUMENT

EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

Proposal for a Decision of the European Parliament and of the Council

on a General Union Environment Action Programme to 2020

‘Living well, within the limits of our planet’

This impact assessment accompanies the Commission proposal for a Decision of the European Parliament and of the Council establishing a General Union Environment Action Programme to 2020. In preparing the Decision, the Commission engaged in a broad public consultation and took into consideration the views of the other European Union (EU) institutions.

Environment Action Programmes have guided the development of EU environment policy since the early 1970s. The EU's right to act is set out in Article 192 (3) of the Treaty on the Functioning of the EU. The Sixth Environment Action Programme (6th EAP) expired in July 2012 and the European Commission has made a commitment to delivering a new EAP responding to demand from stakeholders, including the Council and the European Parliament, for a successor programme. The new programme intends to build on the value-added of the 6th EAP, while addressing its weaknesses.

The assessment shows that the proposal provides EU value-added by:

- providing a strategic framework for environmental policy in the EU;
- ensuring complementarity and coherence;
- ensuring predictability and a level playing field;
- stimulating action at all levels of governance.

The context in which this programme is being developed differs from that which prevailed at the time of the 6th EAP. In particular, the EU has adopted the Europe 2020 strategy -- an overarching strategy for all EU policies to create 'smart, sustainable and inclusive growth'. And while today many EU countries are struggling to cope with economic crisis, the need for structural reforms offers new opportunities for all countries to move rapidly towards an inclusive green economy.

EU Environment policy has three key, mutually reinforcing contributions to make in this respect:

1. ensuring that Europe's **natural capital** is sufficiently **resilient** to pressure and change
2. ensuring that its economy is highly **resource efficient and low-carbon emitting**
3. ensuring that the **health and wellbeing** of EU citizens continue to benefit from high degrees of environmental protection.

The new environment action programme should focus on reinforcing efforts to reach these core thematic objectives over the period up to 2020, guided by a long-term vision for the environment in 2050.

This impact assessment examines the main challenges to and options for ensuring that these objectives are attained as effectively, efficiently and coherently as possible.

Although various scientific assessments show a number of positive trends over the past decade, four underlying problems are hindering the achievement of these key environmental objectives (see Table ES1):

- 1) inadequate **implementation** of and gaps in the existing environment policy *acquis*;

- 2) lack of **coherence** in addressing increasingly interlinked challenges, which also requires efforts in other policy fields;
- 3) problems related to incentives for **investment** in environment-related measures;
- 4) insufficiently coordinated data and information on the environment and gaps in the **knowledge base** and emerging issues and trends that are not properly addressed at present.

Table ES1: Indicative table of strength of the underlying problems

<i>Environmental Issue</i>		<i>Underlying problems</i>			
		<i>Implement- ation</i>	<i>Knowl- edge</i>	<i>Invest- ment</i>	<i>Coher- ence</i>
<i>Ecological and climate resilience</i>	<i>Pressure on ecosystems (from air pollution, eutrophication)</i>	++	+	+	+++
	<i>Conservation Status (safeguard the EU's most important habitats and species)</i>	++	+	+++	++
	<i>Biodiversity (terrestrial and marine species and habitats)</i>	+++	++	++	+++
	<i>Soil degradation (soil erosion)</i>	+	++	++	++
	<i>Water quality (ecological and chemical status)</i>	++	+	+	++
	<i>Water pollution (from point sources and bathing water quality)</i>	+++	+	++	+
<i>Sustainable, Low-carbon growth</i>	<i>Global mean temperature change</i>	++	+	+++	+++
	<i>Greenhouse gas emissions</i>	++	+	++	+++
	<i>Energy Efficiency</i>	++	++	+	++
	<i>Renewable Energy Sources</i>	+	++	+++	+
	<i>Decoupling (resource use from economic growth)</i>	+	++	+	+++
	<i>Waste generation</i>	++	++	+	+++
	<i>Waste management (recycling)</i>	+++	++	+	++
	<i>Water stress (water exploitation)</i>	++	+	+	++
<i>Human health and well being</i>	<i>Transboundary air pollution (NOx, NMVOC, SO2, NH3, primary particles)</i>	+	+	+	++
	<i>Air quality in urban areas (particulate matter and ozone)</i>	+++	+	+	++
	<i>Chemicals</i>	++	+++	+	++

The new EAP will also aim to further strengthen both the urban and global dimensions of EU environment policy, as these spatial scales feature specific problems and challenges related to the environment and climate change that require specially-targeted approaches. The substantive commitments arising from the UNCSO 2012 (Rio + 20) are also reflected in the programme.

Reflecting these considerations, the **policy options** are examined in a two-step approach.

In the **first step**, three options on policy content are considered:

- **Option 1: business-as-usual.** This involves continuing with existing legislation as currently implemented.
- **Option 2: smarter implementation.** This involves more effort to tackle the underlying problems, which are seen as the main obstacles hindering the chances of reaching the aims and objectives set out in existing policy and legislation. It covers not just improving implementation, but making it smarter by ensuring that investment incentives are appropriate and that policies are coherent.
- **Option 3: smarter implementation and responding to new knowledge.** This option covers the efforts set out in option 2, plus more effort, responding to changes in the knowledge base and emerging issues.

The **second step** addresses the question of what kind of Environment Action Programme, if any, would provide the most effective strategic framework to enable the three specific objectives to be met. Three options are explored:

- **Option A:** Discontinuation of the EAP policy approach
- **Option B:** Business as usual — A new EAP structured in the same way as the 6th EAP
- **Option C:** A new EAP focused on a limited set of priority objectives.

Table ES2 shows the overall assessment of the options against the criteria of effectiveness, efficiency and coherence. It reflects the preferred option of a combination of option 3 delivered through option C as that which best delivers in terms of the three criteria. As well as delivering environmental improvements, a strategic new EAP that applies the principles of smart regulation and promotes coherence is also expected to boost competitiveness, by improving resource efficiency. Table ES3 details the actions under this option, which respond to the specific objectives set and include complementary measures addressing the underlying drivers.

Table ES2: Overall assessment of options

	Effectiveness	Efficiency	Coherence
<i>Step 1: choice of actions</i>			
Option 1	0	0	0
Option 2	+	++	+
Option 3 (preferred option)	++	++	++
<i>Step 2: what kind of EAP</i>			

Option A	-	-	-
Option B	0	0	0
Option C (preferred option)	+	+	++

Table ES3: Actions under the 7EAP and relationship to specific objectives

Specific Objectives	Actions related primarily to a single Specific Objective	Complementary measures addressing all three Specific Objectives (the enabling framework)
<p>Ensuring that Europe's natural capital is sufficiently resilient to pressure and change</p>	To fully implement the EU Biodiversity Strategy to 2020	<p>Improving implementation</p> <ul style="list-style-type: none"> - Enabling more effective environmental inspections and surveillance - Ensuring Access to Justice - Supporting enhanced Complaint-handling and mediation mechanisms at national level - To establish information systems at national level that actively disseminate information sufficient to show that EU environment law is effectively implemented - To explore the practical role that partnership agreements might play in improving the implementation of specific environmental legislation <p>Improving the scientific and knowledge base for environment policy</p> <ul style="list-style-type: none"> - To improve the scientific evidence base for environment policy, including its accessibility, by simplifying, streamlining and modernising the collection, management and sharing of environmental data and information - To develop a systematic approach to anticipate, evaluate and manage emerging environmental risk - To fill existing knowledge gaps
	To develop a more strategic approach to protecting and enhancing forests and the services they provide	
	To strengthen the integration of land use aspects into decision making potentially including the setting of targets on soil and land	
	Taking further steps and measures to eliminate emissions from urban and industrial wastewater, fertiliser use and air emissions responsible for eutrophication	
	To fully implement the Water Framework Directive including taking further steps to reduce impacts on freshwater, including nitrogen and phosphorus	
	To fully implement the Marine Strategy Framework Directive including reducing marine litter, potentially including the setting of targets	
<p>Ensuring that its economy is highly resource efficient and low-carbon emitting</p>	To fully implement the EU Climate and Energy Package by 2020	<p>Ensuring the right incentives exist for investment</p> <ul style="list-style-type: none"> - To ensure that environment and climate objectives are supported by adequate finance by: adequately reflecting environmental and climate priorities in the Partnership contracts; ensuring that at least 20% of the EU budget 2014-2020 is climate related and increasing the uptake of available EU funding for environmental action by at least 25% over current levels/2010 levels; and developing and applying a system for reporting and tracking environment-related expenditure - To progressively phase out environmentally-harmful subsidies, increasingly use market-based instruments, including taxation - To promote and increase private sector funding for environment and climate-related expenditure, in particular by facilitating access to innovative financial instruments - To step up efforts to establish comprehensive measurements of how sustainable our progress is (Beyond GDP), including natural capital accounting - Integration of environmental and resource-efficiency considerations into the European Semester
	To fully implement EU waste legislation and use waste as a resource in particular by ensuring application of the waste hierarchy and the effective use of economic instruments including virtually eliminating landfilling and limiting energy recovery	
	To address internal market barriers facing environmentally sound recycling activities in the EU	
	To reduce the overall environmental impact of production and consumption focusing in particular on food, housing and mobility sectors, potentially including the setting of targets	
<p>Ensuring that the health and wellbeing of EU citizens continue to benefit from high degrees of environmental protection</p>	To update EU policy on air quality and align it with latest scientific knowledge, identifying cost-effective measures to combat air pollution at source and strengthening efforts to reach full compliance with EU air quality legislation	<p>Improving integration and coherency</p> <ul style="list-style-type: none"> - To integrate environmental and climate-related conditionalities and incentives in policy initiatives, at EU and Member State level and to carry out systematic ex-ante assessments of the environmental (social and economic) impacts of policy initiatives at EU and Member State level. <p>Improving the sustainability of urban areas</p> <ul style="list-style-type: none"> - To support the achievement of minimum sustainability criteria by a majority of cities in the EU. <p>Ensuring effective international action</p> <ul style="list-style-type: none"> - To focus cooperation with the EU's Strategic Partners on the promotion of best practice in domestic environment policy and legislation, as well as convergence in multilateral environmental negotiations
	To update EU noise policy and align it with latest scientific knowledge, identifying cost-effective measures to reduce noise at source	
	To step up implementation efforts for the Drinking Water Directive, in particular for small suppliers, and the new bathing water directive with the aim of achieving compliance levels over 95% by 2020	
	To develop a strategy for a non-toxic environment addressing the combination effects of chemicals and safety concerns related to endocrine disruptors and	

Specific Objectives	Actions related primarily to a single Specific Objective	Complementary measures addressing all three Specific Objectives (the enabling framework)
	developing a comprehensive approach for minimising exposure to hazardous substances. To address effectively safety concerns related to nanomaterials in a coherent approach across different legislation	<ul style="list-style-type: none"> - To ratify key remaining or new MEAs well before 2020 and ensuring effective EU participation in other international processes - To initiate and implement actions to protect global forests - To focus cooperation with the countries covered by the European Neighbourhood Policy on gradual approximation with key EU environment policies - To engage proactively in an international work plan on enhancing climate change mitigation ambition identifying and supporting the concrete implementation of cost effective options for a range of mitigation actions that can close the ambition gap by 2020 - To fully integrate the substantive outcome of UNCSD 2012 into our action at European, regional, international and global level
	To agree and implement a EU climate adaptation strategy, including integrating climate change adaptation considerations into key EU policy initiatives and sectors	
	To further reduce water stress in the EU	

The strategic nature of the programme means that the scores will partly depend on the specific policy tools chosen to deliver the identified priority objectives. This will be determined only after impact assessments have been carried out. This will affect the cost-effectiveness and specific social and economic impacts, but also the role of national, regional and local authorities in implementing policies and legislation agreed at EU level.

Greener, more efficient technologies, improved productivity and new employment opportunities will support growth and jobs. A coherent and more integrated policy framework in support of resource efficiency and greener products will help also SMEs striving to become more resource efficient by reducing their production costs and facilitating their access to new markets. Meanwhile, ensuring the resilience of our ecosystems that support growth and protecting the health of our citizens is essential to ensure the sustainability of economic advancement.

The Commission will monitor the implementation of the new EAP through the regular Europe 2020 Strategy monitoring process. As most of the actions identified in this impact assessment relate to existing policy areas, current indicators are suitable for ensuring adequate monitoring of progress. For new or emerging issues, indicators will be identified, as appropriate, through impact assessments conducted as part of the process of determining the best policy response to address them. A full evaluation of the Programme will be performed before 2020.