

**Committee of the Regions****ENVE-V-032****101st plenary session, 30 May 2013****OPINION****7th Environment Action Programme**

## THE COMMITTEE OF THE REGIONS

- underlines that this new EAP must ensure that the environmental choices are sufficiently clear and predictable, in particular for local and regional administrations;
- stresses that it is necessary to overcome certain shortcomings, reduce the differences between Member States and push for full compliance with environmental legislation, at all levels of government, with a view to improving the environment and public health, ensuring a level playing field and regulatory certainty, and preventing market distortions; recommends in the Opinion numerous concrete actions to be included in the 7<sup>th</sup> EAP in this regard;
- highlights the need for good impact assessments when revising or developing new EU environmental legislation and urges the European Commission to take into account of the practical experience of Member States in a demonstrable and verifiable way;
- calls for aligning EU sectoral environmental legislative policies (EU limit values) with the EU emissions policy (EU measures at source), adopting a holistic approach that enables a coordination between these measures, their level of ambition and calendars;
- welcomes the inclusion of a "priority objective" on the sustainability of cities among the objectives of the 7th EAP and calls for minimum sustainability criteria to be fulfilled by a majority of cities in the EU; with the indicators to be developed in close cooperation with local authorities and with environmental and statistical authorities;
- calls for the programme to be more ambitious at local level, extending initiatives such as the Covenant of Mayors to other areas of the Roadmap to a Resource Efficient Europe, and further developing the European Green Capital Award;

Rapporteur

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Reference 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

## **Opinion of the Committee of the Regions – 7th Environment Action Programme**

### **I. POLICY RECOMMENDATIONS**

#### THE COMMITTEE OF THE REGIONS

##### *A. Background*

1. Recalls that the six environment action programmes to date have been important in terms of highlighting the growing prominence of European environment policy and trying to ensure its coherence as an integral part of European integration, but have failed to solve many of Europe's environmental problems because of insufficient political will to implement measures.
2. The Sixth Environment Action Programme, sub-titled "Environment 2010: our future, our choice", which expired on 22 July 2012, was drawn up in 2001 as the environmental dimension of the EU's sustainable development strategy, with the Lisbon Strategy as the economic dimension.
3. It set out the European Union's priorities to 2012, emphasising four areas for action: climate change, nature and biodiversity, environment and health, and the sustainable management of natural resources and waste. However, the European Commission has allowed the strategy for sustainable development to be forgotten.
4. The Europe 2020 strategy is now seen as the new political and strategic tool, and the environmental policy should be coordinated within the framework of this flagship initiative of the strategy, entitled "A resource-efficient Europe", considering it not as a sub domain of the Europe 2020 strategy, but as an overall strategic goal autonomously around the sustainable development of the European Union by 2050.
5. Stresses that the 7th EAP should be adopted as soon as possible to ensure the coherence of the EU's environmental policy and guide the future development in this key policy area; underlines that this new EAP must ensure that the environmental choices are sufficiently clear and predictable, in particular for local and regional administrations<sup>1</sup>.
6. Integrating the substantive outcome of UNCSD 2012 into action at local, regional, national, European, international and global level is also a priority.

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CdR 164/2010 fin, European Parliament resolution of 20 April 2012 (2011/2194(INI)).

*B. Systematic approach*

*In view of the fact that:*

7. while positive progress has been made to date, in particular significant reductions in harmful emissions to air and water, better and more efficient management of waste and reductions in dangerous chemical products, there are objectives in terms of air, the urban environment, biodiversity, eco-system functioning and sustainable use of natural resources which have yet to be met;
8. despite the consolidation of environmental legislation over the last decade, the Member States and the Commission have not always acted in accordance with the programme, and it is necessary to overcome certain shortcomings, reduce the differences between Member States and push for full compliance with environmental legislation, at all levels of government, in relation to control of air pollution, water treatment, wastewater, waste and nature conservation, with a view to improving the environment and public health, ensuring a level playing field and regulatory certainty and preventing market distortions;
9. at the end of the 6th Environment Action Programme, several fields of environmental policy have not yet been sufficiently addressed, in particular:
  - soil protection, which has been covered by various environmental programmes, but for which no real initiatives have been taken at EU level;
  - on the issue of biodiversity, comprising 160 measures, where the programme was not able to achieve the objective, and a new biodiversity strategy was created in 2011 which now seeks to achieve the original objective;

*The following steps are needed:*

10. to state in the new programme, in a clear and unambivalent manner, the environmental challenges the EU is faced with, including accelerating climate change, deterioration of our ecosystem, untenable disruption of the nitrogen cycle, and the increasing overuse of natural resources;
11. to reflect the Rio+20 Declaration as adopted by the UNCSD on 22 June 2012, with its emphasis on an inclusive green economy, as well as the post-2015 Sustainable Development Goals and the CoR contribution to the Rio Summit<sup>2</sup>;
12. to set concrete targets. The CoR welcomes the ambition shown in the 7th EAP, but wonders whether these ambitions are realistic and how they will be achieved. There is reference to existing policy documents and roadmaps, but these documents often lack practical details on implementation, such as timeframes and intermediate objectives. The CoR believes that new ambitions must be feasible: setting unrealistic ambitions harms the credibility of EU

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<sup>2</sup>

CdR 187/2011 fin.

environment policy. It must therefore be clear, when new EU environmental targets are set, that these targets are achievable and, where necessary, that there is a parallel EU source-based policy in the relevant sectors. The proposals should have a clear timeframe (with a final objective, intermediate objectives and interim evaluations) linked to appropriate actions. The CoR therefore calls for concrete, and wherever possible, quantifiable targets to be set for 2020 as well as setting out a clear, ambitious vision and intermediary targets for the environment up to 2050, aimed at providing a high quality of life and well-being for all within safe environmental limits;

13. it is important to take account of experience from the Member States when revising or developing new EU legislation. To this end, there needs to be better coordination between the stages in producing EU law. There are five stages in producing EU law: preparation, decision-making, implementation in national legislation, application by (national) courts, and feedback on experiences in the Member States. The links from the first stage to subsequent ones run smoothly, but it is not clear how experience in the Member States and local and regional authorities (stage five) feeds back into the development of new EU law (stage one). The CoR urges the Commission to take account of this experience in a demonstrable and verifiable way when drafting new proposals;
14. for the European Commission initially to examine the existing legislation and, on this basis, to carry out an impact assessment. The data from the impact assessments should be taken into account in a demonstrable and verifiable way when revising existing legislation or drafting new proposals. The CoR highlights the need for good impact assessments, as they make it clear, at an early stage in the decision-making process, that:
  - practical experience in the Member States is being taken into account;
  - better use is being made of scientific and technological knowledge;
  - the objectives are guaranteed to be feasible;
  - the necessary policy integration and source-based policy are in place;
  - the data and interests of the various policy sectors and levels of governance have been integrated appropriately;
  - the geographical impact of the objectives at regional and local level has been taken into account;
15. to change the way the Commission publishes its proposals. When the sixth EAP was implemented, the impact assessments, thematic strategies and legislative proposals were published simultaneously. To take account of the aforementioned issues, the CoR would suggest the following procedure and timeframe:
  - the impact assessment should be presented first;
  - then general policy frameworks should be drafted;
  - only once the policy has been established should the Commission submit legislative proposals;

16. to ensure that the Europe 2020 strategy continues to cover certain priority sectors which were hitherto covered by the sustainable development strategy, such as distribution justice and intergenerational justice;
17. to ensure that the objectives of 7th EAP are adequately reflected in the post-2013 Multiannual Financial Framework (MFF) and the Europe 2020 strategy, bearing in mind that the main decisions with major environmental impacts in other areas may be taken before the adoption of the 7th EAP. The funding of environmental objectives, in synergy with the LIFE programme, and the full integration of environmental protection, must be a significant part of the next Multiannual Financial Framework, the reform of the Common Agricultural Policy (CAP), the Common Fisheries Policy (CFP), cohesion policy and Horizon 2020;
18. to provide the appropriate framework for guaranteeing sufficient funding, in particular for innovation, research and development, through the mobilisation of market instruments and payments for ecosystem services;

to guarantee, in a clear and appropriate fashion, support for the role of local and regional authorities in implementing legislation, in order to secure commitment to improving results in relation to the environment and human health, the policy on chemicals and in particular the objectives set in the Roadmap to a Resource Efficient Europe, the Low-Carbon Roadmap and the Biodiversity Strategy to 2020, through the inclusion of energy efficiency targets and indicators in the Annual Growth Survey and in Member States' national reform programmes.

*C. Priorities of the 7th EAP*

19. Stresses that the priorities of the 7th Environment Action Programme should be based on three fundamental axes:
  1. safeguarding and restoring Europe's natural capital;
  2. ensuring high resource efficiency and low carbon emissions;
  3. safeguarding the health and wellbeing of EU citizens by ensuring high levels of environmental protection.Welcomes therefore the nine objectives outlined in the Commission proposal.
20. With regard to safeguarding Europe's natural capital, there should be better implementation of measures and actions relating to the EU Biodiversity Strategy to 2020, protecting and enhancing forests, eliminating emissions from urban and industrial wastewater, fertiliser use and air emissions responsible for eutrophication. Similarly, the Water Framework Directive and the Marine Strategy Framework Directive should be fully implemented.
21. In the implementation of these measures, more effective environmental inspections and surveillance must be carried out. The RMCEI – the recommendation for minimum criteria for environmental inspections in the Member States 2001/331/EC – is therefore crucial for all

Member States, in order to provide structured and consistent guidance for the environmental inspection work of inspectors in the Member States.

22. To strengthen the existing legal framework in order to enable the EU to guarantee that environmental inspections and surveillance systems at local and regional level are fully consistent, coherent and effective, with a view to ensuring the uniform application of EU environmental law and fair conditions of competition for companies within the internal market.
23. To support enhanced complaint-handling and mediation mechanisms at national, regional and local levels.
24. To support the establishment of information systems at national level to disseminate information on the actual implementation of EU environment law.
25. To conclude tripartite partnership implementation agreements (PIAs) between the European Commission, the Member States and local and regional authorities to improve the implementation of specific environmental legislation and resolve specific or cross-border problems regarding the management of environmental problems.
26. To improve the scientific evidence base for environment policy – especially regarding the functional understanding of ecosystems (energy, water and material flows and related sustainable soil, water and local climate functions) –, including its accessibility, by simplifying, streamlining and modernising the collection, management and sharing of environmental data and information, and to develop instruments to anticipate, evaluate and manage emerging environmental risk and fill existing knowledge gaps as quickly as possible. At the same time, there should be special support in this field for researchers (in the form of scholarships), and where possible they should be involved as experts in solving environmental problems at local and regional level. In doing this, any increase in red tape arising from additional inspection and surveillance rules should be avoided; the aim should be, rather, to set targeted priorities and exploit synergies with existing surveillance requirements
27. With regard to the efficient use of resources and low carbon emissions, the challenge includes fully implementing the EU Climate and Energy Package by 2020, as well as EU waste legislation, ensuring that it is properly transposed and implemented in all Member States, setting up teams to transpose environmental law at regional and local level.
28. In parallel, internal market barriers facing recycling activities must be removed and the overall environmental impact of production and consumption must be reduced, promoting products with a low environmental impact and providing accurate scientifically-based information and guidelines for consumers regarding products.

29. Furthermore, in terms of companies, their increasing responsibility in relation to environmental problems, voluntary environmental audits, eco-labels attesting to the environment-friendliness of products and the expansion of eco-business can in themselves help to create the environmental quality that needs to be fostered.
30. Greener, more efficient technologies, improved productivity and new employment opportunities will support growth and jobs.
31. A coherent and integrated policy framework at local and regional level in support of resource efficiency and greener products will help SMEs striving to become more resource efficient, reducing their production costs and facilitating their access to new markets.
32. In terms of funding, it is important to ensure that environment and climate objectives are supported by adequate finance, by reflecting them in partnership contracts and ensuring that at least 20% of the 2014-2020 EU budget is allocated for that purpose. In particular, the financing of especially cost-intensive environmental measures to be carried out in the period up to 2020 – e.g. the proposed improvement in degraded ecosystems using green infrastructure networks – must be ensured; the EU's biodiversity strategy makes provision for this as an essential component of the 7th Environmental Action Programme.
33. In parallel, efforts should be made to increase the allocation of EU funding for environmental action by at least 25%, using a system for reporting and tracking environment-related expenditure, in order to ensure, inter alia, the timely financing of especially cost-intensive environmental measures for the improvement of degraded ecosystems to be carried out in the period up to 2020.
34. To progressively phase out environmentally-harmful subsidies and increasingly use market-based instruments, including taxation and penalties for those causing environmental damage.
35. To promote and increase private sector funding for environment and climate-related expenditure, in particular by facilitating access to innovative financial instruments.
36. The CoR calls for aligning EU sectoral environmental legislative policies (EU limit values) with the EU emissions policy (EU measures at source), adopting a holistic approach that enables a coordination between these measures and the ambitions and calendars of environmental sectoral directives. It urges the Commission to calculate the duration of the renewal cycle of the measures at source and evaluate the deadline for achieving the limit values under real conditions, in order to achieve a significant reduction in emissions across Europe. To this end, the level of ambition of environmental sectoral directives (limit values) and deadlines for implementation must be equivalent to the level of ambition and timetables for implementation of the EU measures at source.



37. With regard to the need to ensure the health and wellbeing of EU citizens, it is important to stress the need to update the EU policy on air quality and to align it with the 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, more particularly regarding fine particles in the air.
38. In relation to noise, there is an urgent need to identify cost-effective measures to reduce noise pollution at source.
39. The CoR calls for ambitious measures to tackle key sources of environmental pollution, in particular transport and mobility. The 7th EAP refers in this connection to the White Paper *Roadmap to a Single European Transport Area – towards a competitive and resource efficient transport system* (COM(2011) 144 final). The CoR welcomes the ambitious nature of this White Paper but, in order to achieve these ambitions, calls for a European action plan to be drawn up, including intermediate targets, specific measures (e.g. EU source-based measures) and scheduled evaluations<sup>3</sup>.
40. With regard to water, efforts should be stepped up to implement the Drinking Water Directive, in particular for small suppliers in each Member State, and similar efforts should be made in relation to the Bathing Water Directive with the aim of achieving compliance levels over 95% by 2020.
41. Systematic ex ante assessments must be carried out of the socio-economic, environmental and territorial impacts at EU, Member State and local and regional level.
42. The CoR welcomes the inclusion of a "priority objective" on the sustainability of cities among the objectives of the 7th EAP and calls for minimum sustainability criteria to be fulfilled by a majority of cities in the EU.
43. There should be greater cooperation in relation to international agreements, supporting international and regional processes aimed at making the world economy an inclusive green economy, fostering an economically, socially and environmentally sustainable future for our planet and for current and future generations.
44. At local level, the programme should be more ambitious, extending initiatives such as the Covenant of Mayors to other areas of the Roadmap to a Resource Efficient Europe, such as biodiversity and in particular soil use as recommended in the recent CoR opinion on this matter (CdR 1121/2012 fin). Equally the management of waste and water resources and air pollution should be looked at, since this would facilitate implementation of EU environmental policy through an innovative method of multilevel governance, which promotes the proactive involvement of local and regional authorities in the application of EU legislation.

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This recommendation was also made in CoR opinion 101/2011 fin.

45. The same applies to the establishment of the European Green Capital Award, as an important means of showcasing cities that are exemplars and innovators in implementation of EU environmental law.
46. The 7th EAP should therefore be based on the fundamental principles of environmental law – the polluter pays principle, the precautionary principle, the preventive principle and the rectification at source principle – with a view to implementing measures, actions and targets in accordance with the principles of smart regulation and within a framework of balanced and sustainable environmental policies. Too many measures still involve corrections made at the end of the process or the end of the chain, whereas priority should be given to adapting or even rethinking these processes with a view to significantly reducing their environmental impact at each stage. Innovative initiatives in the "circular economy", closing the materials cycle, and life-cycle benchmarking should be encouraged, and to this end targeted use made of our functional understanding, which in some cases still needs to be developed, of ecosystems and energy, water and material cycles, with their positive effects on sustainable soil, water and local climate trends, with a view to achieving more systemic reductions in the environmental impact of human activities.

*D. Relevance at local and regional level*

47. European citizens are increasingly aware of the role played by the environment in their lives. As the level closest to local communities, local and regional authorities are crucial as interfaces for training and mobilisation.
48. The principles of subsidiarity and proportionality are applied in the drawing up and implementation of environmental legislation in accordance with Article 192 of the Treaty on the Functioning of the European Union (TFEU) which provides for sharing of powers between the EU, the Member States and national, regional and local authorities on issues of environment policy.
49. Taking account of the specific measures adopted by the Commission, the objectives which will represent local and regional challenges must be identified.
50. Local Agenda 21 can and must be a tool for participatory democracy at local and regional level, with a view to pursuing environment policy objectives, disseminating, with the help of the internet, information on the application at local level of the 7th EAP and the available judicial remedies.
51. The principle of multilevel governance in relation to the environment should be recognised. The CoR does not believe that environmental problems can be solved, or EU policy implemented, by a single level of government. EU environment policy can no longer be developed purely at EU level, with national and sub-national authorities expected to implement legislation passed by the EU: it must be developed via coordination between the

different levels of government. A multilevel approach is needed, in which each level of government (European, national, regional and local) takes responsibility in coordination with the other authorities and adopts those measures that can and must be adopted at that level in order to avoid duplication of competences.

52. In the CoR's view, the multilevel approach needs to be strengthened during the policy development phase. Improving Europe's environment will necessitate a realistic level of ambition, requiring coordination between legislation and implementation. To this end, it is vital to pay attention, during the policy development phase, to the possible financial, policy or legal impact for subnational authorities and to the practicability and feasibility of EU regulations.
53. The CoR recommends also strengthening the multilevel approach in the implementation phase. The implementation of environmental legislation is not just a question of legal implementation (transposition into national law). This means that EU environmental legislation must be accompanied by European and national implementation plans (with guides, best practices and source-based measures). In this connection, the CoR advocates a multilevel approach and points to cross-government teams in Member States in which experts from the various levels of government work together to draft national implementation plans.
54. It is therefore crucial that the 7th EAP supports the role of local and regional authorities in implementing the legislation, by means of the following actions:
  - a) increasing local and regional participation throughout the process of formulating, transposing and evaluating EU legislation, so as to improve implementation of the legislation and facilitate greater ownership;
  - b) implementing mechanisms to engage local and regional authorities and encourage them to exchange best practices in policy implementation;
  - c) focusing on helping those countries and regions with less developed domestic environmental policies in preference to introducing broad new EU wide measures when these clash with equivalent policies and plans in countries and regions with a more developed set of environmental standards and policies;
  - d) using Directives instead of Regulations to allow for Local and Regional Authorities to develop their own environmental solutions within a clearly agreed EU framework;
  - e) drawing up an EU framework for environmental inspections at Member State level;
  - f) adopting effective source-based policies, for life-cycle analysis and closing the materials cycle, creating a circular economy, and expanding cost-recovery options for local and regional authorities;
  - g) strengthening the European Union's sustainable cities. The 7th EAP must continue to support the innovative initiatives of cities by sharing experiences, identifying and adopting a range of indicators for assessing the environmental performance of cities in terms of economic, territorial and social impacts, increasing information on sources of

- funding and publicising measures that contribute to sustainable development. These indicators must be developed in close cooperation with local authorities;
- h) supporting sustainable rural area initiatives;
  - i) increasing the EU's effectiveness in combating environmental problems at regional and global level, particularly in the context of the commitments made at Rio+20;
  - j) establishing criteria for national complaint-handling, including for dispute resolution such as mediation;
  - k) abiding by the principles of smart regulation, as well as the monitoring and control of impact assessments and evaluation of impact on competitiveness;
  - l) integrating environmental objectives into important budget headings, such as rural development, agriculture and the Structural Funds;
  - m) improving communication between all levels of government, as well as all stages of development policy, investments in information systems and Web tools for providing transparent environmental information for citizens and public institutions;
  - n) using the technical platform for cooperation on the environment created by the Committee of the Regions to facilitate dialogue and exchange of information and to improve practical application on the ground;
  - o) creating mechanisms to enable local and regional authorities to gather environmental data and to establish co-responsibility between municipalities, regions and Member States for the collection, processing and monitoring of those data;
  - p) establishing structured implementation and information frameworks (SIIF) for all EU legislative acts in the field of the environment, with the participation of local and regional authorities;
  - q) encouraging the development of specific local and regional environmental education programmes to promote environmentally aware attitudes and explain how citizens can contribute to solutions. These programmes must be delivered in a participatory format, possibly in the form of grants;
  - r) strengthening the relationship between citizens and the environment by means of environmental education and training programmes carried out by municipalities and regions and aimed at the different generations, to raise awareness of environmental issues amongst all citizens;
  - s) reinforcing and extending the IMPEL network for compliance with environmental legislation in the EU by providing long-term financing in order to facilitate peer-review and exchanges of best practices, for compliance with environmental legislation in the EU, in particular among local and regional authorities;
  - t) promoting the beneficial role played by the 7th EAP in supporting companies and local and regional authorities that provide a structured framework for long-term planning, particularly for large-scale investments in infrastructure;
  - u) making use of local authorities and associations in mobilising citizens in the drawing up of long-term environmental strategies and objectives, using European funds to invest in environmental infrastructures as well as ecosystem services, adapting to climate change and the loss of biodiversity and reducing the risk of disasters, and training in relation to the implementation of the EIA and SEA Directives;

- v) including methods for the sustainable management of the urban environment when urban planning documents are being drawn up, focussing on integrated environmental planning, sustainable mobility, networks of electric transport, cycle routes and shared bicycles in city centres, quality of life and public health.

55. The strategy of the 7th EAP will depend partly on specific policy instruments chosen with a view to achieving the objectives set, which will not be determined until impact assessments have been carried out. That will have an effect on cost-effectiveness and specific social and economic impacts, as well as on the role of national, regional and local authorities in implementing policies and legislation agreed at European level. The measures set out in the previous point must not increase spending pressures on local and regional authorities. The Committee believes that responsibility for the cost of the measures set out in the previous point should primarily lie with the EU or national governments. It is important to ensure that economic progress is sustainable, and that our ecosystems, which support growth and safeguard our citizens' health, remain resilient.

## II. RECOMMENDATIONS FOR AMENDMENTS

### Amendment 1

European Commission proposal, Annex, point 15

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
In many cases, action to achieve these objectives will be required primarily at national, regional or local level, in line with the principle of subsidiarity. In others, additional measures at EU level will be needed. Since environment policy is a sphere of shared competence in the EU, one of the purposes of this programme is to create common ownership of shared goals and objectives and ensure a level playing field for businesses and public authorities. Clear goals and objectives also provide policy makers and other stakeholders, including regions and cities, businesses and social partners, and individual citizens, with a sense of direction and a predictable framework for action.	In many cases, action to achieve these objectives will be required primarily at <u>European</u> , national, regional or local level, in line with the principle of subsidiarity <del>-In others, additional measures at EU level will be needed.</del> Since environment policy is a sphere of shared competence in the EU, one of the purposes of this programme is to create common ownership of shared goals and objectives and ensure a level playing field for businesses and public authorities. Clear goals and objectives also provide policy makers and other stakeholders, including regions and cities, businesses and social partners, and individual citizens, with a sense of direction and a predictable framework for action.

### Reason

The improvement of the environment is a shared responsibility by all levels of government.

### Amendment 2

European Commission proposal, Annex, point 43

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
A substantial portion of the EU's population remains exposed to levels of air pollution exceeding WHO recommended standards. action is especially needed in areas where people, particularly sensitive or vulnerable groups of society, and ecosystems are exposed to high levels of pollutants, such as in cities or in buildings.	A substantial portion of the EU's population remains exposed to levels of air pollution exceeding WHO recommended standards. <u>European and national</u> action is especially needed in areas where people, particularly sensitive or vulnerable groups of society, and ecosystems are exposed to high levels of pollutants, such as in cities or in buildings.

**Reason**

EU and national action is especially needed in this field.

**Amendment 3**

European Commission proposal, Annex, point 58

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
Second, the EU will extend requirements on inspections and surveillance to the wider body of EU environment law, complementing these with an EU-level capacity that can address situations where there is due reason for concern.	Second, the EU will, <u>subject to the establishment of targeted priorities and the exploitation of synergies with existing surveillance rules,</u> extend requirements on inspections and surveillance to the wider body of EU environment law, complementing these with an EU-level capacity that can, <u>within its area of responsibility,</u> address situations where there is due reason for concern.

**Reason**

In extending surveillance rules to the whole body of EU environmental law, an efficient approach should be adopted in order to prevent an unnecessary increase in red tape in EU procedures, which are already highly formalised and time-consuming. Moreover, it is not clear whether there is any justification for new European Commission powers. The wording of point 58 should therefore make it clear that the European Commission is acting in the framework of its existing competences. This would not contradict the message of the CoR's opinion, which proposes rationalisation and modernisation of administration and the exchange of environmental data.

**Amendment 4**

European Commission proposal, Annex, point 69

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>There are still significant gaps in knowledge, some of them relevant to this programme's priority objectives. Investing in further research to fill these gaps is therefore essential to ensure that public authorities and businesses have a sound basis for taking decisions which fully reflect true social, economic and environmental benefits and costs. Four gaps stand out:</p> <ul style="list-style-type: none"> <li>– Advanced research to fill data and knowledge gaps and adequate modelling tools are needed to better understand complex issues related to environmental change, such as climate change and disaster impacts, the implications of species loss for ecosystem services, environmental thresholds and ecological tipping points. While available evidence fully warrants precautionary action in these areas, further research into planetary boundaries, systemic risks and our society's ability to cope with them will support the development of the most appropriate responses. This should include investment in closing data and knowledge gaps, mapping and assessing ecosystem services, understanding the role of biodiversity in underpinning them and how they adapt to climate change.</li> </ul> <p>(...)</p>	<p>There are still significant gaps in knowledge, some of them relevant to this programme's priority objectives. Investing in further research to fill these gaps is therefore essential to ensure that public authorities and businesses have a sound basis for taking decisions which fully reflect true social, economic and environmental benefits and costs. Four gaps stand out:</p> <ul style="list-style-type: none"> <li>– Advanced research to fill data and knowledge gaps and adequate modelling tools are needed to better understand complex issues related to environmental change, such as climate change and disaster impacts, the implications of species loss for ecosystem services, environmental thresholds and ecological tipping points. <u>Existing, highly specialised knowledge in individual sectors (e.g. soil, water, climate, air, plants and animals) is increasingly targeted on their functional interaction. Knowledge of this kind is essential for functional, sustainable management of ecosystems. It ensures that the key objective of a uniform approach to ecosystem stabilisation can be achieved effectively and resources use efficiently.</u> While available evidence fully warrants precautionary action in these areas, further research into planetary boundaries, systemic risks and our society's ability to cope with them will support the development of the most appropriate responses. This should include investment in closing data and knowledge gaps, mapping and assessing ecosystem services, understanding the role of biodiversity in underpinning them and how they adapt to climate change.</li> </ul> <p>(...)</p>

**Reason**

It is essential to fill gaps in our understanding of ecosystems rapidly in order to develop measures in a targeted and efficient way in the framework of a sustainable environmental policy and at the same time to ensure transparency in the monitoring and assessment of ecosystem services of relevance to project managers (provided for in the 7th EAP), and the prevention of net losses. In this way inefficient strategies, which are a burden to project managers among others, can be avoided. This is in line with the CoR's opinion, which aims for achievable environmental targets and the closing of gaps in knowledge.

**Amendment 5**

European Commission proposal, Annex, point 83

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>Although integrating environmental protection concerns into other EU policies and activities has been a Treaty requirement since 1997, the overall state of Europe's environment indicates that progress to date, while commendable in some areas, has not been sufficient to reverse all negative trends. Achieving many of the priority objectives of this programme will demand even more effective integration of environmental and climate considerations into other policies, as well as more coherent, joined-up policy approaches that deliver multiple benefits. This should help ensure that difficult trade-offs are managed early on, rather than in the implementation phase, and that unavoidable impacts can be mitigated more effectively. The Strategic Environmental Assessment directive and Environmental Impact Assessment directive, when correctly applied, are effective tools for ensuring environmental protection requirements are integrated in plans and programmes as well as in projects. Local and regional authorities, which are generally responsible for decisions on use of land and marine areas, have a particularly important role to play in assessing environmental impacts and protecting, conserving and enhancing natural capital, also to achieve greater resilience to climate change impacts and natural disasters.</p>	<p>Although integrating environmental protection concerns into other EU policies and activities has been a Treaty requirement since 1997, the overall state of Europe's environment indicates that progress to date, while commendable in some areas, has not been sufficient to reverse all negative trends. Achieving many of the priority objectives of this programme will demand even more effective integration of environmental and climate considerations into other policies, as well as more coherent, joined-up policy approaches that deliver multiple benefits. This should help ensure that difficult trade-offs are managed early on, rather than in the implementation phase, and that unavoidable impacts can be mitigated more effectively. <u>The ambition level of EU source-based policy needs to be brought in line with sectoral environmental objectives and time-frames of source-based measures need to be synchronised with immission targets.</u> The Strategic Environmental Assessment directive and Environmental Impact Assessment directive, when correctly applied, are effective tools for ensuring environmental protection requirements are integrated in plans and programmes as well as in projects. Local and regional authorities, which are generally responsible for decisions on use of land and marine areas, have a particularly important role to play in assessing environmental impacts and protecting, conserving and enhancing</p>



	natural capital, also to achieve greater resilience to climate change impacts and natural disasters.
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**Reason**

The ambition and timeframes of ambition levels of source-based policy should be in line with sectoral environmental objectives.

**Amendment 6**

European Commission proposal, Annex, point 86

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>In order to improve environmental integration and policy coherence, the programme shall ensure that by 2020:</p> <p>a. Sectoral policies at EU and Member State level are developed and implemented in a way that supports relevant environment and climate-related targets and objectives.</p> <p>This requires, in particular:</p> <p>a. integrating environmental and climate-related conditionalities and incentives in policy initiatives, including reviews and reforms of existing policy, as well as new initiatives, at EU and Member State level.</p> <p>b. carrying out systematic ex-ante assessments of the environmental, social and economic impacts of policy initiatives at EU and Member State level to ensure their coherence and effectiveness.</p>	<p>In order to improve environmental integration and policy coherence, the programme shall ensure that by 2020:</p> <p>a. Sectoral policies at EU and Member State level are developed and implemented in a way that supports relevant environment and climate-related targets and objectives.</p> <p>This requires, in particular:</p> <p>a. integrating environmental and climate-related conditionalities and incentives in policy initiatives, including reviews and reforms of existing policy, as well as new initiatives, at EU and Member State level.</p> <p><u>b. Bringing the ambition level of EU source-based policy in line with sectoral environmental objectives and synchronising time-frames of source-based measures and immission targets.</u></p> <p><u>bc.</u> carrying out systematic ex-ante assessments of the environmental, social and economic impacts of policy initiatives at EU and Member State level to ensure their coherence and effectiveness.</p>

**Reason**

The ambition and timeframes of ambition levels of source-based policy should be in line with sectoral environmental objectives.

**Amendment 7**

European Commission proposal, Annex, point 89

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>EU citizens, whether urban or rural dwellers, benefit from a range of EU policies and initiatives that support sustainable development of urban areas. However, this requires effective, efficient coordination between different levels of administration and across administrative boundaries and systematically involving regional and local authorities in the planning, formulation and development of policies impacting on the quality of the urban environment. The enhanced coordination mechanisms at national and regional level proposed under the Common Strategic Framework for the next funding period and the creation of an "Urban Development Platform" would help to ensure this, as well as involve more stakeholder groups and the general public in decisions that affect them. Local and regional authorities will also benefit from further development of tools to streamline environmental data collection and management, and to facilitate the exchange of information and best practice, as well as efforts to improve implementation of environment law at Union, national and local levels. This is in line with the commitment made at the Rio+20 Summit to promote an integrated approach to planning, building and managing sustainable cities and urban settlements. Integrated approaches to urban spatial planning, in which long-term environmental considerations are fully taken into account alongside economic, and social challenges, are essential to ensuring that urban communities are sustainable, efficient and healthy places to live and work.</p>	<p>EU citizens, whether urban or rural dwellers, benefit from a range of EU policies and initiatives that support sustainable development of urban areas. However, this requires effective, efficient coordination between different levels of administration and across administrative boundaries and systematically involving regional and local authorities in the planning, formulation and development of policies impacting on the quality of the urban environment. The enhanced coordination mechanisms at national and regional level proposed under the Common Strategic Framework for the next funding period and the creation of an "<del>Urban Development Platform</del>" <del>would</del> <u>Platform</u> <u>would</u> help to ensure this, as well as involve more stakeholder groups and the general public in decisions that affect them. Local and regional authorities <del>will</del> <u>may</u> also benefit from further development of tools to streamline environmental data collection and management, and to facilitate the exchange of information and best practice, as well as efforts to improve implementation of environment law at Union, national and local levels. This is in line with the commitment made at the Rio+20 Summit to promote an integrated approach to planning, building and managing sustainable cities and urban settlements. Integrated approaches to urban spatial planning, in which long-term environmental considerations are fully taken into account alongside economic, <del>and</del> social <u>and territorial</u> challenges, are essential to ensuring that urban communities are sustainable, efficient and healthy places to live and work.</p>

**Reason**

In addition to social and economic aspects, territorial challenges are important too.

**Amendment 8**

European Commission proposal, Annex, point 90

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>The EU should further promote and, where appropriate, expand existing initiatives that support innovation and best practice in cities, networking and exchanges between them and encourage cities to showcase their leadership on sustainable urban development. The EU institutions and the Member States should facilitate and encourage the uptake of EU funding available under Cohesion policy and other funds to support cities in their efforts to enhance sustainable urban development, raise awareness and encourage local actors to get involved. the development of, and agreement on, a set of sustainability criteria for cities would provide a common reference base for such initiatives and promote a coherent, integrated approach to sustainable urban development.</p>	<p>The EU should further promote and, where appropriate, expand existing initiatives that support innovation and best practice in cities, networking and exchanges between them and encourage cities to showcase their leadership on sustainable urban development. The EU institutions and the Member States should facilitate and encourage the uptake of EU funding available under Cohesion policy and other funds to support cities in their efforts to enhance sustainable urban development, raise awareness and encourage local actors to get involved. <u>While respecting the principles of subsidiarity</u> the development of, and agreement on, a set of sustainability <del>criteria</del> <u>indicators</u> for cities <del>would</del> <u>may</u> provide a common reference base for such initiatives and promote a coherent, integrated approach to sustainable urban development. <u>The sustainability indicators will be developed in close cooperation with local authorities and with the environmental and statistics authorities to ensure the harmonisation and comparability required for the assessment of trends.</u></p>

**Reason**

With regard to environmental indicators, the precise alignment of basic data and statistical processing as well as practical experiences is necessary to ensure reliable comparisons. The local authorities must be involved, but so must the European Environment Agency (EEA) and Eurostat.

**Amendment 9**

European Commission proposal, Annex, point 91

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
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<p>In order to enhance the sustainability of EU cities, the programme shall ensure that by 2020:</p> <p>(a) A majority of cities in the EU are implementing policies for sustainable urban planning and design.</p> <p>This requires, in particular:</p> <p>(a) Defining and agreeing a set of criteria to assess the environmental performance of cities, taking into account economic and social impacts.</p> <p>(b) Ensuring that cities have information about and access to financing for measures to improve urban sustainability.</p>	<p>In order to enhance the sustainability of EU cities, the programme shall ensure that by 2020:</p> <p>(a) A majority of cities in the EU are implementing policies for sustainable urban planning and design.</p> <p>This requires, in particular:</p> <p>(a) <u>in the event that overall plans for urban spatial planning have to be ready sooner, even before <del>Defining and agreeing a set of criteria</del> indicators to assess the environmental performance of cities are available, provisionally giving national governments the possibility of carrying out an assessment of environmental protection requirements, taking into account economic and social impacts and the historical and geographical specificities drawing, on the expertise of city professionals (such as town planners and architects). The sustainability indicators will be developed in close cooperation with local authorities and with the environmental and statistics authorities to ensure the harmonisation and comparability required for the assessment of trends. For already existing plans, an exception could be made.</u></p> <p>(b) Ensuring that cities have information about and access to financing for measures to improve urban sustainability.</p>
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**Reason**

With regard to environmental indicators, the precise alignment of basic data and statistical processing as well as practical experiences is necessary to ensure reliable comparisons. The local authorities must be involved, but so must the European Environment Agency (EEA) and Eurostat. Furthermore, the problem is that many cities have to renew their overall plans for spatial planning after one or two years, even before – for understandable reasons - indicators to assess the environmental performance of cities have been established. It would not be right to retain the old plans and extend them. Therefore, we are suggesting solving the problem by provisionally giving national governments the possibility of carrying out an assessment of environmental protection requirements, which would not slow down harmonious, sustainable territorial development.

**Amendment 10**

European Commission proposal, Annex, point 100

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>In order to increase the EU's effectiveness in addressing regional and global environmental and climate challenges, the programme shall ensure that by 2020:</p> <p>(...)</p> <p>This requires, in particular:</p> <p>(a) Working towards the adoption of Sustainable Development Goals that: a) address priority areas of an inclusive green economy and wider sustainable development objectives, such as energy, water, food security, oceans and sustainable consumption and production, as well as cross-cutting issues such as equity, social inclusion, decent work, rule of law and good governance; b) are universally applicable, covering all three areas of sustainable development; c) are assessed and accompanied by targets and indicators, and d) are coherent and integrated with the post-2015 development framework, and supportive of climate actions.</p> <p>(b) Working towards a more effective UN structure for sustainable development through strengthening UNEP in line with the outcome of Rio+20, while continuing to strive for an upgrade of UNEP's status to that of UN Agency, and supporting ongoing efforts to enhance synergies between Multilateral Environmental Agreements;</p> <p>(c) Strengthening the impact of various sources of funding, including taxation and domestic resource mobilisation, private investment, new and innovative sources, and creating options for using development aid to leverage these other sources of financing as part of the sustainable development financing strategy established in Rio, as well as in the EU's own policies, including international commitments on climate and biodiversity finance.</p> <p>(...)</p>	<p>In order to increase the EU's effectiveness in addressing regional and global environmental and climate challenges, the programme shall ensure that by 2020:</p> <p>(...)</p> <p>This requires, in particular:</p> <p>(a) Working towards the adoption of Sustainable Development Goals that: a) address priority areas of an inclusive green economy and wider sustainable development objectives, such as energy, water, food security, oceans and sustainable consumption and production, as well as cross-cutting issues such as equity, social inclusion, decent work, rule of law and good governance; b) are universally applicable, covering all three areas of sustainable development; c) are assessed and accompanied by targets and indicators, and d) are coherent and integrated with the post-2015 development framework, and supportive of climate actions.</p> <p>(b) Working towards a more effective UN structure for sustainable development through strengthening UNEP in line with the outcome of Rio+20, while continuing to strive for an upgrade of UNEP's status to that of UN Agency, and supporting ongoing efforts to enhance synergies between Multilateral Environmental Agreements;</p> <p>(c) <u>Providing additional finance for particularly cost-intensive environmental measures to be carried out in the period to 2020 – especially those designed to improve degraded ecosystems through the use of green infrastructure – and</u> Strengthening the impact of various sources of funding, including taxation and domestic resource mobilisation, private investment, new and innovative sources, and creating options for using development aid to leverage these other sources of financing as part of the sustainable development financing strategy established in Rio, as well as in the EU's own</p>

	policies, including international commitments on climate and biodiversity finance. (...)
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**Reason**

The reference to the provision of EU finance for cost-intensive environmental measures to be carried out in the period up to 2020 – e.g. linking up fragmented ecosystems using green infrastructure (e.g. green bridges) - should be included with a view to timely achievement of objectives. Experience in the Member States points to the lack of a basis for financing for the implementation of this objective. The CoR opinion particularly stresses achievable targets as a basis for a credible EU policy, and an adequate financial basis for the achievement of objectives.

Brussels, 30 May 2013

The President  
of the Committee of the Regions

Ramón Luis Valcárcel Siso

The Secretary-General  
of the Committee of the Regions

Gerhard Stahl

### III. PROCEDURE

<b>Title</b>	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
<b>Reference(s)</b>	COM(2012) 710 final 2012/0337 (COD)
<b>Legal basis</b>	Mandatory referral, Article 307(1) TFEU
<b>Procedural basis</b>	
<b>Date of Council referral</b>	12 December 2012
<b>Date of Bureau/President's decision</b>	
<b>Commission responsible</b>	Commission for the Environment, Climate Change and Energy (ENVE)
<b>Rapporteur</b>	José Macário Correia (PT/EPP), Mayor of Faro
<b>Analysis</b>	6 March 2013
<b>Discussed in commission</b>	24 April 2013
<b>Date adopted by commission</b>	24 April 2013
<b>Result of the vote in commission</b>	Adopted by a majority
<b>Date adopted in plenary</b>	30 May 2013
<b>Previous Committee opinions</b>	Opinion on Towards a 7th Environment Programme: Better implementation of EU environment law, CdR1119/2012 fin <sup>4</sup> Opinion on A resource efficient Europe, CdR140/2011 fin <sup>5</sup> Opinion on The role of local and regional authorities in future environment policy, CdR 64/2010 fin <sup>6</sup>
<b>Date of subsidiarity monitoring consultation</b>	consultation not carried out

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<sup>4</sup> [OJ C 17, 19.1.2013, p. 30.](#)

<sup>5</sup> [OJ C 20, 11.1.2012, p. 37.](#)

<sup>6</sup> [OJ C 15, 18.1.2011, p. 4.](#)