

EIR 2019: Selection of key facts on the state of implementation of environmental laws in Europe

DEFINITION, OBJECTIVES AND BENEFITS OF EIR

- The Environmental Implementation Review aims at improving implementation in the field of EU environmental policy and legislation by identifying the causes of implementation gaps and addressing systemic obstacles to environmental integration across policy sectors. It maps the main challenges for each Member State, as well as existing good practices.
- When commonly agreed rules are not properly implemented, the Commission can take legal action and often has no other choice. Nevertheless, in order to improve the chances of better and timely implementation (infringements correct breaches of EU law after these happen), the Commission came up with the Environmental Implementation Review, to enable EU countries to find tailor made solutions as early as possible.
- Implementation of EU environmental policy and law is essential for a healthy environment and can create new opportunities for economic development and green growth.
- A new study estimates that the total costs for society of current environmental implementation gaps are around EUR 55 billion annually
- The Commission is committed to supporting the Member States to improve environmental implementation, for instance through the peer-to-peer tool and bilateral dialogues. The success of these tools requires active engagement of regional and local authorities and of other stakeholders.

CIRCULAR ECONOMY

- In 2015, the European Commission adopted an ambitious Circular Economy Action Plan, which includes measures that will help stimulate Europe's transition towards a circular economy, boost global competitiveness, foster sustainable economic growth and generate new jobs.
- The EU Action Plan for the Circular Economy establishes a concrete and ambitious programme of action, with measures covering the whole cycle: from production and consumption to waste management and the market for secondary raw materials and a revised legislative proposal on waste. The annex to the action plan sets out the timeline when the actions will be completed. The proposed actions will contribute to



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"closing the loop" of product lifecycles through greater recycling and re-use, and bring benefits for both the environment and the economy.

- While the EU policy framework for circular economy has been strengthened, there is still room for improvement on implementation in different areas, including waste.
- On waste, the recycling target of 50% of municipal waste by 2020 has been reached by 5 EU Member States, while several others are at risk of missing it.
- Waste prevention remains an important challenge: average generation of municipal waste has increased in the EU since 2014.

CLIMATE CHANGE

- EU climate legislation aims to contribute to a more climate-resilient Europe through better preparedness and a stronger capacity to respond to the impacts of climate change at local, regional, national and EU levels.
- Overall, there is a good level of implementation of climate legislation throughout the EU, although efforts in each Member State and at EU level need to be intensified to prevent and/or minimise damage caused by climate change.
- Full implementation of EU climate legislation would cut EU emissions around 45 % by 2030 (as compared to 1990).

PROTECTION OF NATURE & BIODIVERSITY

- The EU has already achieved the 2020 target of the UN Convention on Biological Diversity of 10% of coastal and marine areas covered by protected areas. On land Natura 2000 network continued to expand, reaching now 18% of terrestrial areas. Despite this progress, most Member States need to speed up effort for completion and good management of Natura 2000 network.
- Biodiversity loss continues in the EU, even if some progress has been achieved at local level. Significant gaps in Member State's performance on implementation, enforcement, financing and policy integration are affecting efforts to protect European ecosystems from pressures, such as inappropriate agricultural practices, urban sprawl or spread of invasive alien species.

CITIZENS' HEALTH AND QUALITY OF LIFE

Air quality/noise

- While air quality in Europe has improved over the last decades, most Member States need to accelerate reductions of emissions, particularly from transport and agriculture, and to promote cleaner energy production.



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- Since 2017, Member States and the Commission have engaged in a round of dialogues focused on air quality. By the end of 2018, six “Clean Air Dialogues” had been organised to address specific challenges in the Czech Republic, Hungary, Ireland, Luxembourg, Slovakia and Spain.

Industrial Emissions

- The Industrial Emissions Directive aims to ensure a high level of protection for human health and the environment while enhancing innovation and competitiveness. Many breakthrough technologies are being deployed, helping to achieve significant reductions in pollutants, but challenges remain: industry emissions from the power sector are the main air and/or water pollution sources in 11 Member States, while in 7 countries the largest share of emissions comes from the poultry and pigs rearing sector, and for 2 countries those are iron and steel plants. Emissions from waste treatment activities remain a concern in three Member States.

Water

- Although a number of Member States have taken good measures, much remains to be done to fully achieve the objectives of the EU water legislation, including on urban waste water, flooding or river basins management. Increased investments, including from EU funds, will be essential to meet the objectives.

Chemicals

- The environmentally sound management and safe use of chemicals is the primary focus of the EU chemical legislation. Member States are strengthening their cooperation to enforce the legislation.

GREEN TAXATION, GREEN PUBLIC PROCUREMENT AND ENVIRONMENTAL FUNDING

- Financial incentives and economic instruments, including phasing out of environmentally harmful subsidies, offer an effective and efficient way of achieving environmental objectives.
- In several Member States, the main challenge for environmental financing is to ensure that it remains at an adequate level; while in others there is an issue with the effective use of EU funds, sometimes caused by insufficient capacity of the administrations.
- Dedicated funding is often necessary to achieve environmental goals – within the European Structural and Investment Funds (ESIF), ‘environmental protection and resource efficiency’ constitutes the highest allocation in the 2014-2020 period in 12 Member States.



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GOVERNANCE/ ENVIRONMENTAL INTEGRATION

- In several Member States, environmental authorities are understaffed and this lack of capacity and resources affects their ability to implement and enforce.
- Member States can further improve their overall environmental governance. This includes transparency, access to information or ensuring that NGOs can bring legal challenges on environmental issues. It also includes improving resources and capacity of the different levels of administration to effectively enforce and implement environmental legislation.
- Better environmental integration can be achieved if environmental concerns are taken into consideration in the framing and execution of other public policies, such as energy, transport and agriculture.
- The TAIEX-EIR PEER 2 PEER is a tool for peer learning. It fosters the improvement of environmental implementation by environmental authorities.
- TAIEX-EIR PEER 2 PEER expert exchanges can address all issues covered by the EIR country reports: for example circular economy and waste management, nature protection, biodiversity, green infrastructure and soil protection, improvement of air quality, water quality and management, sustainable urban development. They can also deal with common root causes of implementation gaps, such as administrative capacity, skills, coordination mechanisms, access to justice, environmental liability, compliance assurance as well as reporting and sharing of environmental information or other aspects of environmental governance.
- TAIEX-EIR PEER 2 PEER tool has seen a successful start in 2018. All Member States were involved in at least one event, and more than 50% of the events were multicounty workshops.
19 projects were executed in 2018. Most P2P projects so far are on circular economy, waste and air.



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