



The Environmental Policy of the European Union



Structure

- I. Development of the legal basis
- II. Decision making in the EU
- III. Bypassing the decision making process:
Comitology
- IV. Ongoing Legislation
- V. Conclusions



I. Development and legal basis

Environmental Policy in the Treaties:

- Single European Act 1987
- Maastricht Treaty 1992
- Treaty of Amsterdam 1997
- Treaty of Nice
- Constitution?



Chronology

- 1973 – First European Environment Action Programme (1973-1976)
- 'Protection of the Environment' Research Programme (1973-1975)
- 1975 – Directive on the quality of bathing water
- 1976 – Environment Research Programme (1976-1980)
- 1977 – Second Environment Action Programme (1977-1981)
- 1978 – Directive on fresh waters and fish life



Chronology

- 1979 – Directive on the conservation of wild birds
- 1980 – Directive laying down minimum drinking water standards
- 1981 – Environment, Nuclear Safety and Civil Protection DG founded and launch of Environmental Protection and Climatology research programme
- 1983 – Third Environmental Action Programme (1982-1986)
- 1984 – First EU Framework Programme for research (1984-1987)



Chronology

- 1986 – Environment Research Programme (1986-1990)
- 1987 – Single European Act incorporates environmental policy in Treaty of Rome
- 1987 – Fourth Environmental Action Programme (1987-1991)
- 1987 – Second EU Framework Programme for research (1987-1991)
- 1988 – Directive limiting pollution emission from large combustion plants



Chronology

- 1989 – Launch of EU's Marine Science and Technology programme (MAST)
- 1990 – Directive limiting use and deliberate release of GMOs
- 1991 – Third EU Framework Programme for research (1991-1994)
- 1991 – Directive protecting waters against nitrate pollution caused by agricultural run-off
- 1992 – Directive establishing the Natura 2000 network to protect wild fauna and flora



Chronology

- 1992 – Fifth Environment Action Programme (1992-2000)
- 1993 – Maastricht Treaty gives environmental action full EU policy status
- 1994 – Fourth EU Framework Programme for research with specific 'Marine science and technology' and 'Environment and climate' programmes (1994-1998)
- 1996 – Directive on ambient air-quality assessment and management
- 1997 – EU adopts Kyoto Protocol



Chronology

- 1998 – Fifth EU Framework Programme for research with specific 'Environment and sustainable development' programme (1998-2002)
- 1998 – Directive to increase minimum quality standards of drinking water
- 1998 – Directive introducing new environmental specifications for petrol and diesel fuels
- 1999 – EU project clusters on urban mobility and biodiversity set up
- 1999 – Amsterdam Treaty makes environmental policy a key EU political aim



Chronology

- 2000 – Directive establishing framework for EC action in relation to water policy
- 2001 – Commission publishes Biodiversity Action Plan for Conserving Natural Resources
- 2002 – Sixth Environment Action Plan
- 2002 – Sixth EU Framework Programme for research with specific 'Sustainable development, global change and ecosystems' programme (2002-2006)
- 2005 Launch of the REACH Proposal on chemicals
- 2006 Reshaping of the EU Sustainability Strategy



Articles on Environmental Protection

Article 6:

„Environmental Protection must be integrated into the [...] community policies [...] in particular with a view to promoting sustainable development.“

Article: 174 (2)

“Community policy on the environment shall aim at a high level of protection [...]. It shall be based on the precautionary principle that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.“



Policy Principles

The main principles of European environmental legislation:

- The polluter pays
- Sustainable development
- A high level of protection
- Prevention
- Proximity
- Benefit cost calculation
- Subsidiarity
- Proportionality



Decision-Making

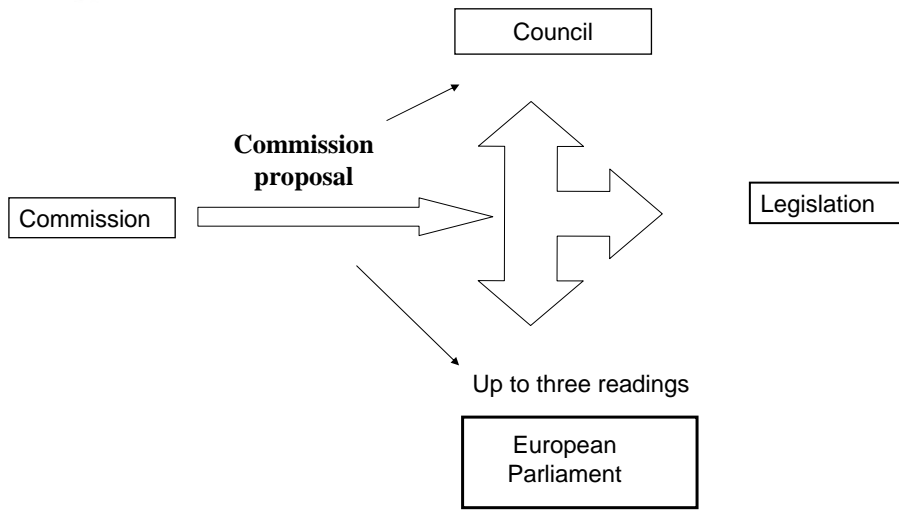
- Involves the Commission, the Parliament and the Council.
- The European Commission proposes new legislation and the Parliament and Council pass the laws.
- The Council is composed of the ministers of the Member States and acts mostly with a qualified majority concerning the environment.



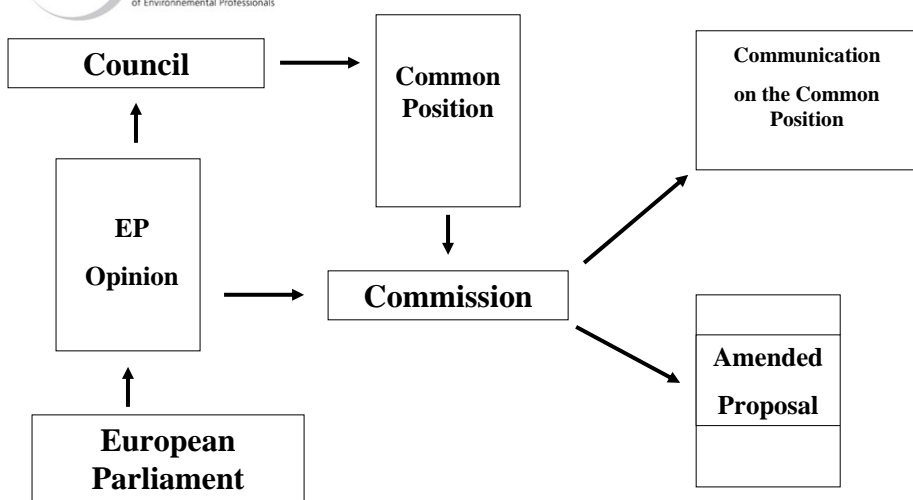
Environment = Codecision

- In principle environmental legislation goes through the Codecision procedure
- Exceptions are:
 - provisions of a fiscal nature (eg. Petrol taxes etc)
 - Measures affecting town and country planning
 - Land use (with the exception of waste management)
 - Measures significantly affecting the choice between different energy sources

The Codecision Procedure



Co-decision process





European Parliament First Reading

- Responsible Committee
- Co-responsible Committee
- Rapporteur in each committee
- Shadow rapporteurs
- Report adopted in Committees
- Opinion adopted in Plenary



Council First Reading

- Proposal text is reviewed in the appointed Working Group
- Political agreement
- Review of Parliament's amendments
- Adoption of Common Position



Codecision

- A maximum of three readings in the Parliament
- Possibly Conciliation Committee



Different types of legislation

- regulations: binding in their entirety and directly applicable in all Member States
- directives: binding for Member States as to the results to be achieved. Have to be transposed into national law
- decisions: fully binding on those to whom they are addressed
- recommendations and opinions: non-binding, declaratory instruments



The Environment, Public Health and Food Safety Committee

European People's Party 22

Party of European Socialists 16

Alliance of Liberals and Democrats for Europe 8

Greens/Free European Alliance 5

European United Left / Nordic Green Left 4

Independence / Democracy Group 4

Union for Europe of Nations Group 3

Non-attached 1



Comitology

- Makes rules without going through the legislative process
- Comitology Committees consist of experts from the member states



Types of Comitology Committees

- Advisory committees
- Management Committees
- Regulatory Committees



Legislation to come

- REACH
- Revision of the framework directive on waste and on the waste strategy
- Revision on the EU's sustainable development strategy
- Strategy on Biomass and Biofuels
- European Strategy for Sustainable, Competitive and Secure Energy



Thank you!