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TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN
ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE
REGIONS**

on the

Mid-term review of the Sixth Community Environment Action Programme

EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

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EXECUTIVE SUMMARY

This Impact Assessment accompanies the Communication from the Commission concerning the 'mid-term review' of the Sixth Community Environment Action Programme ('6th EAP').

The 6th EAP – which has a lifespan of 10 years – has been the policy framework for EU environment policy since 2002. Since it began, a number of actions have been undertaken and implementation has begun. However, it is relatively early to see the results of most of the measures, because changes in the environment resulting from measures being implemented tend to become apparent slowly: that is the nature of environment policy.

The mid-term review of the 6th EAP has two objectives: (i) to ensure that, for the remaining 6th EAP period (up to 2012), there is a Community framework for action in place, addressing the correct environmental challenges and priorities; and (ii) to ensure that for the remaining 6th EAP period, initiatives based on the Community framework for action address the environmental challenges in the most efficient and effective way, in line with EU policies and strategies such as the renewed Sustainable Development Strategy and the Commission's Better Regulation policy.

The Impact Assessment assesses three main policy drivers for the mid-term review of the 6th EAP. Firstly, the current state of the environment. Secondly, the policy context in which EU environmental policy is to be developed. Thirdly, identification of the deeper underlying problems, following on from the assessment of progress made so far.

The assessment of the current state of the environment shows that global emissions of greenhouse gases are increasing and climate change related weather events are having a significant economic impact. Biodiversity loss is continuing at an alarming rate. Air pollution damages the health of hundreds of thousands of Europeans every year. Soil degradation is accelerating across the EU, with negative effects on human health, ecosystems and climate change – and on economic potential and quality of life. Current production and consumption patterns in the EU are generally unsustainable. Natural resources are being used at a rate quicker than they are being regenerated. The EU is far from reaching its objective of decoupling economic growth from the negative impacts arising from resource use: if current patterns of resource use are maintained, environmental degradation and unsustainable depletion of natural resources will continue unabated.

The policy context for the Community framework for action in the field of environment is determined – inter alia – by the EU Sustainable Development Strategy, the Lisbon Strategy and the Commission's Better Regulation policy. The 6th EAP forms the basis for the environmental dimension of the EU Sustainable Development Strategy (EU SDS) and Lisbon Strategy makes an essential contribution to the overarching objective of sustainable development focussing primarily on actions and measures aimed at increased competitiveness and economic growth and enhancing job creation. The EU SDS states that "measures proposed and adopted in favour of the environment should be coherent with the objectives of the social and economic dimensions of sustainable development and vice versa". In 2005, the Commission presented a Communication "Better Regulation for Growth and Jobs in the European Union" which builds on the Commission's 2002 initiative for Better Regulation which "reinforces the way in which better regulation contributes to achieving growth and jobs, while continuing to take into account the social and environmental objectives and the benefits for citizens and national administrations in terms of improved governance".

On 18 December 2006 the European Parliament and the Council adopted the Seventh Research Framework Programme (FP7) of the European Community for research, technological development and demonstration activities in the period from 2007 to 2013. The FP7 will provide valuable research that will underpin the 6th EAP in the domains of environment including climate change, sustainable management of natural and man-made resources, biodiversity, and environmental technologies.

Although four years have elapsed since its adoption, it is too early to see significant results arising from the measures adopted under the 6th EAP. The Impact Assessment reveals three specific underlying problems which could hamper efficient and effective progress towards 6th EAP objectives over the coming period:

- poor integration of policies;
- the existing implementation gap; and
- insufficient international co-operation.

The Impact Assessment identifies three possible options for the mid-term review of the 6th EAP:

- a "business as usual" scenario. Under this option, the Commission would keep the 6th EAP as a framework for environment policy-making until 2012. This option would not require any amending legislative action. The Commission would, for the remaining 6th EAP period, present initiatives in order to further implement the 6th EAP. These initiatives would for example include measures to ensure the implementation of the seven Thematic Strategies, the completion of the international commitments under the Kyoto protocol, implementation of the Community's Biodiversity Communication, reviewing the legislative framework on industrial emissions, implementing the REACH (Chemicals) Regulation and revising the Integrated Pollution Prevention and Control ('IPPC') Directive;
- an option under which the 6th EAP would be kept as framework for future EU environment policy-making, but with a particular focus on certain aspects to "ensure that environmental objectives, which should focus on the environmental outcomes to be achieved, are met by the most effective and appropriate means available", as required by Article 2(3) of the 6th EAP. Under this option, the 6th EAP as it stands will be further implemented but with a particular focus on enhanced international co-operation, improved integration of policies, a strengthening of Better Regulation principles when developing new legislation and amending existing legislation; and improved implementation and information;
- a scenario under which a new Community framework for action would be developed. This new Community action programme would provide a new Community framework for action to address different environmental challenges than the ones currently covered by the 6th EAP for the period up to 2012. Future initiatives in the field of EU environmental policy will be based on this new Community framework for action.

For reasons of effectiveness, efficiency and consistency, the Commission prefers the second option.

Monitoring and evaluation are essential tools to measure the success of the implementation of the 6th EAP. By continuous, targeted monitoring and assessment of indicators and evaluations, the Commission will report more fully in its final assessment on the implementation of the 6th EAP, towards the end of the programme in 2012.