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COMMISSION STAFF WORKING DOCUMENT

2009 Environment Policy Review

Part 1

INTRODUCTION

The Commission Staff Working Paper '2009 Environment Policy Review' highlights selected EU environment policy issues for 2009.

The Review has three parts.

Part 1 presents the main developments in EU environment policy during 2009. It concentrates on the four priority areas of the 6th Environment Action Programme (climate change; nature and biodiversity; environment and health; and natural resources and waste) and indicates the main issues that will be important in 2010 and in the coming years.

Part 2 draws on statistical data relevant to the four priority areas. It reviews the most significant issues and provides background for the Commission's policy work during 2009 and for future initiatives. It also provides evidence on the state of implementation of EU environmental legislation.

Part 3 is the Commission's summary of major environment policy developments in the Member States. The policy actions listed are not exhaustive, but offer a snapshot of actions that took place during 2009 as well as upcoming initiatives. The information was gathered with the support of an external consortium and input from officials from Member States. This part also includes tables to show the environmental situation in each Member State.

Additional information on the environment in Europe is provided by the European Environment Agency (EEA), which regularly reports on updates of indicators relating to the four priorities of the 6th Environment Action Programme, on country assessments and forecasts.

Part 1: Achievements, new findings and outlook in the priority areas of the 6th Environment Action Programme

CLIMATE CHANGE

Highlights in 2009

Internationally a very intensive year

On the international stage, 2009 was a very active year on climate action for the European Union and Member States. Many bilateral and multilateral meetings took place to prepare for the **United Nations Climate Change conference in Copenhagen** in December 2009. These international negotiations were launched in 2007 to draw up a United Nations agreement on tackling climate change for the period after 2012, when key provisions of the Kyoto Protocol¹ will expire.

Throughout the course of 2009, **negotiating sessions** to prepare for the Copenhagen conference were held **in Bonn, Bangkok and Barcelona**. These were complemented by several other high-level meetings at ministerial or Heads of State level. In parallel, climate outreach work of the EU missions abroad was intensified, culminating in an extensive EU level Green Diplomacy campaign targeting over 60 countries in the immediate run-up to Copenhagen. At all of these discussions, the EU and Member States pushed for an ambitious and comprehensive agreement that would prevent global warming from reaching dangerous levels. The EU position was supported through detailed assessments by the Commission². The EU also put forward proposals for scaling up international finance to help developing countries to combat climate change. By 2020, developing countries are likely to face annual costs of around 100 billion euro to mitigate their greenhouse gas emissions and adapt to the impacts of climate change.

The Copenhagen climate conference in December resulted in the **‘Copenhagen Accord’**, supported by a large majority of the parties, including the European Union. The conference mandated the two ad hoc working groups, one on long-term cooperative action under the UN Framework Convention on Climate Change, the other on further commitments for developed countries under the Kyoto Protocol, to complete their work by the next annual climate conference, to be held in Mexico in November 2010.

The results in Copenhagen fell short of the European Union’s goal of achieving maximum progress towards finalising an ambitious and legally binding global climate treaty to succeed the Kyoto Protocol in 2013. The Copenhagen Accord is nonetheless recognised as a **move in the right direction** and marks a first step towards a legally binding global agreement. It includes several elements for which the European Union fought. For the first time, the Accord endorses at a global level the objective of keeping warming to less than 2°C above the pre-industrial temperature. Another positive element is that it requires developed countries to

¹ As shown in Part 2, the EU is on track to deliver on its Kyoto Protocol commitments for reducing or limiting emissions of greenhouse gases.

² COM(2009) 39 final, COM(2009) 475/3

submit economy-wide emission reduction targets and developing countries to submit their mitigation actions. The Accord also lays the basis for a substantial ‘fast start’ finance package for developing countries, approaching \$30 billion for the period 2010-12, and medium-term financing of \$100 billion annually by 2020.

Despite these positive elements, the Accord does not refer to the conclusion of a legally binding agreement, a key objective for the EU, nor does it set the goal of at least halving global emissions by 2050 compared to 1990 levels to keep warming below 2°C. The EU will continue to push for these. The Accord also leaves many important details to be worked out in 2010 to make the Accord operational. If the details are indeed worked out, the Accord could, together with the outcomes of the two working groups, provide the basis for a new global climate treaty.

At the end of January 2010³, the **European Union formally notified its willingness** to be associated with the Accord, and submitted its emission reduction targets. These consist of a unilateral commitment to reduce the EU’s overall emissions by 20% of 1990 levels, and a conditional offer to increase this cut to 30%, provided that other major emitters agree to take on their fair share of cuts too. The EU has also emphasised that in accordance with the findings of the IPCC, developed countries as a group should reduce their greenhouse gas emissions below 1990 levels through domestic and complementary international efforts by 25 to 40% by 2020 and by 80 to 95% by 2050 while developing countries as a group should achieve a substantial deviation below the currently predicted emissions growth rate, in the order of 15 to 30% by 2020.

Carbon capture and storage (CCS) has the potential to cut emissions from power generation in fast-developing and coal-dependent emerging economies. In June 2009, the Commission set out plans to finance the demonstration of CCS in cooperation with China. The EU and China have made a commitment to develop and demonstrate advanced, near-zero emissions coal technology through carbon capture and storage by 2020. The investment scheme could serve as a model for other technology cooperation activities.

Preparing for adaptation measures and further mitigation efforts in the EU

Within the EU, 2009 was a year during which efforts to mitigate climate change were consolidated. An important **Climate and Energy package was formally adopted in April**. This consists of:

- a Directive revising the EU Emissions Trading System (EU ETS), which will cover - with its extended scope from 2013 - some 45% of total EU greenhouse gas emissions;
- an ‘effort-sharing’ Decision, setting annual binding national targets over the period 2013-2020 for emissions from sectors not covered by the EU ETS;
- a Directive setting binding national targets for increasing the share of renewable energy sources in the energy mix;
- a Directive creating a legal framework for the safe and environmentally-sound use of carbon capture and storage (CCS) technologies, which are important in the fight against climate change.

³ Letter by the Presidency and the Commission to the UNFCCC Executive Secretary, 28 Jan 2010

The package is complemented by two further legislative acts that were agreed at the same time as the package:

- legislation to reduce CO₂ emissions from new cars
- a Directive that requires fuel suppliers to reduce greenhouse gas emissions from the fuel production chain by 6 % by 2020.

In 2009, the Commission prepared **necessary implementing measures** for the package.

Under the Climate and Energy package, changes were made to the **EU Emissions Trading system**. **These** will apply from 2013. Auctioning is to be the main method of allocating greenhouse gas allowances with final auctioning rules to be drawn up by mid 2010. An auctioning Regulation will be established in 2010 to accommodate this major change. Harmonised allocation rules for transitional free allocation for certain installations will be based, to the extent that is feasible, on product benchmarks related to the average performance of the top 10% most efficient installations in the EU. In the same context of transitional free allocation for certain installations, a Commission Decision was adopted in December 2009 listing the industrial sectors and sub-sectors deemed to be exposed to "**carbon leakage**". This refers to the assumed risk that installations in sectors that face strong international competition might relocate energy-intensive production from the EU, or lose market share to third countries with less stringent constraints on greenhouse gas emissions. Installations in 'carbon leakage' sectors will receive 100% of emission allowances free of charge up to the benchmarks set for the products of these industrial sectors. The risk of carbon leakage is also reduced by allowing for access to international credits in the EU ETS. Following the outcome of the Copenhagen conference at the end of 2009 the Commission deemed that both these measures remain justified at present⁴.

Another major change (that was already decided earlier in 2008) is that the **aviation activities** of aircraft operators who operate flights arriving at and departing from Community airports will be included in the system from 2012. In 2009, the Commission published the list of aircraft operators to be included in the EU ETS (to be updated annually).

The **Effort-Sharing Decision** regulates greenhouse gas emissions in all sectors except installations and aviation covered by the EU Emissions Trading System (ETS), Land Use, Land Use Change and Forests (LULUCF), and international maritime shipping. Member States will limit their greenhouse gas emissions between 2013 and 2020 according to a linear trajectory with binding annual targets. This will ensure a gradual move towards agreed 2020 targets in sectors such as transport, buildings and agriculture. Member States will be responsible for defining and implementing policies and measures to limit their emissions, and their efforts will be facilitated by EU-wide measures such as emission standards for passenger cars, and energy efficiency standards. A **strong monitoring and compliance system** will be put in place to monitor Member States' progress and to help them to take corrective measures if they fail to meet their targets.

Regarding the operation of the 2008-2012 trading period of the EU Emissions Trading System, the Commission took new decisions on Estonia's and Poland's **national allocation plans** distributing CO₂ emission allowances. It had rejected both plans in December 2009 on

⁴ COM(2010) 265 final

several grounds. This followed the Court of First Instance's annulment in September 2009 of the Commission's previous decisions on those plans. In December, the Commission appealed against these judgements. Appeals are currently pending before the European Court of Justice. In April 2010, Poland notified the Commission of a new national allocation plan which respects the terms of the Emission Trading Directive. The Commission therefore decided not to raise objections to the new Polish national allocation plan.

The **Carbon capture and storage Directive** constitutes one of the first comprehensive legal frameworks for the management of environmental and health risks related to CCS worldwide. It includes requirements on permitting, monitoring, reporting, inspections, corrective measures, and financial security. Member States have to transpose the Directive into national law by June 2011. In this respect, the Commission has established an informal Information Exchange Group, which will meet regularly to discuss questions on interpretation and implementation of the Directive.

The **revised ETS-Directive** provides that 300 million allowances will be available until the end of 2015 to help stimulate the construction and operation of up to 12 commercial demonstration projects in EU on carbon capture and storage and on innovative renewable energy technologies. Over the course of 2009, the Commission services have prepared and discussed with Member States a draft Decision ("draft NER 300 Decision") establishing criteria and measures for project selection, monetisation of the allowances and disbursement of the revenues in which the European Investment Bank will also play an important role .

The adoption of the third energy liberalisation package in August 2009 brings the goal of a **true internal market in electricity and gas** within reach. This will be crucial in delivering a low carbon economy - facilitating the integration of renewable energy sources and bringing a European focus to network planning.

Given the impact of high and growing emissions from transport, the Commission followed up its approach for passenger cars (agreed at the end of 2008) with a similar initiative for **light commercial vehicles (vans)** in 2009. It proposed legislation to reduce the average CO₂ emissions of newly-sold vehicles to 175 grams per kilometre by 2016, phased in from 2014. The proposal also includes an emission target of 135 g/km for vans by 2020. This legislation is one of the last remaining elements of the EU's strategy to improve the fuel economy of light commercial vehicles, which account for about 10% of the EU's total CO₂ emissions from road transport. The format of the proposed legislation is similar to that for passenger cars. Member States will monitor manufacturers' progress each year on the basis of new vehicle registration data.

The Council and Parliament adopted an amendment to the Fuel Quality Directive resulting in the first ever transport fuels greenhouse gas (GHG) intensity (emissions per unit of energy) reduction target. The Directive sets an obligation on suppliers to reduce by 6% the lifecycle GHG intensity of fuel and other (electric) energy supplied for use in road vehicles by the end of the compliance period in 2020.

The Commission outlined the actions needed to strengthen EU's resilience in coping with climate change. The impacts of climate change will vary across regions, so most adaptation measures will need to be taken at national and regional level. The Commission presented a **White Paper** in April 2009, setting out a two-phase strategic approach to **adapting to the impacts of climate change** in the EU. This complements actions Member States are taking through an integrated and coordinated approach. The **White Paper** describes over 30 actions that the Commission is to carry out with respect to adaptation. The first action was the publication of a guidance document on adapting to climate change in water management,

issued by Water Directors of Member States, to support the implementation of the Water Framework Directive and the Floods Directive.

Outlook for 2010

- The Commission issued a “**Post-Copenhagen Communication**” in response to the outcome of the Copenhagen meeting. This Communication reconfirmed the EU’s position in the negotiations context and listed leading by example and reaching out to our partner countries among its priorities for 2010 and onwards. The Communication explains that while the EU is ready to adopt a robust and legally binding agreement at **the United Nations Climate Change Conference in December 2010 in Mexico (Cancun)**, the substantial differences outstanding mean that the EU has to recognise the possibility of a more step-by-step approach. The EU's objective for the Cancun conference should therefore be a comprehensive and balanced set of decisions to anchor the Copenhagen Accord in the UN negotiating process, and to address the gaps.
- To reinstall developing countries' confidence in the prospects of a meaningful global climate regime, the Commission will be working with the Member States to deliver on the **fast start funding commitments** made in the context of the Copenhagen Accord. As part of this process, the Commission will produce a Communication on climate change and development with particular emphasis on transparent and effective delivery. This Communication should be adopted by the Commission in autumn 2010.
- The Commission presented in the first half of 2010 a detailed **analysis of the costs, benefits and options for moving to a 30% reduction for the EU** compared to 1990 by 2020⁵. This analysis takes into account recent developments such as the economic crisis. Its aim is to inform Council and Parliament and to allow for the preparation of policies which would be required if the EU were to decide to increase its ambition level beyond a 20% reduction.
- With respect to the **revised EU Emission Trading System**, the Commission plans to adopt several implementing measures in 2010: a regulation on auctioning of allowances, a decision on harmonised rules for the transitional free allocation of allowances, a decision on the total number of allowances in the ETS for the third trading period, a Communication on market abuse, and amendments to the regulation governing the electronic registries to cater for a range of new functions for the single Community registry.
- With respect to the **Effort-sharing Decision**, the Commission will prepare implementing measures for determining Member States’ emission limits in 2013-2020 in tonnes of CO₂ equivalent and for facilitating transfers of annual emission allocations between Member States. It will also assess inclusion of Land Use, Land Use Change, and Forestry (LULUCF) in the EU’s emission reduction commitment for 2020 and report on its findings in mid 2011.
- The Commission will discuss with Member States and relevant stakeholders the various elements on the **Directive on Carbon capture and storage**, such CO₂ storage life cycle risk management, site characterisation, CO₂ stream composition, monitoring and corrective

⁵ COM(2010) 265 final

measures and financial contribution. In this respect, the Commission will issue guidance documents towards the end of 2010. The Commission will also establish a Scientific Panel to help it review draft storage permits and draft transfer decisions pursuant to the CCS-Directive. Finally, the Commission Decision establishing guidelines for the monitoring and reporting of greenhouse gas emissions⁶ pursuant to 2003 Emission Trading Directive should be amended to include monitoring and reporting guidelines for greenhouse gas emissions from the capture, transport and geological storage of carbon dioxide.

- The draft **NER 300 Decision** was submitted for a vote in the Climate Change Committee early in 2010. Following successful completion of Parliament and Council scrutiny, the draft Decision should be adopted by the Commission in summer 2010. At the same time, the details of the envisaged involvement of the European Investment Bank (EIB) both in the selection of projects and the monetisation of the allowances are being elaborated in an inter-institutional agreement between the Commission and the EIB. Finally, the Commission is preparing the call for project proposals on the basis of the NER 300 Decision.
- Preliminary results from the campaign carried out in 2009 in the context of Eurostat's **Land Use/Cover Area frame statistical Survey** are expected in 2010. They will enable the Joint Research Centre of the Commission to produce **the first-ever map of topsoil organic carbon** on the basis of measurements covering the whole EU (except Bulgaria and Romania, which should be covered in 2012). This will be a decisive step in providing the EU with a carbon stock baseline which is of high interest for numerous EU policies, including LULUCF, agriculture, biodiversity, and soil.
- The Commission White Paper on **Adaptation** describes over 30 actions that the Commission is to carry out with respect to adaptation. The European 'Climate Change Impacts, Vulnerability and Adaptation Clearinghouse' is the key policy set out in the White Paper for the purposes of strengthening the knowledge base. The Clearinghouse is an internet-portal that will collect all available information related to adaptation and make it easily assessable to stakeholders, which will be operational in 2012. Also as a follow-up of the White Paper, the Commission is preparing a Communication on Mainstreaming Adaptation and Mitigation into Community Policies, foreseen for adoption in 2011. This Communication intends to introduce or further develop the climate-proofing of the main EU policies. As part of the preparatory work for the Communication, an Adaptation Steering Group will be launched in autumn 2010. The steering group will consist of Member State experts, European institutions and stakeholders.
- The Commission will adopt two measures **implementing the CO₂ and cars Regulation**: a Regulation on provisions for the application for a derogation from the specific CO₂ emission targets, and a Regulation on monitoring and reporting of data on the registration of new passenger cars. In addition, the Commission will be preparing draft rules setting out a procedure to approve eco-innovations.
- In 2010, in the context of the **Fuel Quality Directive**, the Commission should adopt implementing measures establishing a methodology for estimating fossil fuel GHG intensity and the GHG intensity of the fossil fuel baseline. The Commission should also update fuel quality limits in accordance with technical progress in this field and write a

⁶ Decision 2007/589/EC

report and make a proposal to address indirect land use change (ILUC) resulting from biofuel cultivation.

NATURE AND BIODIVERSITY

Highlights in 2009

The **EU biodiversity picture remains mixed**, with positive developments for some species and habitats overshadowed by worrying trends elsewhere. The first large-scale nature assessment, covering 216 types of habitat with information about 1182 species, compiled by the Commission in 2009⁷, found that only 17% of habitats and species protected under the Habitats Directive have a good conservation status. Grasslands, wetlands and coastal habitats are the most vulnerable, mainly due to factors such as the decline of traditional patterns of agriculture, pressure by tourist development, and climate change. The protection of soil biodiversity continues to present a challenge. Furthermore, the overexploitation of marine fisheries remains a threat to marine ecosystems, with some 45% of assessed European stocks falling outside safe biological limits⁸.

There are, however, indications that protection measures based *inter alia* on Community legislation are having an impact, and that some habitat types and species, such as the brown bear, the wolf and the beaver, are starting to recover and re-establish themselves⁹.

In 2009, the **Natura 2000 network** was further developed. It is now one of the most advanced, most extensive and most flexible systems of nature protection in the world. With almost 26 000 sites and nearly 18% of EU land designated, the Natura 2000 network is nearly complete on land. In the marine environment, there was some - but still insufficient - progress in 2009.

The **Birds Directive**, the EU's first nature law, **marked its 30th anniversary** in April 2009. The Directive has played a key role in reversing the decline of some of Europe's most threatened birds, particularly through its network of protection areas. Thanks to targeted action on the part of the EU, national governments, conservationists and volunteers to implement the Directive on the ground, many birds are now better protected.

On a global level, loss of biodiversity has reached alarming proportions. Assessments to date suggest that the current global biodiversity target for significantly reducing the rate of biodiversity loss by 2010 will not be met. More than a third of species assessed are threatened with extinction, and an estimated 60% of the Earth's ecosystem services have been degraded in the last 50 years. Biodiversity losses at global level are estimated to be occurring at a rate 100 to 1000 times faster than normal extinction rates. This is not a purely environmental issue. Investing in protecting ecosystems makes economic sense, as was shown in a 2009 report, 'The Economics of Ecosystems and Biodiversity'. Nature supports a wide range of economic sectors, can help to increase the resilience of our economy, and expands our options for long-term economic growth. Nature's capacity to provide vital ecosystem services such as fresh water and climate regulation is cheaper than investments in technological solutions. Protected areas, the cornerstone of EU's conservation policies, are not only good for nature, they can also generate significant benefits for local communities and national economies. In

⁷ COM (2009) 358.

⁸ EEA (2009) Progress towards the European 2010 biodiversity target. Report 4/2009.

⁹ COM (2009) 358.

Scotland, for instance, the public benefits of protecting the Natura 2000 network are estimated to be worth three times more than its costs¹⁰.

The EU and Member States supported many initiatives to protect biodiversity at EU and global level in 2009. For example, under the **second call for the LIFE+ programme** (2007-2013), the European fund for the environment, the Commission approved funding for nearly 200 new projects. The call for proposals closed in November 2008, and the Commission received more than 600 proposals from public and private bodies in the EU's 27 Member States. Of these, 196 were selected for co-funding. The projects cover actions in the fields of nature conservation, general environmental policy, as well as information and communication. Overall, they represent investment worth a total of 431 million euro, of which the EU will provide 207.5 million euro. About half of this budget is allocated to nature and biodiversity projects. LIFE+ has a budget totalling 2.14 billion euro for 2007-2013.

Under the **Thematic Programme for Environment and Natural Resources, including Energy** (ENRTP), commitments were made under the 2009 Annual Action Plan for a total of 201.6 million euro for projects and programmes to integrate environmental protection requirements into the Community's development and into other external policies as well as to help promote the Community's environmental, climate and energy policies abroad in the common interest of the Community and partner countries and regions. ENRTP has also prioritised biodiversity in its combined 2009-2010 call for proposals, allocating 8.5 million euro to address ecosystem services in South-East Asian countries and invasive alien species in Small Island Developing States and Overseas Countries and Territories, and 7.3 million euro for biodiversity and climate change in the partner countries under the European Neighbourhood and Partnership Instrument. Several other areas of the call e.g. fisheries, forests, desertification, have also had a direct link to biodiversity.

In 2009, the European Parliament and Council adopted a Regulation **banning the trade of seal products** in the EU. This applies both to seal products produced in the EU and to those imported. The aim of the Regulation is to ensure that products derived from seals are no longer placed on the European market. The Regulation provides for limited exemptions, so as to respect the fundamental economic and social interests of Inuit and other indigenous communities, and the need to conduct hunting to ensure sustainable management of marine resources on a not-for-profit basis and for non-commercial reasons. It also provides an exemption covering the import of goods derived from seals for personal use and without any commercial purpose. The implementing regulation the Commission has been asked to adopt will ensure that only seal products which comply with the conditions in the basic regulation are placed on the market.

In March 2009, the Commission presented a **guide on the sustainable hunting of wild birds** to ensure hunting is carried out in accordance with EU nature legislation. Although there is a general ban on killing wild birds, hunting of certain species is allowed outside breeding and pre-nuptial migration periods. Closed periods are critical to allow wild birds to renew their numbers. The guide focuses on the timing of recreational hunting, on minimising the risk of disturbing birds and their habitats, and on the conditions under which hunting is allowed under exceptional circumstances.

Negotiations for the adoption of the **proposed Soil Framework Directive** continued in 2009. In June 2009, the Czech Presidency presented a progress report¹¹ to the Council, noting that there was a blocking minority preventing further progress.

¹⁰ <http://www.teebweb.org>; TEEB 2009, D1 report for National and International Policy makers.

There can only be effective protection of nature and biodiversity if measures are also taken at international level. Thus, the Commission actively supported a number of initiatives in 2009. They include work to set up a global platform to address biodiversity and ecosystem services issues, similar to the Intergovernmental Panel on Climate Change (IPCC), whose regular assessment reports are the most authoritative global scientific consensus on climate change. **An Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES)** would greatly enhance the credibility of future biodiversity strategies and actions. A high-level Intergovernmental consultation meeting took place in October 2009 and contributed to developing a shared vision on the kind of mechanism needed for biodiversity. In June 2010, an agreement was made to establish IPBES at a high-level Intergovernmental consultation meeting in Busan, South Korea. This agreement should be endorsed in September 2010 at the United Nations General Assembly and the IPBES is expected to be formally established in 2011.

The EU waited for the outcome of the November 2009 annual meeting of the **International Commission for the Conservation of Atlantic Tuna (ICCAT)** before deciding whether to support Monaco's proposal that Atlantic Bluefin Tuna should be listed in Appendix I of the **Convention on International Trade in Endangered Species (CITES)** at the CITES Conference of the Parties in March 2010. At the November meeting, a number of measures to improve the poor conservation status of tuna were adopted. These included lowering Total Allowable Catches and shortening the fishing season for purse seiners for 2010, as well as a commitment to adopt a multiannual recovery plan for tuna at the next ICCAT annual meeting in November 2010.

In November 2009, **Ghana** signed an important agreement with the EU, intended to ensure that it only exports legally-harvested timber to the EU market. The **Forest Law Enforcement Governance and Trade (FLEGT) Voluntary Partnership Agreement**, the first of its kind, provides a legal framework and monitoring system intended to ensure that all of Ghana's timber exports to the EU have been acquired, harvested, transported and exported in accordance with Ghanaian law. The first FLEGT-licensed timber from Ghana is expected to reach Europe at the end of 2010.

In the context of the **Bucharest Convention**¹², the main instrument for the **protection of the Black Sea**, two important instruments essential if the sea is to recover progressively were adopted: the new Protocol on Pollution Control from Land Based Sources and Activities, and a new Strategic Action Plan. The latter reflects the consensus reached on a series of proposals such as ecosystem quality objectives, legal and institutional reforms, and investments needed to solve the sea's main environmental problems. The newly-adopted Protocol replaces that agreed in 1992 and will prevent, control and, to the maximum extent possible, eliminate pollution from land-based sources and activities.

The 16th Conference of the Parties (COP) to the **Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean** adopted a work programme for 2010-2011 and the first indicative five-year work programme, including a specific biodiversity theme: legally-binding decisions on protecting species, extending the list of those endangered, were taken. The work programme also reflects the holistic ecosystem

¹¹ <http://register.consilium.europa.eu/pdf/en/09/st10/st10919.en09.pdf>

¹² Turkey, Ukraine, Georgia, Romania, Bulgaria and Russia are members of the Convention.

approach as an overarching principle, which is crucial for the implementation of the Marine Strategy Framework Directive by the Mediterranean EU Member States.

At the **G8 meeting in Sicily**, environment ministers adopted the '**Carta di Siracusa**' together with ministers from 11 other countries and representatives from international organisations. The document stresses the relationship between biodiversity and climate, focusing particularly on the role of ecosystems in mitigating and adapting to climate change. Strengthening and restoring the resilience of ecosystems, as well as ensuring a steady flow of ecosystem services, were also recognised as essential for human well-being and for achieving the Millennium Development Goals. Ministers gave special emphasis to the definition of a common path towards post-2010 targets for biodiversity.

Outlook for 2010

- **2010 is the International Year of Biodiversity.** 2010 - and the years onwards - will test the credibility and efficiency of EU and global policy-making and implementation in the area of biodiversity. The EU will use this momentum to step up efforts to protect biodiversity both within and outside the EU. In January, a Commission Communication set out targets for biodiversity post-2010. Despite efforts made, biodiversity is still being lost at alarming rates, and a new vision is required to address this loss. The Communication proposed a long-term (2050) vision for biodiversity, with four options for a mid-term (2020) target, offering different levels of ambition. The aim is to stimulate discussion and debate among Member States with a view to **developing the post-2010 biodiversity policy framework for the EU** before the end of 2010. It will also contribute to the debate on a new global vision for the period beyond 2010, in which the EU is taking part actively and constructively.
- In March 2010, the Council reaffirmed that protected areas and ecological networks were a cornerstone of efforts to preserve biodiversity. It stressed the need to fully implement the Birds and Habitats Directives and to speed up **completion of the Natura 2000 Network**. The achievements under the Birds and Habitats Directives, particularly the Natura 2000 network, will be an essential basis for achieving the EU's post-2010 biodiversity targets. The Directive's implementation has entered a crucial phase, that of making it fully operational as a coherent ecological network, and making it work in practice. The Commission will work pro-actively with all Member States to help ensure the effective management, protection, financing and monitoring of Natura 2000. Ways of **avoiding conflicts** and reconciling nature conservation objectives with socio-economic development within Natura 2000 will be further developed.
- The **Economics of Ecosystems and Biodiversity (TEEB)** project will present its final reports in the course of 2010, including the quantitative assessment and reports for local policy makers, for business and for the general public. The Joint Research Centre of the Commission will publish the **European Atlas of Soil Biodiversity**, a comprehensive guide on life beneath our feet. The final findings of the complete TEEB study and the Atlas will be presented in October 2010 at the 10th meeting of the Conference of the Parties (COP 10) in Nagoya, Japan, under the Convention of Biological Diversity.
- The year 2010 will see the EU ratifying the **Protocol on Integrated Coastal Zone Management** (Barcelona Convention). The Protocol will enable efforts to tackle the continuing degradation of the coastal environment in the Mediterranean to be stepped up.

- The **proposal for a Regulation on the obligations of operators placing timber and timber products on the market** is expected to have a second reading at the European Parliament and Council in 2010, with possible adoption towards the end of the year. The Regulation is intended to minimise the risk of illegal timber or products containing such timber being placed on the EU market.
- The White Paper on climate change adaptation invited the Commission to launch a debate on options for an **EU approach on forest protection and information**. In March 2010, the Commission adopted a Green Paper on this. The paper invites stakeholders to debate how forest protection in the EU should ensure that forests continue performing all of their productive, socio-economic and environmental functions. The public consultation on the Green Paper ends on 31 July 2010.

ENVIRONMENT AND HEALTH

Highlights in 2009

A clean and healthy environment is essential for human well-being. To limit environmental threats to human health, the European Union continued to take action in various fields during 2009, including chemicals, air and water quality:

Important steps were taken on **chemicals management** at a global level, so that chemicals are produced, used and disposed of as safely as possible. The second **International Conference on Chemicals Management** in May highlighted four areas involving chemicals as the focus for future work: nanotechnologies and manufactured nanomaterials, hazardous substances within the life cycle of electrical and electronic products, chemicals in products and lead in paint.

The conference also considered how to ensure there were enough resources available to fully implement the Strategic Approach to International Chemicals Management, a global political commitment to sound chemicals management by 2020, made by more than 140 countries worldwide.

Agreement was also reached in 2009 on banning nine dangerous chemicals used in farming and industry. These will be included on the list of substances to be banned under the **Stockholm Convention on Persistent Organic Pollutants (POPs)**. POPs can lead to cancer, birth defects and dysfunctions of the immune and reproductive systems. In February, global consensus was also reached at the meeting of the United Nations Environment Programme Governing Council to launch negotiations on an international legal agreement to control mercury.

Within the EU, the formal adoption of the **Pesticide Framework Directive** in 2009 was an important step forward in reducing the impact of pesticides. Member States must enforce regular inspection of pesticide application equipment and ban aerial spraying, but also develop training schemes for professional users.

The Commission also put forward a **proposal for a Biocides Regulation**, partly to adapt it to the chemicals legislation, REACH. The proposal aims to improve the safety of biocide products used and placed on the EU market. It proposes, amongst other measures, phasing out the most hazardous substances, particularly those that may cause cancer, and to introduce new rules for products such as furniture and textiles treated with biocides, which are not covered by existing legislation.

The Dangerous Substances Directive has been replaced by new legislation, the **Regulation on the Classification, Labelling and Packaging of Substances and Mixtures**, which took effect from January 2009. It incorporates the classification criteria and labelling rules agreed at UN level. The European Chemicals Agency focused on the next steps in the **implementation of REACH chemicals legislation** and, specifically, for the first registration deadline in November 2010. The Agency is responsible for managing the registration, evaluation, authorisation and restriction processes of chemical substances as provided for in REACH. As part of the authorisation process, the Agency also launched a public consultation on the first draft recommendation on substances of very high concern.

In June 2009, political agreement was reached in the Council on the **Industrial Emissions Directive**. This brought the EU one step closer to new legislation on industrial pollution, providing higher levels of environmental protection. After concluding second reading

negotiations with the Council in July 2010, the European Parliament agreed on a proposed revision of the Industrial Emissions Directive. The revised proposal provides for a system regulating industrial emissions that is clearer, more effective and more efficient in ensuring a higher level of environmental protection than the present legislative framework. It will strengthen the use of best available techniques and reduce harmful emissions from large combustion plants. The legislative procedure will conclude with a vote in the Council and the entry into force of the Directive by the end of 2010.

In the context of industrial emissions, the European Commission and the European Environment Agency launched also a comprehensive new **European Pollutant Release and Transfer Register**¹³. This contains information about emissions releases to air, water and land, and transfers of pollutants in wastewater, as well as waste produced by industrial facilities throughout Europe. It includes annual data for 91 substances and covers more than 24 000 facilities in nine industrial sectors.

Regarding **air quality**, progress was achieved in various areas of legislation. The European Council and Parliament adopted **new legislation to cut harmful vapour emissions from fuel stations**. This will ensure that petrol vapour which escapes while drivers refuel their cars at service stations is captured and recycled. The Directive will require so-called Stage II petrol vapour recovery technologies to be fitted to petrol pumps at service stations. Member States have until the end of 2011 to transpose the Directive into national law.

The **Commission** also adopted **Decisions** concerning requests from Member States for **additional time to comply with EU legislation on air quality**. The vast majority of air quality zones in the EU did not qualify for a time extension. The Commission decided that 48 air quality zones fulfilled the conditions for an exemption from the PM₁₀ limit values. These were in Austria, Cyprus, the Czech Republic, Germany, Hungary, Italy, the Netherlands, Poland and Spain. The conditions for postponing NO₂ limit values were also satisfied in nine zones in the Netherlands. In these cases, the Commission was satisfied that compliance would be achieved by the end of the time extension through comprehensive air quality plans. At the same time, there was enforcement action against 19 Member States that had not submitted notifications or to which the Commission had already addressed a Decision objecting to a time extension and which continued to exceed the PM₁₀ limit values.

New legislation was also adopted in September which should help the **ozone layer** to recover, and will also contribute to mitigating climate change. The legislation reinforces measures on the illegal trade of ozone-depleting substances, as well as on their remaining uses. It confirms the ban on the use of methyl bromide, and bolsters measures on the management of banned substances in older products.

According to a recent Eurobarometer survey, almost two out of three Europeans think there is a serious problem with the quality and quantity of water in their country¹⁴. A set of EU rules addresses this issue comprehensively: the Water Framework Directive established the legally-binding objective to achieve good status in all waters by 2015. **River Basin Management Plans** should have been prepared and been available for all basin districts across the EU by the end of 2009. Most Member States carried out public consultations in 2009 and adopted Management Plans. There were, however, serious delays in some parts of the EU, and in a

¹³ <http://prtr.ec.europa.eu>.

¹⁴ Flash European Barometer — Series #261 ; see also Part 2 of this document ‘What Europeans think about environment’.

few countries consultations were still ongoing at time of writing. In 2010, the Commission started checking the quality of plans submitted.

The 2007 EU Strategy on Water Scarcity and Droughts identified policy options which could help improve the management of water quantity in the EU. The second annual progress report on implementing the Strategy confirms that some EU countries continue to face water scarcity problems and/or drought, and that much more effort is needed to stop and reverse overexploitation of Europe's precious but limited water resources.

On bathing water, the European Commission and the European Environment Agency's recent report showed that most **bathing sites** across the European Union met EU hygiene standards in 2008. Some 96% of coastal bathing areas and 92% of bathing sites in rivers and lakes complied with minimum standards. Another recent European Commission report showed that **nitrate levels** in waters across the EU were stable or falling in about two-thirds of monitoring sites for the period 2004-2007. However, the Commission has taken **legal action** against several Member States for not complying with EU legislation **on urban waste water treatment and nitrate action programmes** under the Nitrates Directive.

In line with the Protocol on pollution from land-based sources and activities, the 16th Conference of the Parties (COP) to the **Barcelona Convention** for the Protection of the Marine Environment and the Coastal Region of the Mediterranean adopted legally-binding measures on reducing pollution (nutrients from waste water treatment and persistent organic pollutants) for the first time, and more measures are being prepared.

To encourage cities to improve the quality of urban life by taking the environment systematically into account in urban planning, the Commission introduced a new award scheme, the **European Green Capital award**. Stockholm and Hamburg were named as the first winners of this award. The Swedish capital will be European Green Capital in 2010, followed by Hamburg in 2011. Stockholm has an Integrated Management System that ensures environmental issues are included in the city's budget, operational planning, reporting and monitoring. It has set itself the ambitious target of becoming fossil-fuel-free by 2050. In Hamburg, air quality is very good, there are numerous awareness-raising programmes, and the city has introduced ambitious climate protection goals.

Regarding civil protection, further steps were taken towards testing innovative arrangements for a European rapid response capacity based on standby intervention modules and supplementing EU-level capacities. This included setting up a European Forest Fires Tactical Reserve on a pilot basis, with two water-bombing aircraft available to assist in response to major forest fires in the summer of 2009. Throughout the year 2009, the European **Civil Protection Mechanism** was activated 28 times: 10 cases concerned disasters within the EU, the others in response to emergencies in third countries. Within the EU, forest fires triggered most alerts. Outside the EU, the Mechanism was activated to assist countries in Eastern neighbours (the Republic of Moldova and Ukraine), in Africa (Namibia, following its worst floods in decades) and Asian and Asia-Pacific nations (Tajikistan, Taiwan, Indonesia, Philippines, Samoa) in the aftermath of disasters. In 2009, the Commission strengthened civil protection cooperation activities with neighbouring countries.

A Communication on a **Community approach on the prevention of natural and man-made disasters**¹⁵ was adopted by the Commission in February 2009. Proposed action at EU level, supported in Council conclusions of November 2009, focuses on areas where a common approach is more effective than separate national approaches. These include developing

¹⁵ COM(2009)82

knowledge, guidelines on risk assessment and mapping, linking actors and policies, and improving the performance of existing Community disaster prevention instruments. **EU-Floodex 2009**, an exercise organised in the context of the Civil Protection Mechanism, brought together over 1000 participants from the Netherlands, the UK, Germany, Estonia and Poland to cooperate in a major flood scenario in September.

Outlook for 2010

- In 2010, the Commission will begin the **assessment of the River Basin Management Plans** due under the Water Framework Directive and will launch a policy review on water scarcity and droughts, both to be finalised in 2012. The focus will be, *inter alia*, on assessing, on implementation gaps/problems for the Directive, and on what is being achieved in terms of water efficiency, policy integration, land use, use of unconventional water resources, drought management and stakeholder mobilisation.
- REACH implementation in 2010 is dominated by preparations for the first **registration** deadline at the end of November. This concerns all manufacturers and importers of chemicals in quantities of more than 1000 tonnes per year, and of chemicals toxic to the aquatic environment above 100 tonnes per year and CMRs (Carcinogenic, Mutagenic or toxic to Reproduction) above 1 tonne per year. REACH art. 5: 'No data, no market' states that late registration means that supply of the chemical in question will be interrupted, so the stakes are high for the chemical industry. The Commission estimates there will be 38 000 dossiers for 4 400 substances registered by the deadline. Under the REACH **authorisation procedure**, the substances 'of very high concern' can only be used and put on the market if they have been authorised. In 2010, the Commission has put forward a proposal for the inclusion of the first six 'very high concern' substances. The number of substances on the candidate list is expected to grow gradually from the 29 recorded at the beginning of 2010 to 136 by 2012. As for **restrictions** on chemicals under REACH, the Commission is continuing work on transitional measures, i.e. restriction proposals which follow on from risk assessments from the pre-REACH period.
- Further activities under REACH in 2010 include the launch of a study for the **review of the scope of REACH**. The purpose is to assess by 2012 whether to amend the scope of REACH to avoid overlaps with other Community legislation. The review involves analysis of all relevant sectoral Community legislation and a comparison with REACH, and includes stakeholder feedback.
- The Regulation for the **Classification, Labelling and Packaging of Substances and Mixtures**, which entered into force in January 2009, has a deadline of December 2010 to classify substances according to the new rules. Manufacturers and importers must notify the European Chemicals Agency by January 2011 of the classification of substances placed on the market.
- The Commission will publish its fourth report on the implementation of the Community strategy on **endocrine disruptors** in 2010, to cover the period since the previous report in 2007.
- Work will continue on the **combination effects of chemicals**. Current regulatory approaches to assessing chemicals are usually based on evaluating single substances, one by one. There are concerns that this does not provide enough information on the hazards of interactions, and that the combination effects of chemicals should be addressed in a more systematic way. Acknowledging these concerns, the Council of Environment Ministers

adopted conclusions on combination effects of chemicals in December 2009. The Council invited the Commission to assess how and whether existing legislation addresses this problem and to suggest appropriate modifications and guidelines by 2012. In 2010, the Commission will complete a study to review current scientific knowledge and regulatory approaches entitled ‘State of the Art Report on Mixture Toxicity’ and this will provide input to address Council recommendations.

- Before the end of 2010, the Commission intends to adopt a new Action Plan for 2010–14 on **nanotechnologies** to follow up the first Action Plan for 2004-2009. The new plan will focus mainly on broader aspects of the technology, including its risks and hazards, as well as how it can be deployed in an ‘integrated, safe and responsible’ manner. In this context, the Commission has also started work on reviewing parts of the environmental legislation to see how it covers nanomaterials and it intends to do the same for REACH. These reviews will be reported in a 2011 Communication to the Parliament and may lead to proposals for legislative changes if necessary.
- In 2010, the Council and the European Parliament are expected to adopt a **Directive on the protection of animals used for scientific purposes**, revising the existing Directive on that topic. The Commission proposal aims to minimise the number of animals used in scientific procedures and to significantly improve the treatment of animals where these are still needed for safety testing and biomedical research throughout the European Union. It should also enhance the quality of research conducted in the EU and ensure high standards of human and animal health and environmental protection.

NATURAL RESOURCES AND WASTE

Highlights in 2009

Current patterns of consumption and production are leading to the depletion of natural resources, while also causing serious environmental pressures. The EU has developed a set of policies to promote resource efficiency and better waste management, at home and internationally, in order to move towards a more sustainable consumption and production.

In 2009, two new Commission reports¹⁶ showed that **EU waste law is being poorly implemented and enforced** in many Member States, particularly in the cases of the Waste Framework Directive, the Landfill Directive and the Waste Shipment Regulation. In many cases, there is a lack of waste treatment infrastructure, and waste is not sorted before collection. Targets for re-use, recycling and recovery are being missed for waste streams such as electrical and electronic equipment, end-of-life vehicles or packaging. There are also many cases of illegal shipment of waste. In recent years, the Commission has stepped up its efforts to support Member States to improve their implementation, via awareness campaigns, a helpdesk, as well as guidance documents. The Commission is also studying the **costs and benefits of creating an EU Waste Implementation Agency** to help address shortfalls in implementation and lack of enforcement. Further steps may be proposed during 2011.

Public opinion and awareness about waste disposal is growing: four out of five Europeans say they consider the environmental impact of the products they buy, according to the Eurobarometer survey published in 2009¹⁷. There was also strong support for the idea of retailers playing a role in promoting environmentally-friendly products, as well as for mandatory carbon labelling.

With the small and medium enterprises as its prime target, the Competitiveness and Innovation Framework Programme (CIP) provides a framework for support in fields that are essential for strengthening productivity, innovation capacity, and sustainable growth in Europe, while addressing environmental concerns. **CIP Eco-innovation** covers a wide range of green products, services and processes that can turn environmental challenges into business opportunities. In 2009, 45 projects were selected from over 200 proposals submitted for funding. Ranging from innovative materials for easy sorting and recycling to advanced production methods that save water and other resources, the selected projects are set to strengthen Europe's competitive edge, while improving its environmental standing.

In 2009, the European Council and Parliament reached a first-reading **agreement on the revision of** two key information and management instruments to promote sustainable consumption and production, **the European Ecolabel and the Eco-Management and Audit Scheme (EMAS)**. The agreement came less than a year after the Commission presented the proposals as part of a package of measures on sustainable consumption and production. Both schemes will remain voluntary. The revised Ecolabel scheme will simplify requirements for participants. There will also be more focus on products and services that have the most significant environmental impacts. Ecolabel criteria will be developed for food and drink products in future in the event that a study to be performed by 2011 demonstrates the need for and feasibility of such criteria. Lower fees, higher environmental standards, exclusion of dangerous substances and simplified criteria linked to public purchasing and other EU

¹⁶ <http://ec.europa.eu/environment/waste/reporting/index.htm>.

¹⁷ Flash European Barometer — Series #256.

policies are just some of the benefits of the revised Regulation. At the end of 2009, nearly 20 000 products and services carried the label's signature flower logo. The fundamental changes to the EMAS scheme focus on the needs of small organisations (SMEs and small public authorities). The major new elements include taking a sectoral approach to promoting best practice in environmental management and extending EMAS to non-EU countries. The revision also includes elements strengthening compliance with environmental legislation and reinforced environmental reporting. This should increase the number of companies that take part, and reduce the administrative burden and costs for SMEs. In 2009, the Commission decided to extend EMAS to all of its own activities and buildings. During a pilot phase, it saw significant reductions in energy and water consumption, greenhouse gas emissions and waste generation, and more Commission staff commuted by public transport.

To enhance the role of retailers in promoting more environmentally sustainable consumption patterns, the Commission and the European retail sector launched a **Retail Forum**¹⁸. The Forum will meet every quarter for the next three years. It will aim to generate better understanding of the practical measures needed to promote sustainable consumption and production. Over time, it should result in more environmentally-friendly and energy-efficient products for sale in shops. The Retail Forum will issue papers with proposals for action on environmental issues important for the sector. It has already published recommendations on how to improve energy efficiency in EU stores and on how to make the distribution of goods greener, on use and management of sustainable timber, and on marketing and communication¹⁹.

A diverse range of methodologies is emerging to assess the environmental impact of food products. This diversity often makes it difficult for SMEs or even larger economic actors to access several schemes and may lead to a fragmentation of the internal market. In order to promote a more harmonised approach, the Commission works with the European food supply chain within the **food sustainable consumption and production roundtable**²⁰. The objective is to provide harmonised and reliable assessment and improvement tools based on a life-cycle approach. The roundtable was launched in 2009 and had its first Plenary in July 2010. This Plenary was the occasion to present its first deliverables on guiding principles for voluntary environmental assessment of food products and communication along the food chain, including to consumers.

On an international level, a new Convention was adopted to set global rules on ship recycling: the **International Convention for the Safe and Environmentally Sound Recycling of Ships**, developed by the International Maritime Organisation. This is the first convention to address ship recycling issues specifically, and it aims to improve the health and environmental standards applied in the industry. The rules will enter into force once they are ratified by a minimum of 15 countries, representing at least 40 % of the world fleet.

As part of the EU strategy of sustainable use of natural resources, an **International Panel on Sustainable Resource Management** was set up in 2007 under the auspices of the United Nations Environment Programme. Its aim is to provide scientific evidence to underpin the delivery of policies on resource efficiency²¹. In October 2009, it published its first report, on

¹⁸ <http://ec.europa.eu/environment/industry/retail>

¹⁹ See also the Report "*Towards more efficient and fairer retail services in the internal market for 2020*" (COM(2010) 355 final)

²⁰ <http://www.food-scp.eu>

²¹ The EU Framework Programme for Research and Innovation is also providing scientific evidence and technologies to underpin EU policies on resource efficiency.

biofuels²². It assessed a number of options for efficient and sustainable production and the use of biomass as an alternative fuel source. These include measures such as restoring formerly degraded land, and energy recovery from agricultural waste and residues. Several of the report's scientific recommendations are already integrated into EU biofuels policy, which includes a set of sustainability criteria.

Outlook for 2010

- Building on the Environmental Technologies Action Plan and policy initiatives in the area of Research and Innovation, the Commission is working on further measures to support eco-innovation following the Innovation Union Flagship Initiative under the Europe 2020 Strategy.
- With regard to impacts to the environment from industrial accidents related to the exploitation of natural resources, the Commission will assess the current legislative framework in relation to requirements on sustainability and environmental safety and in relation to environmental liability for damages in the area of offshore hydrocarbons exploration and production.

²² <http://www.unep.fr/scp/rpanel/>.

CONCLUSIONS

At the end of 2008, the **European Economic Recovery Plan** providing a fiscal stimulus of 400 billion euro was adopted. It included green initiatives, focusing on energy-saving and climate change measures, and is currently being implemented by the Commission and Member States. The Commission's analysis of green elements in national economic recovery packages showed that most Member States directed their efforts towards energy efficiency, renewable energy, public transport, fleet renewal of passenger cars, infrastructure and eco-innovation.

The coming years should show how these measures contribute to shifting to a low-carbon and resource-efficient economy. However, only a few Member States included measures to promote resource efficiency (recycling, waste prevention and treatment), water infrastructure, and ecosystems protection and management, promotion of 'green consumption' via green public procurement or via incentives for consumers to purchase greener products. The number of 'green measures' planned, as well as depth of the approach, vary significantly from one Member State to another.

The **Europe 2020 strategy** - adopted by the European Council in June 2010 - also supports the need to shift to a resource-efficient economy. The successor to the Lisbon strategy for growth and jobs seeks to ensure that Europe emerges from the economic crisis stronger, and it paves the way for smart, green and inclusive growth. In this context, the Commission proposed launching '**Resource efficient Europe**' as a key flagship initiative of Europe 2020. This would require full integration of environmental concerns in many other policy areas, while ensuring internal policy coherence. The drive will lead to a number of follow-up initiatives in the course of 2010.

Achieving progress also requires **good tools to measure it**. That is why the Commission adopted a roadmap in 2009 to measure progress in a changing world: '**GDP and Beyond**'. Although GDP is - by design and purpose - not a welfare measure, it has come to be regarded as a proxy indicator for overall societal progress. However, it does not measure environmental sustainability or social inclusion and these limitations need to be taken into account. The actions proposed aim to improve the measurement of a nation's progress by complementing GDP with indicators that cover such aspects. As a part of efforts to shift towards a low-carbon, resource-efficient economy, the Commission will present a pilot version of a comprehensive environmental index in 2010. The European Statistical System will implement integrated environmental economic accounting as a standard in macro-economic statistics. In 2009, the obligation to share data about policies and activities having an impact on the environment came into force through the INSPIRE directive (**Infrastructure for Spatial Information in the European Community**). Over the coming years, INSPIRE implementation will continue to address the various obstacles which prevent this sharing from happening efficiently. Coordinated implementation of this vital information infrastructure, which remains a challenge, will significantly enhance the Member States' capacity to better plan, implement and monitor environmental, disaster mitigation and climate change adaptation measures.

For other key policy areas, **2010 will be a crucial year:**

On **climate change**, the outcome in Copenhagen clearly falls short of the EU's initial objectives. The Accord also leaves many important details to be worked out. Much work will now be needed to make the Accord operational. The EU must honour its pledges in the Accord, and convince others to do so as well. If this can be achieved, it could, together with the outcomes of the two working groups, provide the basis of a new global climate treaty. The EU's goal should now be to ensure that good progress is made before the meeting in Mexico at the end of 2010.

Loss of biodiversity is a global threat as serious as climate change. The Commission will use the momentum of 2010, the International Year of Biodiversity, to step up efforts to protect biodiversity both within and outside the EU. To reverse the alarming trends of loss, the EU must fully implement relevant legislation, from the Habitats and Birds Directives to the Water Framework and Marine Directives. The **completion of the Natura 2000 network** will be speeded up on land and sea, and its effective management will be promoted. Further efforts will be made to offer enough EU funding and incentives under the next financial perspective from 2013 to support the management of Natura 2000. Biodiversity must become a central element of all policies. Dialogue with various economic sectors must be enhanced, and their awareness raised. Existing legislative gaps need to be filled, particularly on soils and invasive species. We need to improve the knowledge base and to develop a biodiversity baseline against which to measure progress towards reaching goals to be set for the post-2010 period. Finally, the science-policy interface should be reinforced at EU and global level to facilitate informed policy-making – hence the significance of the agreement reached in June 2010 on the need to establish an Intergovernmental Platform on Biodiversity & Ecosystems. "

Environment policy can and should be further **integrated into other policy areas**. Environmental challenges are already addressed in the EU Budget, for example via Cohesion Policy, with investment in waste and water management, clean energies, sustainable transport and promotion of biodiversity and nature protection. Around 105 billion euro is planned to be invested in environment-relevant programmes and projects out of the total budget of 347 billion euro available for Cohesion Policy over the years 2007-2013. Energy policy is now integrating environmental and climate change objectives, moving the economy towards a low carbon future, with binding targets on renewables and ambitious goals in energy efficiency by 2020. The further completion of the internal market in gas and electricity aims at facilitating the implementation of this policy. A new Energy Infrastructure Package will be tabled in 2010 to ensure that infrastructures will help meeting these new challenges. Environmental concerns have also been progressively integrated into the Common Agricultural Policy (CAP), with about half the 2nd pillar of the CAP now going to Rural Development measures with specific agri-environmental objectives. However, much more can be done in both Pillar 1 and Pillar 2 of the CAP. Environment is also a key area of the EU's external policy, including its dialogue and cooperation with neighbouring countries and wider. The upcoming **Review of the Financial Perspective** could further improve the way in which environmental concerns are integrated into various EU policy areas.

Finally, in the years to come, the Commission's key priority is to ensure **full implementation of the environmental acquis**. Member States bear much of the responsibility here, but the Commission will continue to cooperate with them to support their efforts, through technical assistance, guidance on implementation, exchanges of best practice and EU funding. The Commission will at the same time continue to co-operate with and support the candidate countries and potential candidates in aligning with and preparing for implementation of EU

legislation, so that these countries are well prepared upon joining the EU. This is done through sustained financial assistance and instruments as the Regional Environmental Network for Accession.

A good example of promoting better implementation was a series of seminars for judges from ten Member States in May 2009, enabling them to look at the ways in which EU environmental law is applied. The role of national judges in ensuring compliance with EU law is crucial. This is particularly true for the environment, where thousands of decisions with potential impacts on the environment throughout the EU are taken every year, for instance, on applications for new landfill sites, questions on the protection of Natura 2000 sites, or permits for industrial installations. Ultimately, the Commission will use instruments to ensure legal enforcement whenever necessary.