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ANNEX 1

ANNEX

**GUIDANCE TO MEMBER STATES: SUGGESTED ACTIONS ON BETTER
ENVIRONMENTAL IMPLEMENTATION**

to the

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

**The EU Environmental Implementation Review: Common challenges and how to
combine efforts to deliver better results**

{SWD(2017) 33 - 60 final}

**GUIDANCE TO MEMBER STATES:
SUGGESTED ACTIONS ON BETTER ENVIRONMENTAL IMPLEMENTATION¹**

<i>Suggested actions</i>	<i>Member State(s)</i>
Developing a circular economy and improving resource efficiency	
<ul style="list-style-type: none"> Strengthen the policy framework to speed up the uptake of the circular economy by all economic sectors, providing further support to local businesses and increasing investments in the public research and education systems, especially concerning water and energy savings, waste reduction, the recycling of materials, eco-design and the uptake of secondary raw materials market. 	BE, BG, CZ, DE, HR, HU, IT, RO, SE, SK
<ul style="list-style-type: none"> Implement a better monitoring of the circular economy policies in order to assess their effectiveness and be able to revise them. 	PT, SI
<ul style="list-style-type: none"> Facilitate development and exchange of good practices between all government entities especially at local level regarding circular economy and eco-innovation matters. 	BE, CY, EL, ES
<ul style="list-style-type: none"> Incentivise academia and schools in order to promote circular economy. Raise awareness of the consumers and SMEs on the benefits of circular economy. 	IT, PL, SK
<ul style="list-style-type: none"> Adopt circular economy principles; increase the level of recycling and the use of eco-design in the SME sector, in particular by investing further in education and training. Incentivise resource efficiency measures (e.g. savings of energy and water). 	BE, EL, ES, HU, IT, RO, SK
<ul style="list-style-type: none"> Incentivise investments in green products and services. Facilitate green investments and ease the access to funding. Foster R&D funding among SMEs. 	CZ, ES, HU, MT, RO, SE, SK
Waste management	
<ul style="list-style-type: none"> Introduce policies, including economic instruments (<i>Extended Producer Responsibility, Pay As You Throw</i> schemes), to implement further the waste hierarchy, i.e. promote prevention, and make reuse and recycling more economically attractive. Eliminate free-riding and ensure financial viability of waste management companies. 	AT, BG, CY, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK
<ul style="list-style-type: none"> Shift reusable and recyclable waste away from incineration by gradually phasing out subsidies to incineration or by introducing an incineration tax. 	AT, BE, CZ, DE, DK, EE, FI, IE, LU, PL, PT, SE
<ul style="list-style-type: none"> Introduce and/or gradually increase landfill taxes to phase-out landfilling of recyclable and recoverable waste. Harmonise regional landfill taxes. Pursue the review of the level of landfill gate fees. Use the revenues from the economic instruments to support the separate collection and alternative infrastructure. 	CY, CZ, EL, ES, HR, HU, IT, LT, LV, MT, PL, RO, SI, SK, UK
<ul style="list-style-type: none"> Focus on implementation of the separate collection obligation to increase recycling rates and prioritise the separate collection of bio-waste in order to increase composting rates. Establish sites for collection of specific waste (so called 'points for collection of selective waste') in each municipality. 	BG, CY, CZ, EE, EL, ES, FR, HR, IE, IT, LT, PL, PT, RO, SK
<ul style="list-style-type: none"> Complete and update the Waste Management Plan(s) and/or Waste Prevention Programme(s) in order to cover the whole territory. 	BE, DE, EL, ES, FR, RO
<ul style="list-style-type: none"> Finalise the work on the irregular landfills as a matter of high priority. 	BG, CY, EL, RO

¹ The present Annex summarises the suggested actions contained in the 28 EIR country reports. It should be noted that in this first round of EIR evaluations the Commission decided to focus on a limited number of actions that need to be given priority in each Member State. In addition, in the light of the information available, the Commission decided not to suggest actions in the area of green infrastructure, soil protection, sustainability of cities, green taxation and phasing out environmentally harmful subsidies, green public procurement and investments in this first EIR round, although these areas are reviewed in the reports.

<ul style="list-style-type: none"> Avoid building excessive infrastructure for the treatment of residual waste. 	BG, CY, CZ, EL, ES, HR, HU, IT, LT, LV, MT, PL, RO, SK
<ul style="list-style-type: none"> Ensure waste statistics are compatible with Eurostat Guidelines. Improve consistency of data on waste management from various sources (also as to the large gap between waste generated and treated). 	CZ, SI
<ul style="list-style-type: none"> Intensify cooperation between the regions to use waste treatment capacity more efficiently and to achieve the national recycling targets. 	ES, IT
<ul style="list-style-type: none"> Strengthen and empower enforcement capability. 	MT, PL, RO
Nature and Biodiversity & Estimating Natural Capital	
<ul style="list-style-type: none"> Complete the site designation process, including in the marine part, and put in place clearly defined conservation objectives and the necessary conservation measures for the sites and provide adequate resources for their implementation in order to maintain/restore species and habitats of community interest to a favourable conservation status across their natural range. Complete and update prioritised action framework (PAFs). Improve knowledge and data availability to be in a better position to implement appropriate conservation measures. 	AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK
<ul style="list-style-type: none"> Ensure that Natura 2000 management plans are being effectively implemented with administrative capacity and finance. Build capacity of competent authorities (central, regional, site management bodies) to implementing Management Plans, increasing awareness about Natura 2000 and incentives for investments promoting its benefits, and tackling illegal activities affecting wildlife through enhanced enforcement, both within and outside Natura 2000 areas. 	BG, EE, EL, IT, PL, RO, SI, SK
<ul style="list-style-type: none"> Develop and promote smart and streamlined implementation approaches, in particular as regards site and species permitting procedures, ensuring the necessary knowledge and data availability and strengthen communication with stakeholders. 	AT, BG, CY, CZ, DE, EE, ES, HU, IT, LT, MT, PL, PT
<ul style="list-style-type: none"> Continue supporting the mapping and assessment of ecosystems and their services, evaluation and development of natural capital accounting systems. 	AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, MT, NL, PL, PT, RO, SE, SI, SK
<ul style="list-style-type: none"> Build the capacity of the administration in order to improve Appropriate Assessment procedures and prevent deterioration of Natura 2000 sites from damaging developments. 	CY, EL, IT
<ul style="list-style-type: none"> Ensure the appropriate enforcement of hunting bans for protected bird species. 	CY, FR, MT
<ul style="list-style-type: none"> Strengthen the integration of biodiversity concerns into other policies (in particular in agriculture, but also in forestry, fisheries, urban and infrastructure planning and tourism) and the promotion of communication between actors. 	DE, DK, FR, PT, SI
<ul style="list-style-type: none"> Optimise the contribution of the Natura 2000 and the national nature networks to achieving good conservation status, and to reduce habitat fragmentation, atmospheric nitrogen deposition, desiccation and acidification. 	NL
<ul style="list-style-type: none"> Avoid further habitat fragmentation and take measures to restore connectivity. 	LU
<ul style="list-style-type: none"> Ensure that the Rural Development Programmes and the implementation of greening favour biodiversity measures and contribute to achieving a favourable conservation status of habitats and species, especially for the maintenance of High Nature Value farming. 	LU, NL, RO
<ul style="list-style-type: none"> Capitalise valuable natural capital to create jobs and income. In this context, promoting further sustainable tourism. 	EL, ES
<ul style="list-style-type: none"> Continue to support the ongoing work on a sustainable partnership for 	FR, UK

biodiversity protection, sustainable development and climate change adaptation and mitigation measures in the Outermost Regions and the Overseas Countries and Territories.	
<ul style="list-style-type: none"> Improve the incentives for foresters and farmers to better protect forest and grassland habitat. Ensure the sustainable forest management and promote efficient use of biomass. 	LV, SK
Marine protection²	
<ul style="list-style-type: none"> Continue work to improve the definitions of <i>good environmental status</i> (GES) (in particular for biodiversity descriptors), including through regional cooperation by using the work of the relevant Regional Sea Convention(s). 	BE, CY, DE, DK, EE, EL, ES, FI, FR, HR, IE, IT, LT, LV, MT, NL, PT, RO, SE, SI, UK
<ul style="list-style-type: none"> Identify and address knowledge gaps underpinning the GES. 	BE, BG, CY, DE, DK, EE, FI, FR, IE, LT, LV, MT, NL, PT, RO, SI
<ul style="list-style-type: none"> Further develop approaches assessing (and quantifying) impacts from the main pressures in order to lead to improved and more conclusive assessment results for 2018 reporting. 	BE, BG, CY, DE, EE, EL, HR, IE, IT, LV, LT, MT, NL, RO, SE, UK
<ul style="list-style-type: none"> Continue to integrate monitoring programmes existing under other EU legislation and to implement joint monitoring programmes developed at (sub)regional level (HELCOM, OSPAR, the Barcelona Convention, the Black Sea Commission). Enhance comparability and consistency of monitoring methods within the country's marine region(s). 	BE, BG, CY, DE, DK, EE, ES, FI, FR, HR, IE, IT, LT, LV, NL, PT, RO, SE, SI, UK
<ul style="list-style-type: none"> Urgently finalise, report and implement the national programme of measures. 	BG, CY, DK, EE, EL, HR, LT, MT, SI, RO
<ul style="list-style-type: none"> Ensure that the Member State's monitoring programme is implemented without delay, and is appropriate to monitor progress towards GES. 	BE, BG, CY, DE, DK, EE, ES, FI, FR, HR, IT, IE, LT, LV, MT, NL, PT, RO, SE, SI, UK
Air quality	
<ul style="list-style-type: none"> Maintain downward emissions trends of air pollutants in order to achieve full compliance with currently applicable <i>national emission ceilings and air quality limit values</i>. Reduce adverse air pollution impacts on health, environment and economy. 	AT, BE, DE, DK, ES, FI, FR, LU, NL
<ul style="list-style-type: none"> Maintain downward emissions trends of air pollutants in order to achieve full compliance with <i>air quality limit values</i>. Reduce adverse air pollution impacts on health, environment and economy. 	BG, CZ, EL, HR, HU, IT, LT, PL, PT, RO, SE, SI, SK, UK
<ul style="list-style-type: none"> Maintain downward emission trends of air pollutants – and reduce adverse air pollution impact on health, environment and economy, including through the development of a comprehensive strategy and action plan to tackle traffic congestion. 	CY, EE, MT
<ul style="list-style-type: none"> Reduce ammonia (NH₃) emissions to comply with currently applicable national emission ceilings, for example by introducing or expanding the use of low-emission agricultural techniques. 	AT, DE, DK, ES, FI, NL
<ul style="list-style-type: none"> Reduce NMVOCs emissions to comply with currently applicable national emission ceilings and, where applicable, to reduce ozone concentrations. 	DE, DK, IE, LU
<ul style="list-style-type: none"> Reduce nitrogen oxide (NO_x) emissions to comply with currently applicable national emission ceilings <i>and/or</i> to reduce nitrogen dioxide (NO₂) (and, where applicable, ozone concentrations), inter alia, by reducing transport related 	AT, BE, CZ, DE, DK, EL, ES, FI, FR, HU, IE, IT, LU, NL, PL, PT, RO, SE, SK, UK

² Commission did not formulate guidance to Poland due to its late reporting under the Marine Strategy Framework Directive.

emissions - in particular in urban areas.	
<ul style="list-style-type: none"> Reduce PM₁₀ (and where applicable benzo[a]pyrene) emission and concentration, inter alia, by reducing emissions related to energy and heat generation using solid fuels, to transport and to agriculture. 	AT, BE, BG, CZ, DE, EL, ES, FR, HR, HU, IT, LT, LV, PL, RO, SE, SI, SK
Noise	
<ul style="list-style-type: none"> Complete missing noise action plans. 	BE, CY, CZ, DE, EL, ES, FR, HR, IT, LV, PL, PT, RO, SE, SI, SK
<ul style="list-style-type: none"> Complete missing noise maps. 	BE, EL, ES, FR, IT, LV, PT, RO, SK
Water quality and management	
<ul style="list-style-type: none"> Improve water policy in line with the intervention logic of the Water Framework Directive in the second cycle of the river basin management plans (RBMPs), i.e., provide a more detailed assessment of pressures to improve monitoring to know the status of water bodies and design <i>Programmes of Measures</i> that address all the main pressures identified, in particular hydromorphological pressures and pollution, from agriculture, industry and urban wastewater. The Programmes of Measures and monitoring programmes should be adequately funded. 	AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK
<ul style="list-style-type: none"> Ensure that exemptions granted fulfil all conditions of the Water Framework Directive and are supported by evidence, in particular regarding the assessment of significantly better environmental option. Maintain effort to reduce the number of exemptions. 	AT, BE, MT, NL, PL
<ul style="list-style-type: none"> Establish and/or roll out a water pricing policy covering a broad range of water services and based on metering that would include tariffs reflecting environmental and resource costs and provide incentives for more efficient use of water. Exemptions from water fees should be reconsidered. The setup of a national regulator or supervisor body to ensure consistency and the adequate cost-recovery in the tariffs would be also advisable. 	BG, CY, CZ, ES, HU, IE, IT, SK
<ul style="list-style-type: none"> Ensure that water pollution by agriculture is effectively addressed both under the Nitrates and the Water Framework Directive. Take effective basic and supplementary measures to address that pollution. Monitor the development of agricultural pressure and water quality, with a view to informing the designation of vulnerable zones and the review of <i>Nitrate Action Programmes</i>. Take account, where relevant, of areas of intensive agriculture and nitrate levels, trends of increasing agricultural pressure and particularly sensitive water bodies, such as the Baltic Sea. 	BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, IE, IT, LT, LV, MT, NL, PL, PT, RO, SE, SI, UK
<ul style="list-style-type: none"> Control of water abstraction both for surface and ground waters should improve. Promote water efficiency and sustainable water retention including natural water retention measures in the Programme of Measures and ensure adequate funding. In the case of Cyprus, water from desalination should not be destined for agricultural use. 	CY, ES
<ul style="list-style-type: none"> Review water permits, so they are consistent with environmental objectives and ensure that new projects which may cause deterioration of the status are properly assessed according to the Water Framework Directive Article 4(7). In these assessments alternative options and adequate mitigation measures have to be considered. Licencing policy to allow or maintain hydropower plants should be reviewed and updated 	BG, CY, CZ, EL, ES, HU, IT, LT, LU, PL, PT, SE, SK
<ul style="list-style-type: none"> Complete implementation of the Urban Waste Water Treatment Directive for all agglomerations. Build up the infrastructure to comply with the Drinking Water Directive and the Urban Waste Water Treatment Directive (UWWTD). Improve the national reporting system under the UWWTD. Continue to prioritise the investments for UWWT plants, including through efficient use of the Cohesion 	BE, BG, CY, EL, ES, HR, HU, IE, IT, PL, PT, RO, SI

Policy funding where eligible.	
<ul style="list-style-type: none"> Measures to rationalise water and wastewater management structures and services could also be considered together with incentives for increasing the level of physical connections to the networks. 	LV
<ul style="list-style-type: none"> Adopt all flood risk and flood hazard maps. Focus on nature-based retention measures when implementing flood protection projects. Combine flood management with water retention in a comprehensive way, considering also the serious water scarcity problems. 	BG, HU, IT, MT
<ul style="list-style-type: none"> Improve the coordinated implementation between water, marine and nature policies as well as between water management authorities. 	BE, IT, PT
International agreements	
<ul style="list-style-type: none"> Increase efforts to be party to relevant multilateral environmental agreements, by signing and ratifying the remaining ones. 	EL, IE, IT, MT
Effective governance within central, regional and local government & Coordination and Integration	
<ul style="list-style-type: none"> Simplify environmental administrative procedures and improve cooperation of public authorities (at national, regional and local levels) involved in the application of environmental policies. 	EL
<ul style="list-style-type: none"> Strengthen the administrative capacity in the Ministry of Environmental and Nature Protection, as this would affect positively the use of EU Funds and speed up the alignment with the EU environmental policies and legislation. 	HR
<ul style="list-style-type: none"> Address the fragmentation at regional and local levels by developing better coordination mechanisms for environment. 	ES, HU, IT
<ul style="list-style-type: none"> Ensure that the opinion on the assessment of the effects of certain public and private projects on the environment referred to in Article 6 of the EIA Directive as amended is delivered by a functionally independent authority. 	FR
<ul style="list-style-type: none"> Ensure increased partnership and transparency all over the public administration and strengthen public participation in decision-making relating to environmental matters. 	HU
<ul style="list-style-type: none"> Make greater use of impact assessments of draft legislation, covering in particular environmental impacts. 	HU
<ul style="list-style-type: none"> Establish a clear and transparent process for the authorization of activities and facilities that have impact on the environment. 	HU
<ul style="list-style-type: none"> Improve the timely reporting under the EU environmental legislation and ensure sufficient staff capacity for this purpose in particular and more generally for a more effective implementation and enforcement of the environmental policy. 	MT
<ul style="list-style-type: none"> Ensure that the newly established Environment and Resources Authority has strong responsibilities. There should be clear and transparent processes for the authorization of facilities and activities that have impact on the environment. 	MT
<ul style="list-style-type: none"> Use EU Funds to build necessary capacities and know-how at all levels of administration involved in implementation and enforcement. 	PL
<ul style="list-style-type: none"> Strengthen governance of EU environmental legislation and policies, in particular in nature conservation and water management (e.g. adapt the structure and tasks of the water authorities to better perform the tasks related to the implementation of the Water Framework Directive and involve them in the permitting process). 	PL
<ul style="list-style-type: none"> Improve enforcement in case of failures to implement mitigation and compensatory measures imposed on project developers in environmental decisions and construction permits. 	PL

<ul style="list-style-type: none"> The experience obtained on the definition and implementation of the mitigation and compensation measures regarding the dam projects should be extended to other infrastructure likely to have significant impacts on the Natura 2000 network. The composition of follow-up commissions for these projects should be as broad as possible and include representative NGOs 	PT
<ul style="list-style-type: none"> Effectively implementing and making use of the recently created initiatives in order to improve efficiency, effectiveness and coordination of the public sector in the environmental domain, namely improving information sharing and documentation exchange between public entities that are responsible for inspection and monitoring in the areas of Agriculture, Sea and Environment, with an operational platform. 	PT
<ul style="list-style-type: none"> Speed up its implementation of the strategy for strengthening public administration, within which environment should be given due attention. 	RO
<ul style="list-style-type: none"> Improve the administrative capacity and the coordination of the agencies involved in implementation, in particular with regard to water and waste management as well as to the quality of the impact assessments. 	RO
<ul style="list-style-type: none"> Ensure that the EU environmental legislation is respected as part of the reform of the national permitting system aiming to remove unnecessary administrative burden and streamline procedures. 	SI
<ul style="list-style-type: none"> Improve the application of EIA and SEA as important tools to ensure environmental integration. 	CZ, SK
Compliance assurance	
<ul style="list-style-type: none"> Improve transparency on the organisation and functioning of compliance assurance and on how significant risks are addressed. 	AT, BE, BG, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK
<ul style="list-style-type: none"> Encourage greater participation of competent authorities in environmental compliance networks. 	AT, BG, CY, CZ, DK, EE, EL, FI, HR, HU, LU, LV, PT, RO, SE, SI, SK
<ul style="list-style-type: none"> Step up efforts in the implementation of the Environmental Liability Directive (ELD) with proactive initiatives, such as setting up a national register of ELD incidents and/or drafting national guidance. 	AT, BE, BG, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IT, LT, LU, LV, MT, PL, RO, SE, SI, SK
<ul style="list-style-type: none"> Take further steps to ensure an effective system of financial security for environmental liabilities. 	BE, CY, DK, EE, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, RO, SE, SI, UK
Public participation and access to justice	
<ul style="list-style-type: none"> Take the necessary measures to ensure standing of environmental NGOs to challenge acts or omissions of a public authority in all sectoral EU environmental laws, in full compliance with EU law as well as the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in environmental matters (Aarhus Convention). 	AT, BE, BG, CZ, DE, HU, IT, PL, SE, SI, SK
<ul style="list-style-type: none"> Evaluate the costs of legal challenges involving EU environmental law and pursue efforts in order to ensure that they are not prohibitively expensive. 	CY, DK, EE, ES, FR, IE, LU, MT, RO, UK
Access to Information, knowledge and evidence	
<ul style="list-style-type: none"> Critically review the effectiveness of the country's data policies and amend them, taking 'best practices' into consideration. 	AT, BE, BG, CY, CZ, EE, EL, HR, HU, IT, LT, MT, PT, RO, SI, SK
<ul style="list-style-type: none"> Identify and document all spatial data sets required for the implementation of environmental law, and make the data and documentation at least accessible 'as 	AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI,

is' to other public authorities and the public through the digital services foreseen in the INSPIRE Directive.

FR, HR, HU, IE, IT, LT,
LU, LV, MT, NL, PL, PT,
RO, SE, SI, SK, UK