

FOREWORD

In the past 30 years the EU has adopted a substantial and diverse range of environmental measures aimed at improving the quality of the environment for European citizens and providing them with a high quality of life. Our environment can only be well protected if Member States properly implement the legislation they have signed up to.

As Commissioner responsible for the environment, it is my duty to ensure that EU environmental legislation is implemented in full, correctly and on time. This is important because legislation which is not or incorrectly implemented will not achieve the desired effect on the environment. Although the responsibility for implementation of EU environmental law lies primarily with the Member States, it is an essential task for the Commission, as guardian of the Treaty, to check that national implementing measures meet the requirements of environmental directives.

In an enlarged Europe of 25 Member States, the Commission needs to become more strategic in its approach to implementation and enforcement. This requires, for example, putting more emphasis on transposition and conformity issues as well as on compliance with fundamental obligations under EU environmental directives (for example designations under the nature and water directives). Another way of being strategic is to tackle structural problems in Member States through the practise of grouping together cases concerning the same subject matter and launching horizontal cases to address systemic problems of bad implementation (for example horizontal cases on illegal landfills and waste water treatment plants).

Though a powerful tool to address implementation problems, infringement proceedings under Articles 226 and 228 of the Treaty are not the only way to improve Member States' compliance with EU environmental law. We also try to act preventively and to address potential problems as early as possible by improving the way we cooperate with the national authorities. The Member States, in particular the new ones, can benefit from the Commission's legal and technical assistance. We will also continue to assist Member States in the transposition and implementation of Directives through bilateral contacts and meetings, the production of interpretation and guidance documents and the exchange of best practises. In addition, the Commission scrutinises requests for co-financing from European funds thoroughly for compliance with EU law. This should give incentives to Member States for better implementation of environmental legislation.

Furthermore, we will endeavour to ensure that new or reviewed legislation is workable in practise. To this end, we have launched four thematic strategies for the environment, tackling air pollution, the marine environment, waste management and natural resources. In 2006, three more strategies on the urban environment, on soil and on pesticides will follow. These thematic strategies represent a new approach to policy-making and embody a holistic and integrated approach to environmental issues.

We have a great challenge ahead of us to ensure effective implementation of the existing body of EU environmental law in an enlarged European Union. Only when environmental legislation is properly implemented will it produce its desired effects: protecting and improving the quality of the environment and providing European citizens with the quality of life and the pleasant surroundings they deserve.

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