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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Initiative "Make it work"
- Information from the Dutch, United Kingdom and German delegations

Delegations will find attached an information note from the Dutch, United Kingdom and German delegations on the above subject, to be dealt with under "Any other business" at the Environment Council meeting on 26 October 2015.

Initiative "Make it work"

The Netherlands, the United Kingdom and Germany call upon all Member States:

- **To take part in the Make it Work project in which Member States together with the Commission seek to improve the clarity, consistency and coherence of the *acquis* as a whole, without lowering existing protection standards.**
- **To join in our Make it Work workshop on monitoring and reporting (19 and 20 November).**
- **To join in our Make it Work conference in December (10 and 11 December).**

Need for a smarter *acquis*

The EU has made great strides over recent decades in its efforts to protect our environment and public health, especially when tackling trans-boundary issues such as air and water pollution. As a result our environmental *acquis* now covers a vast array of sectors and topics. While seeking to incrementally address the key environmental challenges we face, the legislative framework in some cases lacks the clarity, coherence and consistency we now expect from a modern better regulation approach. This causes difficulties for implementation. There is, therefore, a need to improve the framework of EU environmental legislation so that it is well designed, coherent and achieves all environmental standards and objectives in the most efficient and least burdensome way.

Improving implementation

Improving implementation of the environmental *acquis* is a key strategic objective of the EU¹. Better regulation can contribute to more effective and efficient implementation. The Commission is taking ambitious steps to implement its better regulation programme, announced by Vice President Timmermans in May this year. The Make it Work project aims to supplement and contribute to this programme. Make it Work aims to explore ways to make the environmental *acquis* as a whole more fit for purpose and easier to implement. Individual environmental directives are rarely implemented

¹ 7th Environmental Action Plan, Decision no 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet'.

in isolation. End users are often confronted with an accumulation of different EU directives and regulations which are closely interlinked. Multiple directives apply simultaneously to sectors (industry), locations (cities) or technologies (wind turbines). By streamlining tools and procedures and improving consistency, EU environmental legislation can be made clearer and smarter and implementation can be made more simple and effective.

Aims of Make it Work

Make it Work is led by the Netherlands, the UK and Germany, and works in close cooperation and collaboration with the Commission². It seeks to establish a continuous dialogue with and between Member States, the Commission and the European Parliament on how to work together to improve European environmental legislation and exchange best practice on its national implementation. Make it Work also aims at delivering environmental outcomes more efficiently and effectively, without lowering existing protection standards, by drawing up a set of principles for designing and drafting key tools and procedures in a more consistent and coherent way (see below for examples of these tools so far). Make it Work drafting principles should be systematically applied when revising existing or developing new EU environmental law. Smarter EU environmental legislation will help to more easily achieve the benefits from implementing the legislation whilst creating the conditions for a more level playing field and therefore a more equal chance of sustainable success across the EU.

Make it Work achievements and planned activities

Initial outputs include drafting principles on compliance assurance (which are now published on the internet for broad public consultation) and several workshops and conferences to share best practices, new ideas and approaches.

² Make it Work was highlighted as an example of best practice on cooperation between Member States and the Commission in the field of implementation in the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Better regulation for better results - An EU agenda, doc. 9079/15 COM(2015) 215 final (p.12).

Monitoring and Reporting is the next topic on which Make it Work and the Commission are focussing. A joint workshop on this topic will take place on 19 and 20 November 2015 in Brussels. On 10 and 11 December 2015 the third Make it Work Conference will be organised in Edinburgh. Make it Work is one of the Dutch priorities during their Presidency. A high-level meeting on Make it Work³ is scheduled for 5 April 2016 in the Netherlands.

³ Further information on Make it Work can be found at <http://www.ieep.eu/work-areas/environmental-governance/better-regulation/make-it-work>