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From: General Secretariat of the Council
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Subject: Proposal for a Decision of the European Parliament and of the Council on
a General Union Environment Action Programme to 2030
- Mandate for negotiations with the European Parliament

Delegations will find in Annex the mandate for the negotiations with the European Parliament on above-mentioned subject as agreed by the Committee of Permanent Representatives at its meeting on 17 March 2021.

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a General Union Environment Action Programme to 2030

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(3) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In line with Article 192(3) of the Treaty on the Functioning of the European Union, general environment action programmes have provided the framework for Union action in the field of the environment and climate since 1973.
- (2) Decision No 1386/2013/EU of the European Parliament and of the Council³ established the 7th Environment Action Programme (the 7th EAP), which sets out the Union's environmental agenda until 31 December 2020 as well as a long-term vision for 2050.

¹ Insert if EESC adopts an opinion on the proposal.

² Insert if CoR adopts an opinion on the proposal.

³ OJ L 354, 28.12.2013, p. 171.

- (3) The Commission’s evaluation of the 7th EAP⁴ concluded that its 2050 vision and priority objectives are still valid; that it has helped to provide more predictable, faster and better-coordinated action in environment policy; and that its structure and enabling framework have helped create synergies, thus making environment policy more effective and efficient. Moreover, the evaluation concluded that the 7th EAP anticipated the United Nation’s 2030 Agenda by insisting that economic growth and social wellbeing depend on a healthy natural resource base, and facilitated delivering on the Sustainable Development Goals. It also enabled the Union to speak with one voice on the global stage on climate and environmental matters. In its evaluation of the 7th EAP, the Commission also concluded that progress related to nature protection, health and policy integration was not sufficient.
- (4) According to the EEA report ‘The European environment – state and outlook 2020, Knowledge for transition to a sustainable Europe’ (‘SOER 2020’), 2020 represents a unique window of opportunity for the Union to show leadership on sustainability and to face the urgent sustainability challenges requiring systemic solutions. As stated in SOER 2020, the changes in the global climate and ecosystems observed since the 1950s are unprecedented over decades to millennia. The global population has tripled since 1950, while the population living in cities has quadrupled. With the current growth model, environmental pressures are expected to increase further, causing direct and indirect harmful effects on human health and well-being. This is especially true for the sectors with the highest environmental impact – food, mobility, energy as well as infrastructure and buildings.
- (5) The European Commission responded to the challenges identified in the SOER 2020 by adopting the European Green Deal⁵: a new growth strategy for the twin green and digital transition that aims to transform the Union into a fair and prosperous society, with a sustainable, competitive, climate-neutral and resource-efficient economy. Regulation (EU) of the European Parliament and of the Council⁶ enshrines into law the Union target to achieve climate neutrality by 2050.

⁴ COM(2019) 233 final.

⁵ COM(2019) 640 final.

⁶ COM(2020) 80 final.

- (6) The European Green Deal underpins the Next Generation EU Recovery Plan which promotes the investments in key sectors for the green and digital transition to build resilience, and create growth and jobs in a fair and inclusive society. The Recovery and Resilience Facility which will power the Union's economic recovery from the coronavirus crisis together with the Union budget for 2021-2027, is also based on the priority objectives set out in the European Green Deal. Furthermore, all initiatives under Next Generation EU Recovery Plan should respect the European Green Deal's "do no harm" oath.
- (7) Environment action programmes have guided the development of EU environment policy since the early 1970s. The 7th EAP expired on 31 December 2020 and its Article 4 (3) requires the Commission, if appropriate, to present a proposal for an Eighth Environment Action Programme (8th EAP) in a timely manner with a view to avoiding a gap between the 7th and the 8th EAP. The European Green Deal announced the adoption of a new environment action programme.
- (8) The 8th EAP should support the objectives of the European Green Deal in line with the long-term objective to "live well, within the planetary boundaries" by 2050, which is already established in the 7th EAP. It should contribute to achieving the United Nations' 2030 Agenda and its Sustainable Development Goals.
- (9) The 8th EAP should accelerate the green transition towards a climate neutral, resource efficient, clean and circular economy, in a just and inclusive way, protecting, preserving, sustainably using and restoring biodiversity and enhancing the Union's natural capital as well as protecting the health and well-being of citizens from environment-related risks and impacts. By doing so, the 8th EAP should contribute to an economy of well-being and a regenerative economy that gives back to the planet more than it takes. Those economic models recognise that the wellbeing and prosperity of our societies depend on a stable climate, a healthy environment and thriving ecosystems, which provide a safe operating space for our economies. As the global population and the demand for natural resources continues to grow, economic activity should develop in a way that does no harm but, on the contrary,

reverses climate change and environmental degradation, protects, uses sustainably and restores biodiversity, achieves land degradation neutrality, prevents or, where not feasible, minimises pollution and results in maintaining and enriching natural capital, promoting a sustainable bioeconomy, therefore ensuring the abundance of renewable and non-renewable resources. Through continuous innovation, adaptation to new challenges and co-creation, the economy of wellbeing and the regenerative economy strengthens resilience and protect present and future generations.

- (10) The 8th EAP should set out thematic priority objectives in areas of climate neutrality, adaptation to climate change, protecting, sustainably using and restoring biodiversity, soil, circular economy, the zero pollution ambition and reducing environmental pressures from production and consumption. It should furthermore identify the enabling conditions to achieve the long-term and the thematic priority objectives for all actors involved.
- (11) Achieving the priority objectives requires appropriate enabling conditions. Environment policy being highly decentralised, action should be taken at different levels of governance, i.e. at the European, the national, the regional and the local level, with a collaborative approach to multi-level governance. Implementation and enforcement are particularly important. The integrated approach to policy development and implementation should be strengthened with a view to maximising the synergies between economic, environmental and social objectives, while paying careful attention to potential trade-offs and to the needs of vulnerable groups. Moreover, action by local and regional authorities, transparent engagement with non-governmental actors and participation of the private sector are important for ensuring the success of the 8th EAP.
- (12) Enhanced cooperation with partner countries, good global environmental governance as well as synergies between internal and external Union policies are key to reach the Union's environmental and climate objectives.

- (13) The European Commission should assess the progress in achieving the priority objectives of the 8th EAP by the Union and the Member States in the context of the transition towards sustainability, wellbeing and resilience. This is in line with calls of the Council⁷ and the European Economic and Social Committee⁸ for measuring economic performance and societal progress “beyond GDP”, and moving towards using well-being as a compass for policy, which is also supported by the OECD⁹.
- (14) The assessment of progress towards the priority objectives of the 8th EAP should reflect the latest developments as regards the availability and relevance of data and indicators. Taking into account a systemic approach, it should be coherent with and build upon monitoring or governance tools covering more specific aspects of environment and climate policy, such as in particular Regulation 1999/2018 of the European Parliament and of the Council¹⁰, the Environmental Implementation Review or monitoring tools relating to circular economy, zero pollution ambition, biodiversity, air, water, soil, waste, or any other environment policies. Together with other tools used in the European Semester, the Eurostat SDG Monitoring and in the Commission’s Strategic Foresight Report¹¹, it would be part of a coherent interconnected set of monitoring and governance tools.

⁷ See e.g. <https://data.consilium.europa.eu/doc/document/ST-10414-2019-INIT/en/pdf>

⁸ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/reflection-paper-towards-sustainable-europe-2030>.

⁹ See e.g. the OECD Well-being Framework, the OECD Framework for Policy Action on Inclusive Growth, the Better Life Initiative and the New Approaches to Economic Challenges Initiative.

¹⁰ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, OJ L 328, 21.12.2018, p. 1–77.

¹¹ COM/2020/493 final.

- (15) The Commission and the EEA and other relevant agencies should access and re-use the data and indicators provided by the Member States in accordance with applicable Union legal acts. In addition, other data sources, such as satellite data and processed information from the European Earth Observation Programme (Copernicus), the European Forest Fire Information System and the European Flood Awareness System, or data platforms such as European Marine Observation and Data Network or the Information Platform for Chemical Monitoring should be utilised. The application of modern digital tools and artificial intelligence allows managing and analysing the data in an effective and transparent way and thereby reducing administrative burden whilst increasing timeliness and quality.
- (16) Furthermore, in accordance with the requirements set out in Directives 2003/4/EC, 2007/2/EC and 2019/1024/EU from the European Parliament and the Council, Member States should ensure that the relevant data, information and indicators for monitoring the implementation of the 8th EAP are freely available, non-discriminatory, with open access, adequate, of high quality, comparable, up-to-date, user friendly and easily accessible online.
- (17) To reach the priority objectives of the 8th EAP, the EEA and ECHA, as well as Member States, should be equipped with adequate capacity and sufficient resources to ensure a sound, accessible and transparent knowledge and evidence base to support the implementation of the strategic priorities of the European Green Deal and the assessment of progress under the programme.

- (17a) As the Commission Communication on the European Green Deal contains a roadmap of key actions relevant for the field of environment and climate in the coming years, this Decision on an 8th EAP exceptionally does not define actions to achieve its priority objectives until 2025. However, there will be a need to do so for the period after the European Green Deal's key actions are expected to have been put in place by 2024 to ensure that the thematic priority objectives set out in this Decision can be achieved and that the 8th EAP continues to set the overarching vision of the EU Union's environmental policy. For that purpose, there should be a mid-term review in 2024, followed, at the latest by 31 March 2025, by a legislative proposal adding an annex to this Decision to allow the legislator to complete it with the necessary actions to be taken until 2030. Such a review and legislative proposal should take into account the main findings available from the European Environment Agency's report "The European environment – state and outlook".
- (18) In order to take account of evolving policy objectives and the progress made, the 8th EAP should be evaluated by the Commission in 2029. A proposal for a 9th EAP should be presented in a timely manner with a view to avoiding a gap between the 8th and the 9th EAP.
- (18a) Pursuant to Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), Union policy on the environment is to aim at a high level of protection taking into account the diversity of situations in the various regions of the Union, and is to be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay.
- (19) Since the objective of this Decision cannot be sufficiently achieved by the Member States, but can rather by reason of the scale and effects of the proposed action programme, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary to achieve those objectives,

HAVE ADOPTED THIS DECISION:

Article 1 - Subject matter

1. This ~~d~~Decision sets out a general action programme in the field of the environment for the period up to 31 December 2030 ('the 8th Environment Action programme' or '8th EAP'). It lays down its priority objectives, identifies enabling conditions for their achievement and sets a framework to measure whether the Union and its Member States are on track to meet those priority objectives.
2. The 8th EAP aims at accelerating the green transition in a just and inclusive way and at supporting and strengthening an integrated policy and implementation approach, building upon the European Green Deal.
3. The 8th EAP contributes to achieving the environmental and climate objectives defined under the United Nations 2030 Agenda and its Sustainable Development Goals, as well as to those pursued by multilateral environmental agreements, such as the Rio Conventions and the Paris Agreement. Its monitoring framework shall contribute to the EU's efforts to measure progress towards sustainability, wellbeing and resilience.

Article 2 – Priority objectives

1. The 8th EAP shall have the long-term priority objective for 2050 that citizens live well, within the planetary boundaries in an economy of wellbeing and a regenerative economy where nothing is wasted, climate neutrality in the EU is achieved and economic growth is decoupled from resource use and environmental degradation. A healthy environment underpins the wellbeing of citizens, biodiversity thrives and natural capital is protected, restored and valued in ways that enhance resilience to climate change and other environmental risks. The Union sets the pace for ensuring the prosperity of present and future generations globally.

2. The 8th EAP shall have the following six thematic priority objectives:
- (a) irreversible and gradual reduction of greenhouse gas emissions and enhancement of removals by natural and other sinks in the Union to attain the 2030 greenhouse gas emission reduction target and achieve climate neutrality by 2050 as laid down in Regulation (EU) .../...¹²;
 - (b) continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change;
 - (c) advancing towards an economy of wellbeing and a regenerative growth model that gives back to the planet more than it takes, decoupling economic growth from resource use and environmental degradation, and accelerating the transition to a circular economy, through a more efficient use of resources and by applying the waste hierarchy;
 - (d) pursuing a zero-pollution ambition for a toxic free-environment, including for air, water and soil, and protecting the health and well-being of citizens from harmful chemicals and other environment-related risks and negative impacts;
 - (e) protecting, preserving, sustainably using and restoring biodiversity and ecosystem services, enhancing natural capital, notably air, water, soil, and forest, freshwater, wetland and marine ecosystems, as well as combating desertification and soil degradation;
 - (f) promoting environmental aspects of sustainability and reducing key environmental and climate pressures related to production and consumption, in particular in the areas of energy, industry, buildings and infrastructure, mobility, tourism and the food system.

¹² COM/2020/80 final.

3. The 8th EAP shall be based on the precautionary principle, the principles of preventive action and of rectification of pollution at source and the polluter-pays principle.

Article 3 - Enabling conditions to achieve this programme's priority objectives

1. Achieving the priority objectives of the 8th EAP shall require from the European Commission, the Member States, local and regional authorities and stakeholders, as appropriate:
 - (a) ensuring effective and efficient implementation of Union legislation and strategies on environment and climate and striving for excellence in environmental performance at Union, national, regional and local levels including through providing appropriate administrative and compliance assurance capacity, as laid out in the regular Environmental Implementation Review, supporting and cooperating with networks of practitioners, such as for example the IMPEL network¹³, the ENPE¹⁴ and the EUFJE¹⁵, as well as stepping up action against environmental crime,
 - (b) strengthening the integrated approach to policy development and implementation, in particular by:
 - mainstreaming the priority objectives set out in Article 2 in all relevant strategies, legislative and non-legislative initiatives, programmes, investments and projects at Union, national, regional and local levels so that they and their implementation do no harm to any of the priority objectives set out in Article 2;

¹³ European Union Network for the Implementation and Enforcement of Environmental Law.

¹⁴ European Network of Prosecutors for the Environment.

¹⁵ European Union Forum of Judges for the Environment.

- maximising the benefits from implementing the Directives 2011/92/EU¹⁶ and 2001/42/EC¹⁷ of the European Parliament and of the Council;
 - optimising synergies and potential trade-offs between economic, environmental and social objectives, namely by ensuring a sustainable urban development, so as to ensure that citizens' needs for healthy nutrition, water and air quality, energy, housing and green infrastructures and mobility are met in a sustainable way that leaves no-one behind;
 - regularly evaluating existing policies and proposing new legislation where appropriate, based on impact assessments building upon wide consultations following procedures that are accountable, inclusive, informed and simple to implement, and which pay due regard to projected impacts on environment and climate;
- (c) effectively integrating environmental and climate sustainability in the European Semester of economic governance, including in the National Reform Programmes and National Recovery and Resilience plans;
- (d) mobilising resources and sustainable investments from public and private sources, including of funds and instruments available under the Union budget, via the European Investment Bank and at national level, consistent with the Union's sustainable finance policy agenda;

¹⁶ Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment Text with EEA relevance, OJ L 124, 25.4.2014, p. 1–18, as amended.

¹⁷ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001 .

- (e) strengthening environmentally positive incentives as well as phasing out environmentally harmful subsidies at Union and national level, making the best use of market-based instruments and green budgeting tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing standardised natural capital accounting practices;
- (f) ensuring that environmental policies and action are based on the best available scientific knowledge and strengthening the environmental knowledge base and its uptake, including by research, innovation, fostering green skills, and further building up environmental and ecosystem accounting;
- (g) harnessing the potential of digital and data technologies to support environment policy while minimising their environmental footprint;
- (h) making full use of biodiversity-friendly nature based solutions and social innovation;
- (i) effectively applying high standards for transparency, public participation and access to justice in accordance with the Convention on access to information, public participation in decision-making and access to justice in environmental matters (Aarhus Convention)¹⁸;
- (j) making the data and evidence linked to the implementation of the 8th EAP publicly available-easily accessible and comprehensible, without prejudice to provisions on confidentiality in domain specific legislation;

¹⁸ <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>.

- (k) supporting the global uptake of the priority objectives laid down in Article 2, ensuring coherence between internal and external approaches and coordinated action, in particular as regards:
- engaging with partner countries on climate and environmental action, encouraging and supporting them to adopt and implement rules in these areas that are as ambitious as those of the Union, and ensuring that all products placed on the Union market or exported from the Union fully comply with relevant Union requirements in line with the Union’s international commitments, especially with regard to halting deforestation and land degradation;
 - enhancing cooperation with governments, businesses and civil society in third countries and international organisations to form partnerships and alliances for environment and climate protection and promoting cooperation on environment and climate change in G7 and G20;
 - strengthening the implementation of the Paris Agreement, the Convention on Biological Diversity, the Convention to Combat Desertification and other multilateral environmental agreements by the Union and its partners, including by increasing transparency and accountability as regards progress on the commitments made under those agreements;
 - strengthening international environmental governance by closing remaining gaps and strengthening respect for and application of recognised international environmental principles; ensuring that the Union and the Member States’ financial assistance to third countries promotes the UN 2030 Agenda.
- l) strengthening the capacity of citizens to act, through awareness raising, lifelong environmental education and civic involvement.

2. Reaching the 8th EAP's priority objectives will require mobilising broad support by involving citizens, social partners and other stakeholders, and encouraging cooperation in the development and implementation of strategies, policies or legislation related to the 8th EAP amongst national, regional and local authorities, in urban and rural areas.

Article 4 - Monitoring framework

1. The Commission, supported by the European Environment Agency and the European Chemicals Agency, shall assess and report on a regular basis on the progress of the Union and the Member States with regard to achieving the priority objectives laid down in Article 2 taking into consideration the enabling conditions laid down in Article 3. The Commission also shall take stock annually of the progress towards the 8th EAP priority objectives laid down in Article 2 and list the actions it has taken and plans to take for each one of those objectives.
2. The assessment referred to in paragraph 1 shall take into account a systemic approach and aim at facilitating strategic political communication. It shall be based on a limited number of headline indicators, which include, where available, systemic indicators that address environmental-social and environmental-economic nexus, to be identified by the end of 2021 as a result of a consultation process involving Member States and targeted stakeholders, which brings together environment policy experts and indicator experts, and which shall be supported by the European Environment Agency. It shall reflect the latest developments as regards the availability and relevance of data and indicators, and build on data available in the Member States and at the Union level, in particular those operated by the European Environment Agency and the European Statistical System, with a view to minimising administrative burden. The assessment shall be coherent with and without prejudice to other monitoring, reporting and governance frameworks and exercises covering social, economic, environment and climate policy.

3. The European Environment Agency and the European Chemicals Agency shall support the Commission in improving the availability and relevance of data and knowledge, in particular by carrying out the following:
- (a) gathering, processing and reporting evidence and data with modern digital tools;
 - (b) working towards closing the relevant monitoring data gaps, together with Member States;
 - (c) delivering policy-relevant and systemic analyses, and contributing to implementing policy objectives at Union and national level;
 - (d) integrating data on environmental, social and economic impacts, and exploiting fully other available data and services, such as those delivered by Copernicus;
 - (e) further improving access to data through Union programmes;
 - (f) ensuring transparency and accountability;
 - (g) helping civil society, public authorities, citizens, social partners and the private sector identify climate and environmental risks and take action to prevent, mitigate and adapt to them, and fostering their engagement in closing knowledge gaps.
4. The Commission shall regularly examine data and knowledge needs at Union and national level, including the capacity of the European Environment Agency and the European Chemicals Agency to carry out the tasks referred to in paragraph 3.

Article 4a – Mid-term Review

1. Before the end of its current term, the Commission shall carry out a mid-term review of the progress achieved in reaching the thematic priority objectives defined in Article 2(2), taking into consideration the enabling conditions laid down in Article 3, based on the assessments carried under Article 4(1) and any other relevant findings, and shall submit a report to the European Parliament and to the Council.
2. In the light of the review referred to in paragraph 1, of other relevant policy developments, and of the European Environment Agency’s report “The European environment – state and outlook”, the Commission shall present at latest by 31 March 2025 a legislative proposal for adding an annex to the present 8th Environment Action Programme, for the period after 2025, containing a list of actions necessary for reaching the thematic priority objectives defined in Article 2(2), as well as the respective timeline of these actions.

Article 5 - Evaluation

By 31 March 2029, the Commission shall carry out an evaluation of the 8th EAP. The Commission shall submit a report to the European Parliament and to the Council containing the main findings of that evaluation in each of the thematic priority objectives set out in Article 2 (2), followed, if appropriate, by a legislative proposal for the next environmental action programme, at the latest, by 31 December 2029.

Article 6 - Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

For the European Parliament
The President

For the Council
The President
