



Manual of European Environmental Policy

The following pages are a section from the Manual of European Environmental Policy written by the Institute for European Environmental Policy.

The Manual was published by Earthscan/Routledge from 2010 to 2012. It was designed as an on-line interactive reference work and annual printed versions were also produced.

This section is the text of the Manual as published in 2012. It is therefore important to note the following:

- The contents have not been updated since 2012 and no guarantee is given of the accuracy of the contents given potential subsequent developments.
- The sections include links to external websites (e.g. to legal texts). These links continue to work as long as those links are not broken by those websites.
- The sections also include the original links that enabled interactivity within the published on-line version of the Manual. These links no longer work.

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The Manual should be cited as follows:

Farmer, A.M. (2012) (Editor). Manual of European Environmental Policy. 1043pp. Routledge, London.



How to Use the Manual

The *Manual* is divided into chapters, reflecting the key aspects of environmental policy, e.g. air quality, climate change, and industrial pollution. Within each chapter, you will find an overview of existing policy in this area, followed by details of specific issues, Directives, Decisions and Regulations, as well as references to key EU documents and related legislation. All areas of environmental policy are covered giving information on the purpose, substance and development of each item of legislation as well as an account of its implementation and enforcement across the EU.

The purpose and content of the Manual are described in more detail below:

Policy framework

The chapter on Policy framework describes the institutional, legal and strategic framework for EU environmental policy. It sets out, for example, the principal functions of the main EU institutions in the policy-making process. Changes relevant to the environment in successive EU Treaties are also described, as are the relevant strategic documents and processes such as the Sixth Environment Action Programme and the EU Sustainable Development Strategy.

Specific areas of environmental policy

These chapters form the core of the Manual and contain details of policy measures that make up the main body of EU environmental law (the EU environmental acquis). EU environmental policy can be conveniently divided into specific areas (e.g. air quality, climate change, industrial pollution, water and marine, etc.). Each area is introduced with an overview of relevant EU policy and divided into sections that deal with individual items, or groups of items, of EU legislation.

Each area is usually divided into the following sections:

Formal references

A table at the top of the page sets out the key technical legal information related to a particular policy measure.

Purpose of the measure

The purpose is not always easy to understand from the text and is therefore explained.

Summary of the measure

A summary of the legislation is given. Ease of comprehension has sometimes had to be sacrificed for completeness, where a passage proves to be contentious or particularly significant for the subsequent discussion. As any summary of legislation will not, by definition, be comprehensive, a reference to the legal instrument is provided for the reader wishing to see the full text of the legislation.

Development of the measure

The development of each item is described to the extent that this is possible. This has been done by reference to a number of sources, such as the following:

- The original proposal from the Commission, usually in the form of a document bearing a 'COM' number, for example (COM(89)544).

- The report of the relevant committee of the European Parliament.
- The debates in the European Parliament and its formal opinions.
- The opinion of the Environment Council.
- The recorded position of some of the key stakeholders.

Implementation of the measure

A summary of the state of implementation of a measure across the different Member States is provided. The following issues may be considered: formal compliance deadlines; the extent to which Member States have delivered on requirements; and trends within the sector that may indicate improvements, for example reducing emissions and key challenges encountered during implementation. The text is based largely on implementation reports produced by the Commission – where they exist. If there are numerous implementation issues arising from an implementation report, they are listed in a table organized by issue of relevance.

Enforcement and court cases

Any enforcement issues and court cases in the European Court of Justice (ECJ) related to the measure are described. This information offers insights both in relation to implementation of the measure (see above) and in interpretation of the measure. Only the key relevant ECJ judgments of importance to these two aspects are outlined.

Further developments

When there are any relevant further developments taking place or likely to take place in the near future these are briefly outlined. Typical developments include upcoming reviews, and proposals to amend or replace the legislation. The section aims to provide the reader with an understanding of where the debate is going. It should be noted that this is an optional subsection and for new measures may not be relevant.

Related legislation

In many cases, the measure in question relates to other environmental measures covered in the Manual and these are listed with a brief description of the nature of the relationship between them, as well as a reference to the relevant sections of the Manual.

Supporting Policy

The chapter on Supporting Policy sets out a number of general horizontal measures, which help to ensure effective and transparent environmental policy making and implementation such as the Directive on Strategic Environmental Impact Assessment as well as EU measures on environmental crime and public participation.

Funding Instruments

Funding Instruments describes the most relevant EU funding instruments for supporting environmental policy in Europe. Since environmental spending is ‘mainstreamed’ throughout the main EU funding instruments, this covers both funding instruments with dedicated resources for the environment as well as those which have wider application.

Sectoral Policies

Sectoral Policies explores EU policy in a number of other sectors, which impact on the environment such as agriculture, fisheries and trade. Each Section introduces the main impacts and interaction between a particular policy area and EU environmental policy.