



# Environmental Inspections as Tool for a Better Implementation of EU Environmental Law

## Project

## Duration

Apr - Nov 2012

Improving the implementation and enforcement of European environmental legislation will be one of the key priorities of the EU's upcoming 7th Environmental Action Programme. In a report for the European Commission Ecologic Institute, together with Bio Intelligence and the Institute for European Environmental Policy, is studying several options to improve the implementation and enforcement of EU environmental policy by strengthening the European Commission's role in environmental inspections and its capacity to investigate breaches of EU environmental legislation.

A stronger role of the Commission in respect to national inspections could significantly enhance confidence in national inspection systems. Relevant measures might include the adoption of EU legislation on inspections and/or the amendment of existing EU environmental legislation, for example with respect to monitoring requirements and some form of Commission oversight; the Commission could be given the right to participate in certain inspections, and co-operation obligations between national authorities could be introduced.

Within the project team, Ecologic Institute mainly focuses on the analysis of two options: the first one concerns the establishment of a general mechanism within DG Environment for reviewing and reporting on the functioning of the Member States' inspection systems. Such an audit mechanism could be modelled on the European Commission's Food and Veterinary Office, which was established in the aftermath of the BSE-crisis ('mad cows'). The second option concerns a more targeted establishment of ad hoc inspection-related powers for the Commission in specific pieces of sectoral EU environment legislation.

Another option to enhance the Commission's role in inspections which will be analysed in the study concerns an improvement and extension of the existing peer review approach of the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) Review Initiative Project (IRI).

In regard to strengthening the European Commission's capacity to investigate breaches of EU environmental legislation, the report looks at two options: First, using ad hoc or framework contracts to provide expertise in specialist and demanding environmental policy areas, such as nature conservation, in support of the Commission's investigations of alleged breaches of EU environment law; the second option concerns the establishment of a pool of external experts who can provide advice on an ad hoc basis to assist Commission investigations of alleged breaches of EU environment law.

Based on the analysis of the different options, all project partners will be involved in the identification of a combination of options, which offers the highest added value in terms of strengthening the EU role with regard to environmental inspections and its capacity to

undertake investigations.

## **Funding**

European Commission, [Directorate-General Environment](#) (DG Environment),  
International  
VU University Amsterdam, [Institute for Environmental Studies](#) (IVM), Netherlands

## **Partner**

VU University Amsterdam, [Institute for Environmental Studies](#) (IVM), Netherlands  
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