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EU Live Issues



All EU decision makers at the table for the EMF Debate on the EIA

From left: Migne Masaityte, Lithuanian Permanent Representation; Kriton Arsenis MEP (Socialists, Greece), European Parliament Shadow-Rapporteur; Maria Spiliopoulou-Kaparia, Deputy Head of Unit, DG Enterprise & Industry; Alexander Kessler, BUSINESSEUROPE; Marek Sowa, Committee of the Regions Rapporteur on EIA; Antony Fell, Chair of the European Minerals Foundation; Karl Falkenberg, Director General, DG Environment; Andrea Zaroni MEP (ALDE, Italy), European Parliament Rapporteur on the EIA; Georges Kremlis, Head of Unit, DG Environment.

Environment Impact Assessment

While the Environment Impact Assessment (EIA) Directive is being reviewed, the Commission published in April further documentation in order to promote and clarify the application of the current legislation in force. This includes “Rulings of the Court of Justice on Environmental Impact Assessment Projects”, which assemble the most important decisions of the European Court of Justice related to the provisions of the codified EIA Directive. Another important document is the “Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment”, designed to encourage users to think about how important climate change and biodiversity issues are likely to be for their specific project and EIA. One should note that the document actually offers guidance in advance of an adoption of the Commission’s proposal. The document warns that “Since it is the first such type of guidance issued by the European Commission, and since the EIA Directive is currently under review (...) and the climate change and biodiversity scientific base, policies and EIA practices constantly evolve, it should be considered as a pilot guidance. Subsequent amended versions are expected as experience with the process is gained. These may include more specific guidance on integrating disaster risk

management.” Both documents are available on the website of [DG Environment](http://DG.Environment).

Review of the EIA Directive

The European Parliament Rapporteur, Andrea Zaroni MEP (ALDE, Italy) has published his [draft report](#) including amendments to the Commission proposal. The report is designed to strengthen the European Commission’s proposal strongly supported by Andrea Zaroni.

Some items are in line with the [UEPG position](#), in particular the rapporteur supports for fixed time frames for the process, which would give more certainty to both competent authorities and to the developer. Extensions of these time frames should be exceptional and justified. Zaroni agrees with the proposal of joint procedures, but encourages guidance from the European Commission in this respect. He is not in favour of a retroactivity of the Directive for projects which are already at an advanced stage of the process. While Zaroni stresses the need to have competent experts, he is against a compulsory accredited system.

Other aspects in Zaroni’s report would have important and potentially negative implications for the Aggregates Industry. In reference to the European Commission’s proposal, he suggests to verify whether the information provided in the

environmental report of the developer is up-to-date, giving a 5 years validity. He emphasises the need for public participation in the EIA process plus better information and the possibility to challenge the decisions. He supports ex-post monitoring and believes that subsoil and human health are important elements which should be assessed in the EIA at a very early stage. The Parliamentary Rapporteur calls for the assessment of possible and reasonable alternatives to the proposed project, in order to enable an informed choice. Based on experience made with the current EIA, he suggests amendments in order to prevent conflicts of interests and ways to get around the legislation such as a system guaranteeing the independence of experts. To give more clarity, he added a definition for "biodiversity" originating from Article 2 of the UN Convention on Biological Diversity.

European Minerals Forum Debate

In view of the importance of the current discussions around the revision of the EIA Directive for the whole Non Energy Extractive Industry (NEEI), the European Minerals Foundation (EMF) Debate focused exclusively on "Smarter Regulation and Environmental Impact Assessments". Well in advance of this debate, UEPG and 8 other NEEI sector associations had agreed on a [common position paper](#) on the EIA review.

A panel composed of the main decision-makers on the EIA exchanged on 24 April 2013 on key questions with stakeholders present. The EMF Debate was hosted in the Committee of the Regions, by Marek Sowa, President of the Polish Region Malopolska and Committee of the Regions Rapporteur for the review of the Environmental Impact Assessment Directive.

Karl Falkenberg, Director General, DG Environment, gave the keynote introduction. He underlined the backfalls of the current Directive, and how the new proposal would correct them. Alexander Kessler, representing BUSINESSEUROPE called for further simplifying the EIA process and reduce burden to developers. The proposed text for the EIA was heading in the wrong direction.

The European Parliament Rapporteur on the EIA, Andrea Zanoni MEP (ALDE, Italy), congratulated the European Commission for the proposed text and presented his report, which was broadly supported by Kriton Arsenis MEP

(Socialists, Greece), European Parliament Shadow-Rapporteur.

Maria Spiliopoulou-Kaparia, Deputy Head of Unit, Raw Materials, Metals, Minerals and Forest-based Industries, DG Enterprise & Industry, especially welcomed the fixed time frames and the one-stop-shop, which were in line with the EU Raw Materials Strategy to improve access to resources. Georges Kremlis, Head of Unit, Cohesion Policy and EIA, DG Environment, underlined that the new proposal would streamline the process.

Miglė Masaitytė, from the Lithuanian Permanent Representation (upcoming EU Presidency), presented the views of the EU Council. There is a general support for the objectives of the Commission's proposal but a majority of EU Member States are concerned that some items would result in significant administrative burdens and costs to national administration and developers.

The debate then offered stakeholders the opportunity to raise some essential points, including the fact that the focus should be on significant effects, and that availability and location of raw materials are determined by nature and presenting alternatives might be difficult.

Next steps

22 May Deadline for amendments to the Parliament Report

10 July Vote in Environment Committee

23 Oct. Vote in plenary session.

The compromise text of the EU Irish Presidency is expected in May to be discussed in Council WGs before being published. UEPG will follow closely the debates in the European Parliament and in the EU Council and will table amendments.

Sustainable Construction

Acknowledging the importance of the EU construction sector, the European Commission adopted the Communication on a strategy for the "sustainable competitiveness of the construction sector and its enterprises" (COM (2012) 433) on 31 July 2012.

The subsequent action plan proposed five key objectives:

1. stimulating favourable investment conditions
2. improving the human-capital
3. **improving resource efficiency, environmental performance and business opportunities**

4. strengthening the internal market
5. fostering the global competitiveness of EU companies.

Led by DG Enterprise & Industry, the initiative resulted in the creation of a High Level Strategic Forum on Construction and of five Thematic Groups:

1. Stimulating investment in Renovation & Innovation
2. Skills & Qualifications
3. **Sustainable use of natural resources**
4. Internal Market
5. International competitiveness

CEPMC is working intensively on the overall initiative while UEPG is contributing in particular to the work of the Thematic Group 3 which is relevant for the Aggregates Industry.

TG3 - Sustainable use of natural resources

Sandrine Devos, UEPG Public Affairs Manager had been granted a seat in the European Commission Thematic Group 3 (TG3) addressing the sustainable use of natural resources. The first meeting took place on 25 April in DG Enterprise & Industry, with the participation of experts from Member States, consultants and representatives from the Construction Products Industry.

Although the overall work is led by DG Enterprise & Industry, DG Environment was providing significant input into the debate of TG3, as the strategy was linked with the EU Resource Efficiency Roadmap.

The main items discussed included the measurement of the environmental performance of buildings and the incentives for the supply and demand of green buildings. The upcoming review of the Waste Framework Directive was also discussed.

The potential implications of this initiative for the Aggregates Industry are the following:

- the life-cycle approach addresses key items of the Aggregates Industry (e.g. water and use of non-renewable resources);
- reporting requirements;
- competition between the different construction products (e.g. concrete versus wood);
- incentives for the use of secondary materials such as construction and demolition waste.

In advance of the meeting, CEPMEC, with the support of UEPG, provided an initial input to the discussion, calling for a predictable, reliable and

coherent policy framework. It underlined in particular that in the construction context, sustainable use of natural resources means a set of practices to ensure the availability of resources to future generations by:

1. Efficient extraction, manufacturing, construction, use, and end of life processes;
2. Balancing environmental, social and economic costs and benefits over the whole life-cycle of buildings and other construction;
3. Approaching sustainability in specific ways for different resources considering aspects of abundance and access to raw materials;
4. When applying the waste hierarchy - prevention, reuse, recycle, recovery, disposal - encouraging the options that deliver the best overall environmental, social and economic outcomes, and assessing these options on the basis of life-cycle thinking.

Next steps

3 October Next TG3 meeting, Brussels.

May 2013 Public consultation on the Sustainable Buildings Initiative.

TG3 will be meeting over the next 2 years in order to feed in the EC Sustainable Competitiveness for Construction Strategy and the review of the Waste Framework Directive.

Accounting Directive

The European Parliament Legal Affairs Committee negotiated with the Council of Ministers and reached an agreement on the proposed Directive on annual financial statements, consolidated financial statements and related reports of certain types of undertakings, in short – the Accounting Directive. Subject to official endorsement by the Parliament and Council, extractive industries will be obliged to report publicly on payments to governments for any project worth more than €100,000. MEPs insisted that there would be no exemption for big companies but recognised the need to cut red tape, in particular for SMEs.

The proposal aims at harmonising accounting rules across the EU and to allow people mainly in developing countries to hold governments accountable for the way they use money brought in by industry.

Next steps

10 June 2013 Indicative plenary sitting date, 1st reading/single reading

UEPG News

Forum Rohstoffe awards excellence

On 9 April, the Austrian Aggregates Association Forum Rohstoffe announced and honoured the winners of their Sustainable Development Awards at a Gala Dinner in the Natural History Museum of Vienna. The three companies “Riedler Kies und Bau”, “Bernegger Bau” and “Schärdinger Granit Industrie” achieved innovative and forward-looking solutions in environment, economy and social progress.



President Arnaud Colson addressed members of Forum Rohstoffe at their Delegates Assembly summarising the added value of UEPG for Austrian Aggregates Producers and thanked for their valuable contribution to UEPG Committees and Task Forces.

Identification of skills

On 19 April, at a meeting of the Sectoral Social Dialogue Committee for Extractive Industries (SSDCEI), the Commission presented the ongoing activities of the EU Initiative on Identification of skills (ESCO). Since 2012, ESCO is launching working groups on the 27 sectors defined by Eurostat to identify skills needed for the different activities. A workshop dedicated for the extractive and heavy industry was created and new members are invited to join. It was agreed that ESCO should inform the SSDCEI in a year time about the evolution of the work.

Innovative access to resources

On 19 April, the European Commission invited stakeholders to a conference on initiatives related to the European Innovation Partnership (EIP) on Raw Materials. UEPG Secretary General Dirk Fincke welcomed the objective of the Commission to ensure synergies with existing initiatives addressing the topics of the EIP. Duplication of work is unnecessary and should be avoided.

UEPG is in particular interested in Work Package 3 and 4 of the EIP on improving Europe's raw materials and waste management

regulatory framework. Several projects with benefits for the European Aggregates Industry had been integrated into the draft Strategic Implementation Plan (SIP).

Next steps

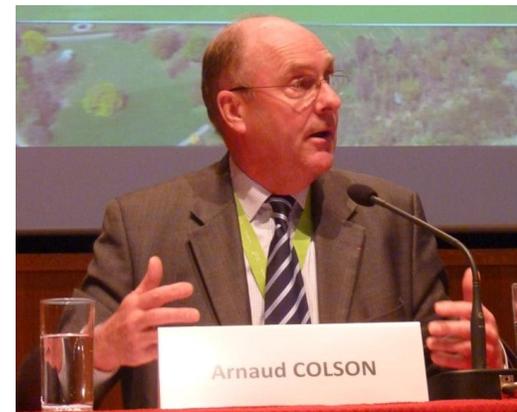
17 June SIP will be presented at the Raw Materials Supply Group meeting

UEPG Board Meeting

On 24 April, UEPG Board Members discussed at a marathon session of different events key financial and policy issues, including achievements and future priorities for UEPG in the second half of 2013.

UEPG President speaks at ELO event

On 17 April, UEPG President Arnaud Colson spoke as a panellist on “advantages and limits of EU Environment legislations”, at an event in Paris organised by ELO, the European Landowners' Organisation.



This panel was one of the 5 roundtables of the day event focused on “Market and property rights: how to reconcile environmental, economic governance and new growth management”. Arnaud Colson presented UEPG's main activities, achievements and expectations in regards to EU Environmental legislations.

FEDIEX debates future of Industry

On 26 April, the Belgian Aggregates Federation FEDIEX organised a moderated debate with key stakeholders to discuss the future of the Industry in Belgium. Key points were the legal framework conditions, the entrepreneurship and skills of employees.

Secretary General Dirk Fincke represented UEPG at the FEDIEX Delegates Assembly thanking for the continued valuable contribution to European policies.