

New horizons

Expanding the AC to new issues and new continents

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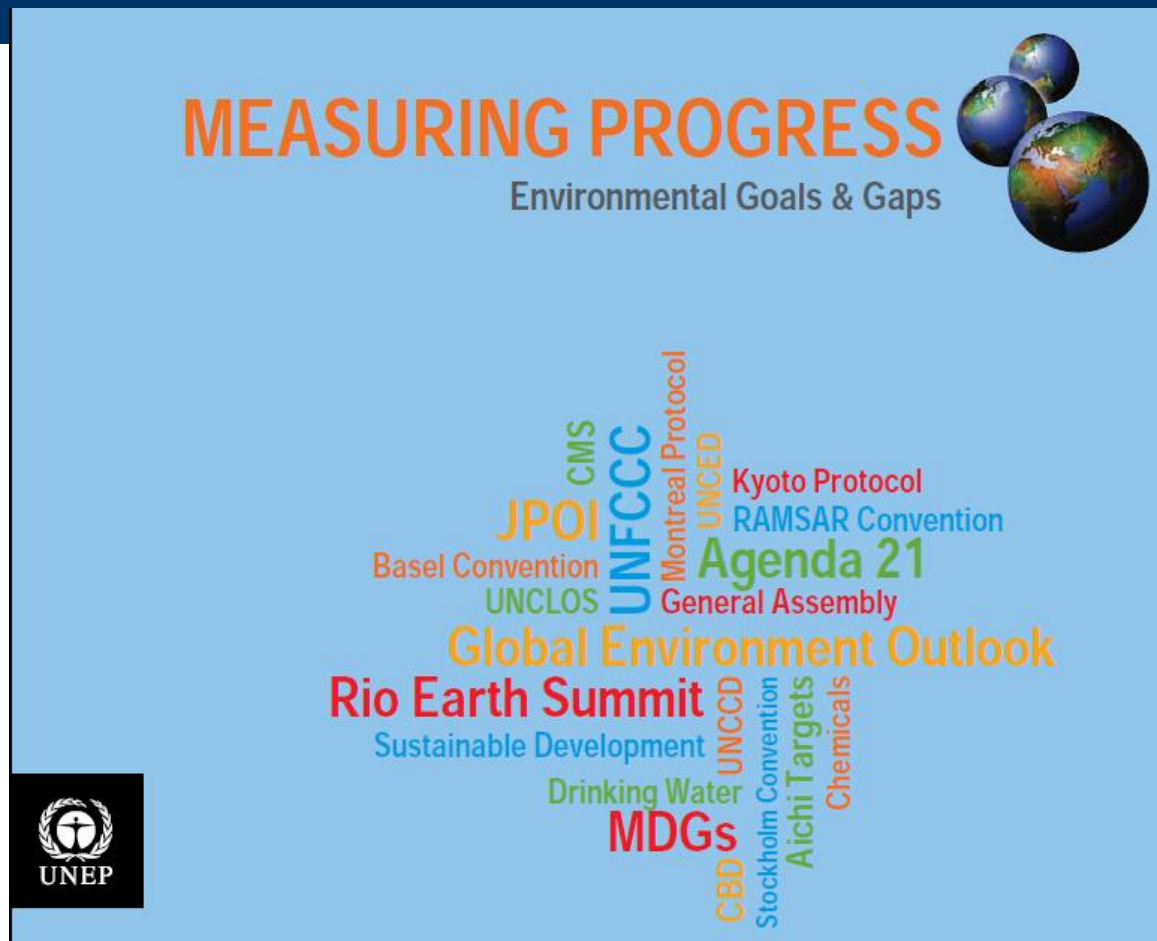
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The New Horizons

- At the international level: expanding the AC experience to MEAs
- At the regional level:
 - EU
 - Latin America

1. The MEAs' horizon



The MEAs' horizon

- Implementation & compliance with environmental laws is deficient at the international (MEAs) and national levels
- Implment. & compl. vital to achieve SD and stop envrt'l degradation
- Failures to implement MEAs at the national level

55. We commit ourselves to reinvigorating the global partnership for SD that we launched in Río in 1992. We recognize the need to impart new momentum to our cooperative pursuit of SD, and commit to work together with major groups and other stakeholders in addressing implementation gaps (The Future we want)

- Public participation in mechanisms to guarantee implementation and compliance with MEAs: AC Compliance Committee
- **members of the public should have the possibility to make communications concerning a Party's compliance with MEAs**



2. The AC and infringement procedures

15 July 2009 a Spanish submitted a request to EP Committee on Petitions to foster procedures to elaborate a regulation on the infringement procedures (Art. 226.-258 TFEU):

- The regulation should regulate the procedure when it is initiated by the Commission as a result of a complaint or as its own motion.
- Include reasonable timetables since non-compliance with deadlines is an arbitrariness of the EC
- A summary of the reasoned opinion should be published in the OJ

23 March 2010 the EP Legal Affairs Committee established a WG on EU Administrative Law

The AC and infringement procedures

- Working Document (19.11.2011) based on Art.41 Right to good Administration (Charter of Fundamental Rights) Art. 298 TFEU
 - “ 1. *In carrying out their missions, the institutions, bodies, offices and agencies of the Union shall have the support of an open, efficient and independent European administrations (...)*”

States on the position of complainants “ have a rather uneasy part to play in this administrative procedure, which is largely closed and bipolar in nature and focuses on dialogue and mutual accommodation b/w Commission and MS”

- European Parliament resolution of 15 January 2013 with recommendations to the Commission on a Law of Administrative Procedure of the European Union

Latin America

- **Declaration on the application of Pple 10 of the Rio Declaration** (27.06.2012) states the willingness to launch a process to explore the feasibility of adopting a regional instrument and draft a Plan of Action to work towards such a regional convention or other instrument
- 1st meeting of focal points Nov 2012: road map
- 2nd meeting April 2013: Plan of Action to 2014 to implement the Declaration