


EU Soil Protection Framework Directive

Current state of affairs and Austrian position

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What has happened so far (1)!

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- Presentation of the **package of policies for soil protection** by the European Commission on 22 September 2006:

  - *Impact Assessment,*
  - *Thematic Strategy for Soil Protection*
  - *Proposal for a framework directive*

- Intensive discussions
  - on expert level in the Council working parties
  - on political level
    - at the Council of Ministers meetings
    - in the Committees of the EU Parliament
    - in the Committee of the Regions

What has happened so far (2)!

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- Portuguese Presidency:

  Efforts toward a political agreement – but blocking minority of D, NL, GB, FR, and A
- Subsequent Presidencies (D, SLO and FR): Discussions – no endeavor to achieve political agreement
- Czech Presidency:

  Potential political agreement at the Council of the Environment Ministers in June 2009

Content of the Directive (1)

Text modified several times:

- Portuguese Presidency Proposals
  - many detailed regulations
- French Presidency Proposals
  - more flexibility for MS
- Czech Presidency Proposals
  - also rather detailed provisions

Content of the Directive (2)

- Duty of care for all land users
- Identification of risk areas for the main hazards erosion, decline in organic matter, compaction, salinisation, acidification, and landslides
- Preparation of programmes of measures
- Obligations when dealing with contaminated sites

Content of the Directive (3)

- Taking account of soil protection in other fields of policy
- Setting up of a platform for the exchange of information
- Laying down sanctions
- Reporting duties
- Legal and administrative provisions

Austrian position on the Proposal of a Directive establishing a framework for the protection of soil

- Soil protection in Austria – an important topic
- In spite of that Austria is principally against a framework directive – protection of the soil should remain within the scope of responsibility of the individual Member States!

General points of criticism

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- Great financial and administrative burden
- Provisions too detailed for a “framework directive”
- Unclear wording of the articles
- National measures might become obsolete

Main point of criticism concerning the Proposal for a Directive (Chapter II)

- Rejection of priority areas
  - Identification of areas involves enormous administrative and financial burden
  - Problem of identification – level of parcels or larger size (many land users who are not affected by the risk)
  - Sanctions – level of parcels?
  - Devaluation of areas located within risk areas
  - Identification of areas not yet value added for soil protection – takes years
  - Measures outside the areas? – area-wide and preventive soil protection important to Austria

Further schedule

Depends on:

- Results of the Czech Presidency as well as on
- the willingness of the European Commission to consider the points of criticism raised by Member States