

## **General Environmental Matters**

### **Directive 2001/42/EC of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment.**

The above Directive was transposed to national law with Law 102(I)/2005, with an objective to integrate environmental considerations into the preparation and adoption of plans and programmes, with a view to promote sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment. The scope of the Directive covers plans and programmes which are prepared in various sectors, such as water management, energy, transport, tourism, land use planning, and so forth. We observed that, so far, no environmental impact assessments have been prepared and submitted to the Department of Environment, as the Environmental Authority, by the state authorities responsible, for any plans or programmes.

The European Commission, in its letter dated 15.12.2009, mentions that it has received numerous reports on the potential infringement of EU law due to the insufficient application of the provisions of the above Directive by the Republic of Cyprus, since it appears that the environmental impact was not assessed for the new urban area planning framework revised in 2009, the golf course creation policy, the operational programme for the renewable sources of energy, the construction of desalination plants and the construction of marinas and relevant housing complexes.

According to the letter of the Republic of Cyprus to the Commission dated 31.3.2010, studies were not performed for the above projects since these are not regarded as plans or programmes as per article 2 of the Directive. As regards the revision of the

area planning framework, it was stated that it was not considered necessary to submit a strategic environmental impact assessment because the amendments did not change the substance of the policy, nor were significant. As we were informed by the Department, for those plans and programmes that have yet to be implemented, it will be asked, even after their approval, that environmental impact assessments are drawn up.

The Permanent Secretary of the Ministry of Agriculture, Natural Resources and Environment (MANRE) informed us that relevant studies have been prepared by the competent state authorities on fishery, the Paphos quarrying area, the Operational Programme for Sustainable Development and Competitiveness, the Rural Development Plan and the Desalination Plan.

**Action Plan for Green Public Procurement.** The European Union policy for the promotion of Green Public Procurement (GPP) aims that public bodies include environmental considerations in their procurement processes and procedures. GPP is considered less detrimental to public health, natural resources and the environment, since it involves more energy-efficient, and less polluting, or non-polluting, products.

Based on an Announcement made by the European Commission, the Action Plan for GPP was drawn up, covering the sectors of office equipment, electrical appliances, cleaning/hygiene products, water saving, new/renovated buildings, food, vehicles/internal combustion machinery and education. The Plan was approved by the Council of Ministers on 21.3.2007 and had an estimated implementation cost of €2.22 m for the period 2007-2009. The decision of the Council of Ministers provided for the submission, by 31.1.2009 at the latest, by the Department of Environment, of a critical evaluation on the success of the Plan including suggestions for its improvement.

As far as the Local Authorities and Statutory Bodies are concerned, it was decided that they cannot be subject to the Plan, and they were therefore asked to prepare and implement, within 2007, their own Action Plan for the period 2008-2009, which should be sent to the Department of Environment.

According to the progress report of the Action Plan for the years 2007-2009, the response of the Ministries/Departments in providing the necessary information to the Department of Environment was only 70% of the total. As far as the submission of Action Plans is concerned, the response from Statutory Bodies reached 50%, and from Local Authorities 33.3%, while the revised Action Plan for the period 2010-2012 is still in the public consultation stage.

The lack of systematic follow-up of the Plan by the responsible Committee, the low response rate from involved parties and the delay in its improvement do not effectively contribute, in our view, to the promotion of GPP in Cyprus, with the failure of the Plan being a likely outcome. It is noted that, based on the Communication from the Commission COM(2008)400, dated 16.7.2008, it is proposed that, as an indicative target, by the year 2010, 50% of all public tendering procedures should be compliant with endorsed GPP criteria.