European regulations concerning contaminated site management and status of the directive for soil protection

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In parallel of the evolution of the legal framework for Contaminated Land Management (CLM) at National level, the regulatory environment at the European level evolved rapidly. Some of the European legal documents have tried to take soil issues into consideration (i.e. IPPC or Environmental Liability Directives). Recently, a Soil Protection Strategy has been published, with four pillars:

(1) Framework legislation with protection and sustainable use of soil as its principal aim;

- A draft Framework directive on soil protection was proposed in 2007 and it's still under discussion: Some experienced Member States have main concerns on the recent developments of EU legislation related to soil issues.

(2) Integration of soil protection into other policies

- Revision of the Sewage Sludge Directive, the IPPC / IED Directive, the Waste Framework Directive, the Environment Liability Directive
- Integration of Soil Provisions in the Renewable Energies Directive,
- Development of technical format for Environmental reporting under the INSPIRE Directive,
- Development of the Resource Efficiency Roadmap,
- Biodiversity, Climate Change, Rural development Plans, etc.

(3) Closing the recognized knowledge gap by Community and national research programmes;

(4) Increasing public awareness of the need to protect soil.

The Soil Protection Directive is blocked at the European Council level since the last discussions under the Spanish Presidency in 2010. No official working party has been planned on this issue by the current or the upcoming EU Presidency. Nevertheless the Common Forum has continuously discussed the technical and political aspects of the contaminated soil issues in the original proposal and in the alternative versions under each Presidency. Having failed to reach agreement in Council, in light of the desire of many Member States to have a framework directive for soil, and convinced that common grounds could be found; a "special task force" of Common Forum members from some Member States was established in July 2010 during the Belgian Presidency. The task force discussed the reasons for not being able to reach agreement in Council and proposed amendments to the draft Directive. Experts on soil degradation processes covered in Chapter II (erosion, organic matter loss, landslides, etc.) were also invited and brought their experience to the discussions. The amendments were approved by the Common Forum in autumn 2011. The text is now posted on the Common Forum website.

In parallel, the European Commission has recently adopted in February 2012 a report on **'The implementation of the Soil Thematic Strategy and ongoing activities'**, which will be discussed the 26th of April with the European Parliament.

The presentation will focus on the recent developments at the European level on this Soil Protection issue.

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