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A new instrument for a better implementation of the European Union environmental law:

The Environmental Implementation Review

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Abstract

The present work deals with a new instrument launched in May 2016 by the European Commission in order to improve the implementation of the European Union (EU) environmental law: the Environmental Implementation Review (EIR). This thesis seeks to analyse the reasons behind the creation of this public policy instrument as a complement to the instruments already used by the European Commission to fulfil its role as guardian of the treaties and monitor the correct transposition and enforcement of the environmental *acquis*. The aim of this research work is to assess the relative influence of organisational, issue-specific and external factors on the Commission's decision to set up a new instrument for its implementation strategy. Starting from the assumption that the instrument mix used by the European Commission to monitor the application of the EU law in the 28 Member States has been the result of a process of incremental change over the years, several independent variables are examined to identify the determining factors for the launching of the EIR. The analysis of the empirical evidence leads to conclude to the significance of organisational factors – the Better Regulation reform program and the new Commission's executive – to account for the launch of this new public policy instrument. As regards to the design of the EIR, it seems to have been influenced by both the instrument mix already used in the environmental field and instruments developed in other policy fields. The role played by external actors remains difficult to assess, although it can't be denied that they contributed to reinforce the saliency of the implementation issue at the EU level by their frequent calls for an improvement of the implementation of the EU environmental law.