Comments of the Commission with respect to the EIB's Statement of Environmental and Social Principles and Standards

Overall, this draft is much improved compared to the previous version. Indeed, there is now sufficient separation of environmental and social standards, the mixing of which created problems in the first version. Also, the principles, the standards and the objectives are now much better defined.

Some specific remarks concern the following points:

1. In point 18 of the Background (page 7), in the last paragraph, we see no reason to include the word "generally" as far as the application of the standards in the Candidate and potential Candidate countries. We would therefore recommend deleting this word.

2. In point 19 of the Background (page 7), we would like to see the following sentence added: "In the countries covered by the EU's European Neighbourhood and Partnership Policy, achieving compliance with EU environmental requirements should be consistent with any bilateral agreements or action plans agreed on between the EU and the relevant country."

3. In point 34 of the Statement (page 15), we propose modifying the second bullet point as follows:
   "Applicable EU environmental law, notably the EU EIA Directive and the nature protection directives, as well as other sector specific Directives and "cross-cutting" Directives"
The reason for this is that we want to emphasize the importance of nature protection directives, which is a key horizontal type legislation appropriately addressed in following paragraphs, e.g. 63, on page 20.

4. In point 35 of the Statement (page 15), we propose the following wording for the introductory line:
   "With reference to the EIA Directive, the EIB requires that all of its provisions are fully respected, in particular:"
This is to make it clear that the bullet points refer to the directive and not to arbitrary desires of the EIB.

5. In point 64 of the Statement (page 20), after the bullets, we propose the following sentence to be inserted:
   "Within the territory of the EU, the EIB may, however, fund such projects situated in Natura 2000 sites provided that they fully comply with Community legislation on environmental protection, in particular the Habitats Directive."

6. In point 65 of the Statement (page 20), the opening phrase (the EIB supports ongoing work to further operationalise the mitigation hierarchy) is rather vague. At the meeting, it was indicated that the points on mitigation might be reworked once more. Therefore, this should include another look at the text of this specific point.

7. In footnote 15, we suggest that the Western Balkan Countries are mentioned by name rather than saying that they are covered excluding FYROM.
Otherwise the Commission only has a few more minor comments to make:

- Like many other delegates at the public meeting on 27 October, the Commission was very interested to hear about the production of a Sourcebook which will constitute a compendium for relevant EU environmental legislation.

- There is a numbering problem in the Statement starting from point 65 on (it should continue by point 66 instead of 63, then 67 . . .)