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# European Environmental Governance and Policy Integration

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# Content

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- **Ecologic Institute, Berlin, Germany (& Brussels)**
- **European Structures and Institutions (general)**
- **6<sup>th</sup> Environmental Action Programme**
- **Cardiff Process** – Environmental Integration
- **EU Sustainable Development Strategy**
- **European Governance** – Institutional Issues
- **Convention on the Future of Europe**
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- **Presidencies and the Council Agenda**

<http://www.ecologic.de/>      **1995 - 2003**

- **Private, independent, mission-based, non-profit**
- **Voice for:**
  - **Environment in international & EU affairs**
  - **International & EU dimension in environment policy**
  - **Integration of environment into other policies**
- **‘Think tank’, 6 founders (now 7), Euro 80,000.00**
- **Company law (business), ‘operative foundation’**
- **50 boxes, 40 staff, 30 full-time eq., \$ 1.7 m/a**
- **Project-driven, trans-disciplinary, consultancy**

# European Union Governance - 1

- **European Union as “roof and gable”**
  - **Community policies** through Community structures:
    - European [Economic] Community (**environment policy**),
    - **Euratom**, [European Coal & Steel Community, until 2002]
  - **Inter-governmental policies**, driven by Council:
    - Common Foreign & Security Policy (no environment to date)
    - Cooperation in Justice & Internal Affairs (**environm<sup>tal</sup> crime**)
  - **Hybrid policy areas**,
    - Economic Policy: structural adjustments (**Lisbon Process**)
    - Management of the **Monetary Union** (not all MS have Euro)

## European Union Governance - 2

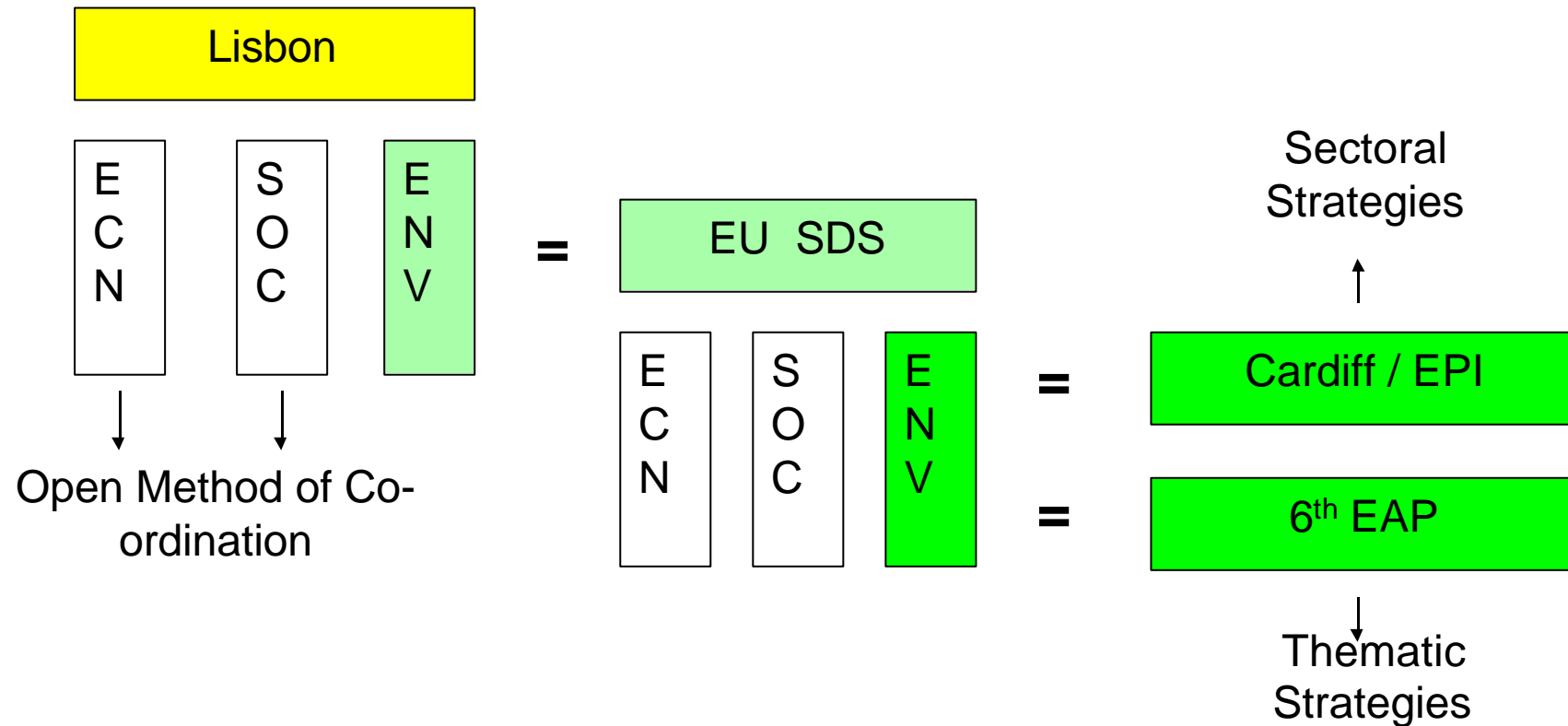
- **Council of Ministers** (different “configurations”)
  - **European Council** (heads of state or government)
    - Council Presidency (**rotates** every 6 months, now Greece)
  - **General Affairs Council** (foreign ministers)
    - Office of the “Foreign Policy Supremo”: Javier Solana
  - **Sectoral Councils** (including “**Environment Council**”)
- **European Commission**, “central bureaucracy”
  - College of Commissioners; Commission Services
  - Exclusive right to propose legislation, “back office”
- **European Parliament**, increasing co-decision

## European Union Governance - 3

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- Constitutionally and **institutionally unstable**
- **Messy separation of powers**
  - Everyone involved in legislation;
  - Commission and Council also executive;
  - **European Parliament relatively weak** (1 chamber)
- Institutionally weak; **only Commission has staff**
- Manifold procedures & instruments (confusion)
- **International, inter-governmental, trans-national**
- **Multi-centered policy formulation, “domestic”**

# EU Governance - How does it fit together ?



# EU Environmental Policy - Overview

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- Environment is a **Community Policy**
- 200 - 300 pieces of legislation (directives)
- The **most popular** European policy, but
- Politically and institutionally **weak**
- From clean-up to **policy integration**
- Driver for **modernising European society**
- **Hated** by **business & trade policy** communities
- Now **attacked** in the **European Convention**



# 6th Environmental Action Programme - 1

- **Adopted by**
  - Decision of the **European Parliament & the Council**
  - After a proposal from the **European Commission**
    - Decision No. 1600/2002/EC of 22 July 2002
    - OJ of the EC, L 242/1-15, 10 September 2002
- **Covers 2002 – 2012 („Johannesburg + 10“)**
- **Promotes environment in EU enlargement**
- **Pushes EU role in global environmental affairs**

## 6th Environmental Action Programme - 2

- Focus on **Environmental Policy Integration**
- Calls for **Thematic Strategies (by 2006)** on
  - **Climate Change** (energy, transport, industry, other)
  - **Nature and biodiversity** (in EU and globally)
  - Environment & **health**, and quality of life
  - Natural **resources** and **waste**
  - [more to come, such as soil, floods ...]
- Information & evaluations (ex-ante, ex-post)
- Review and possible **revision in 2006**

# Environmental Policy Integration (EPI)

- **NL National Environmental Policy Plans** ('80s)
- **4<sup>th</sup> EC Environmental Action Programme** ('87)
- **Strategy by Eu. Commission => "Green Stars"**
- **5<sup>th</sup> EC Environmental Action Programme** ('92)
- **Rio Declaration, Rio de Janeiro, Brazil** ('92)
- **EU Cardiff Process for EPI** ('97 - ??)
- **EU Sustainable Development Strategy** ('01)
- **6<sup>th</sup> EC Environmental Action Programme** ('01)

# Cardiff Process Environm<sup>tal</sup> Integration - 1

Environmental protection requirements **must** be integrated into the **definition** & **implementation** of [all] Community policies & activities, in particular with a view to **promoting sustainable development**

- **Political Support in European Council:**

- Luxemburg (Dec. 97) underlines Article 6 EC Treaty
- Cardiff (June 98): **Transport, Energy, Agriculture**
- Wien (Dec. 98): **Development, Internal Market, Industry**
- Köln (June 99): **General Affairs, Ecofin, Fisheries**
- Helsinki (Dec. 99): **Requirements for Strategies**
- Göteborg (June 01): Accepted Cardiff Strategies
- Sønderborg (July 02): **Reaffirms Policy Integration**

# Cardiff Process Environmental Integration - 2

Assessment December 2000	<a href="http://www.umwelt.de/down-e/cardff.pdf">http://www.umwelt.de/down-e/cardff.pdf</a>					Overall
Criteria:	Environmental awareness					
	Objectives & targets	Measures & action plans	Indicator development	Time frame, follow-up		
Council Co-ordination	↓	↓	↓	↓	↓	
Transport	+++(+)	+++(+)	++++	++++(+)	++++(+)	++++
Energy	+++(+)	+++(+)	++++	+++	++++(+)	+++(+)
Agriculture	+++	+++(+)	++(+)	++++	++	+++
Development	+++(+)	++++	++++	+++(+)	+++	+++(+)
Internal Market	+	+	++	+	++	+
Industry	+++	++	++	++	++	++
<b>General Affairs</b>	<b>[Came in 2002; ambitious, strategic, but non-organizational]</b>					<b>good start</b>
Ecofin	+	+	+	[++++]	++	+(+)
Fisheries	+++	++	++	+	+++	++

## Cardiff Process Environm<sup>tal</sup> Integration - 3

- **Frustrating: Progress is very slow**
  - Inability or **unwillingness** of sectoral councils
  - Missing in [almost] all sectors to date:
    - Quantified **targets with dates**; **consideration for nature**
    - Follow-up, evaluation, **strategy revision**
- **Missing: Integration into EU governance**
  - **Lisbon Process**, Euro, CFSP, JHA, **other sectors**
  - **Council capacities**, **Open Method of Coordination**
  - **Impact assessments** before decisions

# EU Sustainable Development Strategy - 1

- **Adopted by**
  - **European Council in Göteborg [and Barcelona]**
    - 15-16 June 2001, Document SN 200/1/01 REV 1, No. 19-32  
<http://ue.eu.int/Pressdata/en/ec/00200-r1.en1.pdf>
    - Commission Communication COM(2001) 264 final, 15.5.01  
(6th Environmental Action Programme, Cardiff Strategies)
- Adds **environment** to the **Lisbon process**
- Focus: climate, transport, health, resources
- Underlines **Environmental Policy Integration**

## EU Sustainable Development Strategy - 2

- Focused on EU **internal matters** (not global)
  - External dimension added in Barcelona 3/2002
  - **Ignores enlargement** and Accession States
- **Vague** on „economy, social, & environment“
- Some **objectives & actions**, but **no rationale**
- Outlines **review mechanism** (**Spring Councils**)
- **Sustainability Impact Assessments (SIA)**  
for all major policy proposals



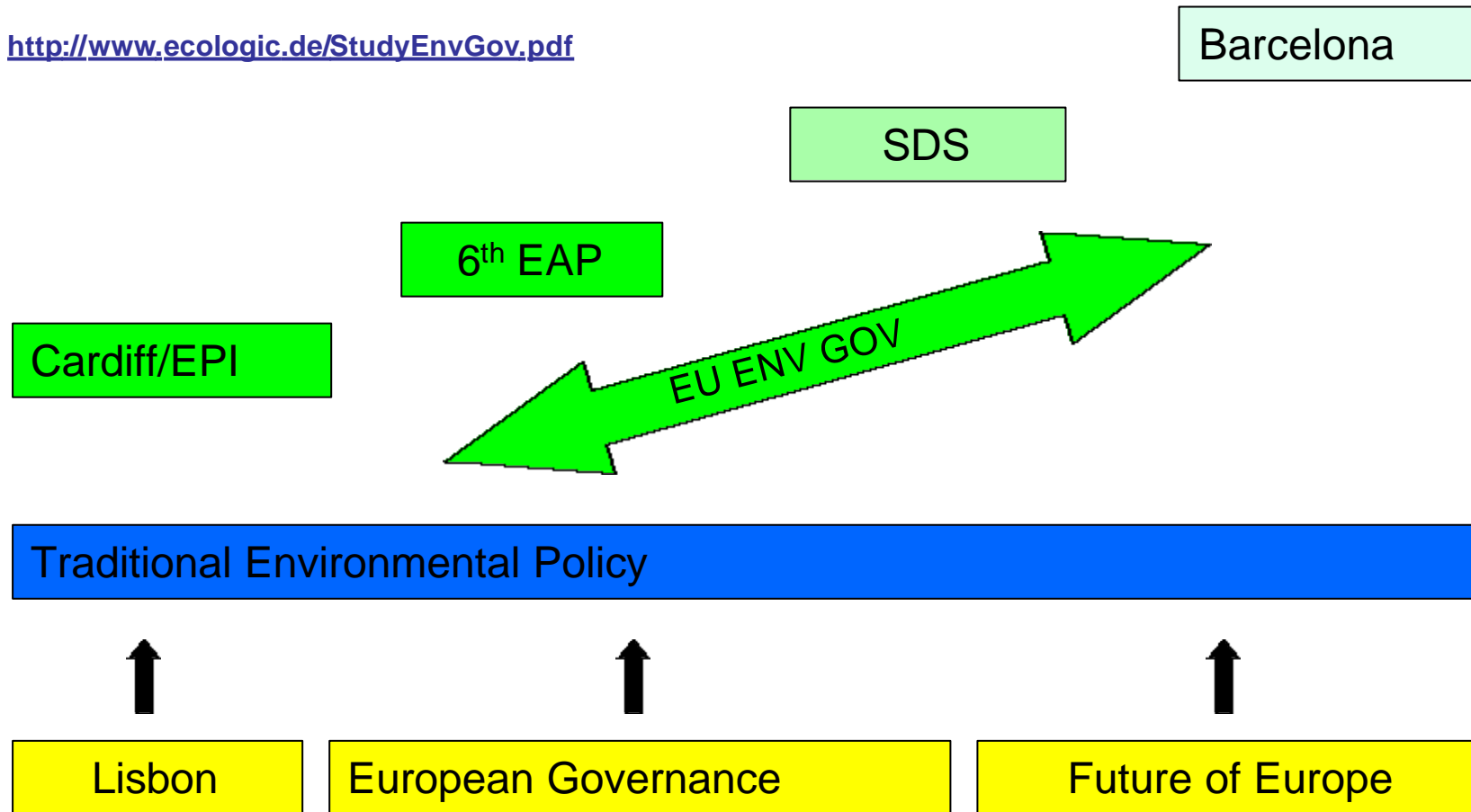
## EU Sustainable Development Strategy - 3

- **Follow-up: Council Conclusions 12 Dec. 2001 (also Council Conclusions 4 March 2002)**
- **Call for a “Group of high-level officials”**
- **Practical implementation needs follow-up:**
  - **Requires action**
  - **Draft annual Conclusions in Council (Environment)**
  - **Establish effective procedures, routines, and**
  - **Appropriate support structures**



# Evolution of EU Environmental Governance

<http://www.ecologic.de/StudyEnvGov.pdf>



# European Governance: Institutional Issues - 1

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- **Challenges:**
  - Adopt **effective policies**, maintain **transparency**
  - Ensure **implementation**, monitoring & enforcement
    - **Crisis of the “Community Method”** in environment policy
  - Provide input to **EU SDS** and **Lisbon Process**
  - **Continuity** and **consistency** across Presidencies
  - **Will** and **capacities** for environmental integration
  - Capacities for dealing with **cross-sectoral issues**
  - Council asked for good **procedures & structures**

## European Governance: Institutional Issues - 2

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- **Options:**
  - Establish a new “**Horizontal Affairs Council**” and a
  - **Permanent high-level committee**, options include:
    - **Article 6 Committee** (on environmental policy integration)
    - **Environmental Policy Committee** (as in economic policy)
    - (Additional) **Sustainable Development Policy Committee?**
    - **All require support** (reporting, back office, facilitation, ...)
  - **Routine reviews for annual Council Conclusions**
- **Strengthen environment in European treaties**



## Convention on the Future of Europe - 1

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- **Challenges:**
  - **Enlargement** and **efficiency** of operation (Council)
  - Transparency, **democracy**, credibility, legitimacy
  - **External policy**, defence, justice & internal affairs
  - Treaty architecture (**EURATOM**), **simplify!**
  - Clarify **competences**, ensure **subsidiarity**
- **Treaties of Amsterdam & Nice are insufficient**
- **Environment** not addressed & **may be harmed**

## Convention on the Future of Europe - 2

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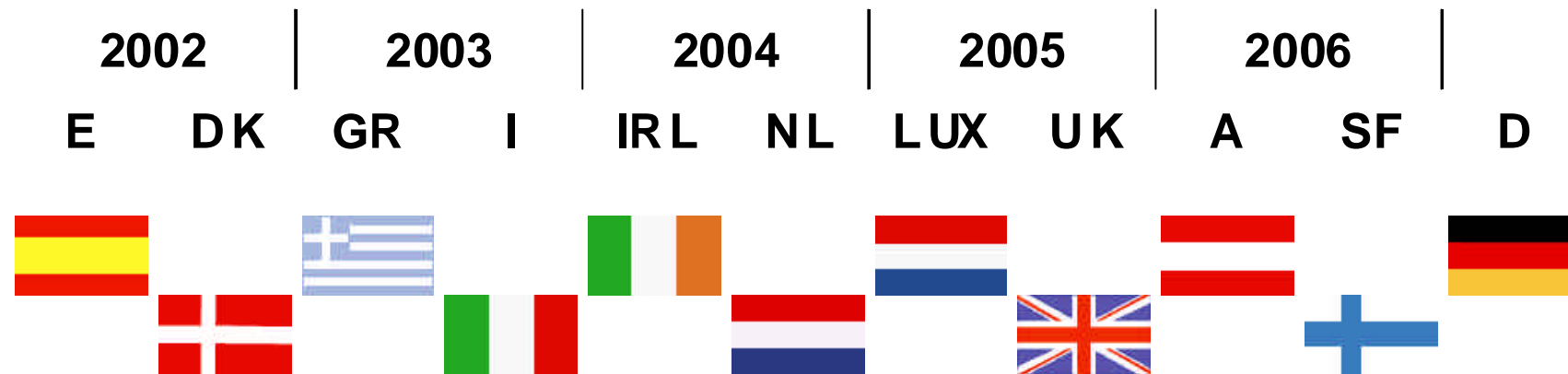
- **Wish List for the Convention Agenda**
  - Maintain/upgrade **environment among objectives**
  - Keep **Article 6 EC Treaty** (community committee)
  - Create **Environment Policy Committee** (OMC body)
  - **Horizontal Affairs Council** (SD policy committee?)
  - Establish **parliamentary control** over
    - **Common Commercial Policy** (External Trade)
    - **Competition Policy** (Services of General Interest)
    - **EURATOM**; into EC Treaty; try enhanced co-operation?

## Convention on the Future of Europe - 3

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- **First substantive output on February 6<sup>th</sup>, 2003**
- **Articles [1-16]** <http://european-convention.eu.int/docs/Treaty/cv00528.en03.pdf>
  - **Title I: Definition and objectives of the Union**
  - **Title II: Fundamental rights and Union citizenship**
  - **Title III: The Union's competences**
- **Objectives [3] very unbalanced, “pro growth”**
- **Principles [8] no integration, PPP, precaution**
- **Application [9] “growth breaks environment”**
- **Competences [10] “Union takes almost all”**

# Presidencies of the Council to 2007



**The Council is presided over for six months by each Member State in turn, in accordance with a pre-established rota (unless a new Council decision is taken; might change in 2004). Finland & Germany agreed to swap their allocated presidencies. Germany can negotiate a better budget deal at end 2006, and Finland can avoid a clash with national elections in 2007.**



## EU Agenda after the WSSD in Johannesburg

- **WSSD outcome in line with EU, spotlight on:**
  - Insecurity and alienation due to **globalisation**
  - Changes in **production & consumption patterns**
  - Equity (**redistribution**) need for sustainable development
  - **2005:** Begin implementation of **national SD strategies**
  - **2010:** **Halt biodiversity loss** (not halt resource loss 2015)
  - **2015:** **Halt decline in fish stocks**, harvest sustainably
  - **2015:** Halve population without **sanitation** (2002: 3 bn)
  - **2020:** Minimise harm from **chemicals** (health & environm.)
- **EU commits on energy, water, trade, ODA**

## Getting Things Done: The Council Agenda

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- Quality of implementation and **inspection (standards)**
- Climate policy, energy **taxes & emissions trading**
- **Environmental liability** (and insurance?)
- Genetically modified organisms, and **chemicals**
- **Resources, waste & product policy** (many items)
- Use of **criminal law**, & fighting **environmental crime**
- **Soil protection policy** (new policy area), **forestry?**
- **Participation; access to justice**, and to **information**
- **(Green) public procurement; environmental services**



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