

# **The European Commission's Sixth Environmental Action Programme**

## **Views from the European Environmental Advisory Councils (EEAC)**

The European Environmental Advisory Councils welcome the opportunity to contribute on the preparation of the Sixth Environmental Action Programme (6EAP), in response to the Commission's Communication "*Europe's Environment: What Directions for the Future*".

### **1 General Comments**

#### **1.1 Evaluation of the Fifth Environmental Action Programme**

Whilst the *Fifth Environmental Action Programme* (5EAP) has undoubtedly contributed to the integration of environmental issues into other sectors, progress toward the overall goals has not been sufficiently effective. There were successes on some environmental themes (air pollution, acidification, water quality, etc.), but at the same time there was less success on other issues (climate change, landscape quality, species and habitats, etc.). This was accompanied by a huge implementation deficit. The 6EAP should therefore aim to take into account the key topics of the previous programmes, namely integration, implementation and the use of a range of instruments.

#### **1.2 Format of the Sixth Environmental Action Programme**

The EEAC support a strategic document, which identifies priorities for action by setting key targets and time scales. The normative value of the 6EAP should be sufficiently strong. The priorities of the 6EAP should be accompanied by more detailed targets in the *Thematic Action Programmes* (TAPs). The TAPs should also inform the corresponding sectoral integration strategies. The EEAC would like to see the aims, the normative value, the scope and the timing of the TAPs clearly defined. The European Parliament should be involved in the development of the TAPs.

#### **1.3 The 6EAP and Sustainable Development Strategy**

In order to put environment at the core of sectoral policies, alongside economic and social policies, the EEAC state that the 6EAP should be the environmental strand of the Community Sustainable Development Strategy. The Sustainable Development Strategy itself should be an overarching responsibility of the Commission's President.

#### **1.4 The 6EAP and Integration**

The EEAC support the Cardiff integration process and firmly believe that it has become necessary to put the integration responsibility into the hands of the sectors themselves. An important function of the 6EAP therefore is to further the Cardiff integration process by setting clear environmental targets. DG Environment should influence sectoral councils and collaborate with the key Directorates General.

There should be clear links between the TAPs and the sectoral strategies. Key policy areas for focus are agriculture, transport and energy. Integration of environmental concerns should take the form of financial incentives and financial mechanisms in general.

Finally, the EEAC believe that not only "external" integration (of environmental concerns into the policies of other sectors), but also "internal" integration (within environmental policy) is a field where further progress still can and should be made.

### **1.5 The 6EAP and Implementation, Flexibility, Subsidiarity**

To deal with the implementation deficit, the EEAC propose that a "score-board" be introduced to monitor progress in the implementation of environmental directives, comparable with that used for the unification of the market. It should not only show the degree of administrative implementation in the Member States, but also the effective implementation. There should be regular reporting on the "score-board".

At the same time, the EEAC recognize that the enlargement of the EU and the growing differences between Member States require room for flexibility in the implementation. This flexibility may take the form of varying time schedules, regional diversity, and/or working with market-based instruments within framework directives. Flexibility based on regional diversity should be reached by applying the principle of subsidiarity. Flexibility based on framework directives demands efficient mechanisms for monitoring and follow-up, which need to be developed.

## **2 Instruments**

### **2.1 General**

The choice of instruments should be based on an integral approach to the environment taking into account the ecosystemic relations within the environment and the limited availability of the environmental resources that are being discussed. Policy makers must identify the most effective strategies and their complementary legal status. In many cases the most effective option is likely to be a package of measures which includes some element of direct regulation. Self-regulation and the use of economic instruments should be introduced within the aforementioned framework of targets for environmental quality by taking into account all relevant considerations and on the basis of fairness and participation.

### **2.2 Economic Instruments**

The EEAC support the approach to increase the accountability for actions including the application of the polluter-pays-principle and internalization of environmental costs. However, economic instruments should reinforce direct regulation within a framework of legislation, monitoring and criminal sanctions. They are especially valuable in controlling pollution from diffuse sources. In many cases there is a strong case for introducing economic instruments at the EU level. EU-wide environmental charges, taxes or tradable emission permits on the most important forms of emissions, such as CO<sub>2</sub>, and nitrogen, should be taken into consideration. Finally, the EEAC suggest that appropriate attention be paid to the social aspects of the introduction of these kinds of environmental instruments.

## **2.3 Instruments of an Integrated Product Policy and Product Management**

The EEAC believe that companies should be encouraged to install environmental management systems. At the same time, transparency, openness and accountability are necessary. New forms of standards can help to make self-regulation more effective. The EEAC support the design of an integrated product policy (including eco-labeling, eco-design, EMAS, green procurement, product standards, environmental liability, take-back and some product charges or taxes). A more prominent role for life-cycle analysis would be welcomed as a first step.

## **2.4 Standards**

The EEAC add that numerical standards should always incorporate protocols for sampling and analysis to measure compliance, and should require analyses to be carried out in suitably accredited laboratories.

## **2.5 Indicators**

The EEAC stress the need to develop a structure for monitoring and reporting on environmental trends, and to establish a common framework of core headline indicators – including functionality indicators. The indicators have to relate to the goals and measures of each relevant sector and to information about environmental resources (which includes ecosystem approach as well as modeling). The indicators that are thus reached have to be well publicized in order to facilitate a sound social process of judging the appropriateness of measures and time paths and the acceptability of certain impacts.

# **3 Priority Issues and Themes**

## **3.1 Priority Themes**

Climate change and biodiversity are clearly regarded as priority themes by the EEAC. Also important are: water protection, soils and landscape, chemicals, genetic modified organisms, sustainable tourism and the urban environment. It would be useful to cluster policies around "key themes" that have, if adequately addressed, a positive influence on other themes.

## **3.2 Climate Change**

The EEAC regard the reduction targets of the Kyoto Protocol as a start and a rather modest step towards further reductions. The EEAC believe that substantial reductions of greenhouse gas emissions are needed over the next decades. The EU should continue to play a leading role in the international debate and for the EU to adopt a credible leadership role in international negotiations – with the aim of further abatement measures beyond the 2012 time limit – it must first establish convincing and robust policies to meet – and preferably exceed – the Kyoto targets.

The integration of climate change policies into transport, energy, agricultural, industrial and fiscal policies is urgently needed. Two sectors should primarily be addressed by measures: transport and consumers. Energy policy should focus on climate change.

The EEAC urge the EU to support the introduction of carbon taxation at EU level: this should also provide for a significant increase in road fuel taxation across the EU. On this

background, robust working rules for emission trading between Member States are also important for such policies.

### 3.3 Biodiversity and Nature Conservation

The 6EAP, the Sustainable Development Strategy, and the Biodiversity Strategy must be complementary. The EEAC recommend that the themes of the Biodiversity Action Plans are reflected within the proposed Thematic Action Programmes for the 6EAP to provide a process for integrating the EU Biodiversity Strategy within the EU Sustainable Development Strategy. A particular emphasis on targets, timetables and indicators is needed here, and monitoring and reporting systems must be developed for other sectors as well.

Nature conservation should be an absolute priority on 10% to 15% of the territory of Member States. The implementation of the Natura 2000 network by 2004 is essential; at the same time, it is clear that future nature conservation policy will have to take into account the possible migrations and transformations of ecosystems that are to be expected due to climate change.

In addition to these general remarks, the EEAC would like to highlight some specific strategic issues. Priority areas for nature conservation in the broader sense must be designated and protected in urban areas to enhance the quality of life. Furthermore, attention must be paid to concrete measures taken towards marine ecosystems. Finally, the Natura 2000 network could be complemented by a trans-European network of "green frontiers", as the present political frontiers within the EU offer a lot of opportunities for projects of nature conservation, sustainable development and at the same time tolerance and interculturalism.

### 3.4 Landscape and Soils

The EEAC would like to see an integrated land use management approach adopted, with spatial planning and landscape quality on the one hand, and soil management on the other.

There is a real need for a European spatial or territorial planning initiative – or at least a framework for territorial policies in the Member States. This planning initiative should be extended to the marine areas.

In soil management the reduction of acidification, the discussion on sludge and physical impacts (erosion, compaction, etc.) are central elements. Desertification is a subject that is linked to this soil management policy. This question should be adequately addressed, as on the long term desertification is not a problem that will remain confined to the Mediterranean areas.

### 3.5 Water

The EEAC welcome and support the Water Framework Directive for its new and integrative approach. Nevertheless, as it is now, it still contains untenable weaknesses. It is necessary to clarify the considerable uncertainties surrounding the definition of "*significantly altered bodies of water*" and "*good ecological potential*", and to limit the broad scope for exemptions for Member States by enforcing uniform yardsticks. The pollution of the marine ecosystems by sources on- and off-shore is something that must be tackled (i.e., OSPAR is to be implemented).

### 3.6 Chemicals

The EEAC believe that there is considerable scope for improving the management of risks from chemicals. The present risk assessment procedure of the EU, according to which the risks of chemicals are assessed one-by-one based on scientific evidence of risks is highly inappropriate and does not lead to noticeable progress in the reduction of chemical loads. The EEAC believe that the risk assessment process should be made more efficient by adopting an assessment based on chemical groups rather than a substance-by-substance approach. More fundamentally, in order to attain a creditworthy *"health and environment policy"*, a general reduction in the use of chemicals in society is needed. There is a need for statutory backing for the "product stewardship" programmes, a duty on chemical manufacturers to carry out life cycle environmental risk assessments of their products, and to take into account the relative risks posed by their products and available substitutes.

### 3.7 Genetically Modified Organisms

In the EEAC's opinion the present risk assessment procedure needs to be fundamentally reformed according to the following principles:

1. the installment of a system of permanent ecological monitoring of selected genetically modified organisms and their impacts;
2. decision mechanisms that guarantee that the views of citizens are being introduced into the key stages of the regulatory process, in parallel with existing scientific sources of advice;
3. transparency, whereby every decision is accompanied by an explanation of the reasons for it.

### 3.8 Urban Environment

The EEAC consider the improvement of the urban environment as a highly important issue. However, EU action in this field should concentrate on climate change, transport and air quality. The EU can only offer a broad framework on other aspects of urban environment (e.g., urban noise).

## 4 Target Groups and Stakeholders

### 4.1 Priorities

The EEAC regard transport as a key sector for future environmental policy focus. Other important target groups are households or consumers, industry, energy, agriculture (incl. rural development) and fisheries. The EEAC also consider tourists and tourism as an important and new target group and sector which should be addressed. The EEAC support the reinforced integration of environmental concerns into these economic sectors to address the origins of environmental problems. A greater commitment of stakeholders should be encouraged.

### 4.2 Transport

On transport the EEAC state that technical changes in vehicles alone are important, but not sufficient. The use of less environmentally damaging modes of transport needs to be encour-

aged as well as the reduction in the need to travel. The EU can encourage a transfer of freight from road to rail. In any case, big infrastructure projects – be it road-building, canalization, or rail construction – should be thoroughly assessed in their strategic phase on environmental impacts. A harmonization of fiscal instruments is necessary. Market-based instruments should be applied to the rapid increasing air traffic.

### **4.3 Energy**

The EEAC would like to promote efficient energy use and energy conservation, there should be new and demanding energy efficiency standards for products as well as new targets for vehicle fuel efficiency beyond the existing voluntary agreement with car manufacturers. In addition the spread of new renewable energy sources should be encouraged – partly by systems of support for renewable energy sources towards local communities. The liberalized energy market must not discriminate against renewable energy sources or combined heat and power. The environmental side-effects of the renewables should be taken into account as well as the environmental impairments resulting from the extraction and conversion of energy carriers, including domestic hard coal and lignite.

### **4.4 Industry**

For the EEAC it is clear that industries have a lot to gain from an environmental policy that starts with clear principles and clear targets. In the past, industry has to some extent been successful in reducing its direct emissions. There is however a need now to focus on the use of resources related to industrial production as well as the overall life-cycle of products, including waste production.

### **4.5 Agriculture and Fisheries**

The EEAC believe that the same applies for both agriculture and fisheries sectors: use to the maximum the self-regulating capacities, without neglecting the limitations of the environmental resources that are at stake.

The agricultural sector in particular still requires a lot of work. Agenda 2000 should be seen as only a start, and needs to be radicalized. Agricultural policy should give support to the need to protect soils, to maintain the regional and local landscape character, to sustain local communities and to address biodiversity concerns. Moreover, it should encourage the development of energy crops, particularly those for use in non-transport applications.

### **4.6 Consumers and Households**

The EEAC believe that it is necessary to concentrate particularly on consumers, which at the same time presupposes a policy towards producers and marketers, as they have an important influence on the social definition of needs and values. As the CO<sub>2</sub> emissions of the housing sector are increasing, a combination of market-oriented instruments and information campaigns is necessary.

### **4.7 Tourism**

The EEAC regard sustainable tourism as a priority sector that should be placed as a priority in the European Commission's work plan. The EEAC would welcome the development of an EU

tourism strategy, setting down some basic rules for tourist development such as introducing sound territorial planning and land use measures, determining carrying capacities, assuring consistency with related urban and rural developments, taking into account the differences between natural and cultural areas, tackling seasonality. The gap between distant operators (and countries net providers) where the bulk of the profits of tourism is located and destinies (or net recipients) where the bulk of environmental damage is situated has to be narrowed.

#### **4.8 Citizens**

A greater commitment and engagement from stakeholders and citizens should be encouraged by providing better information. The 6EAP should therefore be a readable and accessible programme. It should instigate a real information and sensibilization strategy – wherein citizens are shown that a sound environmental policy is in their interest. This would enable citizens to make informed choices, as decisions about environmental policies should be based on peoples' values. The EU institutions should consider how new methods such as citizen juries or consensus conferences should be incorporated into the procedures for considering complex or controversial environmental issues and setting standards. Bodies which set environmental standards should leave an "*audit trail*" that records what factors have been taken into account.

### **5 International Policy Issues**

#### **5.1 Central and Eastern Europe**

The Enlargement of the EU introduces new environmental pressures stemming from the pressures of development such as the construction of new infrastructure, increased energy consumption, and a general rise in consumption and use of resources. There is a need for new environmental and resource use strategies in the accession countries to minimize environmental impacts, which current Member States should contribute to. It would also help to draw on the various "best practice" examples of cross-sector cooperation, on integrated legislative procedures and on integrated permit issuance procedures. It could be useful to introduce a separate TAP with specific funding mechanisms. At the same time, enlargement offers a potential opportunity, as environmental legislation could bring about a general integration and modernization wave in the accession economies.

#### **5.2 Trade and Environment**

The EEAC believe that the 6EAP should offer guidelines for a better integration of environmental policy issues into international trade negotiations, especially in the WTO and GATT.

#### **5.3 Export Credits**

The EEAC add that the 6EAP should propose that environmental policy objectives would be taken into account when foreign trade promotion instruments are being applied. The EU should bring about a reform of the export credit guarantee system including harmonized, common and minimal environmental standards and criteria. A list of categorical prohibitions of financing through export credit agencies in the EU has to be established.