Issues and points raised during national stakeholder consultations in the Member States

The Member States have been invited to arrange national stakeholder consultations on the preparation of the new environment action programme. Seminars were arranged in Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, the Netherlands, Sweden and the UK during the spring of 2000.

This document summarises issues and points raised during these consultations.

1. **Why an EU Environment Policy?**

   **Introduction**

   1. The 6EAP will set out the environmental and “quality of life” objectives and priorities that the community and its institutions are committed to achieving over the next ten years. These objectives will form the environmental basis for the sectoral integration strategies and the wider sustainable development strategy.

   2. The Member States have assisted the Commission in gathering a wide range of views on the 6EAP by holding national stakeholder consultation events. The following selection of points are some of the main issues to emerge from the first five meetings organised at Member State level as well as from the EU-level meetings held with environmental and industry NGOs. This paper is by no means exhaustive and it simply reports some of the issues raised during the meetings that need to be considered during the preparation of the first draft of the 6EAP.

   **Nature and Concept of 6EAP Document**

   3. There has been substantial debate over the extent to which the 6EAP should be purely strategic, setting out priorities and “approaches”, and how far it could spell out specific actions, targets and timetables. A number of environmental NGO’s have commented that a 6EAP without ambitious objectives, quantitative environmental and sectoral targets would be perceived as weak by citizens, (who are likely to take their lead from NGO’s) and could be hijacked by the European Parliament.

   4. Environmental NGO’s are keen for the 6EAP to be written so that each stakeholder, especially the individual citizen, can see what their role is, with issues explained by linking them to impacts on everyday life.

   **Interface with other documents.**

   5. There is some desire to define the relationship between the 6EAP and existing national environmental action plans and sustainable development strategies, since currently no mechanism exists to ensure coherence. The main concern however, has been the Commission’s sustainable development strategy, which is still in its
early stages: so far the Commission has attempted to identify the unsustainable aspects (in economic, social and environmental terms) of the different areas of human activity (transport, energy, agriculture et al).

6. A number of different approaches have been suggested during consultation; some countries see all environmental problems as sustainability issues and argue that an approach focussing solely on unsustainability would neglect many environment/quality of life issues. This could undermine the integration approach and lead to sectoral Councils disregarding those environment issues not considered to be ‘unsustainability’ issues.

7. An alternative approach has been suggested whereby the SD strategy would set out the basic social, economic and environmental objectives of society and then point to institutional and governance issues and identify long term trade-offs that need addressing if these objectives are to be achieved. This would then be supported by three separate but coordinated action programmes for the social, economic and environmental issues.

8. Concern was also expressed over the timing of the different Commission initiatives: it has been noted that although the 6EAP will be drafted in advance of the SD strategy it will not be agreed upon by Council and EP until after the EU SD strategy is published. If it is to form the environmental pillar of the SD strategy, there could be complications.

International Responsibilities

9. A lot of stress was put on the need for the 6EAP to highlight both the leading role that the EU should take on the international stage as well as the impacts its activities (production, consumption and trade) have on the environments of third countries.

2. PRINCIPLES AND POLICY APPROACHES

Environmental Principles

10. In addition to those principles already enshrined in the Treaty, a number of others were proposed or considered during discussion with stakeholders.

- Burden of proof to rest with actor – ignorance should be no excuse.
- Principle of substitution (hazardous substances) as far as possible
- An environment charter to be introduced into the Treaty that would give the EU citizen the right to a high quality and sustainable environment.
- Producer responsibility to be clarified including its link to Integrated Product Policy.

Integration Process

11. Many stakeholders saw the role of DG ENV (and the 6EAP) as ensuring coherency between the different sectors (e.g. objectives, targets and indicators)
and to guide any burden sharing decisions that need to be made. It was felt that to enable consistent benchmarking, the 6EAP should define a clear framework and common elements of what is expected from a ‘sectoral integration strategy’ (e.g. targets, indicators, policy action milestones, trends and a defined process for responding to negative trends or missed targets). It should be clear that DG ENV would continue to be involved in the process of sectoral target setting, even after publication of the 6EAP.

12. Other suggestions for this field included (1) establishing a framework by which the EU could push and support the development of National Action or Integration Plans for certain issues (e.g. soil, pesticides, noise) and (2) internally establishing a co-ordination structure between the different sectoral DGs and Councils and DG ENV (e.g. joint task forces, joint Council meetings, etc).

Horizontal Policy Initiatives

13. Numerous demands were made with respect to the Community’s priorities for horizontal policy approaches. These included:

- Encouraging and supporting industry to bring to market environment-friendly production processes, goods and services (links to IPP, eco-efficiency, public procurement, voluntary agreements, etc). For example, current EU public procurement guidelines were considered to be too restrictive; their potential to support green business initiatives could be greatly enhanced.
- IPP and resource management policy, which were consistently raised as areas that need further clarification and development in the 6EAP including their relationship to chemicals, waste management policy, negotiated agreements, eco-efficiency, LCA and material flow analysis.
- Ensuring state aid rules do not hinder justified support to companies and other organisations that provide environment-friendly products and services (e.g. renewable energy).
- The role and importance of spatial planning.

New Instruments

14. The majority of stakeholders saw a need to try and identify the types of new instruments that could be effective alternatives or complements to command and control regulation, and which would reward and support environmentally proactive companies.

15. In common with Council’s conclusions on the Global Assessment (GA), stakeholders from all sides have requested concerted effort on environmental taxation. It was suggested that such an initiative should focus on areas where there are currently major environmental externalities that could effectively be tackled by economic instruments. Recognising the institutional difficulties faced by the EU Commission when proposing EU-level environmental taxes, a number of stakeholders suggested the EU should play a role in promoting and harmonising common measures initiated at the national level.
16. Views regarding the promotion of flexible instruments such as voluntary agreements were rather polarised between supporters and detractors. Attention was also drawn to the potential for excessive administrative burdens (e.g. monitoring and evaluating the performance of industry against its voluntary commitments) being imposed on governments during the use of such instruments.

Communication and the Citizen

17. Many demanded that the 6EAP give a specific focus to the role of the citizen in supporting and meeting our environmental objectives. This means mobilising and influencing the ‘citizen’ and society at large i.e. creating social and political pressures and influencing consumer choice by getting citizen involvement through:

- transparency and accountability;
- market-based instruments;
- awareness raising and the role of the media;
- encouraging involvement, e.g. through local action groups.

18. Suggestions for increasing citizen involvement included:

- identify the impacts and causes of people's individual actions and choices and relating them to each individual’s quality of life, using indicators as one way of achieving this;
- make more successful use of media (especially newspapers and TV) to promote sustainable lifestyles;
- an EU strategy and policy framework on environmental education, both vocational and scholastic;
- accompany all Commission proposals with an explanatory document communicating the purpose and expected effects of the measure.

19. It was also suggested that DG ENV develop a specific communication strategy for the 6EAP as well as individual communication strategies for each policy area.

Policy Process and Institutional Issues

20. Concern was expressed over the need to change certain policy processes and institutional structures if transparency, fair access to information and decision-making mechanisms, and use EU economic instruments are to be successfully developed. Also highlighted was the need to improve policy coherency within the Commission (e.g. perverse subsidies) and to develop and internal integration strategy that includes a policy appraisal mechanism.

21. A number of the ‘new instruments’ require a process of dialogue to be established with the relevant stakeholders, a number of whom have complained that increasing reliance is placed on certain stakeholders in the formulation of environmental policy. Lack of access to the Commission decision-making process, especially at Technical Committees, was clearly a concern. It was pointed out that offering stakeholders the chance to review and comment at every stage would encourage further commitment to implementation but it was accepted that this
would be difficult under the some of the current Community decision-making procedures. However, greater transparency and accountability under the Kinnock reforms and better access to documentation was considered a first step in the right direction.

22. The role of the local authorities in the 6EAP has also been raised, along with the need to identify and consider the practical implications of EU policy measures for local authorities during their elaboration, since local authorities are often ultimately responsible for implementation of EU environmental legislation. This includes their effects on existing public sector investments (e.g. incinerators).

3. **Priority Issues: From Problems to Solutions**

**Priority Environment Issues**

23. Of the many environmental problems facing us in the EU and globally, those most consistently cited as “urgent priorities” were:

- Climate change, chemicals/hazardous products, GMOs, nature conservation and biodiversity, waste and resource management, and nuclear accident and radiation issues;
- The cross-cutting issue of health and the need to develop a health-environment strategy was strongly underlined;
- The global footprint of EU consumption and production patterns (many NGO’s and some Member States). This issue links with an oft voiced desire to see a World Environmental Organisation to counter the WTO, as many environmental externalities associated with global trade are perceived to have moved beyond the reach or control of national governments;
- Mention was also made of urban environment, noise, soil, and water issues.

24. From a slightly different perspective, there was a clear demand that the 6EAP address the issue of regional priorities (e.g. the Baltic Sea) and variations in environmental problems (and solutions).

**Objectives and Targets**

25. This has been perhaps the most controversial aspect concerning the elaboration of the 6EAP. Most environmental NGO’s want clear targets for each environmental issue as well as sub-targets for each sector so that responsibilities are clearly identified. They feel that the Commission should not use the short timeframe proposed for preparing the 6EAP as an excuse for not including such targets.

26. However, the Council Resolution on the GA makes it clear that the inclusion of sectoral targets will not find much support in the Council. In addition some Member States have commented that target setting is often a lengthy complex process, partly because it is not always just a question of identifying scientific thresholds but rather requires us to decide what level of trade-off we are willing to accept between achieving a given level of risk reduction and the costs of doing so.
So except where targets are already well founded and discussed, the inclusion of ‘new’ targets in the 6EAP might be problematic.

27. Other commentators have suggested that agreement on long term targets should be foremost, as interim targets can be dealt with later (eg in thematic strategies). Whatever the decisions about the inclusion of targets, the 6EAP should spell out the process by which targets should be set.

Accession Countries

28. Most parties agree that the 6EAP must identify the most worrying environmental trends or issues as well as the environmental heritage that needs protecting and encourage swift adoption of integration strategies. There is little support for granting exemptions from meeting the environmental acquis: they must meet the same standards as the rest of the EU. The only issue is with what transition periods.

29. The issue of ensuring better coherency between the EU Commission’s various policies towards the Accession Countries was emphasised by the environmental NGOs and a number of Member States.

4. Monitoring Progress

Implementation Failure and Better Regulation:

30. One of the key features of better regulation was seen to be better evaluation of why some past initiatives have failed or have been poorly implemented. This would require improved monitoring of existing policy measures and evaluation of new ones. The 6EAP could define policy design criteria such as: easy to implement, interpret and evaluate (with clear targets, time-scales, description of assumptions and conditions used to fix objectives and targets, and compatibility of targets with ‘vision’). Better regulation should also take account of regional variations in environmental, societal and economic circumstances. The implication was that though this might lead to fewer Directives, they would be of a higher quality.

31. Most parties agreed that a further tool was better enforcement, for example by naming and shaming those responsible for severe breaches of legislation and shortening the time between the start of infringement procedures and the imposition of sanctions.

Indicators

32. There was strong consensus for monitoring mechanisms to be built into the 6EAP document so that progress against objectives and targets could be tracked.

33. More generally, various criteria were suggested as being important when selecting environmental performance indicators:
• demonstrate the link between the environmental problem and the activities that cause it (e.g. passenger kms/GHG emission level),
• ability to communicate results to the citizens,
• relationships with local, regional, national, and international indicator sets.

Research Policy

34. For many commentators, closing the knowledge gap - improving the process of identifying and addressing the gaps in our basic knowledge of many of the environmental issues - had to be a major priority. For a number of environmental issues we suffer a significant knowledge gap that hinders the elaboration of good policy and meaningful targets and indicators. Examples include chemicals, soil degradation, and biodiversity.

35. Other suggestions for further research are the environmental implications of the IT revolution, consumer behaviour and trends, the health effects of exposure to multi-pollutants, and the implications for the environment of increased trade and globalisation. Many felt that better coordination and coherence needed to be achieved between the Environmental Action Programme and the Research Framework Programmes.