



European Economic and Social Committee

NAT/528
Sixth Community Environment
Action Programme -
Final Assessment

Brussels, 18 January 2012

OPINION

of the

European Economic and Social Committee

on the

**Communication from the Commission to the European Parliament, the Council, the European
Economic and Social Committee and the Committee of the Regions**

The Sixth Community Environment Action Programme

FINAL ASSESSMENT

COM(2011) 531 final

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Rapporteur: **Mr Chiriaco**
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On 31 August 2011, the European Commission decided to consult the European Economic and Social Committee, under Article 304 of the Treaty on the Functioning of the European Union, on the

*Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions
The Sixth Community Environment Action Programme - FINAL ASSESSMENT
COM(2011) 531 final.*

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 21 December 2011, on the basis of the text prepared by the rapporteur.

At its 477th plenary session, held on 18 and 19 January 2012 (meeting of 18 January 2012), the European Economic and Social Committee adopted the following opinion by 174 votes to 4 with 8 abstentions.

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1. **Conclusions and recommendations**

1.1 The Committee welcomes the Commission initiative aiming to provide an assessment of the Sixth Community Environment Action Programme (EAP). The Commission considers that the programme was helpful in that it provided an overarching framework for European environment policy. The Committee cannot completely support this conclusion. Although an important contribution to policy development, the 6th EAP has had a limited impact on the adoption of specific instruments. Despite difficulties in collecting information with which to analyse the implementation of the programme's measures, it is possible to see significant delays in the adoption of the legislative instruments, problems in identifying specific objectives and inadequate control and monitoring mechanisms.

1.2 Therefore, the Committee calls on the Commission to improve the instruments available, including monitoring and assessment mechanisms, in order to ensure effective implementation of existing legislation. At the same time, the Committee recommends greater consistency between legislative initiatives and programming on environmental matters and improved integration of environmental issues in interconnected sectoral policies. As stated in a recent opinion¹, the Committee urges the Commission to take a clearer, more practical approach to tackling environmental challenges, clarifying what is meant by "efficient use of

¹ OJ C 376, 22.12.2011, p. 97.

resources" and "green economy" and stating precisely what changes producers and consumers are called upon to make, in terms of quantity and quality.

- 1.3 Furthermore, the Committee considers that a stronger focus on the international dimension is needed. Environmental challenges are global in scope, and so require an approach based on stronger multilateral cooperation and better instruments for global governance.
- 1.4 Lastly, the Commission Communication lacks a long-term strategy, there is no reference to any further action programme and the intended added value of the 7th EAP is not mentioned. The Committee considers that this programme should be consistent with and support the Europe 2020 strategy and the flagship initiatives, should identify objectives and priorities selected realistically and on the basis of broad political consensus, and should plan for instruments capable of ensuring that the proposed measures are effective.

2. **Summary of the Communication**

2.1 *Political context*

- 2.1.1 Environment Action Programmes have guided the development of EU environment policy since the early seventies and the 6th Environment Action Programme (EAP) should therefore be seen as part of an uninterrupted and continuous process.
- 2.1.2 The 6th EAP stresses the importance of the concepts of green growth and a resource-efficient, low-carbon economy, as confirmed by the Europe 2020 strategy², which is an effective framework for ensuring that environmental objectives are integrated into the EU's overall socio-economic agenda, and by the new strategy to halt the loss of biodiversity and ecosystem services in the EU by 2020³, the preparations for the Rio+20 Conference⁴, the Roadmap for moving to a low-carbon economy in 2050⁵, the White Paper on Transport⁶, Communications on Energy 2020⁷ and an Energy Efficiency Plan 2011⁸.

2 COM(2010) 2020, 3.3.2010.

3 COM(2011) 244, 3.5.2011.

4 COM(2011) 363, 20.6.2011.

5 COM(2011) 112, 8.3.2011.

6 COM(2011) 144, 28.3.2011.

7 COM(2010) 639.

8 COM(2011) 109, 8.3.2011.

2.2 *General findings*

- 2.2.1 The Commission's overall conclusion is that the 6th EAP was helpful in that it provided an overarching framework for environment policy. Most of the actions set out in the programme have been or are in the process of being completed.
- 2.2.2 As it was adopted by co-decision, stakeholders see the 6th EAP as having greater legitimacy than previous programmes. This has helped to create a wider sense of ownership for subsequent policy proposals.
- 2.2.3 The seven thematic strategies⁹ of the 6th EAP – air, pesticides, waste prevention and recycling, natural resources, soil, marine environment, urban environment – were developed in order to strengthen policy integration and to improve the knowledge base. Although progress varied across the areas covered by the thematic strategies, in some cases their preparation helped to build political will for the adoption of effective targets and timetables, and their subsequent implementation. However, evidence of the 6th EAP's capacity to leverage the adoption of specific environmental instruments is not compelling.

2.3 *Priority areas*

- 2.3.1 Nature and biodiversity: the 6th EAP instigated the development of the thematic strategies on soil protection and on the protection and conservation of the marine environment. It pointed to the need to build a stronger knowledge base, to improve financing and to step up current activities. More progress could have been made towards the unachieved goal of halting the decline of biodiversity by 2010 had it been matched by the necessary political attention and financial commitments from both EU and Member States.
- 2.3.2 Environment and health: the 6th EAP prompted a useful stock-taking of existing commitments and planned actions and brought greater focus to the linkages between environmental factors and human health. Specifically, it helped to push forward actions which otherwise might not have happened (for example on the urban environment), or which may have taken longer or been less comprehensive without the impetus of the programme (for example in relation to pesticides). There are also a number of gaps in legislation and research findings and information on the impacts of environmental quality on health should be integrated into the broader policy objective of improving public health.
- 2.3.3 Natural resources and waste: the 6th EAP strengthened the link between waste policy and resource policy, and helped to improve waste management and move towards a policy based on sustainable consumption and production. Resource use is no longer increasing at the same rate as economic growth. However, in absolute terms resource use is still increasing, which is

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COM(2005) 446 (Air pollution); COM(2006) 372 (Sustainable use of pesticides); COM(2005) 666 (Prevention and recycling of waste); COM(2005) 670 (Sustainable use of natural resources); COM(2006) 231 (Soil protection); COM(2005) 504 (Protection and conservation of the marine environment); COM(2005) 718 (Urban environment).

not compatible with the goal of respecting the carrying capacity of the environment in the longer term. Substantial differences in resource productivity among Member States persist and in general there is an increasing reliance on imports.

- 2.3.4 Climate change: the 6th EAP helped in the climate change area. Although ambitions in relation to action by the international community were not achieved and, in particular, quantifiable targets were more aspirational in nature and more difficult to achieve, the 6th EAP made it possible to pursue key policy objectives.
- 2.3.5 International issues: the 6th EAP reiterated EU commitments to integrate environmental considerations into all EU external relations and into the external dimension of the EU Sustainable Development Strategy. Despite the EU's efforts to strengthen multilateral cooperation and demonstrate its commitment to international conventions and agreements, little progress was made towards improved global environmental governance. Environmental challenges, which are increasingly global, require a more cohesive and focused effort within the EU so that it can play its role more effectively in shaping international policy and continuing to strive for better global environmental governance.

2.4 *The effectiveness of the strategic approaches and instruments*

- 2.4.1 The 6th EAP strongly encouraged and promoted principles and instruments for better policy-making, particularly integrated impact assessments and increased use of market-based instruments. It also highlighted the importance of solid scientific foundations for policy making. Despite recent positive developments, environmental information, in particular official data and statistics, is still incomplete and not always available on time.
- 2.4.2 The changing nature of environmental challenges requires better coherence between *i)* policy formulation and delivery; *ii)* the European, national and regional level; and *iii)* priority areas.
- 2.4.3 Poor implementation of environmental legislation undermines the achievement of objectives and the credibility of environment policy, and does not help to secure the commitment of other sectors to better performance. Moreover, those policies with a clear added value in creating a green economy and that can be delivered in the short/medium term should be prioritised.

2.5 *Challenges for the future*

- 2.5.1 The principal pillars of environment policy and legislation, with the exception of soil, are now in place, although their full potential to deliver improvements has yet to materialise due to shortfalls in implementation. Traditional environment policy still has a very important role to play in protecting the environment, but changing circumstances and the increasingly interlinked nature of environmental challenges imply a need to be flexible and to adapt.

- 2.5.2 The underlying key challenge for future environment policy is to evolve from remediation to prevention of degradation and to help further integrate the environment in all relevant policies, through the adoption of a longer-term vision.
- 2.5.3 In order to achieve the Europe 2020 goal of a green, resource-efficient, competitive and low-carbon economy, it is imperative to integrate environmental and low-carbon considerations into business models in other sectors, and ensure coherence, from policy formulation through to implementation. Obstacles to proper implementation of existing legislation need to be addressed, in particular governance issues at all levels in Member States, in order to protect the environment and limit negative consequences on public health.
- 2.5.4 Environmental pressures are increasingly global and systemic in nature. Because of the complex inter-linkages, we require a more extensive knowledge base; the potential to change the behaviour of consumers must also be fully examined.

3. **General comments**

- 3.1 The 6th EAP constitutes a formal political commitment by the Parliament, the Council and the Commission and provides an important indicator for assessing the development of European environment policy. Following the adoption of the 6th EAP, the EU has successfully undertaken many initiatives, achieved impressive results and developed a number of strategies and cross-sector programmes. However, establishing exactly how much the general framework introduced by the programme has influenced policy development is not easy. It would be useful to hold discussions on this point, analysing the implementation of actions set out in the programme as well as the interaction with and reciprocal influences of the European Sustainable Development Strategy and the Lisbon Strategy¹⁰.
- 3.2 The debate on the assessment of the achievements and future prospects of European environment policy¹¹, which in recent years has involved the European institutions and civil society, has focused attention on two key issues: identifying new priorities and strengthening the instruments available to ensure that the proposed measures are effective.
- 3.3 The question cannot be reduced to whether or not a new programme is needed; discussions need to focus primarily on its structure, aim, content and timeframe. First and foremost, means must be found to ensure that the forthcoming environmental measures become a visible, important and effective strategic instrument, learning from past experience and avoiding the pitfalls which compromised the effectiveness of the 6th EAP.

¹⁰ *Strategic Orientations of EU Environmental Policy under the Sixth Environment Action Programme and Implications for the Future*, Final Report, IEEP, May 2010.

¹¹ All contributions relating to events and preparatory studies are available at www.eapdebate.org.

3.4 In view of the wealth of experience built up in other areas (such as the ERDF, the ESF and the EAFRD), it might be useful to consider experimenting with reinforcing the instruments for *ex ante*, *in itinere* and *ex post* monitoring and assessment, including for the environment programme.

4. **Specific comments**

4.1 *Thematic strategies*

4.1.1 The introduction of thematic strategies has resulted in a more strategic approach and made it possible to correct some of the shortcomings of the 5th EAP, such as the fact that the programme did not have specific responsibility in some areas. However, the process of developing the thematic strategies has slowed down the overall decision-making process, as well as the adoption of related measures.

4.1.2 Many of the legislative instruments flanking the thematic strategies are still in the earliest stages of implementation. Delays in adoption, the failure to identify specific targets, the delegation of responsibility to the Member States for implementation and even for setting further specifications for many of the measures planned, together with the inadequate control and monitoring mechanism, have in some cases seriously undermined the likelihood of reaching the programme's goals within the timeframe.

4.2 *Consistency and integration*

4.2.1 It is clear that at the current time, environmental challenges cannot be tackled solely by means of specific environmental policies; the economy and society as a whole must play their part. Greater consistency is therefore needed, both between areas with a direct link (such as climate change, energy and health protection) and between sectoral policies (such as food, transport, construction and innovation). As part of the ongoing CAP reform, as the Committee has also pointed out¹², this principle has been applied with the introduction of the single payment's greening component.

4.2.2 It is also imperative to support and develop environment policy's integration into the "metastrategies" (Europe 2020) and the framework of financial instruments. With regard to the Roadmap for a resource-efficient Europe¹³, attention was drawn during a workshop held recently in Brussels¹⁴ to the programme's vital importance for promoting the transition to the green economy and the complementarity of the two initiatives, particularly as regards implementation, natural resources and ecosystem management.

¹² OJ C 132, 3.5.2011, p. 63-70.

¹³ COM(2011) 571.

¹⁴ Expert Workshop: "The future of European Environmental Policy: what role for the Resource Efficiency Roadmap and what role for the Environment Action Programme?", Brussels 13.9.2011.

4.3 *Priority objectives*

- 4.3.1 Priority objectives must be identified, with specific reference to environmental issues such as the scarcity of natural resources, atmospheric pollution, biodiversity and the urban environment.
- 4.3.2 Specifically, new patterns of behaviour in consumption, trade and production must be identified and encouraged. Technological change must go hand in hand with changes in habits.

4.4 *Better instruments*

- 4.4.1 Better instruments for European environmental policy means primarily better regulation through the adoption of legislative measures and the choice of clear, binding rules, including on economic issues. Furthermore, as stated by the Committee in its 2001 opinion, ensuring effective implementation of existing legislation is a key factor in avoiding market distortions and protecting the competitiveness of European businesses¹⁵. As regards the Environmental Compliance Assistance Programme (ECAP) for SMEs, the Committee has stressed the importance of ensuring that companies integrate environmental impact assessments into their horizontal management systems¹⁶.
- 4.4.2 Secondly, the instruments for assessing the state of the environment, the progress made in implementing policies and the policies' effectiveness¹⁷ must be improved by independent, open and just-in-time impact assessments.
- 4.4.3 Lastly, it is imperative to improve the implementation phase by establishing international mechanisms for assistance, monitoring and sanctioning. In other words: shape, transpose into regulations, implement, monitor and impose sanctions¹⁸.

15 OJ C 221, 7.8.2001 p. 80-85.

16 OJ C 211, 19.8.2008, p. 37.

17 The issue of Evaluation in the Framework of European Environmental Policy, Brussels Environment, 11.6.2010.

18 "Better instruments for European Environmental Policy" Workshop hosted by the Spanish Ministry for the Environment, in collaboration with Brussels Environment, Madrid, 20.5.2010.

4.5 *The role of the key players*

- 4.5.1 Local and regional authorities should be involved right from the policy-shaping stage. In a recent opinion, the Committee of the Regions¹⁹ upheld the need for proactive participation by these authorities and proposed that innovative methods of multilevel governance be developed, including the mobilisation of existing platforms and networks.

Brussels, 18 January 2012.

The President
of the
European Economic and Social Committee

Staffan Nilsson

¹⁹ Committee of the Regions opinion of 5-6 October 2010.