

« The future of European Environmental Policy : what role for the Resource Efficiency Roadmap and what role for the Environment Action Programme ? »

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1. Introduction

During the BE Presidency in the second half of 2010, a series of events and studies were organized by the administration of the Brussels Region (Bruxelles Environnement-IBGE) in order to aliment the debate on the final assessment of the 6th EAP and the preparation of its successor (see www.eapdebate.org for the full list of events and studies and for the outcomes of this initiative). On 20 December 2010, the Council adopted conclusions on improving environmental policy instruments, including the overall framework for EU environment policy after 2012. In this regard, the council sent a very clear message to the Commission that, in this regard, a 7th Environment Action Program is essential.

The Commission has published their final assessment of the 6th EAP on 31 August 2011, on which the Environment Council adopted Council conclusions on the 10th of October. In this conclusions, the Council invites the Commission to present, by January 2012 at the latest, a proposal for a 7th EAP that should *inter alia* address the challenges and objectives set out in paragraph 4 of the Council conclusions of 20 December 2010 on Improving environmental policy instruments.

Moreover, the Council supports in this same set of conclusions “*the integration of resource efficiency considerations in the European Semester as of 2012 and underlines that the 7th EAP will provide an opportunity for further elaboration and implementation of the resource efficiency agenda*”.

The Council has therefore sent out a strong signal on the importance of a specific environment strategy in order to ensure the coherence of the environmental aspects in the meta-strategies, in the knowledge that the objective of the *Resource Efficiency Flagship Initiative* (under strategy EU 2020) is to integrate the environmental objectives into it. **However, a true environmental policy exceeds the “resource efficiency” dimension, by including aspects such as health, protection of the environment for future generations, changes in behaviour, and the improvement of specific environmental policy instruments. That is why a 7th EAP is still needed.**

This paper aims to contribute to the debate on the need for a 7th PAE, and particularly on the need to reinforce the resource efficiency policy and/or the sustainable consumption and production policies through this 7th PAE, by identifying

consequently be included in the 7th PAE, will be mentioned in the second part of this paper.

2. Context

A. The 6th Environment Action Programme (6EAP)

The 6th Environment Action Programme (PAE) adopted in 2002, which covers the period 2002-2012, was the first PAE adopted by the co-decision procedure and as such, it was adopted by the three institutions of the European Union. The adaptation process was long and led to many debates, in particular the debate concerning the setting of measurable objectives linked to a fixed schedule.

In its final proposal for a 6th PAE, the European Commission (EC) proposed introducing six Thematic Strategies as a mechanism to identify legal proposals and measures (with measurable objectives) that could be taken at a later date in order to achieve the objectives of the 6th PAE.

The European Parliament proposed amendments in a first reading in order to reinforce the PAE by integrating more concrete objectives and deadlines. This call for reinforcement was supported by the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR), and initially by the Environment Council as well. Following the final negotiations after the second reading in December 2001, the European Parliament and Environment Council's insistence that the 6th PAE contain a schedule and quantitative objectives was abandoned, since the two institutions agreed that the detailed policy proposals and the selection of specific instruments should be developed within the framework of the seven Thematic Strategies (the European Parliament introduced a 7th thematic strategy on urban environment).

The Thematic Strategies were therefore developed at a later date. The Waste Thematic Strategy was adopted on 21 December 2005, alongside a proposal for an amended waste framework directive and an impact assessment. According to a study by the IEEP (Institute for European Environmental Policy), this strategy did not manage to develop quantitative and qualitative objectives for the prevention of waste and recycling, nor did it succeed in developing reliable indicators in terms of waste management, nor in significantly contributing to the development of the producer's responsibility.

As for the thematic strategy concerning natural resources (Thematic Strategy on the Sustainable Use of Natural Resources), adopted at the same time as the waste strategy, it did not succeed in formulating legal objectives in an effort to delink economic growth from the use of resources. Even if the conclusions of the Council of 23 October 2006 on this thematic strategy and the resolution of the European Parliament of 25 April 2007, called for the Commission and the Member States to set objectives for 2010 regarding the effects particular to each resource and to eco-efficiency, no action has yet been taken.

B. The concept of resource efficiency (RE)

The resource efficiency policy falls under the scope of the Europe 2020 strategy (approved on 17 June 2010); its main objective is to overcome the economic crisis in Europe and help the European economy to prepare itself for the coming decades. To support this objective, seven flagship initiatives were developed, including the flagship initiative on resource efficiency, which was published at the end of January 2011. As a result, at European level, the resource efficiency policy has been placed at the core of the priority policies, since it is considered as a broad policy concerning energy, waste, biodiversity, raw materials, the earth and the ground, water, etc.

However, the EUR 2020 strategy is more of an economic strategy, and the concept of resource efficiency must also be applied to the vast context of sustainable development or sustainable consumption and production.

Hence, the Sustainable Consumption and Production Action Plan of 2008 made provision for proposals to improve product performance and to stimulate demand for more sustainable products. Plans have been made to review this plan in 2012 and resource efficiency must be included in it as an additional policy.

In the Council's conclusions for European input in the UNCSD conference in Rio in 2012 ("Rio+20"), the concept of resource efficiency presents a major economic opportunity for the development of a green economy within the context of sustainable development and the eradication of poverty, which is one of the Conference's main themes.

It should be pointed out that the concept of "Green Economy" is defined by UNEP as follows: « A green economy is one that results in improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities ». Furthermore, in its green growth strategy, the OECD sees resource efficiency as a means to achieving this green growth by increasing productivity,

Therefore, the concept of resource efficiency remains ambiguous. It must be developed in a very broad context of sustainable development or sustainable consumption and sustainable production.

3. Debate on setting targets in precise figures to reduce the use of resources

As described above, the debates during the process to adopt the 6th PAE and the Thematic Strategies already related to setting measurable objectives linked to concrete deadlines.

Since the publication of the flagship initiative on resource efficiency, several voices have expressed the importance of developing targets in precise figures and indicators that can be used to measure the use of resources. Thus, in its conclusions of 20 December 2010, the Environment Council invited the Commission to « continue to work on and develop an appropriate set of indicators on materials use and related impacts, in particular for priority resources, taking into account the life-cycle perspective, potential burden-shifting to other regions or between resources, and

social aspects, as well as the work done by, among others, the EEA, OECD and UNEP; and propose, on this basis, quantifiable and measurable targets for resource efficiency; “ .

The Committee of the Regions (CoR) adopted a 'draft opinion on a resource efficient Europe' on 23 June 2011, in which it asked the Commission to include concrete deadlines in the RE roadmap for decisions relating to indicators, objectives and necessary changes. The CoR also asked that a limited number of indicators be adopted in order to ensure that the policies are made visible to the public in an efficient manner. In addition, the CoR has asked the Commission to adopt a "selection" of four main resource use indicators: land footprint, use of materials (biological and mineral resources), water footprint and carbon footprint. The CoR's main argument is that these indicators are relatively easy to measure and directly provide an important indication of our use of resources and the impact.

In fact, these four indicators cited by the CoR are promoted by Friends of the Earth Europe (FoEE) and Sustainable Europe Research Institute (SERI), and are also highlighted by European Environmental Bureau (EEB) as indicators can that easily be used to measure the use of resources in Europe. They argue that these indicators have a life-cycle perspective and consequently take into account the use of resources incorporated into imported and exported products, allowing the capture of potential environmental burden-shifting linked to the production and consumption of other countries and regions. Nevertheless, these indicators do not measure the direct impact on biodiversity, and FoEE and EEB have subsequently asked the Commission to also develop indicators to measure these impacts.

This debate on setting targets in precise figures to reduce the use of resources has surfaced again with the publication of the Resource Efficiency Roadmap, creating a framework and a first step towards the development of targets in precise figures for 2013. The adoption of a 7th PAE by co-decision could give an additional legal value to these objectives.

4. Debate on the elements missing from the current resource efficiency policy

The EU 2020 strategy makes resource efficiency a priority, and we could be led to believe that this is the only priority environmental policy for the European Commission. As a result, this is another critical argument to promote the need for a 7th PAE. We can thus identify several elements missing from the current policy in terms of resource efficiency, which could be included in the 7th PAE.

In its position paper on a 7th PAE, the EEB thus identified the environmental priorities to be dealt with in the 7th PAE: preventing climate change, maintaining and restoring biodiversity, substantially reducing the use of resources and making the EU a healthy place to live in. For instance, the resource efficiency roadmap does not take into account the last priority: the link between the environment and health. The EEB also insists on the fact that the 7th PAE's general objective must be to reduce the EU's ecological footprint by half in the next 20 years.

In its stance during the Informal Council of 11 and 12 July, where the subject of the 7th PAE was on the agenda, Belgium insisted on the fact that the 7th PAE should also integrate a new global approach linked to the most sustainable methods of production and consumption, taking into account the shortage of energy and material resources: it should promote ecotechnologies and energy efficiency, but also changes in behaviour and the adaptation of our way of life.

This broader vision of the need for a new way of life is lacking in the Resource Efficiency Roadmap, and also the reference to the improvement of environmental policy instruments to achieve it. The Council's conclusions under the Belgian presidency of 20 December 2010 are clear on this point: the 7th PAE must initiate genuine reflection on a new set of instruments (new in the sense of reinforced) relating to instruments aimed at sharing environmental information, instruments based on market mechanisms, instruments to improve the implementation of legislation in the domain of the environment, as well as instruments available for the financing of the environmental policy.

Another aspect missing from the Resource Efficiency Roadmap is the "external" aspect of the EU policy as regards the lack of resources. Within the framework of the preparatory work for the Conference under the Belgian presidency on the evaluation of the 6th PAE and the preparation of its successor, a specific study was carried out on the issue of this "external" aspect. The main conclusion of this study was that the EU has more or less succeeded in meeting some of its "international" objectives set out in the 6th PAE ("The EU as a normative green power or setting standards at an international level in the domain of the environment"); on the other hand, the EU has not succeeded in integrating "internal" aspects of the external dimension, i.e., it has not succeeded in ensuring that its use of natural resources is maintained within the capacity of the global environment ("the integration of the external/global environmental impact of the EU policies").

Finally, the roadmap has not sufficiently integrated the preceding policies such as the European Sustainable Development Strategy, or the Sustainable Consumption and Production Action Plan. The 7th PAE will thus be able to integrate all the existing policies, and develop a vision and a coherent policy in terms of resource efficiency and new green society in the European Union.

The Resource Efficiency Roadmap covers the majority of the priority areas. However, the RER falls short in the following domains:

- 1 Environment / health link
- 2 A global approach linked to more sustainable methods of consumption and production
- 3 The integration of the external (global) environmental impact – the EU's ecological footprint
- 4 Specific environmental items like nanomaterials, biowaste, ...

Finally, we believe that the adoption of a 7th PAE process has a true added value in its potential to involve all the players concerned (institutions and other stakeholders) in the formulation and implementation of the European policy in terms of the

environment. It should also allow a genuine reflection to be initiated on a new set of instruments (“new” in the sense of “reinforced”) relating to instruments aimed at sharing environmental information, instruments based on the market mechanisms, instruments to improve implementation of the legislation in the domain of the environment as well as instruments available for the financing of the environmental policy.

5. Conclusions of the workshop 13th September 2010

The topic of the workshop, organized by Bruxelles Environnement was: which added value for a 7th Environment Action Programme (7EAP) for the future European Environmental Policy regarding to the (forthcoming) Resource Efficiency Roadmap?

In the **first session**, Joanna Mackowiak-Pandera, Under-Secretary of State at the Ministry of Environment of Poland, highlighted the important urge for resource efficiency since resource consumption has raised during the last decades. Kurt Vandenberghe, chief of Cabinet of Commissioner Potocnik, confirmed this urgent need for action, although a 7th EAP should deliver an added value for the future environmental European policy, regarding to the European Resource Efficiency policy and other important initiatives from the Commission expected or recently published (Communication on better implementation, the Biodiversity Strategy 2020, the CAP, Communication on Rio+20, ...).

Lars Mortensen of the EEA supported the view that the Roadmap RE takes into account the majority of the future environmental challenges, although these challenges are rapidly changing challenges, and future policy should be more accentuated on the consuming rather than on the producing-side. Therefore, a 7th EAP should follow on the RE Roadmap and focus on policy implementation, natural capital and ecosystems management, integration across sectors and a transformation to a green economy. Mr. Mortensen concluded his presentation by raising the question on the need for a paradigm shift for the European environmental policy. For Peter de Pous of the EEB, both the 7th EAP and the Resource efficiency Roadmap are important and complementary policy documents, both having a crucial role to play. The role that the EEB sees for the 7th EAP is the political function of this instrument, the ability to set long term objectives, to tackle emerging challenges and finally to ensure the transition to a real ‘green economy’. Peter Borkey of the OECD emphasized three main elements that are missing in the resource efficiency roadmap and that can be taken into account in the new EAP: mechanisms to get the prices right; how to manage the transition to ‘green growth’; and finally environmental policy integration.

Evelyne Huytebroeck, Minister for the Environment of the Brussels Capital Region, emphasized that the RE Roadmap will not be sufficient for the future environmental policy, so a 7th EAP is needed. The question now is rather what content the 7th EAP should have.

The **second session** on how the future Environment Action Programme will be able to help to develop better environmental policy instruments was opened by Raymond Van Ermen from the European Partners for the Environment (EPE), who stated that

the 7th EAP should include the RE Roadmap and be the 'overarching legal framework' for the future Environmental European policy. The RE Roadmap on its own will not be able to address the social revolution we need, neither to make the prices right. Paula Baker, representing the Committee of the Regions, insisted on a consistent legislation, better information and evaluation, the use of market based instruments, and the role for the local and regional authorities in the co-decision procedure that should be extended to these key players in the implementation process. Finally, social acceptance of proposed measures was also highlighted as a key issue. Axel Volkery of the IEEP closed the second session by saying that there is no shortage of strategic documents, but rather a shortage of inter-linkages and coherence between these strategies, and therefore is no other tool available than a EAP. A better regulation is, according to Mr. Volkery, a binding regulation. Finally, a future EAP can set environmental priorities, provide inter-linkages and benchmarking.

The final and **third session** addressed the issue on how the future Environment Action Programme can help to implement European environmental policy. Alexandre Affre of Business Europe, who presented the business view, explained why a better implementation of existing legislation is needed. A first reason is that implementation is a key factor for not distorting the market and assure the competitiveness of European businesses. Moreover, there is a need for an environmental compliance culture. Michael Nicholson, representing IMPEL, explained that any future plan should actively promote implementation and enforcement. Barbara Dewulf, from Bruxelles Environnement, presented her ideas on how the 7th EAP could be an opportunity for better implementation, but explained that this question needs to be treated in the whole decision making process. The opportunities for a 7th EAP regarding implementation are better instruments for environmental policy and the involvement of all stakeholders.

Conclusions

The workshop concluded that the Resource Efficiency Roadmap seems to be relatively comprehensive with respect to target setting and environmental areas covered. It also has an interesting integrated sectorial approach (food-building-transport) that takes into account the life-cycle concept. A 7th EAP, adopted by co-decision, could give the Resource Efficiency Roadmap an additional legal value and a real involvement and engagement at all policy levels (European, national, regional and local) in its implementation, and provide more social acceptance.

To ensure this better implementation of EU environment legislation and policy, several ideas were raised for the content of a 7th EAP:

- 1 A true reflection on how powers are exercised at European level in the field of environment. This includes the role and involvement of local and regional authorities (as they are on the front line for feeling the pressure on the environment but also very important actors in implementing EU policy), the role of stakeholders (esp. NGOs) and the role of EU institutions (including the Committee of the Regions, the European Economic and Social Committee, and the European Environment Agency).
- 2 A true reflection on a new set of instruments ('new' in the sense of

'enhanced') for sharing the environmental information, of instruments based on market mechanisms, of instruments to improve implementing legislation in the environmental field as well as of instruments available for financing the environmental policy.

All documents of this workshop are available on the website
www.eapdebate.org