



European Union and the environment

Meeting of experts & policy advocates on the ASEAN economic integration, May 19th 2014

Some history...



In 1951, Germany, France, Italy, the Netherlands, Belgium and Luxembourg, signed a treaty to manage their heavy industries – coal and steel.

In 1957, they also signed the treaties of Rome, setting up the European Atomic Energy Community and the European Economic Community (EEC) (“common market”) alongside the European Steel and Coal Community.

An important milestone was the Single European Act (1986). The Act included areas previously not covered, from economic issues to environmental and social development and protection.

Key EU institutions

Key EU institutions include:

- the European Council, composed of EU Heads of State or Government, which acts as the strategic guide and driving force for EU policy;
- the European Commission, which serves the common interest of the Union as a whole and functions as the EU's executive;
- the Council of the European Union (also known as the Council of Ministers), which represents the national governments; and
- the directly elected European Parliament, which represents the citizens of the EU

EU competences

There are a number of areas over which the EU has exclusive competence. These include:

- the Common Commercial policy
- the Common Agricultural policy
- Fisheries policy
- Transport policy
- Competition rules
- Rules governing the free movement of goods, persons, services and capital

Furthermore, there are areas of shared competence. This includes environmental policy and protection.

EU environmental policy

The protection and improvement of the environment is today a fundamental principle of EU policy. Environmental policy in EU Member States has largely become EU policy, with 75% of all environmental acts going back to EU directives.

Based on the Treaty:

1. Union policy on the environment shall contribute to pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment,
- protecting human health,
- prudent and rational utilization of natural resources,
- promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

EU environmental policy

2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

4. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and with the competent international organisations.

The previous subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

Implementation

Each Member State is responsible for the implementation of Community law (adoption of implementing measures before a specified deadline, conformity and correct application) within its own legal system.

Implementation of directives is monitored by the EU which may start infringement procedures against Member States if they don't implement directives satisfactorily, or if they violate protection standards or thresholds. There is therefore pressure to comply with environmental policy in all EU member states.



How has the EU affected domestic environmental policy

There can be no doubt that EU regulation has been leading to changes in environmental policy in the member States. It has also led to enhanced trans-border co-operation.

For example, the Water Framework Directive is asking for river basin management plans to be prepared that frequently cross administrative and state boundaries.

Furthermore, the Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) directives ask for cross-border consultations to be conducted in the likelihood of any significant environmental effects arising from a plan, programme or project. Also, environmental quality standards on water have led to more consistent (and better) water quality throughout the EU.

Source: Thomas B Fischer, Department of Civic Design, University of Liverpool, UK,

How has the EU affected domestic environmental policy

Anticipated impacts on environmental policy in MS based on EU legislation

Country	Action required
Austria	Little overall change
Finland	Tighter standards
France	Tighter standards
Germany	Little overall change
Greece	Significantly tighter standards
Ireland	Significantly tighter standards
Netherlands	Little overall change
Spain	Significantly tighter standards
Sweden	Little overall change
UK	Tighter standards

Source: Thomas B Fischer, Department of Civic Design, University of Liverpool, UK

New EU member States

Every country that applies to join the Union has to harmonize its environmental norms with those of the EU. The European Commission supports candidate countries with technical expertise and finance.



The EU enlargement process is primarily a foreign and economic policy issue, in past accession rounds, environmental questions played a vital role in the accession process itself. As a consequence, substantial environmental changes have occurred in the new MS.

Example: The Marine Strategy Framework Directive

The aim of the EU Marine Strategy Framework Directive 2008/56/EC, (MSFD), is to protect the marine environment across Europe. The MSFD was adopted in June 2008 and is the environmental component of Europe's Integrated Maritime Policy.

The directive sets a target of "Good Environmental Status" which must be achieved in EU marine waters by 2020.

The MSFD mandates an Ecosystem Approach to management of the marine environment. This approach cuts across sectors, organisations and policies. Building capacity of stakeholders and policy makers is essential to implementing the MSFD.

Example: The Marine Strategy Framework Directive



The Marine Strategy Framework Directive set out a list of 11 descriptors of environmental status for which good status must be achieved by 2020.

1. Biodiversity is maintained
2. Non-indigenous species do not adversely alter the ecosystem
3. The population of commercial fish species is healthy
4. Elements of food webs ensure long-term abundance and reproduction
5. Eutrophication is minimised
6. The sea floor integrity ensures functioning of the ecosystem
7. Permanent alteration of hydrographical conditions does not adversely affect the ecosystem
8. Concentrations of contaminants give no effects
9. Contaminants in seafood are below safe levels
10. Marine litter does not cause harm
11. Introduction of energy (including underwater noise) does not adversely affect the ecosystem

Example: Birds and Habitats Directives

Habitats Directive (1992)

The Habitats Directive 92/43/EEC was adopted in 1992. The main aim of this Directive is to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements. It ensures the conservation of a wide range of rare, threatened or endemic species, including around 450 animals and 500 plants. Some 200 rare and characteristic habitat types are also targeted for conservation in their own right.

The Habitats Directive also establishes the EU wide Natura 2000 ecological network of protected areas. Consisting of over 26 000 sites, the network is the largest in the world. It covers almost 18% of EU territory. The implementation of this Directive was lagging on marine areas so EU states have been asked to enhance the designation of Natura2000 sites on the water. The actual protection granted to these areas varies in different EU countries.

Example: Birds and Habitats Directives

Birds Directive (1979)- Transboundary environmental issue

This Directive ensures far-reaching protection for all of Europe's wild birds, identifying 194 species and sub-species among them as particularly threatened and in need of special conservation measures. Requires to designate Special Protection Areas (SPAs) for all the particularly threatened species and all migratory bird species. SPAs are scientifically identified areas critical for the survival of the targeted species, such as wetlands.

They are part of the Natura 2000 ecological network set up under the Habitats Directive 92/43/EEC.

Greenpeace EU political work...

