

E.U. Public Policy

Professor John Wilton

Lecture 10

Environment policy

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1. Brief historical development of E.U. environment policy;
2. The theoretical perspective
3. E.U. environment policy within the context of the defining characteristics and underlying principles of E.U. public policy

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1. The historical development of E.U. environment policy

- change in political views at Council of Ministers meeting, Paris, Oct. 1972

(AGENDA-SETTING)

- 1973 EEC Environment and Consumer Protection Service set up

- attached to Industrial Policy

Directorate-General

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- 1973 first E.C. Environmental Action Plan adopted
 - but no clear legal basis for E.C. action on environment
 - no strategy or coordinated policy programme

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Three significant changes in 1980s:

A) 1981 – reorganisation of European Commission – environmental responsibilities transferred to new Directorate-General responsible for environment, nuclear safety and civil protection

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B) 1982 – Third Environmental Action

Programme (EAP) (1982-1986) – emphasised need to take **PREVENTIVE ACTION** to protect environment

- instead of just **RE-ACTING** to problems

+ EAP stated that environmental concerns should be **INTEGRATED** into all E.C. policies

(POLICY FORMULATION)

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C) 1985 European Court of Justice decision argued that environmental protection was “one of the European Community’s *ESSENTIAL* objectives”

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Single European Act, 1986

- gave E.C. legal competence in environmental matters
- stated that the European Community's goals were to include the preservation and protection of the environment

(AGENDA-SETTING + POLICY IMPLEMENTATION)

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Maastricht Treaty, 1993

- Article 2 – fundamental goal of the E.U. “the sustainable and non-inflationary growth respecting the environment”
- stressed importance of ‘precautionary principle’ (E.U. should take action if suspicion of environmental harm)

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1985 – creation of CORINE (Coordinating Information on the Environment)

1994 – foundation of European Environment Agency (EEA), based in Copenhagen (not policy maker or implementer, but generates and provides data) (*ASSISTS POLICY FORMULATION*)

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April 1986 – Chernobyl nuclear power station accident/disaster

- gave impetus to E.C. Environment policy development
- demonstrated that environmental problems didn't respect national boundaries, therefore transnational policy responses necessary

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2. The theoretical perspective

- E.U. uniquely placed to deal with environmental problems at transnational level
- after 1986 became clear at several levels that a transnational response required to environmental problems

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- A) Many problems – such as air and water pollution – are not limited by national frontiers;
- B) Individual country responses might incur costs undermining economic competitiveness;
- C) Costs of taking environmental action offset by across-E.U. economic benefits

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- D) Richer E.U. countries could help poorer countries address environmental problems through funding assistance and by sharing technical knowledge;
- plus, over longer term, benefit to richer E.U. countries as fewer factories and businesses likely to move to E.U. states with lower environmental standards

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- demonstrates ‘spillover’ functional process in operation between E.U. environment policy and economic policy, and the operation of the E.U. market
- latest E.U. Environment Action Plan – ‘Environment 2010: Our Future, Our Choice’ states “Economic, social and environment policies are closely integrated”. (***POLICY FORMULATION***)

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- environmental policy and E.U. integration closely linked
- European integration has been good for the environment, and environmental protection
- E.U. environment policy now driven more by the needs and effects of European integration (especially economic integration) than by the priorities of the individual Member states

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3. Environmental policy and the characteristics and principles of E.U. social policy

- environment policy is area that most requires greatest degree of *harmonisation and convergence?*

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‘Goals’ of E.U. environmental policy in various treaties and the 6 EAPs are broad:

- a) the improvement of the quality of the environment;
- b) the protection of human health;
- c) the prudent use of natural resources;
- d) increased environmental efficiency (i.e. improvements in efficiency of resource use, so that consumption is reduced

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e) the promotion of measures at the international level to deal with regional or global environmental problems

(POLICY FORMULATION principles and objectives)

- In general, E.U. environment policy has predominantly focused on problems that are better dealt with jointly (harmonised?) than nationally

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- and these have been in areas where
 - ‘harmonisation’ is more easily achieved, i.e.
- a) the control of chemicals in the environment;
- b) the reduction of air and water pollution;
- c) the management of waste;
- d) fisheries conservation;
- e) control of pesticides

(POLICY IMPLEMENTATION)

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E.U. has also been active, in terms of policy harmonisation, in areas not normally defined at the national level as 'environmental', i.e.

- noise pollution control
- control of genetically modified organisms

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E.U. tended to take ‘mutual recognition’ approach on environment policy on issues with more ‘local’ or ‘regional’ basis (*subsidiarity*), i.e.

- a) protection of eco-systems (at local level);
- b) protection of natural habitats (wild life);
- c) the management of natural resources, such as forests and soil;
- d) the promotion of energy conservation and alternative sources of energy

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Underlying principles of E.U. environment policy:

- a) *Sustainable development* – renewable natural resources such as air, water and forests should be used in such a way as to ensure their continued availability for future generations;
- b) *Integration* – environmental protection **must** be a component of all E.U. policies that might have an environmental impact

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- c) *Prevention* – action to prevent the emergence of environmental problems, rather than just responding to problems as they arise;
- d) *Subsidiarity* – the E.U. restricts itself to issues that are best dealt with jointly;
- e) *Derogation* – Member states that are unable to bear economic burden of environmental protection given longer deadlines, lower targets, financial assistance

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SUMMARY:

1. Agenda-setting: environment forced on to E.U. agenda through ‘crises’ of environmental concerns, rise in public concern and opinion, and growth of environmental lobby groups;
2. Policy formulation and implementation: greater degree of harmonisation than most other public policy areas – subsidiarity/mutual recognition flexibility at local level for relevant ‘local issues’