

Select Committee on Environmental Audit Appendices to the Minutes of Evidence**APPENDICES TO THE MINUTES OF EVIDENCE****APPENDIX 1****Memorandum from Anita Pollack (former Member of European Parliament)****PROGRESS ON INTEGRATING ENVIRONMENT INTO EU POLICIES****BACKGROUND ON ANITA POLLACK**

I was Labour Member of the European Parliament for London South West from 1989-99 and served on the Committee for Environment, Public Health and Consumer Protection for all that period.

The last Committee meeting before the break for the June European elections was before 1 May when the Amsterdam Treaty came into force, and at that time no formal mechanisms for monitoring the progress on sustainability from the Treaty provisions were in place. Neither was there any formal monitoring mechanism in place in Parliamentary procedures for the Cardiff Summit's demand to integrate environment into other EU policy areas.

I was not returned to Parliament in June and am not closely aware of meeting agendas and content, and am not in receipt of documents. This submission is therefore largely intuitive and highly subjective.

The long gap between Members breaking for the election campaign at the end of April and not resuming for work effectively until September, plus the hiatus due to the resignation of the European Commission and the lengthy period before the new Commission began work also in September, means that very little progress has been made on anything this year. There does appear to be a lack of real leadership on this issue since the end of the British Presidency.

SITUATION IN PARLIAMENT

Parliament's subject-based Committee system is still imperfectly geared to the notion of "joined-up thinking". Each Committee tends very much to do its own thing dependent on the legislative texts before it from the Commission and also the budgetary timetable. Strategic debates are rare and so is liaison across subject Committees.

As far as I am aware from anecdotal information, since the June election concerns have been largely focussed on the Hearings for new Commissioners, and now areas such as the Budget, preparing second readings and dealing with the legislative programme. I am not aware that any debates have been held on the integration issue, but I cannot assert this definitively.

The formal objective of sustainable development is now part of the Amsterdam Treaty. Logic would suggest that both national parliaments and the European Parliament should set in train some sort of mechanism by which progress on this objective could be reviewed. However since the priority in the European Parliament always tends to be the legislative programme at the European level, I am not aware that any such mechanism has been laid down.

Even without a laid-down scrutiny mechanism it is still possible for Parliament to review issues if it so desires. However without a formal communication on a regular basis from the Commission on which to comment, the procedures are less than straightforward. It would depend on a determined effort being made by key Members, such as Chair of the Environment Committee. The Commission can, for instance, be forced to respond to an Oral Question with Debate tabled in full plenary session of the European Parliament. However to get this on the agenda this would have to compete with many other pressing subjects for plenary time, and generally have a consensus of support from a majority of political groups. Parliament does normally have a general resolution before and after Council summit meetings, but these tend to be prepared by the Foreign Affairs Committee of the Parliament and environment is usually an afterthought, given no more than a couple of lines.

Otherwise, opportunities arise in Committee for summoning and questioning the Environment Commissioner on a range of issues perhaps a couple of times a year.

The Environment Committee has in the past been in the habit of summoning the President of Council in the areas under its responsibility (environment, consumer protection and health) during each Presidency and subjecting the Minister concerned to rigorous questioning. Other Committees began to follow this lead in recent years, however the decision rests with the Committee concerned and its Bureau, often predicted by available time. Whether integration would be raised during that questioning, however would depend on the determination of individual Members, who often want to pursue issues relevant to their own areas, country or subject interest. With a majority of the Committee consisting of new Members, it is impossible to evaluate from the outside whether the political will is present to pursue the integration issue. My experience leads me to think that it is only Members of the Environment Committee who are likely to pursue such a line of questioning and the other subject areas, where it most ought to be pursued, lack the interest or commitment to proceed along these lines.

Since one of the areas in which integration of environment policy is important is the enlargement process, there ought to be some built-in mechanism for reviewing progress in the accession negotiations. It may be that this takes place. However the mechanism by which the Parliament reviews enlargement is in the Joint Parliamentary Committees (JPCs) with the accession countries. There is little or no integration of the issues discussed with the relevant subject committee of the

Parliament. The remit for the JPCs comes from the Foreign Affairs Committee.

In the past the Parliament has vigorously pursued a policy of "greening the EU budget". There is little evidence of real commitment to this either in Commission or Council especially since a majority of the agriculture and development budgets are not under the remit of the European Parliament.

Comment: There are no formal procedures for integration in the European Parliament and these ought to be put in place. They should include better integration of discussion in the JPCs.

SITUATION IN COUNCIL

A Commission paper was delivered to the Cologne Summit in June 1999 on integration of environmental policy. I have not seen that paper. However the debate at the Council appears to suggest that the content of decision making simply reaffirmed the intention of the Council to review the situation at the Helsinki Summit and also to ask the General Affairs Council to report on other areas such as economy and fisheries to report back in 2000.

In July the Environment Council held an informal discussion on the main challenges for EU environment policy at the turn of the century. The integration process was discussed as one of these items. There was talk of identifying key problems to be solved by the economic sectors and that co-operation with stakeholders should be sought at the national level "as well". It asked for the Commission to issue the draft co-ordinated report on integration indicators by October 1999. If this document has been completed it is not yet publicly available.

The Environment Council felt that Helsinki will be crucial for stocktaking and that it should also address the issue of indicators measuring overall progress in sustainable development. It suggested that an EU strategy for sustainable development should be available by 2001, making next year a crucial year in this respect. It will require a substantial effort in democratic scrutiny which has not hitherto been evident. It spoke of the aim to de-couple economic growth from adverse environmental impacts. It also spoke of raising environmental issues with implications for "human welfare of citizens" (sic) as a priority.

Comment: Progress on the integration process should be on the agenda of every Council meeting and debated in Parliaments as often as possible. Unless this happens it is in danger of slipping off the agenda. Whilst a paper is obviously in the throes of preparation for Helsinki, it is fairly obvious that not a lot of action has so far taken place in the eighteen months or so since the Cardiff Council. It is therefore essential that the Helsinki decision includes real targets for progress in each sector. Hopefully the UK can take a lead in pushing for this.

COMMISSION

The Commission is preparing a paper for the Helsinki Summit, but copies are not available to the public at this stage.

There was no mention of environment in Commissioner Prodi's inaugural speech to the European Parliament in September. Content focussed on enlargement, fraud, economics, the single market and liberalisation. However Mr Prodi has in previous speeches during the summer acknowledged that sustainable development is one of the EU's "fundamental challenges" and called for "renewed and meaningful commitment to sustainable development", which he translated to mean greater integration of environment considerations into other policies especially agriculture, industry and infrastructure.

The Commission's broad work programme for the next five years will not appear until January 2000. It is also about that time that Vice-President Commissioner Kinnock's proposals for reform of the institutions will see the light of day. It is unlikely, therefore, that much progress on putting into place means by which integration can be implemented in the various Directorates-General of the Commission will be ready before that time.

In her Hearing before the Environment Committee of the European Parliament, Commissioner for Environment Wallstrom affirmed her commitment to integration, but her assessment was that "almost everything remains to be done".

Comment: The Commission has failed to appoint a Vice-President in charge of sustainable development and policy integration, which leaves it weak in terms of implementing the integration policy unless pushed by democratic forces or the Council. It is not acceptable for the integration issue to be simply under the remit of the Environment Commissioner.

In the past the Commission sometimes seeks to cover inactivity by recourse to the subsidiarity principle but it is essential to acknowledge that this integration policy cannot be achieved by action at Member state level alone.

SUBJECT AREAS

I propose now to outline a (non-comprehensive) list of policy areas and make some subjective comments, intended to highlight some of the areas in which a more pro-active approach to policy integration should be implemented with the greatest possible speed.

The main areas in which integration is seen as important are transport, energy and agriculture. I submit that industry, finance and external affairs (in particular trade) and fisheries are also essential areas currently ignored when it comes to integration of environment. Furthermore, the work on developing the Sixth Environmental Action programme is hugely behind, partly because of the lack of dynamism in the Commission for most of this year. Policy making throughout the EU continues to be sectoral and vertical. If integration is to work, a new horizontal approach will have to be devised.

Energy/Climate Change

In its second assessment report the European Environmental Agency reported that the latest "business as usual" scenario suggests the EU will increase its CO2 emissions by 8 per cent to 2010 rather than decreasing the basket of greenhouse gases by 8 per cent as agreed at Kyoto in 1997. There are still huge gaps in energy policy. Much hope has been pinned on a carbon/energy tax at EU level, but agreement seems as far away as ever. The target of 12 per cent renewable energy by 2010 is still not legally binding, only voluntary. There needs to be a directive also on cogeneration to exploit its high CO2 reduction potential. Liberalisation of the energy supply which is proceeding apace provides no stimulus whatever for improving energy efficiency, and the energy sector is still the largest contributor in the EU to CO2. No targets appear to have been set for improvements in energy intensity.

Acidification is still a problem as to SO2 emissions and there is still a reluctance to tackle the problem of fossil fuel burning because of the political sensitivity for those countries which still have coal mining industries. Subsidies have still not begun to be phased out. Apart from in Germany the funds necessary to implement flue-gas desulphurisation measures on coal-fired power stations do not seem to be available. Much of the effort currently seems to be going into the "dash for gas" without looking at the predictions of oil and gas depletion in future years.

There remains a gap in concrete action in the energy sector in more than one area and the lack of integrated thinking is obvious.

Verdict: The EU must do better than this in such a critical area.

Transport

Goods transport continues to grow unchecked, as does road transport in general. Energy use in the transport sector, for instance, grew by 44 per cent from 1980-95. Forecasts for transport growth in Western Europe indicate that this could still nearly double between 1990-2010, with the number of cars increasing by 25-30 per cent. Apart from the Auto-oil programme which will bring cleaner fuels and cars by around 2005, little else in the policy area seems to have been implemented. The transport sector is also a dominant emitter of nitrogen oxides. Internalisation of external costs in transport seems not to have progressed past the paper of some years ago from Commissioner Kinnock. Political will to attack this issue with more than rhetoric seems to continue to be lacking.

Verdict: A sad story.

Agriculture and Structural funds

Agenda 2000 seeks integration of agri-environment measures into the CAP and to make them compulsory. Moves towards de-coupling environment schemes from production are intended to be part of this. Environmental concerns are still only a very small part of the CAP and this issue needs revisiting every couple of years. Reform of the CAP is still only partial. It is unclear exactly how much the environmental considerations have been written into the actual regulations for the CAP and for management of the structural funds. Environment safeguards should clearly be written into payments mechanisms. Agri-environment schemes should account for at least 25 per cent of the CAP however over-use of pesticides is still rife in the countryside and there is still a tendency to build roads with structural fund money. Better implementation of the Habitats, Nitrates and Wild Birds Directives would help. This is not happening at member state level at present and the Commission has in the past been slow to act on enforcement. There appears to be no-one overseeing these issues in the European Parliament.

Verdict: Must try harder.

Chemicals/pesticides

Agriculture is not the only sector where pesticides are a problem. Where is the democratic monitoring of the UNECE Convention on Transboundary Air Pollution (CLRTAP) which was expected to be ready for adoption in 1999? The EEA says that it is unlikely the EU will meet its 2000 target for a 30 per cent reduction of emissions of nitrogen oxides between 1990 and 2000. As of 1995 only 8 per cent had been met. Where is the precautionary principle on assessing toxicity of potentially hazardous chemicals? (One only has to look at how long it has taken not to achieve a ban on lindane and other organophosphates, or to ban phthalates in children's toys). Where are the binding measures to reduce exposure to endocrine disrupting chemicals (EDCs)?

Groundwater quality is still threatened by high concentrations of nitrates from agriculture despite a European directive dating from some years back on this subject. The framework water quality directive is still in the throes of its rocky ride through the system.

Verdict: Little effort to be seen.

Biodiversity

One third of European bird species are in decline, largely as a result of damage to habitats and land use changes, yet policies do not seem either to be in place or at least not enforced to tackle this problem. The EEA points out that it is still the case that conservation of biodiversity is still regarded as less important than short term economic interests. This is clearly an area environment has not integrated into other policy areas. We still need innovative ways to pay for sustainable management of the Natura 2000 network. Offshore biodiversity does not seem to be on anyone's agenda. Poor implementation by member states of several directives (see Agriculture above) is unacceptable if integration is to work in practice. Yet there is little political will on the part of some member states to do this, despite some cases in the European Court of Justice.

Verdict: Keep at it.

Fisheries

Fisheries are yet only peripherally identified as a subject area for integrating environmental policy which is a disgrace given that overfishing and pollution of oceans is one of the great environmental issues of our time. There is a need to redirect subsidies to encourage sustainable fish management and to tackle mismanagement of funds. This is an area which is always politically delicate for the Council.

Verdict: Getting started would be a good thing.

Urban environment and Local Agenda 21

Despite excellent work since Rio and since the Urban Environment White Paper of 1990, there is still a coherence gap in ensuring the policies are able to be fulfilled. The Aalborg Charter of European Towns and Cities for Sustainability set the scheme and there is an excellent network in place, producing some good examples of best practice. However this work is constantly hamstrung by the lack of joined up thinking at the Commission level. The Budget line specifically for urban environment was abolished in a tidying up exercise last year in favour of mainstreaming it into a bigger general environment line in the EU budget. Since then it has been virtually impossible to liberate the funds to run the network and the office in Brussels and to undertake new projects because of the "lack of a legal base". Despite Councils and Commissioners both from Environment and Structural Funds, the Budgetary department of the Commission is still blocking projects and programmes designed to implement this work. A new "legal base" piece of legislation is after 12 months still being fought behind the scenes in the Commission by the budget department as "unnecessary", yet payments will not be authorised because of lack of a legal base. Catch 22. With Parliament out of action for half the year no progress has been made. Where is the integrated thinking here?

Verdict: A prime example of lack of integration.

Forestry

Forestry policy in the EU is still mostly production oriented and dealt with under agriculture rather than taking into account

the large biodiversity or climatic change issues.

Tropical forestry is dealt with under a mixture of Development policy and External Trade divisions and this leads to a lack of coherence. There is a constant battle year on year to maintain the funds for helping sustainable management of tropical forests and in general the environment in developing countries. Because these areas do not come under the competence of the environment directorate in the Commission nor the Environment Committee in the Parliament, there appears to be no coherent oversight of environment policy.

Verdict: Not much evidence of integrated thinking here.

Waste management

Waste management continues to be dominated by cheapest available options and waste prevention and minimisation is not yet effectively the highest priority. In some places a solution is being sought by incineration, but there are comprehensive arguments (see "Creating Wealth from Waste" by Robin Murray, Demos books 1999) that this is a damaging line to be taking.

Verdict: A long way to go.

Trade

Where is the integration of environmental thinking into trade issues? Recent judgements of the WTO disputes panel have clearly shown that there is a pressing need to ensure respect for at the very least Multilateral Agreements on Environment and for this to be written into the rules of the WTO. This should have been a large part of EU preparations for the WTO Millennium trade round talks in Seattle this November. Where is the sustainable development paper for this? As far as I am aware neither the European Parliament nor home parliaments have held comprehensive policy debates on this issue. Further, what moves are there on efforts to integrate environmental concerns not only into the WTO but also into other regional or bilateral trade agreements eg Mediterranean Free Trade Zone, Transatlantic Economic Partnership and the Lome Convention? Because talks are led by industry or economics departments, the integration of environmental thought does not appear to have crossed the barbed wire border into this subject area. It is long overdue.

Verdict: Abysmal.

CONCLUSION

Strategic environmental assessment for all policies remains at this stage a figment of imagination. Headline indicators of sustainability have been suggested by the European Environment Agency. These should be closely linked to targets and responsibility delineated between EU and Member states. I am not aware of any evidence that this process has been initiated at all. Making real progress will entail agreement on horizontal mechanisms such as intensification of greening the budget, introducing liability for environmental damage, better use of the precautionary principle, review of subsidiarity policy and ecological and ecological tax reform.

In short I believe that both procedures and progress are lacking on integrating environment into other policy areas. There is a lack of provision for monitoring and little evidence of target setting. There appears to be a democratic deficit in that elected members of parliaments do not appear to be involved in the process at any stage. Despite integration being one of the much-lauded priorities of the Fifth Environmental Action Programme and being called for by Council, and being the subject of many political speeches, much remains to be done.

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