



Action Paper

Towards an 8th Environment Action Programme:

Catalysing a just transition to a one planet economy

Executive Summary: Input for Vienna Workshop: 10 December 2018

December 2018

European Environmental Bureau, EEB

Umweltdachverband, UWD

Mit Unterstützung von Bund und Europäischer Union

 **Bundesministerium
Nachhaltigkeit und
Tourismus**


LE 14-20
Entwicklung für den Ländlichen Raum

Europäischer
Landwirtschaftsfonds für
die Entwicklung des
ländlichen Raums:
Hier investiert Europa in
die ländlichen Gebiete.



Action Paper: Towards an 8th Environment Action Programme: Catalysing a just transition to a one planet economy

Executive Summary

The 7th Environment Action Programme (7EAP), adopted by the European Parliament and the Council of the European Union in November 2013¹ is approaching completion (2020), evaluations of the 7EAP are ongoing, and debate has started on a potential 8EAP.

This Action Paper presents a working proposal by the European Environmental Bureau (EEB) and the Umweltdachverband (UWD) on what could be key elements of an 8EAP. It builds on assessments of the 7EAP, stakeholder discussions and policy debates within a project led by the UWD for the ongoing Austrian Presidency, supported by the Ministry of Sustainability and Tourism (BMNT) and the European Commission.

Lessons from the 7EAP

The 7th EAP has proven to be both **valuable** and **yet insufficient** to address environmental challenges facing the EU. The action programme's existence has **allowed many environmental issues to remain on the agenda** that could otherwise have been lost to short term responses to immediate concerns. Furthermore, the 7EAP has given a **strategic vision**, helped **predictability** and **encouraged coherence** and has proven to be a useful framework **for Civil Society Organisations (CSOs) to remind policy makers of promises.**

However, its **implementation has not been given sufficient** priority as can be seen from the very limited reflection of environmental issues other than climate change in the ten priorities of the Juncker Commission. Furthermore, a **wide range of priority objectives** (see Box 1) **were** not met.

The 7 EAP: its vision, key objectives, 'enabling' measures, and horizontal priority objectives

In 2050, we live well, within the planet's ecological limits. Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected, valued and restored in ways that enhance our society's resilience. Our low-carbon growth has long been decoupled from resource use, setting the pace for a safe and sustainable global society.

7EAP <http://ec.europa.eu/environment/pubs/pdf/factsheets/7eap/en.pdf>

Three key objectives: Thematic priorities:

- to protect, conserve and enhance the Union's **natural capital**
- to turn the Union into a **resource-efficient, green, and competitive low-carbon economy**

¹ DECISION No 1386/2013/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on a General Union Environment Action Programme to 2020 "Living well, within the limits of our planet"

- to **safeguard** the Union's citizens from **environment-related pressures** and risks to health and wellbeing

Enabling Framework: Four "enabling" priority objectives

- better **implementation** of legislation
- better **information** by improving the knowledge base
- more and wiser **investment** for environment and climate policy
- full **integration** of environmental requirements and considerations into other policies

Two horizontal priority objectives:

- to make the Union's **cities more sustainable**
- to help the Union **address international environmental and climate challenges more effectively.**

In addition, the 7th EAP should be based on the **precautionary principle, the principles of preventive action and of rectification of pollution at source and the polluter-pays principle.**

See Article 2 of the 7EAP (EU, 2013)

On Thematic Priority 1 ***To protect, conserve and enhance the Union's natural capital - major challenges remain***, notably on **biodiversity** which is still undermined by weak implementation, and pressures – such as from agriculture². The issues within priority 1 will remain important challenges beyond 2020 and hence potential priority areas for an 8EAP. The 8EAP can potentially be a useful framework to communicate the **headline target for a post 2020 agenda: i.e. zero net loss of biodiversity** and input into the C-15 in Beijing in October 2020³.

On Thematic Priority 2 ***Resource-efficient, green, and competitive low-carbon economy*** – there has been good progress on circular economy and climate change, but efforts still fall far short of needs for the recently launched long-term strategy (LTS) “*A Clean Planet for All*”⁴, for commitments under the Paris accord, to address the recommendations of the IPCC report⁵ and keep to below 1.5-degree warming. Important challenges remain for beyond 2020 and hence are of relevance to an 8EAP.

As regards Thematic Priority 3 ***To safeguard the Union's citizens from environment-related pressures and risks to health and wellbeing*** – the promised Non-Toxic Environment Strategy has not been delivered, nor is it listed on the European Commission's 2019 Work Program. While there has been progress with bathing water quality, trends in other areas, notably air pollution and noise pollution, are problematic⁶. Again, this priority area remains fundamentally important for post-2020.

On the 4th Priority Objective on ***Better Implementation*** - there is extensive evidence of major implementation deficits. For example:

² <https://www.eea.europa.eu/publications/environmental-indicator-report-2017>

³ Fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP-15)

⁴ https://ec.europa.eu/clima/sites/clima/files/docs/pages/com_2018_733_en.pdf

⁵ https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf

⁶ <https://www.eea.europa.eu/publications/environmental-indicator-report-2017>

- A **third of the chemicals** we use in the EU do not comply with REACH, and **Member States are not implementing and enforcing the laws in place**
- There is widespread **poor and misleading reporting and monitoring** of **air quality** with many Member States facing infringement procedures
- Poor implementation of the **Birds and Habitats Directives**, together with **impacts from Agriculture** have led to a decline of **a third of farmland birds** in many Member States.

On Enabling Priority 5 ***To improve the knowledge and evidence base for Union environment policy*** - while there have been a range of steps forward in improving the science-policy-interface, notably via Biodiversity Information System for Europe (BISE), the Water Information System for Europe (WISE), and the Mapping and Assessment of Ecosystem Services (MAES), much more needs to be done. Greater understanding is needed on **ecological tipping points and risks**, on the **inter-connections between ecological, social and economic systems**, on **system lock-ins** that create barriers to commitments and transitions to sustainable development, on **real time data for citizens**, and on **health risks to workers and citizens**, notably from exposure to pollution and hazardous chemicals.

For Enabling Priority 6 ***Adequate investment from public and private sources to achieve 7EAP objectives*** - while there has been **progress on green financing**, it is clear that there **remains insufficient funding** in many areas - e.g. management of Natura 2000 network, investment in restoration, investment in public transport and clean technologies. Furthermore, while the proposed **EU Budget**, the **multi-annual financial framework (MFF)**, is labelled a climate budget, it falls far short of what is needed to ensure that it is a climate positive budget, that biodiversity is duly supported and not undermined, and that SDGs are integrated. There remain areas of funding which can be seen as **harmful subsidies**, particularly with the associated CAP proposal and the risks to biodiversity, and risks of investing in infrastructure that can lock-in growth in emissions into the future. Similarly, the promise of phasing out environmentally harmful subsidies remains largely a missed opportunity for action.

Similarly, for Priority Objective 7 ***Better Integration*** - policy dissonance still exists, across policy areas (e.g. agricultural impacts on biodiversity), in budgets (e.g. the MFF) and in instruments, even those focused on integrations, such as **Environmental Impact Assessments (EIAs)** and **Strategic Environmental Assessment (SEAs)**. For example, EIAs are still too often seen to be an administrative chore for industrial projects, where environmentally sound options and consultation responses are not given due consideration, such that EIAs become missed opportunity for integration. Similarly, many SEAs do not fully integrate environmental concerns and often financial interests override environmental ones. There also needs to be **timely opportunity** for the **public to participate** in SEAs so that public interests are more fully reflected in plans.

On Priority Objective 8 ***To enhance the sustainability of the Union's cities*** – arguably **some of the most exciting progress** has been made in a range of cities in innovative approaches for urban public transport and mobility, sustainable buildings, energy efficiency and urban biodiversity conservation. For example, an increasing number of cities are vowing to go carbon neutral, a few have made public transport free to encourage less private transport use, others have banned diesel or increased

pedestrian zones. There has also been good progress on separate waste collection to support circular economy and resource efficiency.

And on Priority Objective 9 **International Challenges** - there has been good international engagement such as on the **Paris Agreement** and **the 2030 Agenda for Sustainable Development**, but less good on **EU implementation and integration**. The 2030 Agenda is still only a delayed “reflection paper” – and to date insufficiently integrated into EU policy making and given too low levels of prioritisation to give confidence in its due implementation.

All nine priority objectives of the 7EAP remain urgent areas of action today and overall it is concerning that **EU laws are not being implemented properly** as this is leading to an erosion of **citizens’ confidence in the rule of law**. Furthermore citizens are losing confidence in local, national, EU and global institutions as there is **insufficient palpable action**, for example on addressing air pollution, on halting biodiversity loss, and on ensuring a non-toxic environment. **Renewed regulatory attention** - from policy makers, to inspectors, to the courts – is needed to protect EU citizens, their health and rights, the environment and hence confidence in Europe and its institutions.

Additionally, there has been an increasing recognition of the importance of **addressing a range of system lock-ins** and the need to promote strategies and actions to overcome the locks-ins and enable a transition to sustainability. Examples include: **material lock-ins** (fossil fuels, plastic, chemicals), **infrastructure** (roads, factories, pipelines, airports, building stock), **systems** (interconnected product supply chains, agri-industrial food systems), **economic paradigms and incentives** (pricing, taxation, subsidies), **habits, norms and attitudes** (consumption and growth fixation).

The study team and the majority in the 13 June Vienna Policy Forum debate concluded that an **8th EAP is still needed** and proposed an **Action Plan** that is presented overleaf. A short reflection paper was presented during the informal Environment Council in Graz in October 2018, where there was unanimity among the 28 Ministers of Environment on the need for an 8th EAP. See also *The Graz Declaration “Starting a new era: clean, safe and affordable mobility for Europe”* for commitments in a number of 7EAP areas that could also be priorities for an 8EAP.

7EAP Implementation: Insights from Austria

As part of the evaluation of the 7EAP, Umweltdachverband consulted internal and external experts in Austria on progress made in the 9 priority areas. The outcomes were summarized in a Background Consultation Report and further discussed at the 13 June Vienna Policy Forum and in the regional workshops in October 2018. The Background Consultation Paper and the outcomes of the Policy Forum and the regional workshops can be downloaded under the following link: <https://www.umweltdachverband.at/themen/europaeische-umweltpolitik/at18>

There was broad recognition that the 7EAP has proven to be a useful framework for Civil Society Organisations (CSOs) and that an 8EAP is needed to provide for direction and ambition at the national level.

Towards an 8EAP - Catalysing a Just Transition to a One-Planet Economy

In light of the insights on the 7EAP, policy debate at the Vienna Policy Forum on 13 June 2018 and in the regional workshops in October 2018, and considering ongoing evaluations by the European Parliament, European Commission (e.g. meetings 21 June 2018, 13 November 2018) and European Environment Agency (EEA), a future 8 EAP could usefully:

- **One-Planet Economy - Promote commitment to an ambitious 8EAP catalysing a just transition to a one-planet economy⁷** – i.e. that fully respects the resources and ecological limits of our planet and integrates equity and social issues.
- **Implementation** - Ensure a strong focus also on the **implementation of EU law** to reduce the implementation deficit and bolster citizens' confidence in public institutions and the rule of law.
- **System Change - Cover not only specific priorities and commitments, but also systemic lock-ins and need for system change** – i.e. to move beyond fossil-fuels, towards sustainable food systems, a toxic free environment, and shift in mind sets and policy prioritisation towards sufficiency and wellbeing.
- **Cooperative Governance** - Encourage **cooperative governance** to facilitate new partnerships, new ideas and stimulate new commitments and collaborative actions across different governance levels and stakeholders.
- **Green Finance** - Catalyse a change in **green finance** to leverage financial flows towards a one planet economy.

The 8EAP should embrace the over-arching vision of the 7EAP, i.e. *'In 2050, we live well, within the planet's ecological limits'*.

Civil Society Vision for the 8EAP: Reflections on required action for the 8AP

The 8EAP should focus on **catalysing a just transition to a one-planet economy and** run from **2021 to 2030** so as to link to the **SDGs**. It should also have a **mid-term review completed by 2025** to encourage European Commission's and European Parliament's acceptance and commitments for action and guide future priorities. In light of an assessment of future environmental challenges, the 8EAP could usefully include:

1. Actions and targets for clusters of **specific environmental challenges**
2. Improve **implementation and the rule of law**
3. Develop strategies and plans to address **lock-ins and achieve a system change**
4. Promote **cooperative governance**
5. **Finance** the transition to sustainability

⁷ As the world's largest economy, Europe must embark upon an immediate and major transformation to avert dangerous climate change and prevent ecosystem collapse. Currently, the impact of the European economy is nearly three times larger than what is required for a sustainable world. A shift to a more sustainable future for Europe must be achieved by building an economy that respects all environmental limits and is socially and financially sustainable. (https://cordis.europa.eu/project/rcn/91316_en.html)

1. **Actions and targets for specific environmental challenges and clusters:** The EU has committed to a wide range of targets and objectives already, but there are gaps and there is a need to **appreciate the inter-connections between the issues** and **address the nexus** within clusters of different issues. This priority should be about **reiterating the targets, clarifying 2025 and 2030 milestones**, and suggesting **measures for action**. Importantly, it should also be about recommending specific actions to address the nexus between issues by **developing clusters** - e.g. *food-water-biodiversity; chemicals-air-pollution-health; climate-biodiversity-water-agriculture-forestry*. Specific untapped potential remains in focusing on the interconnections of policy areas in the different nexuses. This will **support policy coherence** and **improve policy effectiveness** and complement measures already committed to.
2. **Improve implementation and the rule of law:** The EU faces an implementation deficit - on air and water quality, on chemicals in products, on nature protection - that is both eroding the health and wellbeing of citizens and the state of the environment and is leading to an **erosion of citizens' confidence in policy making and governments**. There is also a **weakening rule of law** as resources for inspections, enforcement and justice are insufficient, and as access to justice for citizens and civil society remains inadequate in some parts of Europe as well as at the EU level itself, even to the point of putting the EU in violation of international law. Attention is needed to improve implementation and the rule of law – from greater use of the **Environmental Implementation Review (EIR)** process to work together on implementation, to using the **MFF** to facilitate implementation through **funding choices**, paying greater attention to **policy coherence** to avoid one policy rendering the implementation of another difficult or impossible, using the stick of **infringement procedures** against non-compliant Member States, and to systematically improve **access to justice**⁸. At national level, significant **resources** are needed **for inspectors, prosecutors and judges**, strengthening of **finances and criminal penalties for non-compliance**, complemented by **greater political** will to implement commitments and support a **credible rule of law**. Without this, sustainability ambitions are unrealistic and confidence in EU and national institutions will be eroded further.
3. **Develop strategies and plans to address lock-ins and achieve system change:** Policy progress faces a wide number of lock-ins – e.g. material (fossil fuels, plastic, chemicals), infrastructure (roads, factories, pipelines, airports, building stock), systems (interconnected product supply chains, agri-industrial food systems), economic paradigms and incentives (pricing, taxation, subsidies), habits, norms and attitudes (consumption and growth fixation). This requires **systems thinking that takes account of the inter-dependencies** and develops **ideas for transition management**. A series of strategies to address lock-ins is needed to chart practical ways forward and encourage engagement and commitment from all stakeholders.
4. **Promote cooperative governance:** The EU's 8EAP can only succeed if there is **close engagement with Member States** to ensure acceptance, commitment and implementation. Additional key stakeholders include: **civil society** who represent the citizens' voice and understand their needs; **cities** that are driving progress on many areas of the environmental agenda and its implementation; and with **global institutions and actors** to ensure coherence and compatibility

⁸ <https://eeb.org/five-reasons-ngos-wont-see-you-in-court-eu-governments-warned-to-remove-barriers-to-justice/>

of approaches that enable the EU to live up to its commitments and responsibilities and drive changes to a one planet economy. Within the EU, this will require **more cross-thematic engagement to avoid silos** and achieve coherence, increased engagement with Member States to improve the implementation record, as well as more engagement with NGOS/CSOs, and also networks of inspectorates, prosecutors and judges to support practical progress with implementation and the rule of law.

5. **Finance the transition to sustainability:** Explore and encourage **innovative financing routes** such green bonds, sustainability focused pension funds, as well as improve the impacts of “traditional” funding at EU level (e.g. the EU-MFF, EU-ETS, LIFE) and Member State level (Green Public Procurement, full cost pricing, tax and subsidy reform, incentives for renewables and energy efficiency, lower VAT for repairs). Without progress on financing – both in focusing on sustainability investment and divesting from harmful investments - there risks being insufficient funds to enable the transition to sustainability.

The above is a **first recommendation for an 8th EAP** as presented at the informal environmental council in Graz and will be developed into a more articulated proposal for an 8th EAP during 2019.

The **discussions in Vienna on the 10th of December** will provide up front input to wider discussions. Please send ideas and feedback to Julika Dittrich:

julika.dittrich@umweltdachverband.at

EEB will solicit input by civil society – Austrian and across the EU – to develop a CSO vision for an **8EAP catalysing a just transition to a one-planet economy**. If interested in being in the loop, please contact Patrick ten Brink of EEB: Patrick.tenBrink@eeb.org