

The New European Parliament

By David Baldock

Even if the recent European elections failed to ignite a searching debate on the future direction of EU policy, the significance of the Parliament and its new membership should not be under-estimated. The Parliament has been one of the primary drivers of environmental policy, a generally green force amongst the European institutions. The Environment Committee's stance on proposed legislation has frequently been adopted by the Parliament as a whole and some of the greener elements of the Budget can be attributed to the Parliament's demands. Arguably, this influence has grown. Some elements of the highly strategic Climate and Energy package agreed last December bore the direct imprint of work by individual MEPs as well as the relevant Committees. This was a high water mark in the Parliament's ability to shape the European environment.

This influence could gain further ground if the Lisbon Treaty is adopted and the Parliament acquires a stronger role on agriculture, fisheries and energy policy. However, it is rather less certain how far the Parliament will continue to be an engine of environmental progress. In the past the Agriculture and Fisheries Committees have not been notable for their commitment to the environment and it is unclear how much this may change as they acquire greater responsibilities. While the green parties increased their number of seats in the June election, mainly due to a strong performance in France, several MEPs who have been prominent in the environmental cause in all the main parties have left the Parliament. The new rules on joint reports by different Committees may affect the influence of the Environment Committee on issues for which it is not the lead.

It would be unwise to make premature assumptions about the new Parliament's stance on the environment. There is every reason, however, for public interest organisations to present the issues to a new intake of parliamentarians in a clear and convincing way. We look forward, with others, to doing so.



David Baldock
Director

Throughout the summer and autumn IEEP is running an initiative to support MEPs on climate change. This commenced on 15 July with the launch of a letter from a cross-party group of MEPs active on climate calling for the new Parliament to maintain momentum on efforts to combat climate change. The letter and full details of future work can be found at www.ieep.eu/briefingsonclimate.

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1. Climate Change and Energy Security: Are Synergies Possible?

In the EU roughly 80 per cent of energy consumed comes from burning fossil fuels, which is the main source of greenhouse gases (GHGs) responsible for climate change. At the same time fossil fuels are largely externally sourced, thus increasing European dependency upon a handful of suppliers, many of which are volatile politically or economically. Unsurprisingly, then, GHG emission reduction and energy security have become two of the main policy drivers in the EU necessitating fundamental changes in the way we produce and consume energy.

One of the EU's climate-related energy goals is indeed to obtain at least 20 per cent of its energy supplies from alternative energy sources by 2020. Furthermore, climate change and energy is high on the agenda for the current Swedish Presidency of the EU.

The IEEP report *Climate Change and Energy Security in Europe: Policy Integration and its Limits*, commissioned by the Swedish Institute for European Policy Studies (SIEPS), looks at these key issues. It focuses on identifying possible synergies and trade offs between the EU's energy security objectives and its most recent package of legislative measures to combat climate change. Better understanding of these interactions will allow potential win-win situations between these two policies to be maximised, whilst also identifying the inevitable trade-offs. The report was launched at a SIEPS seminar hosted by the European Commission's Representation in Stockholm on Wednesday 17 June, and is now available on IEEP's website.

Contact: Camilla Adelle

2. European Community Neglecting its Aarhus Convention Obligations

A recent IEEP report shows that the European Community, as a contracting party to the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters, is failing in its obligations to provide access to environmental justice to members of the public and NGOs.

The European Community ratified the Aarhus Convention in 2005. It is therefore obliged to ensure that organisations and individual members of the public can challenge acts and omissions by EU institutions which contravene EC environmental law. Likewise, individual Member States which have ratified the Convention (as all 27 but Ireland have) have a similar duty to provide access to environmental justice through their national court system.

In 2007, the European Commission published a study examining access to environmental justice in 25 Member States, but not at the level of the Community itself. The IEEP report, commissioned by WWF-UK, uses the same criteria for evaluation and ranks the Community alongside the bottom five Member States in terms of its performance on the Aarhus Convention.

The report demonstrates that the European Court of Justice and its Court of First Instance have failed to grant legal standing in the majority of cases that have been lodged, effectively barring all environmental organisations from challenging acts or omissions that violate EC environmental law. This means that there is hardly any scope for individuals or organisations to challenge the Commission, or any other EU institutions and bodies, on the legality of their environmental acts or omissions. Thus for instance, WWF-UK's application to challenge the legality of quotas for cod fishing in 2007 was declared inadmissible by the Court of First Instance in June 2008, a decision confirmed on appeal by the Court of Justice on 4 June 2009.

According to Marc Pallemarts, author of the report: "The persistent denial of environmental justice undermines the EU's credibility as a leader in environmental law and human rights in Europe and worldwide. It is time for the Court of Justice to exercise wise judicial discretion and change its outdated case-law on standing for public interest environmental plaintiffs in accordance with the Community's obligations under the Aarhus Convention."

Contact: Marc Pallemarts

3. Shifting taxes from good to bad: renewed momentum for Environmental Tax Reform

If we all agree that employment is a good thing and pollution a bad one, then the idea of reducing taxes on labour to stimulate jobs, compensated by an increase in environmental taxes, seems to make a lot of sense. The concept of shifting taxes from labour to environment, often referred to as environmental (or ecologic) tax reform (ETR) has been floating around for more than 20 years in Europe, and applied in practice in a number of Member States – such as Sweden, the UK and Germany. With the introduction of the EU Emission Trading Scheme (ETS) in 2005, however, enthusiasm about ETR cooled off, as a substantial share of carbon emissions was meant to be reduced through the market rather than through carbon taxes. However, there is arguably still a lot of scope for environmental taxes, both to tackle carbon emissions from non-ETS sectors and to address other environmental problems such as water scarcity and pollution. Furthermore, the current economic crisis means that alternative

ways to raise public revenues and stimulate employment are needed more than ever. The recent proposal to introduce a carbon tax in France, and the interest of Sweden in promoting green tax reform during its EU Presidency, seems to indicate that ETR is once again gaining momentum.

IEEP, together with Kommunalkredit Public Consulting (KPC), Gesellschaft für Wirtschaftsforschung (GWS), Cambridge Econometrics, Ecologic, Policy Studies Institute (PSI) and King's College London (KCL), is carrying out a study for the European Environment Agency on the applicability and feasibility of ETR across the EU. Interestingly, the study is revealing that many ETR experts agree that a doubling of the share of environmental taxes – from the current 7 to 15 per cent) of total fiscal revenues – is feasible and much needed to achieve the EU's ambitious climate targets and environmental objectives. Further harmonisation on ETR is desirable, and could be stimulated by 'soft law' tools such as the Open Method of Coordination. Arguably, greater political courage is needed to make this change happen, as well as better communication on the benefits of a tax shift. Hopefully the coming years should see more of both.

The study will be concluded in October 2009 and further information on the final report will be made available on IEEP's website in due course. A presentation of preliminary results is available at www.ies.be/node/699.

Contact: Samuela Bassi

4. International Perspectives on Land Use Futures

There is widespread agreement that the demands being made on land are greater than ever. Targets to build new homes, replace fossil fuels with renewable sources of energy, protect biodiversity and provide a wide range of other ecosystem services all create pressure on the finite land resources in the UK. Whilst no one can predict what will happen, 'futures research' can help us to identify potential risks and opportunities.

Foresight, the UK Government's think tank on science and technology issues, is undertaking a major project on Land Use Futures in the UK. This will create an evidence base to help Government and other policy makers to understand whether existing land use patterns and practices are fit for the future. The findings will provide a better understanding of where trade-offs may be needed, and explore how the 'land system' could be used to deliver multiple outcomes in the same physical space. The project is being overseen by Professor John Beddington, the Government's Chief Scientific Adviser.

IEEP was commissioned to provide an international perspectives study as part of the evidence gathering phase of Foresight's Land Use Futures project. The IEEP study has looked at examples of land use issues that the UK is likely to have to tackle in the future, in the light of the experience of other countries. The report will be published in November in the journal Land Use Policy.

More information about the Foresight Land Use Futures project can be found at: <http://www.foresight.gov.uk/OurWork/ActiveProjects/LandUse/LandUse.asp>

Contact: Clunie Keenleyside

5. Assessing the Socio-Economic Benefits of Natura 2000

The Natura 2000 network forms the foundation for biodiversity conservation in the EU. The main purpose of this EU-wide ecological network of protected areas is to ensure the protection of habitats and species of Community interest within the EU. In addition to safeguarding our common conservation values, the network plays also an important role in providing and maintaining a range of ecosystem services amongst the sites and in the wider environment.

However, the ecosystem services supported by Natura 2000 sites, including their associated socio-economic benefits, remain poorly understood and appreciated. Indeed biodiversity protection and Natura 2000 are still often perceived only as a cost or restriction on communities and economies. There is, therefore, a need to increase understanding on the benefits provided by Natura 2000 sites, including raising awareness on the necessity of these sites not only for biodiversity but also for our welfare.

To address this issue IEEP, together with WWF and the Royal Society for the Protection of Birds (RSPB), has produced a methodological toolkit for assessing the socio-economic benefits of Natura 2000 sites. This toolkit, developed in the context of a Commission-funded project, provides practical guidance in identifying and valuing a range of different ecosystem services provided by Natura 2000 sites. The guidance document also aims to improve communication with stakeholders and the general public on the benefits of Natura 2000. It is anticipated that this could significantly increase political and stakeholder support for Natura 2000 sites.

The toolkit, which will be a valuable contribution to further promoting the conservation of biodiversity in the EU, will be published in July 2009 and made available on IEEP's website..

Contact: Marianne Kettunen

6. Delivering Climate Action – The Challenge Facing Europe

Europe's nations have led the world in setting ambitious, binding targets for reducing emissions of greenhouse gases (GHG) and for an increase in the use of renewable energy. December's agreement of the Climate Action and Renewable Energy (CARE) package of policy measures represented an unprecedented achievement for European diplomacy. Following the initial euphoria around the successful negotiation of CARE, there are significant political and practical challenges to be overcome. Not least of these is the political stagnation on climate issues in some countries, partly a consequence of an uncertain economic future and a lack of sufficient political will or interest at the national level.

On 29 June IEEP launched the first report offering a snapshot of efforts in all 27 Member States to implement the CARE package requirements, and in particular the 20:20:20 targets (a 20 per cent cut in GHG emissions; a 20 per cent increase in the share of renewables in the energy mix; and a 20 per cent cut in energy consumption – all by 2020). The report identifies some of the key challenges that European countries must overcome to deliver on the new climate and energy agenda.

IEEP's report on the implementation of the CARE package can be downloaded at: http://www.ieep.eu/publications/press/implementation_summary.pdf

Contact: Catherine Bowyer

IEEP conferences and events

In the coming months IEEP will organise or participate in the following meetings and events. If you would like to find out more, do not hesitate to contact us.

Research seminar on Global Justice and Sustainable Development - University of Sheffield (UK), 26-27 August 2009

This workshop is hosted by the School of Law of the University of Sheffield on behalf of the International Law Association's Committee on International Law on Sustainable Development. Marc Pallemmaerts will present a paper on 'The legal and policy discourse of the EU on sustainable development'.

Contact: [Marc Pallemmaerts](#)

International workshop 'Whose job is it anyway? Solving environmental problems under multilevel governance: Lessons for/from the EU' - Centre for European Studies, Carleton University, Ottawa (Canada), 27-28 August 2009

This workshop brings together researchers from North America and Europe to discuss the EU's experience with environmental policy in a multilevel context and provide a comparative perspective on that experience from Canada and other federations. Marc Pallemmaerts has been invited to present a paper on 'The effectiveness of EU environmental law: a multilevel challenge'.

Contact: [Marc Pallemmaerts](#)

Colloque 'Acteurs et outils du droit de l'environnement' (Conference 'Actors and instruments of environmental law') - Facultés universitaires Saint-Louis, Brussels (Belgium), 9 September 2009

This conference will discuss developments in international, European and national environmental law, with a special focus on actors and instruments. Marc Pallemmaerts has been invited to act as discussant for a paper on compliance with Multilateral Environmental Agreements (MEAs) to be presented by Dr Sandrine Maljean-Dubois of the Université d'Aix-Marseille.

Contact: [Marc Pallemmaerts](#)

Conference 'Which Common Policy for Agriculture and Rural Areas beyond 2013?' – Stockholm (Sweden), 16 September 2009

David Baldock will speak at this conference, organised by Notre Europe and the Swedish Institute for European Policy Studies (SIEPS), which will consider the rationale for future EU policies for agriculture and rural areas.

Contact: [David Baldock](#)

Workshops on identification and assessment of Environmentally Harmful Subsidies (EHS) - Brussels (Belgium), 16 September 2009

The workshop is part of an IEEP-led study for DG Environment which aims to develop effective methodologies for the identification and assessment of Environmentally Harmful Subsidies (EHS), building on existing OECD tools for EHS ('quick scan', 'checklist' and 'integrated assessment'). The draft results will be presented at the workshop along with the findings of individual case studies in the energy, transport and water sectors. The aim of the workshop is to test the results of the project with a panel of European experts and policy makers. Attendance is by invitation only.

Contact: [Carolina Valsecchi](#)

Seminar 'Tools needed to underpin a future CAP' – Paris (France), 16 September 2009

Tamsin Cooper will speak at this event organised by the French Ministry of Sustainable Development (MEEDATT) and a group of environmental NGOs to reflect on the impacts of agri-environmental measures to date and to consider the tools needed to put the environment at the heart of a future CAP.

Contact: [Tamsin Cooper](#)

Global Conference on Environmental Taxation - Lisbon (Portugal), 23-25 September 2009

IEEP will present two papers at the tenth annual Global Conference on Environmental Taxation. This year's conference will focus on water management and climate change and is hosted by the Institute of International and Strategic Studies. Samuela Bassi will present a paper on 'The Challenges of implementing and enforcing environmental tax reforms - Exploring the potential of harmonising Environmental Tax Reform efforts in the European Union' - in collaboration with Marc Pallemmaerts and Patrick ten Brink - and one on 'Water management policies and institutional frameworks - Reforming environmentally harmful subsidies in the water sector: irrigation subsidies in Spain' - in collaboration with Claudia Dias Soares.

Contact: [Samuela Bassi](#)

Workshop 'Research on Sustainable Development Indicators: Taking Stock of Results and Identification of Research Needs' - European Commission, Luxembourg, 30 September 2009

At this workshop, co-organised by DG Research and EUROSTAT, Camilla Adelle and Marc Pallemmaerts will present the results of a review of FP6 research projects of relevance to sustainable development indicators, from the policy perspective of the EU's Sustainable Development Strategy. The workshop will be attended by experts from various Commission DGs and Member States.

Contact: [Camilla Adelle](#)

Conference 'The New Waste Framework Directive: Towards Transposition' – Brussels (Belgium), 1-2 October 2009

The Academy of European Law and DG Environment of the European Commission are hosting a conference bringing together stakeholders from Member States, the EU institutions, lawyers and academics to analyse the innovations of the new waste framework Directive and to discuss models for its transposition and implementation. Catherine Bowyer will speak about 'The promotion of recycling and recovery of waste by targets, separate collection and energy efficiency criteria'.

Contact: [Catherine Bowyer](#)

6th Plenary Meeting of the Kyoto Protocol Compliance Committee - Bangkok (Thailand), 13-14 October 2009

As Vice-Chair of the Facilitative Branch of the Compliance Committee, Marc Pallemmaerts will attend the annual plenary meeting of the Branch and Plenary Committee, which will be held back-to-back with the final pre-Copenhagen negotiating session of the UNFCCC bodies.

Contact: [Marc Pallemmaerts](#)

Conference 'Environmental Law and Policy in the European Union: The Legacy of the Treaty of Amsterdam' - Centre for Environmental Law, University of Amsterdam (Netherlands), 19 November 2009

This conference will be held to consider the state of EU environmental policy and law ten years after the entry into force of the Treaty of Amsterdam and, possibly, on the eve of the entry into force of the Treaty of Lisbon (pending the outcome of the second Irish referendum to be held on 2 October). It is organised by Marc Pallemmaerts in his capacity as Professor of European environmental law at the University of Amsterdam. The full programme and registration details will soon be available at <http://www.jur.uva.nl/cvm/actueel.cfm>

Conference 'Managing Biosafety and Biodiversity in a Global World - EU, US, California and Comparative Perspectives' – Brussels (Belgium), 10 June 2009

David Baldock will be part of a panel debating "Agriculture and the conservation of wildlife biodiversity" and will make a comparative analysis of policies in the USA and the EU. The event has been organised by The Leuven Centre for Global Governance Studies (University of Leuven), LICOS (University of Leuven) and UC Berkeley.

Contact: [David Baldock](#)