

# EEB Medium Term Strategy 2016-2019

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# 1. Introduction

The EEB was founded in 1974 at a time when environmental problems were on the agenda but far from prioritised. The EU then did not even have a mandate to legislate on environmental protection. Much has happened since: environmental issues have climbed the agenda and sustainable development is now a key objective for the EU. The practice, however, is very different. Despite an impressive array of laws, the pressures on nature have increased and many environmental objectives are far from reached.

In spite of that, we see today regrettable attempts to dismantle environmental policy, including in the EU and in the European Commission. This has taken the form of a deregulatory 'jobs and growth' agenda that was already gaining ground under the Barroso II Commission but which was significantly escalated under the Juncker Commission when it took office at the end of 2014, with environment other than climate change being virtual absent from the incoming Commission's priorities. The outcome of the UK referendum on EU membership has cast further doubt on the future evolution of environmental policy, with some arguing that it was a vote for 'less Europe'.

While that interpretation may certainly be challenged, it is evident that efforts to highlight the importance of a healthy environment and the value of action at EU level to protect it must be broadened and strengthened radically. In this respect, the role of citizens and citizens' organizations is crucial in raising awareness among decision-makers and in society. Thus the mission and purpose of the EEB is more relevant than ever.

The present Medium Term Strategy (MTS) is a response to some of these challenges. It aims to provide a framework to guide the overall direction of the organization in the coming three years, identifying which issues to focus on and prioritize, and how the organisation should work on them.

This MTS provides **guidance on both the "what" and the "how"** in the development and implementation of EEB work programmes and budgets, and when carrying out other activities. In chapters 2 and 3, it sets out the kind of world we want to create and the specific policies that need to change as part of that; in chapter 4, it describes how we plan to develop the EEB itself to make it as effective as possible in delivering those external objectives. The MTS is not a guide for the work in EEB member organisations, but signals how EEB as a federation should work, inter alia in order to stimulate increased involvement among members and others, thereby promoting a broader

mobilisation to meet the environmental crisis, in Europe and elsewhere where the EEB may have significant impact. It is important to recognise that the MTS is not detailing all activities, but instead is an instrument for prioritising among issues and methods.

The MTS takes the EEB's vision as its point of departure, and expresses its mission and core values:

The EEB's vision is *"a world in which:*

- All people of present and future generations are able to enjoy a rich, clean and healthy environment, where prosperity and peace are secured for all;*
- Responsible societies respect the carrying capacity of the planet and preserve it for future generations, including its rich biodiversity;*
- Effective environmental policies and sustainable development have priority over short-term objectives that only serve the current generation or certain sections of society."*

The EEB's mission is *"to promote sustainable development, environmental justice, global equity, transparency, participatory democracy and shared but differentiated responsibilities, as well as the principles of prevention, precaution and the polluter pays."*

## **2. Transformation to sustainable development**

**The EEB shall in the period 2016-2019 work for:**

- Full and effective implementation of the 2030 Agenda for Sustainable Development by the EU and its Member States, guided by a new EU Sustainable Development Strategy;
- Significant progress in the transformation to a Europe that functions within planetary boundaries through a substantial reduction in its resource consumption levels and pollution output, which is a global leader in the transformation to sustainability;
- Full implementation of the 7EAP and preparation of an ambitious 8EAP elaborating on the environmental dimension of a new 2030 EU SDS;
- Opposing TTIP and CETA insofar as they would promote deregulation and undermine environmental standards and principles, notably due to enhanced regulatory cooperation as proposed and investment protection measures that would allow companies to sue governments over public policy;
- Ensuring that the better regulation agenda and REFIT do not lead to deregulation, and that impact assessments at EU and Member State levels focus on environmental sustainability;
- Sustainable governance through environmental fiscal reform, and governmental

and corporate transparency and accountability; and

- Full implementation of the Aarhus Convention and its PRTR Protocol by its Parties, which in the EU should involve adopting an access to justice directive and a revised Aarhus Regulation.

Scientists have clearly described the severe magnitude of environmental problems. The loss of biodiversity continues at a rate that is virtually unprecedented in the planet's history, this time due to human activities. Climate change threatens to worsen this trend and cause increased levels of sea water and flooding, as well as worsened drought in areas already suffering from water scarcity, seriously threatening agriculture. Moreover, emissions of air pollutants and hazardous chemicals cause not only damage to biodiversity, but also human deaths and diseases, and high remediation costs.

In some cases, governance efforts have been successful and both public policy and voluntary measures have coped with local (water pollution) and some global problems (e.g. depletion of the ozone layer). But the overall picture is that the EU, its citizens, companies and agencies, are putting large footprints on the European and global environment, in some cases pushing far outside planetary boundaries.

The EEB adopted its last Long Term Strategy shortly after Europe found itself in the depths of an economic crisis. This led to the prioritisation of economic recovery over virtually all other objectives, including environmental ones. Today, after several years of modest but steady economic recovery, there is no longer the excuse of economic crisis to ignore environmental priorities, and indeed to do so would be to the long-term detriment of the economy and society. The EU needs to move towards long term change in the direction of creating the low-carbon resource-efficient economy promised in its Europe 2020 strategy.

Unfortunately, in reality the top priority continues to be the promotion of business as usual through economic growth with insufficient attention given to the environmental dimension. The coming into office of the Juncker Commission in late 2014 even worsened this tendency, bringing about a significant downgrading of the already weak position of environmental policy under the Barroso II Commission. Moreover, political instability close to the EU's borders, exacerbated by large-scale migration of refugees and economic migrants, and the record number of Eurosceptical political groups in the European Parliament since the 2014 elections and corresponding Eurosceptic

tendencies in some Member States have significantly influenced the agenda and made it more difficult to achieve progress on environmental issues.

On the other hand, there is a growing recognition, even in some high level policy documents, that business as usual is not an option and that an absolute decoupling of growth and resource use is needed. A growing number of scholars make a persuasive case that the outdated focus on growth is unlikely to mitigate unemployment and environmental degradation. In civil society, bottom-up initiatives are growing, e.g. transition groups, 'sharing economy' activities, and urban farming. More and more companies and corporate leaders take sustainability and resource efficiency seriously in new business models, even if mainstream business federations continue to defend the businesses of the past.

Furthermore and in part as an outcome of these movements for progressive change, two recent global developments are bringing external pressure to bear on the EU to give higher priority to environmental issues and may help to reverse the current negative trends in EU policy. First, the adoption in September 2015 of the global 2030 Agenda for Sustainable Development, including the 17 Sustainable Development Goals with their associated targets and indicators, has established an ambitious new global framework promoting sustainability at the highest level. Unlike the Millennium Development Goals, the 2030 ASD will require action from developed countries to reduce their environmental footprints and thereby give the least developed countries the environmental space to develop sustainably. Second, the Paris climate agreement, discussed further below, has provided at least a more promising framework for making progress in tackling climate change. Both of these agreements will now need to be implemented in full by the EU.

Historically, Europe has played a leading role in carrying out *unsustainable* development and continues to live well beyond its ecological means. However, Europe also has the opportunity to play a leading role in reversing those patterns and bringing about the global transformation to sustainability envisaged in the 2030 ASD. To some extent and without downplaying the impact of its considerable over-consumption of the planet's resources, it has already made a useful contribution in this direction through development of environmental policies and standards that are often the most progressive in the world. However, Europe's relative influence at the international level may decline as the BRICS (Brazil, Russia, India, China and South Africa) and other countries gain more economic and political weight, in particular if the EU is internally divided.

While the 2030 ASD and the Paris climate agreement have reaffirmed multilateralism, international trade negotiations, notably over the EU-US Transatlantic Trade and Investment Partnership (TTIP) and the EU-Canada Comprehensive Economic and Trade Agreement (CETA), through their proposals for enhanced regulatory cooperation and investment protection measures that would allow companies to sue governments over public policy, threaten to further an agenda that privatises profits while socializing risks. If the approach in these proposed agreements is not substantially changed, they could drastically reduce the EU's regulatory space for continuing to develop public interest policies, including environmental policies. The environmental consequences of the increased trade itself expected to result from such agreements, in terms of potential increased consumption of scarce resources and increased environmental impacts from their exploitation and transportation, also need to be taken into account in assessing the total impact of the proposed agreements.

Another major political event which has shaped the political context of this Strategy was the outcome of the UK referendum on EU membership. The 'Brexit' vote probably represented the biggest setback to the European integration process since the adoption of the Treaty of Rome. It has triggered a new political debate on the future of Europe, with some using it to argue for 'less Europe' and repatriation of powers to national capitals. The EEB has argued that on the contrary it points to the need for 'better Europe', which in some areas where the EU has successfully addressed issues that people care about such as environment will mean 'more Europe'; and for greater accountability and transparency of the EU institutions to restore public confidence in them. In any case, the promise of deregulatory measures that was offered by the EU to the UK in advance of the referendum appears to have had little impact in convincing UK voters to vote 'remain'.

As the post-Brexit debate is ongoing at the time of finalising this MTS, it is difficult to predict what the outcome of the referendum will ultimately mean for the evolution of environmental policy in the EU during the period of this Strategy. It is however clear that the EEB will need to closely engage in the debate with a view to ensuring that environmental policy is strengthened rather than weakened by the outcome.

In order to navigate the challenges ahead, it is fundamental that the EU develops an overarching Strategy for Sustainable Development that frames the political agenda in the coming years. Addressing the environmental, social and economic dimensions of sustainability, the SDS should seek to ensure that economic development respects and serves social and environmental objectives while highlighting the win-win-win

possibilities from developments that are good for all three dimensions. Among other things, a new EU SDS must provide the framework for fully implementing the 2030 ASD and the SDGs within the EU, in a manner that takes account of the role of the EU in the global context. The 7<sup>th</sup> Environmental Action Programme (7EAP) is a cornerstone of sustainable development policy that must be implemented ambitiously and needs to be followed up with the timely preparation of an 8<sup>th</sup> Environmental Action Programme with a 2030 time horizon to deliver on the environmental dimension of the new SDS.

Another key element in this context is to set policies that promote a circular economy and high resource efficiency, in line with proposals from e.g. the broadly supported European Resource Efficiency Platform under the Barroso II Commission. With the right incentives, a green economy can boost innovation, enhance employment, strengthen competitiveness and protect the environment at the same time. Among the needed policies, environmental fiscal reform (EFR) is of the utmost importance. EFR includes phasing out environmentally hazardous subsidies, for instance to fossil fuels and nuclear power, and increasingly switching taxation from labour to resources and pollutants.

Concerning the Commission's so-called better regulation agenda, this should itself be subjected to a fitness check, having on the one hand failed to deliver what could genuinely be called "better regulation" while on the other restricting the EU's ability to tackle urgent problems where legislation is the most effective option. A rigorous review of this kind should lead to a strengthening of the EU's regulatory safety net, with policies being developed on the basis of science and precaution and the fact-based conclusions of impact assessments being applied in practice – conclusions which commonly show risks to be underestimated, policy obstacles to be exaggerated and the societal benefits of more stringent laws and economic tools to be far larger than the associated costs. Several studies on e.g. air, climate and chemicals policy clearly illustrate this, in the EU and beyond.

Furthermore, the rights and opportunities for citizens to participate in planning, decision-making and activities for meeting the environmental challenges must be further developed, including enshrining in law the right to have access to justice. Therefore, to promote environmental democracy, the Aarhus Convention must be fully transposed and implemented in Member States and EU institutions, which is not the case today, mainly due to lack of political will. The EEB must keep these issues high on the agenda. Also important in relation to the involvement of the public, and a key

investment in the future, is education for sustainable development, including environmental education.

Regarding the role of the EU in the global context, the EU has the potential to play a role as a green forerunner and a broker in international negotiations. However, the European footprint is far from sustainable and needs to be reduced as a priority. To decrease the EU's global impact, EU policies need to mitigate emissions and unsustainable resource use not only inside Europe, but also in the Global South, as a result of e.g. the EU's oversized fishing fleet going South, changes in land use in Europe leading indirectly to destructive land use changes in the South, or European companies being involved – directly via supply chains or through economic linkages – in polluting production or natural resource extraction in the South.

The EEB has always sought to promote its environmental objectives within a broader sustainable development paradigm and will continue to do so. We will continue to advocate simultaneously for high-level strategies for transformational change towards sustainable development and for more concrete incremental changes in detailed policies which, over time, can deliver the kind of paradigm shift which is needed.



## 3. Priority policy areas

### 3.1. Climate and energy

#### The EEB shall in 2016-2019 work for:

- The EU being a global forerunner in climate change mitigation, by focusing on cutting domestic greenhouse gas (GHG) emissions by at least 60% by 2030 and achieving net-zero emissions by 2040, at the latest, without the use of international credits or offsets;
- A swift transformation to renewable and efficient energy systems in the EU, with binding targets to improve energy efficiency by at least 40% and boost sustainable renewables to at least 45% by 2030;
- A sustainable transportation system that prioritizes accessibility over mobility, prevents urban sprawl, and stimulates development of public transportation; and
- Legally binding sustainability standards for energy sources such as bioenergy and efficiency standards in product design, taxation of emissions and energy use, and phase-out of environmentally harmful subsidies, in particular for coal and nuclear power.

#### External context

Climate change is one of the biggest threats to humankind and present trends are alarming. Despite clear scientific warnings and good technical and economic mitigating options, policy-making is far from adequate in the EU and around the world. It was therefore encouraging to see numerous heads of states and governments concede the seriousness of the situation when meeting in Paris in 2015. The outcome in terms of the Paris Treaty, with its objective to keep global warming well below a 2°C rise while pursuing efforts to limit the rise to 1.5°C, must now be implemented by the EU through a general upgrading of its internal objectives, policies and tools. The frame for this should be the recognition that limiting warming to 1.5°C requires global transformation with deep emission cuts enabling a zero carbon society by 2050, or shortly thereafter, in line with the [Earth Statement](#). If the EU is to lead this global endeavour, EU emissions should be close to zero earlier. An updated 2050 roadmap must therefore address the issues of a complete fossil fuel phase out and set out a path to net-zero EU emissions by

2040. The EU should prepare such a roadmap in time to deliver an ambitious addition to the forthcoming IPCC special report on staying within 1.5°C.

Closely linked to these objectives, a new EU climate and energy policy should be developed built on three ambitious and legally binding targets for greenhouse gas emissions, energy savings and renewable energy, at EU and Member State level. This in turn necessitates ambitious reforms of several key related legal building blocks, including the Energy Efficiency Directive, the Renewable Energy Directive, the Effort-Sharing Decision and the EU Emissions Trading System. The need is also obvious to table a new proposal for a revised Energy Taxation Directive, to implement earlier decisions on phasing out environmentally harmful subsidies, and to develop mechanisms allowing like-minded Member States to carry out environmental tax reform, including amending state aid rules obstructing application of the 'polluter pays' principle.

As regards the Renewable Energy Directive, the EU has still not regulated the use of all renewables in a way that is desirable from an environmental perspective. As bioenergy accounts for more than half of renewable energy sources in the EU (as of 2014) and in a number of cases has been incentivised by EU policy with significant negative side-effects, it is important that the EU adopts an effective and credible new sustainability policy for all bioenergy use as part of the renewable energy package of the 2030 climate and energy framework. Bioenergy plays a significant role in mitigating climate change by replacing fossil fuels, and should continue to do so. However, to ensure that the bioenergy used delivers true and significant GHG savings and minimises harm to biodiversity, water and soil, the new policy should include stringent sustainability criteria for the various sources of bioenergy; a cap on the share of bioenergy in the renewable energy mix that counts towards the target reflecting the amount which can be produced sustainably; resource-efficient use of biomass; full accounting of the net GHG impacts of bioenergy; and environmental safeguards for non-climate aspects of biomass use. All these requirements must be based on an energy systems perspective which ensures a full and rapid phase out of all fossil energy.

The Renewable Energy Directive should be revised to address this as well as to include a new target of 45% of the EU's energy coming from renewables by 2030. The existing legislation is also too weak regarding nuclear energy, where it seems for example that environmentally harmful subsidies might be allowed also in the future to some countries for construction of new nuclear power plants, even though such subsidies may well prove to be in violation of state aid rules. Furthermore, the growing

environmental impacts from our transportation system are problematic, with low energy prices not reflecting the full external costs, lack of proper spatial planning leading to urban sprawl and infrastructure projects without sustainability in sight.

At the same time though, under the surface of present policies, the EEB recognizes that more and more companies are willing to work on addressing the problem of climate change. The understanding is also emerging within e.g. OECD that the relations between general economics and mitigating measures are mutually supportive, which in a longer time-perspective opens for policy improvements. Moreover, after decades of far too lax policies, there are signs that large emitters other than the EU are speeding up their work on climate mitigation after the Paris treaty, notably the U.S. and China which ratified the agreement in September 2016. This is not to underestimate the challenges ahead. The national emission reduction pledges on the table even after the Paris conference would lead us into a world approaching 3°C above pre-industrial temperatures by the end of the century, well above the level at which irreversible and catastrophic effects are not likely to occur.

The EEB acknowledges that significant adjustments to our energy infrastructure, including development of smart grids, are necessary and welcomes the fact that such issues are being addressed under the Trans-European Energy Networks (TEN-E) Regulation but warns of the risk of a lock-in to fossil fuel infrastructure and stranded assets as e.g. in the case of liquefied natural gas (LNG) terminals and gas pipelines being developed as so-called 'projects of common interest'. Energy infrastructure adjustments as they are being developed under the TEN-E must not be used as an excuse to weaken provisions for nature conservation, environmental protection and public participation.

### **What the EEB wants to achieve and do**

The EEB will argue for objectives and measures that promote limiting average global temperature increase to 1.5 degrees Celsius above pre-industrial levels. The EU needs to achieve a complete fossil fuel phase out and cut emissions in order to reach net-zero EU emissions by 2040, at the latest. Among the key tools for achieving this are a complete phase-out of subsidies for fossil fuels and other non-sustainable energy sources, much stronger regulations and incentive mechanisms for energy savings and energy efficiency (in manufacturing, housing, services, various goods, etc.), a radically stricter cap and trade scheme in the EU (based on full auctioning and a decreasing cap over time), a developing mix of sustainable renewables, i.e. meeting that meet strict

environmental criteria, as well as a substantial increase in financial resources for mitigation and adaptation measures in the global South. Preferably, the EU should develop a new general EU-wide legal instrument on climate mitigation, as has been done in e.g. the UK and Sweden, with emission budgets for specific periods, e.g. five years.

Further, the EEB will push for phasing out coal and lignite for power production at the latest by 2030 and stopping nuclear power, for example by cuts of all subsidies, while at the same time, arguing against the use of unconventional fossil fuels. As regards nuclear energy, the EEB will make the link with its Aarhus work by participating in the Nuclear Transparency Watch network to promote greater transparency in nuclear matters.

In the field of transportation, the EEB will advocate for a sustainable transportation system, which prioritizes accessibility over mobility, prevents urban sprawl, and stimulates the development of soft mobility modes and public transportation. Vehicles should consume little fuel and fuels should meet stringent sustainability criteria. Cost internalisation is key and needed in particular for flights and private and goods transportation. Infrastructure investments should be directed towards trains.

In general, the EEB will aim to step up its work on climate issues and, subject to budget constraints, move during the period of this strategy to broaden its activities in this field, including where appropriate in the international arena. To maximise effectiveness, the EEB will continue its collaboration with other environmental NGOs, not least with CAN, to ensure coordinated high pressure on policy-makers and in order to avoid unnecessary and unproductive overlap. Finally, the EEB should strengthen coordination among members on climate issues, including through setting up a broad working group addressing energy and climate policy in the 2050 context. Case studies monitoring the implementation of policies, including within Member States, are needed.

Key issues to influence over the coming years are the climate objectives and their national implementation, legislation on energy efficiency, eco-design, labelling, biofuels and biomass, and the EU emissions trading scheme among others. Moreover, investments in the areas of energy, housing and transportation should be targeted by the EEB, preferably in joint campaigns with other organisations, including organisations other than environmental NGOs.

The EEB will advocate for a continuation and strengthening of the TEN-E Regulation to improve the contribution of the Regulation towards an environmentally sound energy

transition without compromising rights of public participation in the relevant decision-making processes and will promote possibilities for citizens to also become renewable energy producers.

### 3.2. Biodiversity, soil and water

#### The EEB shall in 2016-2019 work for:

- Ensuring that the fitness check for the EU Nature Directives results in raising the level of protection of biodiversity through a package of new measures focusing on better implementation and enforcement, increased funding and improved policy coherence;
- Full implementation of the EU Biodiversity Strategy to 2020, including adoption of meaningful and carefully crafted measures to stop and reverse the loss of biodiversity and ecosystem services (ESS) in the EU;
- Development of a Trans-European Network of Green Infrastructure (TEN-G) initiative to mobilise further funding from the EU budget for large scale green infrastructure projects enhancing the integrity and resilience of the Natura 2000 network and other areas of high ecological value;
- Effective implementation of the Invasive Alien Species Regulation, including adoption of an ambitious list of IAS of EU concern;
- Closely monitoring of the Common Agricultural Policy (CAP) 'greening' and continuously exposing its failure to deliver for sustainable management of natural resources;
- Ensuring a Fitness Check of the CAP before negotiations on the Multiannual Financial Framework (MFF) post 2020 start, as a first step to a root and branch reform of the current CAP and the establishment of a new Food and Farming Policy leading to the abolition of all harmful agricultural subsidies;
- Further to the relevant 7EAP commitment, adoption of a legally binding instrument on soil;
- Stricter policies and better implementation of existing legislation to achieve good quality of all European waters and better manage scarce water resources; and
- Strengthened collaboration with Seas at Risk over marine issues.

#### External context

Widespread losses of biodiversity and associated ecosystem services are continuing in the EU, with associated detrimental economic and social impacts. The conservation status of many species and habitats of Community interest, which are the focus of the

Birds and Habitats directives, remains of particular concern. Declines are also continuing in some widespread and common species, and ecosystem services such as clean water provision, flood management, soil fertility, carbon sequestration, recreation and tourism are being degraded. Drivers of these problems include the intensification of farming, land use change, fragmentation and loss of habitat connectivity, climate change, invasive alien species and pollution. In order to reach the target to halt the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, significant policy changes are needed across many sectors.

The Nagoya Strategic Plan for Biodiversity 2011-2020 has been translated at EU level into the Biodiversity Strategy to 2020, for which a mid-term assessment was published in late 2015. At the same time a 'fitness check' of the central Birds and Habitats directives was launched in 2014 in the context of the Commission's Regulatory Fitness and Performance Programme (REFIT). It is expected to produce results by the end of 2016. In this context, it is worrying that the Juncker Commission has from the beginning, through the Commission President's mandate letter to the new Environment Commissioner, challenged the EU's approach to nature conservation by calling for an in-depth evaluation of the two directives with a view to assessing the potential for merging them into "a more modern piece of legislation", which is widely understood as a euphemism for weakening it. Opening the directives for revision would be a very risky process since those interested in weakening the directives might be listened to when pushing for more flexibility, further endangering species and habitats, thus impeding conservation objectives. The EEB and other NGOs have argued that rather than any revision of the directives, what is needed is better implementation and enforcement of the directives, scaled up financing for Natura 2000 management and restoration, and greater policy coherence, with a significantly better integration of biodiversity considerations into the policies that are most responsible for biodiversity loss. The result from the fitness check study prepared for the Commission concludes that the directives are fit for purpose and, if fully implemented, could make a decisive contribution towards effectively protecting Europe's natural heritage.

In this regard, agricultural policy is a key area to consider. Agriculture remains one of the main sectors impacting our environment and one of the main threats to biodiversity in the EU – this is an assessment made by the Member States themselves when reporting to the European Commission under the Birds and Habitats Directives (the EU's nature protection legislation). According to the European Environment Agency's 2015 State of the Environment report, over 80% of protected extensive grasslands in Natura 2000 sites are in an unfavourable condition. Europe is not on track to achieve its goal of

preventing biodiversity loss by 2020 and its natural capital is not being conserved and protected; nor are the goals of the 7th Environmental Action Programme being met. 60% of protected species and 77% of habitat types have an unfavourable conservation status and there has been a 57% decrease in farmland birds since 1980.

Despite successive reforms and billions spent annually under the Common Agricultural Policy (CAP), the state of natural resources is generally not getting any better. The CAP has actually played a major role in the development of a socially and environmentally harmful model of farming. At the outset, this policy was designed to feed Europeans after the Second World War but it quickly turned into a driver for unsustainable intensification of the farming sector. Today it is essentially a subsidies mechanism which hands out €58 billion of European taxpayers' money every year - almost 40% of the EU budget.

The latest reform was meant to make the policy greener and ensure that measures securing the sustainable management of natural resources would receive public money, but unfortunately attempts at real reform were thwarted by the co-decision process that ended up securing business as usual instead of real changes in our fields. The result was a watered-down CAP where even the elements that are green on paper often fail to deliver in reality. Evidence on the failure of the greening at several levels – basic acts, delegated acts, Member States' implementation and farmers' implementation – has accumulated and it is now clear that not only is the new CAP not going to be greener but also that the environmental potential of Pillar 2 (rural development) has been weakened.

While implementation of the CAP will have to be continuously monitored and pressure will have to be put on Member States to move towards better choices and to move money towards more targeted payments in Pillar 2, this will be far from enough to ensure sustainable farming in the future and demands for fundamental changes post 2020 will have to be put on the table soon enough to influence the debate. It is the whole food and farming system that is broken in Europe and only an in-depth look at the existing policies around it and in particular the CAP will help us move towards truly sustainable farming. Until the end of 2016, discussions will very much focus on the simplification of the CAP and will be detached from the objectives of the policy such as sustainable management of natural resources but in 2017 the debate on the policy post 2020 (merged with the focused discussion on EFAs) will start and once again will be very close to the discussions on the budget (MFF). For this reason, it is of paramount importance to ensure a fitness check of the CAP is done early enough and as a prerequisite for any proposals on the future of the food and farming policy.



Closely connected to agriculture, soil degradation and erosion, fragmentation and loss of habitat connectivity, invasive alien species and the potential broad introduction of genetically modified crops will need to be addressed.

Turning to water, the Water Framework Directive (WFD) is central for water quality but the aim of achieving good ecological and chemical status for all water by 2015 was not reached for many water bodies, since many River Basin Management Plans (RBMPs) came late and were too weak. For the second generation of RBMPs, a broader and more transparent approach of cost-effective water protection measures is needed. Reducing pressure on the water resources requires improved action to reduce waste of each basin's finite resources, interference by dams and dykes and pollution from nitrogen and other chemicals.

Natural solutions should be prioritized over "grey infrastructure". To this end, the flood risk management plans under the Floods Directive should be closely coordinated with the RBMPs. In case the Drinking Water Directive is reviewed, its approach should be brought closer to the WFD approach.

The WFD will be reviewed in 2019. It is important that the basic principles and objectives of the Directive are kept and its implementation reviewed. There is some room for improvement in areas like e.g. groundwater ecosystems which needs to be integrated in order to avoid loss of biodiversity inside groundwater bodies.

Reaching further out in the oceans than the Water Framework Directive, the Marine Strategy Framework Directive aims at good marine water status and is, together with the Maritime Spatial Planning Directive, a key instrument for marine resources. The successful implementation of these will play an important role in the coming period. Just as important is the Common Fisheries Policy, which was recently renewed in one of the more promising reforms during the previous EU mandate period. However, the challenges in terms of widespread marine eutrophication and overfishing of some 80 percent of EU stocks remain enormous. Therefore, while the first priority should be full implementation of the existing legislation, even if the CFP is set to last for a decade, further reforms earlier should not be ruled out. It is important that the emerging agenda for Blue Growth does not lead to increased pressure.

### **What the EEB wants to achieve and do**

Regarding the Nature Directives, the EEB has launched a campaign to push for an outcome of the fitness check that will lead to improved implementation and enforcement of the legislation, to be delivered through a package of new measures and

additional resources. To achieve this, it is of paramount importance that civil society mobilizes in order to show people's attachment to nature conservation and environmental protection more generally. To ensure maximum effect, the EEB will work together with other NGOs in the Green 10 and support its members in echoing the Europe-wide campaign at national level. Evidence of the important benefits of full implementation of Natura 2000 will be gathered and disseminated and strong public support for the existing pieces of legislation will be mobilised. Persistent causes of biodiversity loss will also continue to be addressed and measures to reduce pressures from various sectors (in particular agriculture and bioenergy) will be advocated. Opportunities for reducing such pressures through increased ambition in other environmental policies will also be seized. This should help to avoid a revision of the Directives and to ensure that Europe's most threatened habitats and species continue to benefit from high levels of protection and management and associated ecosystem service benefits are preserved and enhanced.

Following up on the assessment of the EU Biodiversity Strategy in 2015 the EEB will focus on ensuring that the ambition of the targets is maintained and commitments fully implemented. This will include supporting the development of a Trans-European Network of Green Infrastructure (TEN-G) initiative to mobilise further funding from the EU budget for large scale green infrastructure projects enhancing the integrity and resilience of the Natura 2000 network and other areas of high ecological value through the restoration of the functions and connectivity of ecosystems. With regard to a 'No net loss initiative' the EEB will advocate for an initiative that focuses on avoiding further degradation and loss of biodiversity and achieves restoration of degraded ecosystems, building on improved integration of biodiversity in policies primarily responsible for biodiversity loss and improved implementation and stringent enforcement of existing EU environment legislation. More generally, the EEB will carefully follow ESS-related policy developments at EU level with a view to ensuring that the increased focus on ecosystem services and their provision does not undermine traditional approaches to nature conservation based on nature's intrinsic value and does not happen at the expense of biodiversity. The EEB will also support the development and use of nature based solutions, in particular with regard to climate change mitigation and adaptation, while calling for approaches that effectively maximise the benefits of such projects for biodiversity. Finally with regard to invasive alien species the EEB will support the IAS Regulation implementation process at the EU level, including by ensuring the adoption of an ambitious list of IAS of EU concern, and providing support for advocacy work for national level implementation in different Member States.

In the case of agriculture, the EEB will call for a policy that focuses on producing quality food, reducing waste, improving diets and shortening supply chains. We will advocate for policies that help farmers to reduce their reliance on dangerous pesticides through ecological farm practices, keep carbon in the ground, support nature, rebuild soil fertility, improve air quality and public health, are climate friendly and, crucially, secure farmers' livelihoods by sustaining yields over time – in a nutshell, a sustainable food and farming policy.

This will only be achieved through a Fitness Check of the current CAP, meaning screening the policy and asking whether it is still relevant, coherent with environmental and policies, effective, efficient and brings added value. The EEB will therefore continue to closely monitor the implementation of the ongoing CAP and criticize its impacts on the environment, asking for a fitness check to be put on the Commission's work programme and if necessary proceed with a shadow fitness check. We will seek to ensure that this is done before discussing how much of the EU budget will go towards the CAP within the Multi-annual Financial Framework. We will also continue working to ensure full involvement of civil society (farmers, consumers, and environmental, health and development organisations among others) involved in the debate through the sustainable food and farming platform and other channels. In parallel to that process, comprehensive and robust policy proposals on a sustainable food and farming policy or policies will have to be elaborated and published soon enough to have a strong impact.

When it comes to soil, the EEB will seek to convince policymakers to develop and adopt effective policies and binding legislation in order to safeguard the quality and quantity of soils, invoking the commitment in the 7EAP in this regard, and will provide support and advice to the People4Soil Initiative. Regarding genetically modified organisms (GMOs), it is crucial that rigid risk assessment criteria and processes are put in place, that Member States are granted the right in law to say no to any GMO permitted on the EU level, and that strict sustainability criteria must always be applied in any decision-making process on GMOs. The EEB should in addition promote full and effective implementation of the legislation on invasive alien species.

Regarding water issues, in the coming period the EEB will follow and push for better implementation of the Water Framework Directive in collaboration with member organisations and be involved in the preparations of the WFD review. It will closely follow the work in some of the key WFD Common Implementation Strategy working groups like those on chemicals and on preparing a guidance document on the

implementation of new modification exemptions and the non-deterioration principle (Art 4.7).

Regarding marine issues, including eutrophication and fisheries, EEB will continue to take a supportive and collaborative role in relation to Seas at Risk.

### 3.3. Health

#### **The EEB shall in 2016-2019 work for:**

- Expedited implementation of REACH, in particular to promote substitution and to ensure that authorisation and restriction processes will take harmful chemicals off the market;
- Fundamental reforms of other parts of chemicals policy suffering from various shortcomings, including policies addressing endocrine-disrupting chemicals (EDCs) and consumer products and considering impacts on sensitive groups such as children;
- Adoption of new legislation that addresses and mitigates the emerging risks and problems with manufactured or engineered nanomaterials;
- Swift ratification, early entry into force and effective implementation of the Minamata Convention on Mercury by the EU, in a ambitious manner going beyond the minimum treaty requirements, and in developing countries in particular, leading to significant reductions in mercury supply, use, emissions and exposure;
- Effective implementation of the recently adopted National Emission Ceilings Directive, coupled with the strict enforcement of ambient air quality standards and the development of new approaches and proposals to further improve air quality in the EU, including by tackling the most problematic sources of air pollution such as road transport, shipping, agriculture and domestic heating;
- Strengthen environmental performance benchmarks for industrial activities with focus on pollution prevention at source based on the most effective techniques to deliver a high level of human health and environmental protection and ensure strict compliance by 2020.

#### **External context**

Chemicals, air and water policy and legislation are central components for protecting public health (and wildlife) and it is evident that much remains to be done in these areas. The common presence of toxic substances, in more or less complex mixtures, in

consumer products that adults and children are exposed to on a daily basis is very problematic. A number of substances long known to be hazardous, as well as numerous newer substances which science only recently or inconclusively is deeming to be hazardous, are not regulated in a protective or precautionary manner. Reproductive toxicants, cocktail effects, endocrine disrupting substances or non-tested hazardous nanomaterials in daily products are striking examples of regulatory neglect.

In order to reach the stated health and environmental objectives in the field, a broad set of reforms of chemicals legislation is needed, as is a much more rapid implementation of existing laws. For example, the REACH regulation is implemented at an unacceptably slow pace. The Commission's plans for a Fitness Check of REACH as well as the EU's approach to chemicals management seem mostly designed to reduce regulatory costs to industry rather than to fill regulatory gaps.

When it comes to air quality, some 400,000 Europeans are dying prematurely each year due to air pollutants, among these nitrogen oxides, and fine and ultrafine particulate matter in ambient air. Air pollution also harms Europe's biodiversity, for instance through eutrophication and acidification of ecosystems.

In July 2016, the EU adopted a new National Emission Ceilings (NEC) Directive which is expected to reduce emissions of particulate matter (PM<sub>2.5</sub>), nitrogen oxide (NO<sub>x</sub>), sulphur dioxide (SO<sub>2</sub>), volatile organic compounds (NMVOCs) and ammonia (NH<sub>3</sub>) by 2030. The caps are expected to result in a 49.6% reduction in premature mortality by 2030 (compared to 2005 levels). The ball is now in the court of the Member States as they need to fully implement the Directive. They should also go beyond its requirements and step up their ambition in the fight against air pollution since 250,000 EU citizens are still expected to die prematurely because of air pollution in 2030 even if the new Directive is fully implemented.

Member States must also implement ambient air quality standards which are still breached in most Member States. Several European cities are already taking action to cut air pollution but the ambition must now urgently be stepped up in order to reach full compliance with air quality standards in the shortest time possible and in any case before 2020.

The implementation of both the new NEC Directive and the ambient air quality directive require cleaning up several sectors which contribute most to air pollution in the EU. These include notably road transport, agriculture, domestic heating and shipping. In all those areas, the EEB and its members will have to continue pushing for ambitious new

policies, both at domestic and EU level. This is absolutely key if we are to meet EU standards and provide cleaner air to Europeans.

Concerning the chemical status of water, the phase out of regulated priority hazardous substances has not yet been achieved; water bodies still exceed the good chemical and ecosystem quality standards required under the Water Framework Directive. To address this problem, the Priority Substances Directive is central. More substances will need to be included in the Watch List and ultimately in the list of priority substances and in some cases stricter limits on their concentration are needed as well as strict upstream pollution prevention requirements for industrial activities. A number of pharmaceuticals, which so far have hardly been targeted, should be considered much more comprehensively. There should also be a better consideration of combination effects and linkages to REACH and the Industrial Emissions Directive (IED) need to be established.

The IED regulates large scale industrial activities and requires the operators to meet environmental performance benchmarks based on Best Available Techniques (BAT) reference documents – so called BREFs – to be reviewed within a maximum 8-year cycle, which need to be complied with within a 4-year deadline from the date of publication in the official EU journal. The multi-stakeholder review process suffers significant delays but more worrying is the lack of ambition in the Best Available Techniques performance levels in the absence of agreed criteria and a common understanding of what is economically acceptable. Recent reviews show that BAT conclusions do not implement the policy mandate to require industry to implement the most effective techniques achieving the best environmental and health protection outcome as a whole (cross-media approach) but a political compromise which rewards the laggards in the sector due to private interests. Although energy efficiency benchmarks are agreed, the European Emissions Trading Scheme (EU ETS) renders these purely optional for the Member States. A straightforward link with compliance with the relevant environmental quality standards (air and water quality, waste prevention and substitution of chemicals of concern) is not made.

Even if the situation, given this background, is not encouraging, new scientific findings on risks and problems continue to give impetus to reforms, and an increasing number of companies that use chemicals, as well as governments that gradually realise the huge health costs associated with pollutants, call for progress. Moreover, the modestly enhanced ambitions in EU climate policy imply an additional push to the air quality work. Overall however the developments in this area are heavily biased towards the

reduction of regulatory burdens on business, which necessitates an increased investment of effort by environmental groups like the EEB.

On the international level, there has been significant progress in addressing the problem of mercury pollution. The Minamata Convention on Mercury was adopted in October 2013 with the objective to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. Despite the EU having played a leading role in the development and negotiation of the Convention, the Commission dragged its feet in the implementation process and only came out in February 2016 for a revised mercury regulation and a decision towards ratification. Despite the rather progressive and exemplary EU mercury legislation adopted so far, the proposed regulation appears to have fallen victim to the EU's Better Regulation agenda, following the lowest-cost approach to meeting minimal requirements rather than promoting a higher – easily achievable and still cost-effective – level of environmental protection.

Noise issues continue to be important and huge numbers of people in the EU are negatively affected by increasing noise levels. New scientific findings of adverse health effects due to noise are indeed worrying.

The negative impacts and downsides of the emission of artificial light at night is another topic which should be given greater attention by policy makers. Light pollution is a cross-cutting topic with potential implications for e.g. biodiversity and health. For example, measures to improve the energy efficiency of lighting are positive in tackling climate change but may increase the amount of 'blue' light at night, which might be harmful to humans and other species. The goal of avoiding light pollution should be considered in relevant policy areas.

### **What the EEB wants to achieve and do**

The coming period, the EEB will push for a more ambitious implementation on both EU and Member State level of existing chemicals legislation, in particular of the REACH regulation. Here, decisions on authorisations and restrictions must be effective in reducing chemical pollution and should be taken much faster than today. REACH needs to encompass low-volume substances, groups of hazardous substances, EDCs and nanomaterials, as well as chemicals in products and those to which children are exposed. Besides REACH, nanomaterials need to be properly regulated. Moreover, chemicals policy needs to be better and more automatically linked to water and marine policy, so that e.g. hazardous substances showing up in the oceans will lead to

regulation of these under REACH or other relevant source legislation such as the IED / BREF benchmarks.

Despite its shortcomings, European chemicals policy and specifically REACH can serve as a useful model for the further development of global chemicals policy. The EEB can take a leading role in this context, by preparing a proposal for global chemicals legislation reform during the coming years, e.g. in the form of a framework convention, and in doing so seek alliances with other environmental and consumer organisations, as well as with progressive business.

On air policy, the most urgent issue in the coming years is to make sure that the air legislation package, in particular the revised National Emission Ceilings Directive, will be seriously implemented and to build support for tabling and adopting proposals for stricter air quality standards, in particular regarding particles.

On mercury, the EEB will push for rapid ratification of the Minamata Convention by the EU and its Member States, while advocating for the strengthening of the revised mercury regulation followed by effective implementation. At the global level and via the international Zero Mercury Working Group (ZMWG) network, the EEB will continue supporting developing countries' NGOs to assist their governments towards early ratification and effective implementation of the Convention. At the same time, as joint coordinator of the ZMWG, the EEB will seek to expand the network and continue to coordinate and support NGOs' participation and input to the global process.

With regard to the IED and the review of the BREF benchmarks, priority should be given to formulating BAT conclusions in such a way that the most effective techniques in delivering a high protection outcome directly related to the achievement of the 7th EAP objectives and relevant Environmental Quality Standards are prioritised over an end-of-pipe approach. A clear methodology on BAT derivation is therefore required. Preventively minimising the impact of the industrial activity on the environment as a whole should be the first priority. A frontloading assessment by an independent agency such as the EEA should define how environmental improvements in quantitative and qualitative terms (e.g. resources saved, emissions prevented) or environmental policy objectives such as circular economy can be achieved through potential BAT well in advance. The ambition level of BREF conclusions adopted under the IPPC Directive shall not be weakened; the focus should be on the reference installations used to derive the stricter BAT-AEL range. Revised standards need to provide added value to the achievement of the relevant EU Environmental Quality Standards or policy objectives set



in the 7th EAP. The ranking criteria should include effectiveness and technical potential to deliver the intended objectives within the shortest possible timescales.

Regarding water pollution, the EEB will follow the implementation of the Environmental Quality Standards Directive in collaboration with member organisations. This will involve pushing for better addressing pressures from the agricultural sector, combination effects of chemicals and pharmaceuticals as well as upstream pollution prevention from industrial activities (waste water treatment plants).

Moreover, the EEB will seek to communicate and raise attention on emerging scientific findings on health problems related to noise, and will advocate for more stringent legislation.

The EEB will also seek to ensure that avoidance of light pollution is factored into relevant policy areas such as energy efficiency and biodiversity protection.

### **3.4. Resources**

#### **The EEB shall in 2016-2019 work for:**

- Mainstreaming of the circular economy based on progressive elimination of unsustainable consumption and production patterns;
- Adoption of strong resource policies with targets and timetables that aim at significantly reducing Europe's overall resource use before 2030;
- Unleashing the potential of product policy and legislation, notably through Ecodesign, green public procurement and better consumer information;
- Rapid and ambitious adoption of legal proposals in the waste package followed proper implementation;
- Ambitious and binding environmental standards in industrial processes, with requirements on resource use and waste prevention (e.g. supporting closed loop production).

#### **External context**

Our predominant economic model is based on the idea that the world has abundant natural resources which are cheap. However, the planet's resources are finite and real prices for commodity resources have risen by more than 140% since 2000. The EU is heavily dependent on importing natural resources, many of which are critical materials

for the proper functioning of the economy. The future could bring supply shortages and skyrocketing prices for these imported critical materials. Despite high-level policy talks and the publishing of numerous strategy documents, including a European Commission roadmap, the EU has not yet delivered meaningful actions to implement resource efficiency measures.

Currently Europe severely mismanages its resources, with less than 40% of all materials getting reused or recycled. Some materials are now in fact in higher concentration in bins than in nature. In their joint report "Growth Within" for the European Commission, the Ellen MacArthur Foundation and McKinsey outlined an ambitious circular economy vision for a competitive Europe that could create a net economic benefit of €1.8 trillion by 2030, or €0.9 trillion more than in the current development path. By adopting circular principles, Europe can increase the average disposable income for EU households, take advantage of the technology revolution, and ensure better societal outcomes.

These findings have to be considered in conjunction with the fact that the European consumption patterns are not aligned with the available bio-capacity of the planet. If all citizens in the world consumed as many natural resources as the Europeans do on average, it would require the equivalent of two planets. As a consequence, the global 'overshoot' day, the day by which society has consumed one year's worth of resources, is announced earlier every year (8 August in 2016). Moving to a circular economy is a key strategy for lighten our environmental footprint and have positive impact on climate change and resources depletion. For a comprehensive picture on the environmental impacts related to our resource use, the EU should develop and monitor indicators measuring at least carbon, land, water and material footprints, as well as related biodiversity losses.

The Juncker Commission has at best had an ambiguous approach to resource efficiency and circular economy, an agenda they inherited from the Barroso II Commission. After a storm of protest at their initial plan to withdraw the revised waste legislation package, a new supposedly 'more ambitious' package was promised and finally delivered in December 2015. Despite actually being less ambitious, it did have the effect of bringing about a de facto change to Juncker's political priorities to now include circular economy which now features in the Commission's Work Programmes.

The reissued package includes proposals to revise EU waste legislation, as well as a complementary EU Circular Economy Action Plan setting out a political mandate for further measures to be implemented by the end of this Commission's term of office in

2019. The waste proposals include a legally binding recycling rate of 65% across the EU by 2030 and a maximum limit to the amount of household waste that can be landfilled at 10% by the same year. The Action Plan aims to make better use of already existing product policy instruments at EU level, such as the Ecodesign and Energy Labelling Directives, Green Public Procurement (GPP), the EU Ecolabel Scheme and Product Environmental Footprint Methodologies. However, whether these intentions will be implemented remains to be seen. The long delay in releasing a new working plan and implementing measures under the EU Ecodesign Directive and the lack of binding targets for GPP are worrying signals that many action points could never be turned into reality.

### **What the EEB wants to achieve and do**

The EEB will continue to campaign for a circular economy. A move towards a truly circular economy requires a horizontal approach across different policy areas on durability, reparability and recyclability of products, while eliminating hazardous substances from the product cycle. The Ecodesign, Waste, Waste Electrical and Electronic Equipment, Restriction of Hazardous Substances and Batteries Directives and REACH are central here, as are the Consumer Rights and Energy Labelling Directives. Making repair cheaper could be possible by making innovative use of the VAT differentiation. Key areas for adequate design requirements under the existing Ecodesign Directive and complementary regulatory frameworks could be resource-intensive product groups like construction products, furniture or textiles. Sector specific resource use and consumption benchmarks also need to be set consistently within the BREF benchmarks.

The potential revision of the EU 2020 strategy should be used by the EEB with the aim to help turn the strategy into one that takes sustainable development as a main objective and that promotes resource efficiency as a central component. The EEB will continue to collaborate with the Resource Cap Coalition here.

If the contribution of EU product policy instruments to the circular economy is better coordinated and enforced in the future, this will stimulate innovation, leverage the uptake of new sustainable business models and help designing out waste and toxics from products and services. In addition, the EEB will aim at unleashing the potential of more integrated approaches along different value chains and sectors as mentioned in the EU Circular Economy Action Plan.

Within the ongoing revision of the Waste Framework Directive, the EEB will advocate to step up efforts on waste prevention, limit the role of waste incineration and ensure a proper separate collection, e.g. of biodegradable waste, as well as for stringent enforcement of more ambitious recycling targets.. The Packaging and Packaging Waste (P&PW) Directive should be further developed to promote a circular economy. Moving towards a truly circular economy requires adherence to sound waste management. Legal drivers and incentives do not place a burden on industry but instead help to stimulate the market and reposition the discarded material stream into higher levels of the hierarchy. The EEB will fight against the manifold incentives that go against the EU waste hierarchy.

The EEB must make sure that the 'Zero Waste Programme for Europe' does not refer only to a 'zero waste to landfill' goal. It should also address the waste-to-energy question and integrate provisions that prevent previously landfilled material from being sent to waste incineration. Investments in energy recovery, creating lock-in situations for 20 to 30 years, are not compatible with the principles of a circular economy where material re-use and recycling are key.

Securing an ambitious waste policy overhaul and grasping the potential of existing EU product policy instruments are two fundamental aspects on which the EEB has a unique expertise and legitimacy and can make a difference. Without legal drivers and economic incentives, the existing status quo and business as usual will prevail, delaying the expected environmental savings and job creation, potentially freezing the European economy to a linear, resource-wasting model for much longer.

### 3.5. Governance

#### The EEB shall in 2016-2019 work for:

- Full delivery on the commitment under the 7EAP to give top priority to **improving implementation** of the EU environment *acquis* at Member State level, including through a new legal instrument on compliance assurance covering environmental inspections, enhanced inspection powers and resources for the Commission, improved national complaint handling, an Environmental Implementation Review process that helps to identify and solve country-specific but also systemic implementation and enforcement problems, and greater transparency in relation to the implementation performance of and infringement procedures against Member States;
- Prevention of any attempts under the '**better regulation**' agenda and specifically within the framework of REFIT to use the goal of reducing

administrative burdens as a pretext to weaken environmental policies, laws or standards;

- An outcome of the Fitness Check on **environmental reporting and monitoring** that improves rather than compromises the availability, quality, dissemination and user-friendliness of data and information and thus supports enforcement efforts by the authorities and the public;
- Greater **democratic accountability** through full and effective implementation of the Aarhus Convention as well as through revising the Aarhus Regulation and introducing a new directive to facilitate access to justice at the EU and Member State levels respectively;
- Improved **integration of environmental considerations** at all levels of decision-making through effective implementation in the Member States of the EIA and SEA directives and more balanced use of the Commission's impact assessment process;
- Better application of the **'polluter pays' principle**, including through an ambitious Action Plan on implementation of the Environmental Liability Directive and eventually a strengthened Directive.

## External context

Achieving the EEB's mission of promoting sustainable development, environmental justice, global equity, transparency, participatory democracy and shared but differentiated responsibilities, as set out in its statutes, strongly depends on governance structures. In the 21<sup>st</sup> century one would expect that governance structures at all levels would increasingly support these values but unfortunately this is often not the case.

"Better Regulation", when it is not a euphemism for deregulation, should lead to modernization of legislation for increased environmental effectiveness, in particular by using e-tools, increased transparency and public participation, sustainability impact assessments and integration of policies for specific sectors. It should not undermine the ambitions of existing and future policies, slow down new policy making that is needed to respond properly to environmental challenges or reduce enforceability and transparency of implementation.

The fact that Member States face difficulties in implementing EU laws has sometimes too hastily been used to argue that there are too many EU laws, without first considering whether the absence of those laws, even if poorly complied with, would lead to a better society and environment. The general slowdown in presenting new laws is regrettable but it is yet another reason to increase efforts to improve enforcement. Laxity in the handling of breaches of EU law sends the wrong signals. In the long run

only a solid harmonised environmental *acquis* and its full application can provide the conditions for a healthy sustainable economy.

EU politicians repeatedly claim that better implementation and enforcement is a top priority but at the same time oppose (or fail to support) the very measures which can deliver better implementation and enforcement. By not pursuing the non-respect of EU law in a more determined and efficient way, the EU loses credibility for its inability to uphold the rule of law and fails to prevent often irreversible damage to the environment and harm to citizens' health. It also misses an opportunity to reduce costs and create jobs. Finally, it fails to regain the trust of European citizens and get them again more interested in and supportive of the EU.

The 7<sup>th</sup> EAP commits the EU to giving 'top priority' to implementation of the EU environment *acquis* at Member State level and to this end states that efforts in the period up to 2020 will focus on delivering improvements in four key areas, which may be summarised as follows:

- Improving the way that knowledge about implementation is collected and disseminated;
- Extending requirements relating to inspections and surveillance to the wider body of Union environmental law, and further developing inspection support capacity at Union level;
- Improving where necessary the way in which complaints about the implementation of Union environmental law are handled and remedied at national level;
- Ensuring effective access to justice in environmental matters and effective legal protection for EU citizens.

The second and fourth elements clearly lend support to the tabling of legislative proposals on environmental inspections and access to justice.

The divergence in the quality of national inspection and enforcement regimes across Member States is evident and has been acknowledged in many official EU documents. The preparation of a legislative proposal on environmental inspections to address this problem began already under the Barroso II Commission but unfortunately such a proposal has so far not made its way through the Juncker Commission's 'better regulation' filters. Inspection requirements with a binding character have been included in some sectoral laws, which is welcome. However, an EU law establishing minimum standards for environmental inspections horizontally, without in any way hampering or weakening existing environmental inspection provisions in sectoral law, would be more efficient and lead to a more harmonised application of EU environmental law and requirements. This would help to uphold the rule of law, would be positive for the environment and would also contribute to more harmonised business conditions.

In addition, there is a need for appropriate bodies and structures at EU level to improve the application and enforcement of EU law, such as an EU agency coordinating environmental inspections. The Commission should be given the necessary powers and resources to establish such an agency. Greater transparency in relation to the implementation performance of Member States as well as the infringements process will also help to put pressure on governments to comply with the law.

Providing members of the public and NGOs with better access to justice to challenge violations of environmental law at both EU and Member State level would also lead to better implementation and enforcement of the law, but is also necessary to strengthen the democratic accountability of governments towards citizens and ensure that the EU is in compliance with its international obligations under the Aarhus Convention. At Member State level, there are large disparities in access to justice between Member States, leading not only to obstacles for citizens seeking better enforcement of the law but also to the lack of a level playing field for business. The 2003 proposal for a directive on access to justice fell victim to the better regulation agenda and was withdrawn in 2014 but the need for a legally binding instrument remains. At the level of the EU institutions, there are also significant obstacles in access to justice in environmental matters due to the excessively restrictive way in which the EU has chosen to interpret the Aarhus Convention, leading the Convention's Compliance Committee to preliminarily conclude in June 2016 that the EU is not in compliance with the Convention. Thus revision of the Aarhus Regulation which is supposed to apply the Convention to the EU institutions and a new legislative proposal to strengthen access to justice at Member State level should be priorities for the Commission in the forthcoming period.

Access to justice is one of the three pillars of the Aarhus Convention, but the other two, on access to information and public participation in decision-making, are no less important. Despite the Convention having been negotiated two decades ago, there remain problems with its implementation in the EU across all three pillars, again at both Member State level and at the level of the EU institutions. Addressing these requires ongoing vigilance by environmental NGOs, including by making use of the Convention's compliance mechanism.

Monitoring and reporting is essential to check that environmental policy is being implemented and to make sure that the EU institutions and European citizens are informed about the quality of the environment and the effectiveness of the actions taken to maintain and improve it. Adequate public accessibility of the information and data gathered is also a prerequisite for active engagement of citizens in decision making. The Commission has launched a Fitness Check on environmental reporting and

monitoring<sup>1</sup> that aims at ensuring that environmental monitoring and reporting is scaled back, simplified or made more efficient (less burdensome). It aims to identify where requirements could be simplified in terms of scope, level of detail, frequency and timing of the reporting thus lowering administrative burdens for Member States. Other ongoing fitness checks contain similar elements like those on the European Pollutant Release and Transfer Registers (E-PRTR) Regulation<sup>2</sup> and the INSPIRE Directive<sup>3</sup>.

The VW scandal clearly shows that there is an inadequate level of enforcement of EU legislation at Member State level. Availability of good quality data and information along with transparency of that information is a key element in ensuring the necessary control and enforcement of the EU *acquis* as well as stimulating innovation in the sector.

The European Union has made some hesitant steps towards better enforcement. One new measure is the introduction of the Environmental Implementation Review (EIR), a soft instrument intended to improve implementation of the existing EU environmental *acquis* in the Member States. Under the EIR, the Commission will provide country-specific reports on the level of implementation of the environmental *acquis* in the Member States that will be discussed with them afterwards. It will also provide a European-wide overview of systemic issues that will be subject of discussions in the Council.

A key aspect of good environmental governance is ensuring that environmental considerations are properly integrated and taken into account in governmental decision-making processes. Environmental impact assessment and strategic environmental assessment have been key tools in this regard. The revised Environmental Impact Assessment Directive includes many improvements helping to overcome some of the shortcomings and loopholes in the previous directive and improving public participation to some extent; now it is time to correctly implement it in the Member States. The Commission's internal impact assessment process should also in theory be a tool which promotes environmental integration, having been originally intended as a process to assess the environmental, social and economic implications of new proposals in a balanced way. However, in recent years the practical experience with impact assessments suggests that they have focused unduly on assessing the impacts on competitiveness and thus do not serve as real sustainability impact assessments.

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<sup>1</sup> <https://ec.europa.eu/eusurvey/runner/FCMonitoringReportingSurvey>

<sup>2</sup> <http://ec.europa.eu/environment/industry/stationary/eper/implementation.htm>

<sup>3</sup> [http://ec.europa.eu/environment/consultations/inspire\\_en.htm](http://ec.europa.eu/environment/consultations/inspire_en.htm)



Another important aspect of good environmental governance is the polluter pays principle. Based on this Treaty-enshrined principle, the Environmental Liability Directive was adopted in 2004 with the goal of preventing and remedying environmental damage. An assessment of the implementation of the Environmental Liability Directive recently concluded by the Commission discovered many shortcomings. However, a revision of the functioning of the Directive is not envisaged, only an Action Plan on the implementation is foreseen by the Commission.

### **What the EEB wants to achieve and do**

The Commission should reinforce compliance promotion activities, inspections and enforcement in a wider sense. All three activities are needed, with inspections and strict and coherent enforcement measures being particularly important. The EEB will press for a Compliance Assurance Directive with a strong inspections and surveillance part, and will also support the inclusion of provisions for environmental inspections in specific sectoral laws where these are being negotiated, while recognizing that the latter have limited scope and cannot meet the need for a more horizontal approach.

The EU should have a stronger, more straightforward EU policy and practice in relation to enforcement, rather than withdrawing and handing it back to national levels. While the Commission is charged with the responsibility of being “Guardian of the Treaty”, it does not have the means to do this effectively. The EEB will call for an EU Inspection body in order to have more systematic and rapid enforcement of environmental laws and to deal more effectively with public concerns.

When it comes to environmental democracy, the EU should be a world leader and set a good example among the Aarhus Parties. The EEB will continue to push for better implementation of the Aarhus Convention at EU and Member State level, while maintaining the pressure on the Commission to come forward with legislative proposals for a new directive on access to justice and a revised Aarhus Regulation.

The data collecting and monitoring systems built up over the years based on EU environmental legislation should be maintained and improved. Any proposals for simplification of reporting and monitoring requirements should not be allowed to lead to dismantling or weakening such systems, as this would result in an even lower level of enforcement compared to the current inadequate situation. The EEB will oppose any such dismantling initiatives and urge Member States to comply with all requirements of the EU *acquis* and to provide citizens with all data and information necessary for their active engagement in decision making.

Environmental data should generally be available to the public with active dissemination in order to encourage public involvement in policy decisions. The Fitness Check exercise should therefore focus on how to improve the quality and dissemination of information to make it most effective and user-friendly in a way that does not compromise but rather improves the enforcement levels and promotes progress in pollution prevention measures. This would mean in some areas the collection of some additional information and newly designed public dissemination tools. Attempts to reduce administrative burdens should under no circumstances compromise the levels of enforcement or reduce pressure on industry to undertake pollution prevention measures. The EEB will emphasize this during the Fitness Check.

The Environmental Implementation Review, as a new instrument to improve implementation of the existing EU environmental acquis in the Member States, should identify and solve country-specific but also systemic issues, going into root causes, involving public administration quality and other sectors. The EEB will engage in this exercise and seek to ensure that it is taken seriously in the Member States and in the Council.

The EU should clearly ensure integration of environmental policy objectives into all policies and for all levels of governance, based on common interests and with respect to the different strengths of local administrations. To this end, the EEB will make sure that EEB member organisations are well informed about the new requirements under the revised EIA directive and their improved rights for information and participation, and encourage them to monitor the transposition in their country. We will continue collecting information on complaints cases about bad transposition of the Directive or about breaches in its application and as far as possible provide support to EEB members having submitted such cases. We will also press the Commission to make more balanced use of its impact assessment procedure so that it takes better account of environmental implications of proposals, including the implications of not taking action.

The Commission's assessment of the implementation of the Environmental Liability Directive discovered many shortcomings. The EEB will seek to ensure that the upcoming Action Plan is ambitious enough to address those problems and results in better enforcement of the current framework. In the long run the EEB will advocate for a stronger ELD.

### 3.6. Global and regional processes

Apart from taking account of the wider global and regional context in its work in the above policy areas, the EEB shall in 2016-2019 work for:

- Full and effective implementation of the 2030 Agenda for Sustainable Development, including the 17 SDGs and the associated targets and indicators, by the EU and its Member States;
- Ensuring that the EU takes a leadership role in global environmental and sustainable development issues;
- Active EEB participation in international environmental and sustainable development processes, notably UNEP/UNEA and the UN High-Level Political Forum on Sustainable Development, in order to advocate for progressive outcomes;
- A strong presence in the EU accession countries of the West Balkans and Turkey in order to support the adoption and implementation of the EU environmental acquis through policy-oriented projects and activities, capacity development and collaboration with NGOs and civil society;
- Active promotion of progressive EU standards in environmental policies in the EU neighbourhood countries, particular the Eastern Partnership countries, through effective collaboration with civil society organizations with a view to achieving stronger environmental policies in those countries;
- Facilitation of NGO participation in OECD environment-related processes;
- Coordinating NGO input at UNECE level into the Aarhus Convention and participating in other relevant UNECE processes e.g. Environment for Europe; and
- Strengthened collaboration with MIO-ECSDE over Mediterranean issues.

#### External context

Europe has a clear and huge responsibility to contribute in several ways to global sustainable development. One reason is the enormous and unsustainable footprint that the EU has long been and still is placing on the Earth as well as on peoples' livelihoods in the global South; another is the great opportunity for the EU to contribute both financially, by reforming its policies, and by taking a moral and practical leadership.

The UN, including UNEP and UNECE, the OECD and other international and regional organisations outside the EU can make an important contribution to the development of environmental and sustainable development policy in Europe, just as, conversely, the Europe can make an important contribution to the development of international and regional policies in these areas. The EEB has for many years played a role in these

forums, which has provided important learning and influence as well as enabled global networking.

Among the many policies and processes existing and taking place internationally, those linked to the 2030 Agenda for Sustainable Development, including the SDGs, are of particular significance at this time, potentially enabling the linkages between environment and development to be explored further and synthesized into win-win governance strategies. Despite the negative trends affecting Europe's domestic policies on environment and sustainability described above, the EU played a generally constructive role in the intergovernmental processes leading to the adoption of the 2030 Agenda and can take some credit for the level of ambition in the outcome. That outcome, and specifically the obligation to implement the SDGs in Europe, will now help to strengthen the EU's domestic policies, thus underlining the importance of engagement in such international processes.

Another important outcome of the Rio+20 conference was a partial upgrading of UNEP, notably through establishing universal membership of the governing body and increased funding. The new UNEP was also supposed to strengthen its stakeholder engagement policy but has so far failed to do so despite the issue being discussed at both meetings of the new governing body, the UN Environment Assembly, to have taken place so far (in 2014 and 2016). UNEP is the main UN forum at global level with an exclusive environmental mandate but it also has a presence at both pan-European and EU levels which are also useful for bringing together those concerned about the environment.

Among the processes that are relevant to European environmental and sustainable development policies is the continued enlargement of the EU on the regional level. The EU accession countries and EU Eastern and Southern Partnership regions struggle with multiple challenges in development and especially implementation of effective environmental and climate change policies. The EEB has a long record of activities aimed at promoting better environmental policies in the countries neighbouring the EU and strengthening collaboration with and empowerment of NGOs. For many NGOs working in those regions, collaboration with the EEB is an important part of their capacity development and the EEB has been actively helping and backing activities aimed at the promotion of better policy practice and protection standards. Economic hardship, corruption and alliances between business and politics have been increasing the pressures for exploitation of the natural resources in these countries. Social

inequalities and poverty lead to unequal access to resources but also to decision making.

Certain processes and instruments under the auspices of the UN Economic Commission for Europe have been particularly significant in shaping European, including EU, environmental policy. These include multilateral environmental agreements on air, water, industrial accidents, environmental impact assessment and environmental democracy. Probably the most significant of these and the one where the EEB has played the biggest role is the Aarhus Convention. The Environment for Europe process, a series of pan-European Ministerial conferences which back in the '90s gave rise to the Aarhus Convention, has generally tended to decrease in importance outside of Eastern Europe and Central Asia, though the prospect of the 9<sup>th</sup> Ministerial conference returning to the Czech Republic to mark the 30<sup>th</sup> anniversary of the original Dobris Conference in 1991 could see a resurgence of interest in EU countries, depending on the agenda.

In 2013, negotiations for a new bilateral trade treaty (TTIP) between the US and the EU started, with an aim to rapidly agree on a broad number of issues. Quite soon though, the project became severely criticised by civil society – including the EEB – as well as by many politician, trade unions and researchers, and the time horizon for the process has been changed. Among the most criticised aspects are (process-wise) the nearly complete lack of transparency, and (factual and more important) both the idea to set up an international dispute settlement mechanism (ISDS) and regulatory harmonisation in areas where EU and US policies diverge fundamentally. The latter concerns both present laws and, maybe even more so, future legislation (a proposed so-called Regulatory Cooperation Council is among the most controversial ideas here). Aside from these aspects, if the outcome of TTIP is a net increase in consumption levels in two parts of the world which already consume beyond their fair share, and an increase in the environmental impacts associated with the exploitation of resources and transportation of goods, it is likely to make the goal of living within planetary boundaries more elusive than ever.

The slow progress in the TTIP negotiations, its growing unpopularity among the public and the less enthusiastic attitude towards it among politicians, including those likely to succeed US President Obama, has put a question mark over whether TTIP will be concluded in the short to medium term if at all. By contrast, CETA is at a very advanced stage and seen as more acceptable by European politicians even if it contains some of the same problematic elements as TTIP.

## **What the EEB wants to achieve and do**

The EEB scaled up its work in this area following the integration of the former Alliance of Northern Peoples for Sustainability (ANPED) into the EEB from the beginning of 2014. The former staff of ANPED formed a new unit, the Global Policies and Sustainability Unit, and some former ANPED members that were not already EEB members joined the EEB. These changes coincided with the geographical expansion of the EEB to cover virtually the whole continent of Europe, including Eastern European countries where ANPED had been active. For the first time, this extended the range of countries from which environmental NGOs could become full members beyond the EU, EU candidate and European Economic Area countries to include the Eastern Partnership countries and Switzerland among others. When approving this expansion, the General Assembly explicitly affirmed that the primary focus of the EEB's activities would remain the European Union and its environment-related policies, while implicitly confirming the EEB's longstanding recognition of the value of working closely with the environmental movement in the countries neighbouring the EU. Through this practice, the EEB has been able to support and give a voice in Brussels to environmental NGOs in countries whose governments have entered into formal agreements with the EU and which are thereby very much influenced by its policies. Thus the activities referred to in other chapters of this MTS will also be applied in the countries neighbouring the EU even where this is not explicitly mentioned, where resources permit and it makes sense to do so.

The EEB will seek a central and active role among the UN major groups in the various European and UN processes for following up on and implementing the 2030 Agenda for Sustainable Development, aiming not least to bring together environment and development perspectives in civil society. Here, links will be made internally within the EEB, ensuring coherence between the policies EEB is promoting domestically within the EU and globally.

The EEB will also remain active in UNEP processes at global and regional level, participating in the biennial UNEA meetings and serving as co-organiser with UNEP's Regional Office for Europe for UNEP's European regional consultation meetings where mutually agreed. Furthermore, the EEB will continue to work on and coordinate NGO input into the OECD's environmental programme.

The EEB will continue to closely monitor the CETA process and TTIP negotiations and address these as part of its ongoing work on topics such as REACH and climate issues, as well as on a more horizontal level. The EEB does not oppose free trade agreements

as such; while the extent to which they contribute to over-consumption should be taken into account, they can bring benefits to society provided that environmental and other social costs are carefully considered and as long as the interests of people in developing countries living in poverty are supported. In the case of TTIP, a number of points are critical and EEB will focus its work in particular on regulatory cooperation and proposals for an investor state dispute settlement mechanism.

As regards pan-European<sup>4</sup> processes, the EEB will continue to actively engage in and coordinate NGO input to the Aarhus Convention processes with a view to achieving more effective implementation of the Convention, including through use of the Convention's participatory compliance mechanism, expanding the number of Parties and further developing the provisions of the Convention to address legal gaps and loopholes. Other UNECE instruments will be followed where there are useful synergies with existing policy work, e.g. the Industrial Accidents Convention or the Protocol on Pollutant Release and Transfer Registers. The EEB will also monitor the preparations for the 9<sup>th</sup> Ministerial 'Environment for Europe' Conference (provisionally scheduled for 2021 in the Czech Republic) and assess nearer the time whether and to what extent to engage.

The EEB will continue to monitor developments regarding accession negotiations with candidate countries in South-East Europe and Turkey. Through participation in regional networks and bilateral projects with countries/NGOs in the region, the EEB will focus on the opportunities and momentum provided by the enlargement process, while continue to support civil society in their activities. With the recent developments on the borders of the European Union, including in the countries within the European Neighbourhood Programme and Eastern Partnership, we see the increasing importance of developing common activities and projects in the region. Moreover, we will aim to strengthen cooperation with the MIO-ECSDE over Mediterranean issues.

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<sup>4</sup> This term is used loosely to encompass e.g. the five Central Asian countries which are active in the 'Environment for Europe' and other UNECE processes.

## 4. An inclusive and effective EEB

### The EEB shall in 2016-2019 work for:

- A strong and well mobilized EEB membership network, in both qualitative and quantitative terms;
- Sharp political advocacy, continuing its work with the EU institutions and in particular EU Presidencies as well as building partnerships and alliances with other stakeholder groups;
- An effective communication strategy and practice to raise awareness of challenges and solutions, in particular among key decision makers, stakeholders and the wider public;
- Intensive networking and building of alliances with like-minded organisations from different segments of the civil society sharing the common goal of an environmentally sustainable and socially just future; and
- A robust organizational base, with funding that is as far as possible predictable, sustainable and sufficient and a highly professional and motivated staff body.

In order to achieve the external policy objectives identified in the previous chapters, the EEB needs to further develop its work in a number of areas.

### 4.1. A strong membership network

As the largest federation of environmental organisations in Europe, the EEB has member organisations in almost all EU Member States, some candidate countries and Eastern Partnership Countries – more than 150 member organisations whose own members total some 15 million environmentally concerned citizens. Some twenty member organisations are themselves supranational federations. This unique combination gives the EEB enormous reach. The wealth of expertise within the network is considerable, as together the EEB members cover virtually all environmental issues, sectoral and horizontal.

The EEB's inclusive broad membership is fundamental to the organisation's identity and effectiveness. It has enabled the EEB to serve as a credible and authentic voice for the European environmental movement. Maintaining and further strengthening the membership in both qualitative and quantitative terms is of key importance.



## **Expanding the EEB network**

While the EEB is a large network, it is far from comprehensive. Many environmental organisations in Europe that are not yet EEB members could be eligible for EEB membership, with mutual benefits resulting. In 2016-2019, the EEB will continue to consolidate its existing membership network and expand the EEB network to European countries with no members, in countries with potential additional members, and to other pan-European networks, to become a more comprehensive umbrella organisation for Europe's environmental and sustainability NGOs.

To effectively work towards these objectives, the EEB will evaluate the success of previous membership expansion activities and develop membership expansion plans with targets and indicators. The EEB will also provide more engaging membership information on the new EEB website to be launched in 2017 with a view to a) clearly communicating the unique role of the EEB in the environmental movement and the added value of membership, b) showcasing the diversity of the EEB membership and the members' activities and c) attracting new members.

The goal of membership expansion also applies to environmental NGOs with a primarily European focus. Besides present EEB members that fit this description, other organizations with a European focus could benefit from membership and in turn enrich the EEB. The Green 10, of which the EEB is an active member, also plays a valuable function but with a coordination role, the G10 has some limitations compared with a federation such as the EEB or umbrella organizations among e.g. the consumer, development or business communities. To facilitate the further participation of such organisations within the EEB, the recent opening for European networks to be represented on the Board of the EEB should be used. In parallel, it is important in the coming period to evaluate the EEB's position in the green landscape and in relation to the evolution of the Green 10.

## **Stimulating and deepening members' involvement**

The EEB is driven by its committed members. The members – and their individual members – constitute the core of the EEB; they are the organisation's heart and most important resource. In the coming period, it will be important to further stimulate and facilitate members' participation. Thereby, EEB can further enhance its political effectiveness and strengthen its communication and outreach activities.

To further this objective, the EEB will continue to provide oversight and support to EEB working groups so that they plan, engage their members and operate in line with best practice; support Board members in their responsibility to engage with their own national members to encourage their participation in EEB activities, coordinate feedback to the EEB draft work programme and support plan implementation; develop capacity building opportunities for EEB members (e.g. aimed at strengthening practical lobbying skills); develop the existing EEB Intranet and other internal communication tools to facilitate member engagement; explore the interest in and possibilities for organising the EEB Annual Conferences and Annual General Meetings abroad as took place in Austria in 2016 and is planned for Scotland in 2017; provide advice and support to individual members upon request and through the many working groups; and carry out membership satisfaction surveys on a regular basis. In all these membership-related activities, the EEB will 'walk the talk' on limiting the environmental footprint of the activities, e.g. by using more of web-conferencing and a green travel policy.

Particular attention will be paid to enabling and encouraging the EEB's members to become more vocal advocates in national level debates about the benefits of the EU developing more and better environmental policies. This has become particularly urgent in light of a political climate dominated by Eurosceptics and general tendencies in mainstream political groups to address that by pressing the EU to do less, including on environmental issues.

### **Mobilizing citizen power**

It is important for EEB to stimulate a diverse membership, constituted by active members that demonstrate people's power through e.g. social media.

As a federation of organizations, some of which are themselves federations, the EEB's relationship with individuals is primarily mediated through its members. The extent to which the individuals who are the members of the EEB's members are aware of and mobilised by the EEB is primarily dependent upon the member organisations.

In the period 2016-2019, the EEB will explore advances in communications technology, campaign methods and website engagement tools to better enable individuals connected to EEB member organisations to directly engage in environmental advocacy. This could strengthen and unleash a so far untapped potential of the millions of environmentally concerned citizens who are the individual members of EEB member organizations. Resources permitting, the EEB should also consider the potential for

mobilizing citizens who are not members in any EEB member organisation. Here, identifying national communications focal points or other partners will be important.

## **4.2. Sharp political advocacy**

The EEB has effectively influenced EU policy-making over several decades and the capacity today is probably stronger than ever before. The EEB strives to take a proactive approach and works actively with agenda setting. Besides also functioning as a watch dog, EEB has an additional important advisory role, including by developing and delivering concrete policy positions, and by participating in various processes, and institutional bodies and committees. A unique character of the EEB in the context of environmental advocacy is to combine high-level non-silo-thinking with detailed nitty-gritty, knowledge-based advocacy, a combination which gives the EEB high credibility among decision-makers. Nevertheless, the EEB still needs to constantly review its approaches, working methods and communication style in the political and institutional landscape.

In the coming period, the EEB should seek to further mobilise its membership in political advocacy, in particular by encouraging them to use their role in national level debates and fora as opinion leaders to make a strong case for the EU to develop new and more ambitious environmental policies. This could be done for instance by using the various EEB working groups to refine and develop the advocacy methods used.

On a more general level, it will be important to be actively involved in key meta-discussions, such as the debates on the future of the EU, rising Euroscepticism, government and corporate accountability, growth, systemic change, social and environmental justice, sufficiency, and resources cap and quotas. The EEB will also increase its efforts to spread messages beyond the usual audiences, e.g. by connecting more with non-environmental policy makers in the institutions, by taking part in non-environmental policy events, e.g. business conferences, and by delivering EEB messages through non-environmental media channels.

The EEB will continue to work closely with the three main European institutions, namely the Commission, the Parliament and the Council. As regards the Council, focussing on the EU Presidencies will continue to be key priority, reflected for example in the memoranda to Presidencies with the 'ten tests' and through participation of the Secretary General in the Informal Environment Councils. Dialogue with Permanent Representations will be maintained and efforts will be strengthened in the coming period to make a greater difference at the Member State input to the Council through increased mobilisation of EEB member organizations. Greater attention will be paid to relations with actors (Commissioners, DGs, Council configurations, Ministers including Prime Ministers, EP committees) not explicitly designated 'environmental' but whose actions and decisions have a major bearing on the environment.

Moreover, the EEB will actively seek to be more engaged in global policies and potentially in bilateral processes or projects with non-European regions or countries, as long as the issues at hand link to EEB's stated mission and provide an obvious opportunity for the EEB to exert effective influence. Whereas with a few exceptions (e.g. mercury, Aarhus) the EEB's work outside the EU has been addressing high-level policy frameworks (e.g. the SDGs), the EEB's four decades of experience in working with EU environmental policies can be of enormous value to other countries such as China or India whose influence on the condition of the global environment has grown and will increase further. Conversely, achieving progress in such countries can bring help with the further development of EU policies, e.g. in relation to product standards. The possibility of the EEB engaging selectively with such countries will be explored and where appropriate pursued during this period.

### **4.3. Solid alliances**

The EEB has a long history of working closely with like-minded stakeholders, including environmental NGOs but also a variety of other civil society groups such as social, consumer and development NGOs, trade unions and progressive business. In the forthcoming period, we will increase our efforts to develop such partnerships where they are fruitful and offer effective channels for pursuing our objectives.

As regards collaboration with other environmental NGOs, the EEB will continue to play an active role within the Green 10, while at the same time exploring how to further enhance the Green 10's effectiveness and potentially also its governance structures. In some cases, working with 'coalitions of the willing' with some Green 10 and some non-Green 10 participants may prove more expedient and will be pursued. The EEB will also continue to participate in ad hoc coalitions working on specific environmental topics, or in ad hoc joint actions such as joint letters to decision makers.

On broader sustainability and governance issues, the EEB will continue to play an active role in coalitions such as SDG-Watch, a broad multi-sectoral civil society alliance set up to influence the implementation, follow up and review of the 2030 Sustainable Development Agenda at EU and Member State level, or the Better Regulation watchdog that was set up in response to the deregulatory agenda of the Juncker Commission.

The Spring Alliance has in the past been an important framework within which NGOs have come together with trade unions but has been less active in recent years. It will be important to assess whether it makes sense to revive this configuration or not, though in any case the EEB should aim to maintain good relations with the trade union movement.

#### **4.4. A clear and powerful voice**

Communication has been given increasing priority in the EEB in recent years, with progressive expansion of capacity and the creation of a proper communications team. This has led to a steady improvement in the quality of communications tools and outputs, and has enabled the EEB to improve its outreach. However, in order for the EEB to be able to communicate in line with its policy reach, this trend will need to continue in the coming period. The EEB communicates well on issues where we have press officers dedicated to specific topics (e.g. nature and agriculture or the circular economy). This has been made possible by earmarked project funding where a specific communications component has been built into projects. However, we need to have sufficient staff to be able to communicate on all leading issues and campaigns as well as to manage the EEB's social media tools and website and to help with internal communications tools, such as a newsletter for members. Thus continued expansion of the communications team is needed.

The EEB will continue to ensure that policy and communications work closely together so that the two are used to mutual benefit and have the maximum impact on policymakers. Making smart use of communications in advocacy work is becoming increasingly important to influence decision-makers (and to satisfy funders) and the EEB needs to make sure that its policy documents and reports are sharp and fresh and have strong facts and figures that can be communicated and have impact on a wide range of stakeholders from Commission staff, to national governments, MEPs, industry, NGOs and the general public.

This will also include working closely together with EEB members, other NGOs, trade unions and progressive business, so that when we offer packages to journalists that reflect our positions and demands, we include quotes and contacts from other stakeholders and thereby show that we are part of a larger movement for positive change, advocating strategies and change that is in line with other key players.

The EEB's visibility will doubtless be improved when it receives a brand refresh, new logo and website in early 2017. Following discussions at all levels of the organization about the need to modernise the image of the EEB, a schedule for rebranding was approved and set in motion in 2016, and is aimed at making the EEB fully relevant to all stakeholders. The new logo will represent all aspects of the organisation, while the new website will better communicate what we do in Brussels and the work of our members throughout Europe and beyond, as well as being easy to navigate on all devices.

## **4.5. A robust organizational base**

As the need for concerted environmental action in Europe continues to increase, the EEB will seek to continue expanding its operations and therefore its budget, seeking to both diversify and consolidate funding. Maintaining and strengthening ties with existing funders will be important, as will identifying and approaching new potential funders.

With the economic crisis having squeezed the budgets of many of the EEB's government donors and the Commission having changed its rules so as to significantly reduce the EEB's core grant, increased efforts have been made to obtain new sources of funding, with a particular focus on deepening partnerships with some foundations. This has been relatively successful, with foundations overtaking the core grant as the single largest funder category. However, there is much further potential for expanding funding from foundations, which should be explored during the period of the strategy, alongside other sources such as green private sector funding. In the latter case, stringent ethical criteria should be applied. Renewed efforts for targeting governments will also be pursued. One area which will be explored is that of joint projects between the EEB and its member organizations. Finally, the EEB office could provide more support to EEB members to raise funds from EU sources.

Having highly motivated and well qualified staff is an essential ingredient of healthy and efficient organisations, and indeed of the EEB's success to date. Attracting and retaining high quality staff requires more than an exciting mission, though; it requires an ethos of fairness, mutual respect and integrity; encouragement of efficiency and excellence; provision of opportunities for training and career development; and a working environment which is supportive of individual needs. During the period of the strategy, the EEB will increase its efforts to provide a friendly supportive working environment which maintains top quality output, including through developing structured staff training programme. We will also continue to apply and keep under review our policies against corruption and discrimination, and to promote gender equality within all our operations and externally. When EEB staff eventually move on to other jobs or careers with other NGOs, governments, the Commission, the private sector, academia or wherever, we will consider it as a mark of the success of our organizational culture if they bring good memories, values, knowledge and experience with them from their time with the EEB.

In addition, the EEB is committed to creating monitoring processes and systems to increase its operational efficiency over the coming years, including annual progress

assessments and a mid-term review of the current Medium Term Strategy. The EEB will also put in place a participatory drafting process for the post-2019 Long-term Strategy.

The EEB will also continue to improve its delivery of organisational development and environmental commitments under the Accountable Now Charter (formerly the International NGO Accountability Charter).