



META MORPHOSIS



CAN THE EU-2020 STRATEGY SET THE EU ON A GREEN COURSE?

By John Hontelez, EEB Secretary General

Editorial

In his Policy Guidelines published in September 2009 to convince the European Parliament to agree his reappointment, President Barroso launched the "EU-2020 Strategy" for what was until then the Post-Lisbon Strategy. The Lisbon Strategy had a strong focus on promoting growth and competitiveness for EU business, but President Barroso showed that he now understood that environmental issues, and climate change in particular, required a more central place in such a strategy.

On the 24th November the Commission launched a consultation via the internet on how the EU-2020 Strategy should look, in line with the Policy Guidelines of President Barroso.

The EEB responded in detail and found that it had some encouraging suggestions but to a large extent follows the traditional approach. For example, it puts "sustainable growth" as the key objective rather than creating an ecologically and socially driven prosperous economy that delivers quality of life for everyone. The EEB feels it is not essential whether or not we achieve growth of GDP. What is essential is the direction, quality and impact of the actions we undertake.

On a positive note, the Commission writes: "In developing a new vision and direction for EU policy, we need to recognise that conserving energy, natural resources and raw materials, using them more efficiently and increasing productivity will be the key drivers of the future competitiveness of our industry and our economies".

The EEB added that this is not only a matter for "future competitiveness". Reducing the use of energy, natural resources and raw materials are essential requirements to ensure a sustainable future for the people in the EU and the world. It would also ensure that economic activities no longer undermine the preconditions for their own existence in the future. The EEB insists that the EU-2020 Strategy should follow this approach and set concrete, measurable targets to increase eco-efficiency (resource-efficiency) and create an absolute decoupling of economic growth from the use of resources and environmental degradation to direct the economic policies.

The Ecological Footprint is currently a widely used tool to estimate the relation of human activities to the carrying capacity on an aggregate level.

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Europe's current Ecological Footprint is estimated to be 2.5 times above its fair share of the planet meaning it is living at the expense of other regions of the world – mainly developing countries –, future generations and the regenerative capacity of ecosystems. The EEB therefore proposes that the overall objective for the "EU 2020" Strategy should be to reduce the EU's Ecological Footprint by 50% within 20 years.

The Strategy should also take into account the fact that in the coming decade we may see the end of the "easy oil era" and that we achieve "peak oil" - but we should not wait for that either. Besides renewables promotion, the EU needs an ambitious new Energy Efficiency Action Plan with an absolute energy use reduction target of 20% for the next decade. The EU-2020 Strategy should also aim to achieve energy savings-motivated renovations on 40% of existing buildings in the next decade, leading to major greenhouse gas reductions, green jobs creation and increase of quality of life.

The EEB repeats its demand for an EU wide environmental tax reform by shifting at least 10% of the revenue or tax-base in Member States away

from labour to environmental pressures, resource use and capital by 2020. This is also one of the explicit demands of the Spring Alliance.

As the EU-2020 Strategy will not have the power of law it requires strong institutional backup. The Lisbon Strategy was translated into guidelines for national Lisbon programmes and on that basis all Member States had to report yearly to the Commission on progress. The Commission then analysed, commented and published an overview. It also used the Strategy to launch new laws and re-focus the EU's cohesion policy (and the related structural and cohesion funds priorities) and even used it for direction on its Research Policy (also a big money-spender).

However some Member States no longer want to be assessed and criticised, and therefore want to see the end of these guidelines. On the other hand Prime Minister Zapatero of Spain, the first Prime Minister of an EU Presidency who himself does not have a lead role in the European Council, called for legally binding targets and timetables.

The issues mentioned above are a selection of what the EEB wants to see in the EU-2020 Strategy.

Whether or not this Strategy really goes green - for people and planet - will depend on the coming months. On the 3rd of March the Commission will launch its draft EU-2020 Strategy and it aims for conclusions in the European Council in June. However, the new (permanent) President Van Rompuy has made it clear that he wants to play a big role in the EU-2020 Strategy and has organised an informal extra European Council meeting on the 11th of February to influence the Commission in its preparatory work. Whether or not this is good news remains to be seen; President Van Rompuy has so far shown more interest in a social agenda for the EU than the environmental agenda.

The EU-2020 Strategy is an important debate. It may set the ideological scene for the next decade, and it could impact the environmental mandate for the Commission. With our allies in the Spring Alliance we will do what we can to influence its outcome. The impact of the Strategy will be vast so it is vitally important the debate also takes place at national levels and not the EU level alone. •

[Find the paper on our website](#)

EXPECTATIONS FOR THE SPANISH PRESIDENCY



The Spanish presidency of the European Union is facing many important future challenges. Crucial decisions will have to be taken and the manner in which this is done could mark the urgent turnaround necessary to advance sustainability. The Presidency provides a window of opportunity for the Spanish government to act with ambition and courage and to reflect on the current economic crisis alongside the multiple environmental challenges the EU, and the world, currently face.

Amongst the many priorities for the Spanish Presidency, there are three that stand out for their urgency and magnitude:

Firstly, after the failure of the Copenhagen Summit Spain must now take up the reins on the European position on climate policy. There is no time to lose and Europe has the moral responsibility to make drastic reductions without waiting for the actions of other countries. As the COP-16 in Mexico approaches, the European Union should propose a domestic reduction of emissions by 40% by 2020, compared to emissions levels in 1990. Moreover Ecologistas en Acción, insists on an intermediate goal to be established of a 23% reduction by the year 2017 to demonstrate the firm resolution of this commitment. This objective represents what should be an ambitious and fair world agreement that would recognise and make explicit the climatic debt industrialised countries of the North owe the global South.

Secondly, the European leaders in the Spring Council need to approve a new objective concerning the loss of biodiversity after the failed objective to halt its decline by 2010. The alarming levels of current biodiversity loss should create even greater ambition than what existed nine years ago. The

European Union should not content itself solely with stopping the loss of biodiversity but should also work to recuperate the biodiversity that has already been lost and return species and spaces to a status of healthy conservation that could guarantee the existence of healthy and resilient ecosystems. The Spanish presidency should understand that our own existence depends on urgent action to maintain biodiversity.

Finally, what is far more important than simply establishing an ambitious biodiversity objective is to develop the appropriate steps and tools to realise such a goal. In order to do so, it is necessary to understand the socio-economic roots of biodiversity loss and the elements of the current economic model that work against its preservation. At the very least the policies that attempt to tackle the loss of biodiversity should be prioritised, making biodiversity protection the focal point of economic decisions in a way that could act as a filter for sectoral policies - in particular those policies concerning agrarian issues, energy, fishing, transportation, industry, water and tourism.

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EEB'S 10 GREEN TESTS FOR THE SPANISH PRESIDENCY

1. AN EU-2020 STRATEGY THAT BRINGS SUSTAINABLE DEVELOPMENT

- | Follow the Spring Alliance Manifesto in designing the Strategy, so that it is strong in its environmental, social, green and quality job creation dimensions.
- | Fully involve the Environment Council in the debate.
- | Set an overall objective to reduce the EU's ecological footprint by 50% by 2030 as a way of moving towards an energy and resource efficient economy.
- | Stimulate and coordinate targeted eco-innovation policies, including through the promotion of green public procurement, getting the prices right through environmental fiscal reform and dynamic standard setting for products (including the Top Runner approach).
- | Develop Open Method of Coordination for major tax shift from labour to resource and energy consumption and/or pollution throughout EU.

2. FOLLOW UP OF COPENHAGEN

- | Carry out an immediate assessment of the outcomes of Copenhagen.
- | Conduct an internal review and assessment of the EU strategy and its position in the climate talks.
- | Ensure that Europe is playing a leading and constructive role, with a clear, unified position and active engagement in the negotiations, in order to achieve a strong, fair and legally binding agreement as soon as possible, and no later than December 2010 (COP-16).
- | Move to accelerated domestic greenhouse gas reduction policies: to a 40% greenhouse gas reduction target by 2020 compared with 1990, with domestically made reductions.
- | Set in place the 7.2bn euros that the EU will contribute to the "fast start financing", to be made available with immediate effect.
- | Set clear figures on the EU contribution, of at least 35bn euros a year, by 2020, to go directly to developing countries for mitigation and adaptation support. This financial support must be new, additional to ODA commitments, predictable and binding.

3. SHOW LEADERSHIP ON THE BIODIVERSITY AGENDA

- | Ensure inclusion in the EU-2020 strategy for biodiversity and healthy resilient ecosystems as the foundation of an eco-efficient economy.
- | Adoption by the Spring Council of a new biodiversity target, for 2020, being not only to stop further biodiversity loss but to bring species

- and habitats into favourable status as well as to enhance the status of ecosystems. This will ensure the long term delivery of the goods and services our economy depends on as well as safeguarding our natural heritage for future generations.
- | A strong mandate from the European Council to the Commission to develop a policy package containing the following measures necessary to reach the new target: mobilise sufficient financial resources; adopt a new approach to the use and implementation of existing instruments such as Natura 2000 and the Water Framework Directive; to support a transition process in key sectors such as agriculture, fisheries, energy and transport; and to adopt the necessary new legal instruments in the areas of soil, for example, invasive species and resources.
- | Call for a thorough assessment of the impact of existing trade and future trade agreements on biodiversity in other parts of the world.

4. COHERENT FRAMEWORK FOR INDUSTRIAL POLLUTION PREVENTION AND CONTROL

- | Remove derogations from compliance with Emission Limit Values (i.e. 20.000 opt out derogation) or delays to comply with Emission Limit Values (TNP) based on BAT (BATAEL);
- | Tighten compliance assessment requirements for Emission Limit Values.
- | Include smaller installations from 20 MW and reject exemption for particular industries. And in general:
- | Agree on clear and strict criteria for permitting authorities when industrial installations may derogate from BATAEL (e.g. derogation only to existing installations, based on cross media impact clear technical assessment and open to public scrutiny).
- | Support extension of EU wide European Safety net to other industry sectors.

5. AN ENERGY EFFICIENCY ACTION PLAN WITH BINDING TARGETS AND PROPER INSTRUMENTS

- | Legally binding absolute energy use reduction targets by 2020, leading to absolute reduction of energy use in EU of 20% in next decade.
- | Reform the Energy Tax Directive to include substantially increased minimum levels to above 39 Euros per tonne oil equivalent.
- | Give retail power companies responsibility and financial incentive to promote and implement energy efficiency measures in households, SMEs and industry.

- | Launch a major initiative for energy efficiency oriented renovation of existing building stock throughout the EU.

6. PROTECT AND IMPROVE EU'S SOILS

- | Re-start work on the Soil Directive on the basis of the Portuguese Presidency proposal to the December 2007 Environment Council and ensure a Common Position that will include:
 - A clear legal obligation to decontaminate polluted sites and application of the "polluter pays" principle as an incentive to industry to avoid polluting in future.
 - An effective and mandatory approach to addressing soil degradation processes caused by unsustainable land use practices.
 - A clear requirement for Member States to address current rates of soil sealing.
- | Insist the Commission finally delivers specific legislation on biowaste, including minimum levels of composting and a quality standard for compost.

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7. STRENGTHEN LEGISLATION ON WASTE FROM ELECTRICAL AND ELECTRONIC EQUIPMENT

- | Improve transparency in management of WEEE and prevent leakage of WEEE from official collection routes by clarifying the roles and obligations of all actors in the waste chain.
- | Ensure that Individual Producer Responsibility is fully implemented.
- | Add specific targets for problematic product categories such as cooling & freezing appliances, lamps and small appliances.
- | Promote reuse through a dedicated reuse target.

8. PHASE OUT HAZARDOUS CHEMICALS

- | Ensure continuation of EU leadership role in UNEP Mercury Treaty negotiations.
- | Secure appropriate priorities to be discussed at the first Intergovernmental Negotiating

Committee (INC) such as supply and trade. | A thorough debate in the Environment Council about the (lack) of progress with implementation of REACH, in particular with regards of the phasing out and substitution of substances of very high concern.

9. NATIONAL EMISSION CEILINGS

- | Insist the Commission adopts the revision proposal of the National Emissions Ceiling Directive without further delay.
- | Set stricter interim air quality targets for 2020 according to the objectives of the 6th EAP.
- | Support tighter national caps for the four pollutants (sulphur dioxide, nitrogen oxides, volatile organic compounds and ammonia).
- | Insist on ambitious first-ever national caps on emissions of ultra fine particulate matter (PM2.5) which is the pollutant with highest

impact on human health, with health risks even higher than PM10.

- | Require additional emission abatement measures within the national programmes for the implementation of the directive.

10. TOWARDS A RESPONSIBLE EU NANOTECHNOLOGY POLICY

- | Lead Member State discussion on the anticipated Nanosciences and Nanotechnologies Action Plan, to ensure that fundamental research on hazard and exposure is undertaken before further development of applications.
- | Ensure strict regulation, provision of information and labelling for use of nano in food through the Novel Food Regulation revision, and in the Provision of Food Information to Consumers Directive revision. •

THE SWEDISH PRESIDENCY: HIGH HOPES END IN DISAPPOINTMENT



L-R: President of the European Council Herman van Rompuy, Swedish President Frederik Reinfeldt, New High Representative for Foreign and Security Catherine Ashdown, Commission President Manuel Barroso

Sweden had high environmental ambitions ahead of its EU Presidency. Some years ago people even talked about twisting the relationship between the Lisbon Competitiveness and Gothenburg Sustainability strategies, placing them in a new framework – a Stockholm Strategy – to foster sustainable development. However, much like the Swedish Presidency itself, these hopes soon fizzled out.

Once the agenda was condensed, the government ranked the Copenhagen climate summit as number one priority, closely followed in the field of environment by a plan for an eco-efficient economy and an EU Baltic Sea Strategy, in addition to several legislative issues in the pipeline – which were fair aims.

However, in contrast to the proud environmental tradition of Sweden we saw a new pattern gradually emerging both domestically and at EU level. While Sweden pushed more than other Member States for high greenhouse gas reduction targets it simultaneously advocated a heavy use of, for example, the Clean Development Mechanism, thereby slowing the transformation to sustainable EU societies.

Eventually, Sweden's behaviour in Copenhagen was akin to a hawk state. By helping to block more ambitious EU objectives and by placing an unfair responsibility on developing countries, including accusing poor African states of being OPEC lobbyists, Sweden helped set a tone which prevented progress. This counterproductive

leadership from the EU Presidency was one of several key reasons for the dramatic failure in Copenhagen.

Concerning an eco-efficient economy, the environment and enterprise ministers of Sweden did a good job in convincing key players to follow. But due to an obvious lack of support from the Swedish Prime Minister the concrete conclusions came to nearly nothing in the end. Even less was achieved on sustainable development and the adopted Baltic Sea Strategy is far from sufficient. Consequently, the outcome on these issues is very disappointing.

On some other topics, as the EEB assessment suggests, Sweden contributed to progress. It worked hard and successfully on global mercury reduction and gathered support for ambitious new global biodiversity targets. Back home in Sweden however the government was pushing for new nuclear power and dramatically reducing its biodiversity efforts, including lowering the budget, eroding laws and permitting large-scale hunting on the strictly endangered Scandinavian wolf population - which all in all undermined the Swedish leadership.

2009 was a bad year in the history of environmental protection and Sweden contributed to that. •

By Mikael Karlsson, EEB President



EEB MEMBER FOCUS

News from EEB members and working groups



JOINT PROJECT OF HUNGARIAN SOCIAL AND GREEN NGOS

In 2009 CEEweb started a project with three Hungarian social NGOs in order to develop joint recommendations to tackle seemingly sectoral problems such as biodiversity loss, poverty and the abandonment of rural areas. The goal is to develop holistic solutions to enhance sustainable development. This project took inspiration from the Spring Alliance with the Manifesto being used as a reference point.

Ecological problems are challenging decision-makers and increasingly society as a whole. Furthermore, growing poverty, unemployment and the economic crisis are posing further challenges. CEEweb believes that a core problem is that decision-makers do not look at the interlinkages between problems arising in different areas and so do not give efficient answers to their root causes. Therefore, the goal of this project is to unfold common socio-economic drivers behind environmental and other problems and to formulate holistic solutions to tackle them.

CEEweb started an innovative cooperation between environmental and social civil sectors asking for deeper changes that effect the prevailing socio-economic structures of today's society.

CEEweb would like to channel the results of the cooperation into the negotiations of various professional and representative forums, as well as into the preparation of the 2011 Hungarian EU presidency. The opening conference was held between November 30 and December 1 in Szentendre, Hungary with 40 participants representing 11 social, nine green and nine other (intersectoral, university, ministerial etc.) organisations.

During the conference participants discussed and brainstormed different opportunities presented by cooperation. Amongst other things, the following notable ideas were mentioned:

Cooperation within the framework of the Climate Bill

The Hungarian Sustainable Development Council, as well as a coalition of green NGOs, is currently working on a Climate Bill for Hungary. As the social implications of the Climate Bill are expected to be major, cooperation of green and social NGOs for the better implementation and early adoption of the Bill could be of highest importance.

CEEweb also collaborate with Friends of the Earth Hungary which is leading the campaign for the adoption of a Climate Act in Hungary – possibly adopted in 2010 – and is therefore one of the main issues we will be discussing the coming months.

Cooperation for the streamlining of green and social policies

The mutual review of sectoral policies, laws, regulations and so forth provides a range of opportunities for cooperation, for example:

- | Finding green solutions for social problems (e.g. creation of jobs) and vice versa.
- | Examining the effects on one sector's rules and regulations on the other sector (e.g. climate law, social laws).

- | Joint review of laws, bills and cases. Making and collecting common case studies, and/or forming common opinions on existing case studies.
- | Helping mutually in managing conflicts (e.g. dissolving the social background of conservationist conflicts, illegal lodging).
- | Supporting and speaking up jointly for social or environmental disadvantaged areas.
- | Fostering common projects.

Cooperation in the field of awareness rising and communication

Awareness raising is of primary importance for changing both the drivers of social and environmental problems. Awareness rising about sustainable development can effect the change of values of society which is the basis for all long term and effective solutions.

These ideas and proposals form the basis of the intersectoral working group established during the conference. During the coming months four meetings of the working group will be held where group members will look closer at social and environmental problems and develop solutions for tackling them.

For further information on the Social and Green Coalition, please visit the Hungarian site or contact Sarolta Tripolszky, project coordinator.



CAMPAIGN UPDATES

What's the latest news from EEB's campaigning frontlines?



A NEW COMMON AGRICULTURAL POLICY: MEETING THE ENVIRONMENTAL AND FOOD CHALLENGES OF THE FUTURE.

Together with four other environmental and farmer groups, the EEB published in December 2009 a common proposal for a new legitimate and meaningful way of spending the EU's agricultural funds after 2013.

The proposal has been published on a special website hosted by the IEEP. The purpose of the website is to communicate this common vision and provide a constructive basis to encourage an open and inclusive debate with policy makers and stakeholders.

In February 2010 the proposal as well as the reactions received are planned to be publicly presented. Only comments received by the end of January 2010 can therefore be taken into account.

More info at: <http://cap2020.ieep.eu/vision>

Pieter de Pous EEB biodiversity officer

BARROSO DEFENDS BIODIVERSITY LEGISLATION

In other news: In early January 2010 a major Dutch newspaper reported that in 2009 the Dutch Prime Minister Balkenende asked Commission President Barroso, in vain, to weaken EU biodiversity legislation to allow the

'balance between ecology and economy' to be more favourable to the latter.

Barroso gave a sharp response, for example: 'Ensuring proper management of Natura 2000 sites is also a sound economic investment in itself.'

The fact that Barroso in his answer not only refused this request in clear words but also swept the floor with Balkenende's argument is a very encouraging signal that, at least within the Commission, the importance of biodiversity is becoming increasingly better understood at the highest political level.

Pieter de Pous EEB biodiversity officer



ENERGY PERFORMANCE OF BUILDINGS DIRECTIVE

The revision of the 2002 Energy Performance of Buildings Directive (EPBD) initiated by the European Commission in 2008 concluded with political agreement in November last year.

The final agreement is an improvement on the Commission proposal but is not as ambitious as what EEB had called for in terms of scope, urgency and the range of measures required. Buildings built from the end of 2020 onwards must have high energy-saving standards ('Nearly Zero Energy') and be largely powered by renewable energy. Public authorities' building

projects are to lead the way two years earlier, from 2018.

While the standards are strong, these deadlines are too late to help meet the EU's greenhouse gas emission reduction targets for 2020. The main opportunity for improvements lie in existing buildings for which no specific targets have been set except for new requirements for increased efficiency on all major renovations, which are likely to be insufficient.

Much is left open to Member States to decide which measures to take to transform the existing building stock. We welcome the recognition that all components of a building, such as windows, roofs, fittings etc have a significant impact to the energy performance and are therefore included.

Despite calls from the EEB and the European Parliament, no new funds, or options of innovative fiscal incentives such as reduced VAT for energy saving services and products, were introduced. Rather than addressing it in the Directive itself, further assessment of financial resources is expected by the Commission and Member States in 2011 and therefore delaying the urgently required decisions in this area.

The December 2009 Energy Council was expected to formally adopt the EPBD first reading, but due to the entry into force of the Lisbon Treaty, some legal issues still need to be clarified, namely the legal basis of the EPBD and the comitology procedure. The EP and Council are having initial discussions, but an agreement on the final EPBD recast is not expected before February. The Council of EU Energy Ministers first reading is expected in the coming months; however the recast itself will not be changed.

For more information contact:

Catherine Pearce, EEB Energy Policy Officer



HOT OFF THE PRESS!

Recent EEB press alerts and Media coverage



Connie Hedegaard, Commissioner for Climate Action Designate, chairing talks in Copenhagen.

COPENHAGEN ACCORD FALLS FAR SHORT ON CLIMATE POLICY

The EEB cast anger and disappointment as no significant agreement was made in Copenhagen. The Copenhagen Accord was presented as 'meaningful' by some world leaders but was condemned by many for its lack of ambition and the process in which it was agreed. The UN climate conference agreed to "take note" of the Accord on Saturday morning, but it was not formally adopted.

The EEB regards the Copenhagen Accord as greatly disappointing in many respects. Despite a reference to the two degrees limit and a 100 billion dollar climate fund for developing countries, it offers no commitments to a legal treaty, with no target year for peaking emissions and no mid-term reduction levels for countries to be achieved.

The EEB deplores the fact that the EU used the lack of commitment from industrialised countries as an excuse to keep their reduction targets at 20% for 2020 and to not pledge any real figures on long term financing for developing countries. The 20% reduction target will do nothing to keep global temperature rise below 2 degrees. Recent reports demonstrated that a 30% domestic target is entirely achievable, and at a lower cost than was previously calculated.

Full press release on our website.



EEB DISAPPOINTED ABOUT OVERALL PERFORMANCE OF SWEDISH PRESIDENCY

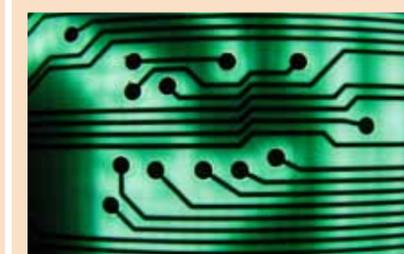
EEB released its assessment of the Swedish Presidency based on the Ten Green Tests it put before the Swedish government last year.

EEB views the six month Presidency as a convenient period over which progress on the EU's environment-related policy and legislation can be measured. The assessment is positive for its openness to civil society initiatives on sustainable development, on international mercury negotiations and on progress in the debate on future protection of biodiversity.

It is outright negative on the results on climate change, the review of EU's sustainable development strategy and even on one of its key initiatives, on promoting an eco-efficient economy. On legislative proposals, on buildings, industry emissions, and waste from electric and electronic equipment, results and progress were not impressive. Another Swedish initiative, on a Baltic Sea Strategy, the EEB has a mixed evaluation.

EEB Secretary General John Hontelez: "Clearly the biggest disappointment was how the EU got itself sidelined in Copenhagen, lacking the needed leadership, a combination of poor management of its international relations and an unconvincing internal climate/energy package. Furthermore, the ambitious eco-efficiency initiative did not lead to much more than an interesting conclusion of the Environment Council, but pressure from Europe's political leadership to bring this centre stage of the future EU-2020 Strategy is missing."

Full press release on our website.



STUDY REVEALS EU'S DRIVE FOR GREENER ELECTRONICS IS FALSE MARKETING

The EU's "Ecodesign" Directive can currently be considered as a case of "false marketing" according to a study released by the European Environmental Bureau. The EEB commissioned the study to analyse the impact of three EU Directives and address the environmental impacts of electrical and electronic products throughout their life-cycle.

Given the complexity of the products, ecodesign issues need to be dealt with in the most integrated way possible. However, the study concludes that there are more gaps than synergies in the implementation of the Directives resulting in a fragmented approach to "ecodesign".

The study, undertaken by Lund University, includes a review of the tools used within the "Ecodesign" Directive to assess different environmental impacts of products. It takes an in-depth look at the implementing measures development process for four product groups: computers, televisions, domestic fridges and lighting.

The study identified a steady decline from considering a total and integrated life cycle methodology towards merely setting minimum energy efficiency standards which only address a part of the use phase impacts. It found the EU remained vague on how to deal with the other ecodesign aspects.

Full press release on our website.

UNFINISHED BUSINESS IN COPENHAGEN



Swedish President Frederik Reinfeldt and Commission President Barroso fail to move EU climate agenda ahead in Copenhagen. Ethiopian Prime Minister Meles Zenawi centre.

The Copenhagen Conference marked the culmination of a two year negotiation process to enhance action on climate change under the Bali Roadmap, launched at the 13th Conference of Parties of the Climate Convention in 2007. The conference attracted unprecedented attention with over 40,000 people representing governments, NGOs, intergovernmental organisations, faith based organisations and media in attendance. Almost 115 world leaders attended the last two days for the 'high level' segment – the largest gathering of world leaders outside UN headquarters.

Considering the huge expectations and high stakes to bring a strong result in Copenhagen, world leaders could not afford to return empty handed. Time is not on our side and the serious threat is clear; some negotiators were literally fighting for their survival. The claims of EU leadership on climate change in particular meant that they had to play a clear, decisive role in the talks – fully engaging in the negotiations and offering constructive ways forward to achieve a strong agreement.

However, rather than 'sealing the deal' based on a fair, ambitious and legally binding agreement which would help prevent dangerous climate change only an inadequate political agreement and a loose commitment to develop the details over the next 12 months was achieved.

Considering the high stakes, many politicians attempted greenwash spin: calling the agreement 'a start' and 'positive' - or were quick to point the finger and blame others for such a weak outcome.

The talks throughout the two weeks were plagued by concerns and walk outs over transparency and process, for which the host government, Denmark, was severely criticised. Divisions within the EU seemed to distract and disable their ability to

seize opportunities, particularly at crucial moments, to reach out in a constructive and meaningful manner that would have united these talks. Lacking any strong unified voice, they fell victim to others undermining their ambition.

By late Friday evening, rather than basing any agreement on the text that had been painstakingly developed by the two Ad hoc Working Groups, an impromptu back room meeting between five key Parties hammered out a last minute deal as though the last two years of talks, the Bali Action Plan and the UN system did not exist.

The EEB finds the Copenhagen Accord very disappointing in many respects. Despite a reference to the two degree limit it offers no measures on how this will be kept. It refers to the 100 billion dollar climate fund for developing countries but does not offer any detail such as where the money will come from nor how it will be managed.

It does not pin industrialised countries to targets or timescales and only specifies domestic action by developing countries through measuring, reporting and verifying their actions (such transparency itself a contentious issue in the negotiations). Finally, it offers no commitments to a legal treaty, with no target year for peaking emissions and no mid term reduction levels.

Many small countries vulnerable to climate change rightly angrily rejected the Accord on the grounds that it had no substance and due to the manner in which it was formed and presented. Others accepted it with bitter resignation.

The Accord offers an Annex in which rich countries must register the emissions cuts they will make by 2020 by the end of January 2010. By the time this article is published, we will know what the

EU has pledged, but the signs are clear that it will simply present what it has decided already end of 2008: 20% emission reductions compared to 1990 in any case, and if other countries make comparable commitments this could go to 30%. And both cases allow substantial possibilities to achieve part of these reductions not at home but through projects in developing countries through the Clean Development Mechanism (CDM).

At an informal meeting of EU's Environmental Ministers on 16th of January EEB's Secretary General called for an unconditional 30% pledge to send the message that the EU is ready to at least do its fair share. At the same time, the European Commission should start work on a 40% reduction scenario by 2020, with no CDM involved. According to scientists this is the only level of ambition that the EU and other industrialised countries should take on in order to stay below the 2 degree temperature rise limit they all agree on.

Such a scenario would also set Europe on the correct path towards a more secure, more prosperous and better way of life for its citizens in a low-carbon society. On the contrary, the 20% reduction target will do nothing to help keep global temperature rise below 2 degrees. Recent reports demonstrate that, given that the economic crisis has decreased actual emissions in the last year considerably, a 30% domestic target could be achieved at a lower cost than was previously calculated for the 20% scenario.

The work is not yet done. We must do all we can to achieve a strong, fair and legally binding agreement as soon as possible, and no later than December 2010 when the Parties to the Convention and the Kyoto Protocol will meet in Mexico. In order to achieve this we must ensure Europe is playing a leading and constructive role, with a clear, unified position and active engagement in the negotiations. This means clear, ambitious targets and new, additional money on the table for developing countries.

Speculation on the new world order, blame and recriminations, an outraged global civil society movement and further climate negotiations and meetings ahead means that 2010 promises to be a lively year, and one where determined international action on climate has to be taken. •

By Catherine Peace, EEB Climate Change Policy Officer

2010, THE INTERNATIONAL YEAR OF BIODIVERSITY; NOW WHAT?

In 2001 EU heads of state committed to halting the loss of biodiversity by 2010. Now that 2010 has started it is clear that this target will be missed. This needn't come as a surprise. The reasons behind this failure are long known: a lack of financing; a lack of integration into other policy areas; a lack of implementation of existing instruments; the absence of instruments - for example in the area of soil protection; and a failure to tackle the deeper drivers of biodiversity loss. All while a part of the world's population is living far beyond its ecological means.

The EU's Biodiversity Action Plan (BAP), adopted with a five year delay in 2006, was meant to contain the actions necessary to meet this target but was only as effective as the existing measures under the different sectoral policies. The BAP did not propose any changes to such existing measures. On a positive note important progress has been made in the establishment of the Natura 2000 network, the cornerstone of the EU's biodiversity policy, with most Member States now moving to put the terrestrial part under an effective protection regime.

Coming up with a new biodiversity policy including new targets and instruments has now become more urgent than ever before. Unlike climate change, in most cases biodiversity can no longer be brought back once lost. Yet biodiversity is essential in sustaining the living networks and systems that provide us all with health, wealth, food, fuel and the vital services our lives depend on.

Most importantly such a new policy should not be developed in isolation. At the moment most of the political attention is focused on economic

recovery and identifying a successful exit strategy from the economic crisis. A sustained economic recovery has for example a central place in the Commission's consultation paper on the follow up to the Lisbon Strategy, called "EU 2020". A major challenge is ensuring that biodiversity and ecosystems, as the natural capital that lies at the basis of a truly sustainable economic recovery, are given a central place in this new EU 2020 strategy. Including a new biodiversity target for 2020 will be a major challenge but it is vitally important that this will happen.

The new biodiversity target for 2020 should not only entail an immediate halting of further biodiversity loss but it should also achieve a reversal in trends and reduce the EU's ecological footprint to 2000 levels. This would lead to the restoration of ecosystems and support the EU's ability to adapt to the inevitable impacts of climate change.

Secondly, the EU should identify the levels of investment required to protect and restore its biodiversity to 2020 targets. The EU must also identify a number of financing mechanisms to deliver this funding: reform of existing agriculture, fisheries and other harmful subsidies to transform them into a payment for ecosystem services scheme and ensuring a fair contribution from different sectors to the recovery of the costs for delivering ecosystem services, starting with water services as required under the Water Framework Directive (WFD).

Thirdly, the EU should start constructing green infrastructure which will both reconnect wildlife and its habitats and deliver important ecosystem

services. This can initially be done through the improved implementation of its nature and water protection policies - the Birds and Habitats and Water Framework Directives. However, to ensure the correct and fair application of these policies across the EU a new special EU inspection body will need establishing.

Finally the EU should develop a set of new policy tools and instruments which would fill legal gaps - such as in the area of soil protection and tackling invasive species - and also integrate biodiversity protection into its policies on products and natural resources.

In November 2010 the 10th Conference of the Party of the Convention on Biological Diversity will take place and should adopt a new global biodiversity target. With an ecological footprint of more than 2.5 planets and as the world's biggest consumer market, the EU has a special responsibility on this global level. The EU has a first opportunity in the 2010 Spring Council to demonstrate its commitment and responsibility by adopting a new ambitious biodiversity target for itself which will be firmly embedded in the EU's new 2020 Strategy. •

By Pieter de Pous, EEB Biodiversity Senior Policy Officer

Link to UNEP website for international year of biodiversity: <http://www.unep.org/iyb/>
Link to EEB website where EEB vision for new biodiversity policy will be uploaded: <http://www.eeb.org/activities/biodiversity/>

> Continued from page 2

Just as necessary is a more effective use of existing tools such as the Natura 2000 network.

The responsibility of the European Union in the loss of biodiversity reaches far beyond its borders. A reform of the European commercial agenda will be necessary to drastically reduce our impact on foreign resources. In May, Madrid will hold the EU-LAC (European Union-Latin America and Caribbean) Summit and a serious compromise focusing on the reduction of biodiversity loss

should pass along with a reform of the Economic Partnership Agreement (EPA) to be signed in the Summit.

Lastly, the Spanish presidency hopes to approve the new Lisbon Strategy (EU 2020 Strategy). Economic growth cannot continue as the major objective of the Union. The focus on maximising economic growth, as established in the Lisbon Agenda, has impeded the development of social and environmental objectives increasing

inequality in the access to resources at a global level. The new Lisbon Strategy should place economic decisions inside the environmental limits of the planet. In this way, the European Union needs to adapt itself to its environmental space and drastically reduce its ecological footprint. •

By Samuel Martín-Sosa Rodríguez,
International Coordinator, Ecologistas en Acción and
EEB Board Member.

ENFORCING INDIVIDUAL PRODUCER RESPONSIBILITY



The WEEE Directive, which entered into force in 2003, outlines the principle of Individual Producer Responsibility (IPR) for financing the waste management of electric and electronic equipment (WEEE). IPR is an individualisation of the idea of Extended Producer Responsibility (EPR), which tends to internalise the environmental burden of products by asking producers to cover the costs of waste management linked to their products. This IPR principle means that producers should only be responsible for the end of life costs of their own products.

This principle is seen as a major lever which offers incentives to producers to integrate end of life thinking into the design of their product (e.g. for recycling and for dismantling). In fact, producers are more likely to use end of life thinking if they can minimise the costs of end of life processing with better design, and would therefore benefit themselves from such initiatives.

Unfortunately, very few countries actually implemented IPR, with more than a third of the Member States ignoring it completely.¹

How can this be explained? When the first version of WEEE Directive was released, there was a distinction between new products put on the market after August 2005, which should be financially covered according to the IPR, and historical waste arising from products put on the market before that date. For historical waste, the producers should finance the waste management according to their market share alone and not the real end of life costs. Some countries merely

continued to apply this market share repartition for new products put on the market after 2005.

Another reason which may explain the poor implementation of IPR is the reference to the possibility of fulfilling individual producers' obligations "either individually or by joining a collective scheme" (art 8.2 current Directive). While IPR is compatible with collective schemes, the reference to such collective schemes also creates confusion as it suggests collective responsibility could be acceptable for new waste.

The pursuit of a "flat" fee according to market share to finance WEEE management is an issue as there is no difference made between a product "easier" to recycle and a product "more difficult" to recycle. For example, a product containing hazardous substances with no recyclable plastics would be considered the same in terms of end of life cost as a product of similar type which uses no harmful substances and more recyclable parts. For the producer, the fee would be identical.

As a consequence the incentive for design which integrates an end of life process cannot really play a role. The "virtuous" producer receives no benefit (does not reduce his end of life cost) by putting efforts into design. We could say that the continuation of a collective responsibility (flat fee managed through collective schemes) tends to considerably slow down the initiatives of "design for end of life" amongst manufacturers.

As the recast proposal – which reviews selected points of existing legislation for updating -by the

European Commission does not concern the article on IPR the principle is safely preserved. However, it has also received less attention from decision makers. The EEB wants the enforcement of IPR to be improved. EEB has long been working with a group of progressive industry and NGOs supporting a clearer IPR implementation, and is an active member of a core group within this coalition (see www.iprworks.org for more details). The core group is currently preparing amendments reinforcing the monitoring and transposition of IPR.

A main focus it to be sure that sufficient financial guarantees are provided by producers according to the real end of life cost of their own products. The assessment of such costs can benefit from existing initiatives (sampling return share, agreeing recycling standards, etc) but there is not yet an officially approved methodology acknowledged by all stakeholders.

A future task of the Commission therefore is to agree such a methodology with key stakeholders, but that in turn should not be an argument to not improve the enforcement of IPR now, as required by law for all products put on the market after 13 August 2005. •

By Stéphane Arditi,
EEB Waste and Products Policy Officer

¹ See Designing greener electronic products: Building synergies between EU product policy instruments or simply passing the buck? Lund University 2009 p26.

BARROSO-II COMMISSION: INDIVIDUALS CAN MAKE A DIFFERENCE



European Parliament hearing of Commissioner designate for Environment Janez Potočnik

By the 9th of February the European Parliament is expected to approve the composition of the new Commission. The EEB followed with particular interest the hearings with candidates who are most relevant for environment and sustainable development. Both Janez Potočnik (Environment, Slovenian) and Connie Hedegaard (Climate Action, Danish) were encouraging.

Connie Hedegaard showed she is really on top of the issues. She played a crucial role in the preparations for the Copenhagen climate conference, a majority of which she chaired. Her government was seriously criticised for its role there but this is most likely due to the Danish Prime Minister Rasmussen who followed his own line. Hedegaard knows the different opinions between EU governments very well, the enormous difficulties in getting other large emitting countries on board and to find a proper place for the poorest developing countries in the global fight against climate change.

As the Copenhagen conference ended in a major defeat for EU diplomacy I hope she will not become too cautious and uncertain. Now more than ever we need an EU that is determined to combat climate change with ambition and determination.

Before the hearings started the EEB and nine other environmental organisations, forming the Green Ten, called upon the Parliament and Environmental Ministers to object to the weakening of Directorate General Environment, the administrative institution that supports the Environment Commissioner by setting up a separate DG on Climate. While we welcomed the

appointment of Ms Hedegaard DG Environment should stay as it is, serving two Commissioners (not an unusual setup).

I explained in person to Ms Hedegaard how important it is that climate work is done from a clear environmental perspective. For example: the moving of biofuels policy from DG Environment to the new DG Climate Action. Biofuels should be looked at from not only the greenhouse gas emissions it reduces, but also how its production affects biodiversity, land-use etc. It remains to be seen whether she will consistently work with the Environment Commissioner and DG Environment in particular as she was unable to promise this.

In a personal meeting and in the Parliament hearing Janez Potočnik gave me hope that Stavros Dimas will have a good successor. He was well prepared and with a clear mind on what his priorities will be: greening the economy, protecting biodiversity and strengthening implementation of existing legislation. On that last issue, he agreed with us that the implementation of REACH, the EU chemicals policy, should be stepped up. He said "implementation is no renegotiation" meaning that REACH (and other EU environmental laws) must be implemented as agreed.

Potočnik is in favour of integrating environmental objectives and constraints into the functioning of the market through internalising external costs in market prices, for example through tax reform. A first target for him is the EU-2020 Strategy. With regards to new legislation he might be cautious, insisting on strong, quantified evidence on necessity and approach. But he is not afraid of

defending legislation that some countries doubt should be on the EU agenda, such as the Soil Directive.

Potočnik is, unlike some key Commission officials, in favour of a 7th Environmental Action Plan (as the 6th EAP expires mid 2012). For him, and the EEB, this is a required tool to have a mandate for future environmental policies. However, he could not formally promise it as he requires clearance from the new Commission.

These two Commissioners will be confronted with several others whom they need for the implementation of effective climate and energy policies. Some hearings, combined with earlier performances of some, do not make me enthusiastic.

Italian candidate Tajani will take over Enterprise. Tajani was Transport Commissioner last year in which he did not show any passion for the environment. German candidate Oettinger for Energy was not overly ambitious on renewable energies, and wants to keep energy prices low. That could become problematic for moving towards environmental tax reform. This was quite different from Estonian candidate Kallas who will pick up Transport. He clearly supports the "internalisation of external costs" linked to transport pollution and that the transport sector needs to be "decarbonised". Romanian candidate Ciolos, for Agriculture, has the image of being promoted by the French government in an attempt to reduce the Commission's ambitions for a deep Common Agriculture Policy (CAP) reform. In the hearing he indeed emphasised that the basis of the CAP should remain untouched: direct farmers support, in order to ensure food security and minimum income certainty. He will not take action against GMO use in agriculture.

This Commission will be strongly led by Barroso, more so than Barroso-I, and the Commission is not likely to produce a joint vision for the next five years. Barroso indicated to all candidates that his personal Policy Guidelines with which he won the support of the majority of the European Parliament last September will be replaced such a common vision.

Interesting times ahead of us again. •

By John Hontelez, EEB Secretary General



This Newsletter is produced by the European Environmental Bureau (aisbl) (EEB). EEB is the largest federation of environmental citizens' organisations in Europe. It groups together over 150 member organisations from more than 30 countries.

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Publication free of charge.

Printed on 100% recycled, chlorine-free paper using vegetable ink.

Production : fuel. - www.fueldesign.be

EEB gratefully acknowledges the financial assistance for this newsletter from the European Commission and the governments of the Netherlands, Czech Republic, Estonia, Finland and the United Kingdom. This publication reflects the authors' views and does not commit the donors.

Photos p. 2, 6 & 7 courtesy of creative commons

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RECENT EEB PUBLICATIONS

Biodiversity Protection after 2010: Time to Launch the Ultimate Rescue Plan (January 2010)

Campaign Guide to the Waste Framework Directive transposition – opportunities and actions for NGOs (January 2010)

Analysis of EUP, ROHS, WEEE: Building Synergies between EU Policy Instruments or Simply Passing the Buck? (January 2010)

EEB comments on the consultation on the future "EU 2020" Strategy - Commission working document COM(2009)647/3 (24 December 2009)

Proposal for a new EU Common Agricultural Policy (Dec 2009)

Joint Position Paper: Sizing up product carbon footprinting (Dec 2009)

EEB letter to European Council (4th December 2009)

Input to the EU Environment Council Meeting (22nd December 2009)

Report from the Conference: EU Mercury phase out in Measuring and Control Equipment (November 2009)

Biofuels - Handle with Care (EN) & Fact sheet EN, FR, DE (November 2009)

FEATURED PUBLICATION

BIODIVERSITY AFTER 2010: TIME TO LAUNCH THE ULTIMATE RESCUE PLAN

In this critical International Year of Biodiversity the EEB outlines what steps must be taken to halt the devastating loss of species beyond 2010. The paper investigates why the EU continues to miss its targets on biodiversity. It then focuses on setting new and better targets and the financial, legal and transitional measures needed to achieve them.

DESIGNING GREENER ELECTRONIC PRODUCTS: BUILDING SYNERGIES BETWEEN EU PRODUCT POLICY INSTRUMENTS OR SIMPLY PASSING THE BUCK?

EEB commissioned this study as a means of assessing the shift from an end-of-life only focus to a broader ecodesign approach, and to see what improvements could be made to the legislative mechanisms supporting these activities and to their implementation. The study comes at a time when the European Union is preparing its economic strategy until 2020 and when an eco-efficient economy and eco-innovation are being increasingly seen as a means of achieving more economic stability and environmental and social sustainability.

EEB TO LAUNCH BRAND NEW WEB-SITE

The EEB is delighted to announce the imminent arrival of its brand new web-site. We hope that its exciting layout and content will further promote our message of sustainability, environmental justice and participatory democracy. In this digital age a key area for any environmental NGO is how it conveys its message over the internet. Our new site aims to advance our mission in a way that is easily understood by the general public without compromising on technical content or availability of resources for member organisations and special interest visitors.

We have divided our areas of activity into the five issues central to our cause: Biodiversity and Nature; Climate and Energy; Governance & Tools; Industry and Health; and Sustainability. These sections are subdivided into particular areas of concern such as, in the case of Biodiversity and Nature: Agriculture; Air; Biodiversity; Soil; and Water.

Each section will contain a concise summary of the current situation; the EU's policy on the matter; and how the EEB is taking action. They will include up to date links to newsletters, position papers and other publications relevant to the issue as well as contact details for the EEB Policy Officer responsible.

A new section for upcoming events will keep visitors informed of all current and future EEB activities. A database of past events involving the EEB and links to speeches and presentations will also be available. For those whose main purpose is finding a past EEB or related document there will be a comprehensive publications library with a robust search function that will make it quick and easy to find the publication required.

The new site has been the result of months of research and planning. We hope that it will effectively serve the interests of the EEB and its member organisations for many years to come.

Please take a look: www.eeb.org