

E.U. Public Policy

Professor John Wilton

Lecture 11

**Welfare policy
and**

Environment policy

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1957 Treaty of Rome – no Member State should be at a competitive economic advantage or disadvantage in ‘common market’ because of its social provisions (social protection and welfare systems)

Article 117 introduced principle of *harmonisation* of social protection and welfare systems – but only an ‘aim’, no laws or regulations

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1957 Treaty of Rome = social protection and welfare provision *AGENDA-SETTING*

After 1985 – Delors ‘*spillover*’ neo-functional strategy – develops ‘*Coherence*’ approach – enables him to get ‘*Social Dimension*’ on to E.U. policy agenda (*AGENDA-SETTING*)

1985 Single European Act confirmed move away from *harmonisation* towards *mutual recognition* of national social protection and welfare systems

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1985 Single European Act referred to “the harmonisation of conditions”, BUT stressed that directives should be adopted setting out “minimum requirements for gradual implementation having regard to the conditions and technical rules obtaining in each of the Member States” (on social protection and welfare) (***POLICY FORMULATION based on MUTUAL RECOGNITION***)

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1989 Charter of the Fundamental Social Rights of Workers – encouraged *convergence* of national social protection and welfare policies on common objectives

- *harmonisation* retained in context of freedom of movement - harmonisation of:
 - conditions of residence;
 - of duration of paid leave;
 - of health and safety conditions at workplace

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BUT Charter ‘recognised national differences in social protection and welfare systems – referred to “ need to act in accordance with national practices and arrangements applying in each Member State

(***AGENDA-SETTING*** and ***POLICY FORMULATION*** based on ***COHESION*** (of principles)

(***MUTUAL RECOGNITION*** of diversity in ***POLICY IMPLEMENTATION***)

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Charter of Fundamental Social Rights of Workers
appended to 1992 Maastricht Treaty as the
Agreement on Social Policy

- EU Commission's role limited to encouraging co-operation between Member States and facilitating co-ordination of action of Member States in all public policy/welfare policy covered by Agreement on Social Policy
(POLICY IMPLEMENTATION)

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July 1992 E.U. Council of Ministers issued recommendation on ‘convergence of social protection objectives and policies’

- was concerned that differences in social security cover might impede free movement of labour and increase regional imbalances, particularly between north and south of E.U.

- proposed *convergence* strategy that was flexible, progressive, but non-binding

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Common objectives of convergence strategy based on:

- equal treatment and fairness;
- avoidance of discrimination and disadvantage.

BUT only broad aims and principles – no clarification of how principles should be operationalised

(POLICY IMPLEMENTATION based on principles rather than clear measures)

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1997 E.U. Commission described highly developed social protection (and welfare) systems as a ‘fundamental component and distinguishing feature of the European Model of Society’

BUT welfare and social protection *policy formulation* only subjected to limited *harmonisation* (of objectives, aims and principles) AND greater *mutual recognition* of diversity in *policy implementation*

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Reasons for limited harmonisation and greater mutual recognition:

1. Enlargements (and introductions into membership of states with differing welfare and social protection systems);
2. Differing stages of social and economic development of new Member States (economic costs)
3. Differing societal cultural traditions

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1. Brief historical development of E.U. environment policy;
2. The theoretical perspective
3. E.U. environment policy within the context of the defining characteristics and underlying principles of E.U. public policy

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1. The historical development of E.U. environment policy

- change in political views at Council of Ministers meeting, Paris, Oct. 1972

(AGENDA-SETTING)

- 1973 EEC Environment and Consumer Protection Service set up

- attached to Industrial Policy

Directorate-General

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- 1973 first E.C. Environmental Action Plan adopted
 - but no clear legal basis for E.C. action on environment
 - no strategy or coordinated policy programme

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Three significant changes in 1980s:

A) 1981 – reorganisation of European Commission – environmental responsibilities transferred to new Directorate-General responsible for environment, nuclear safety and civil protection

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B) 1982 – Third Environmental Action

Programme (EAP) (1982-1986) – emphasised need to take **PREVENTIVE ACTION** to protect environment

- instead of just **RE-ACTING** to problems

+ EAP stated that environmental concerns should be **INTEGRATED** into all E.C. policies

(POLICY FORMULATION)

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C) 1985 European Court of Justice decision argued that environmental protection was “one of the European Community’s *ESSENTIAL* objectives”

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Single European Act, 1986

- gave E.C. legal competence in environmental matters
- stated that the European Community's goals were to include the preservation and protection of the environment

(AGENDA-SETTING + POLICY IMPLEMENTATION)

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Maastricht Treaty, 1993

- Article 2 – fundamental goal of the E.U. “the sustainable and non-inflationary growth respecting the environment”
- stressed importance of ‘precautionary principle’ (E.U. should take action if suspicion of environmental harm)

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1985 – creation of CORINE (Coordinating Information on the Environment)

1994 – foundation of European Environment Agency (EEA), based in Copenhagen (not policy maker or implementer, but generates and provides data) (*ASSISTS POLICY FORMULATION*)

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April 1986 – Chernobyl nuclear power station accident/disaster

- gave impetus to E.C. Environment policy development
- demonstrated that environmental problems didn't respect national boundaries, therefore transnational policy responses necessary

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2. The theoretical perspective

- E.U. uniquely placed to deal with environmental problems at transnational level
- after 1986 became clear at several levels that a transnational response required to environmental problems

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- A) Many problems – such as air and water pollution – are not limited by national frontiers;
- B) Individual country responses might incur costs undermining economic competitiveness;
- C) Costs of taking environmental action offset by across-E.U. economic benefits

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- D) Richer E.U. countries could help poorer countries address environmental problems through funding assistance and by sharing technical knowledge;
- plus, over longer term, benefit to richer E.U. countries as fewer factories and businesses likely to move to E.U. states with lower environmental standards

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- demonstrates ‘spillover’ functional process in operation between E.U. environment policy and economic policy, and the operation of the E.U. market
- latest E.U. Environment Action Plan – ‘Environment 2010: Our Future, Our Choice’ states “Economic, social and environment policies are closely integrated”. (***POLICY FORMULATION***)

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- environmental policy and E.U. integration closely linked
- European integration has been good for the environment, and environmental protection
- E.U. environment policy now driven more by the needs and effects of European integration (especially economic integration) than by the priorities of the individual Member states

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3. Environmental policy and the characteristics and principles of E.U. social policy

- environment policy is area that most requires greatest degree of *harmonisation and convergence?*

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‘Goals’ of E.U. environmental policy in various treaties and the 6 EAPs are broad:

- a) the improvement of the quality of the environment;
- b) the protection of human health;
- c) the prudent use of natural resources;
- d) increased environmental efficiency (i.e. improvements in efficiency of resource use, so that consumption is reduced

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e) the promotion of measures at the international level to deal with regional or global environmental problems

(POLICY FORMULATION principles and objectives)

- In general, E.U. environment policy has predominantly focused on problems that are better dealt with jointly (harmonised?) than nationally

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- and these have been in areas where
 - ‘harmonisation’ is more easily achieved, i.e.
- a) the control of chemicals in the environment;
- b) the reduction of air and water pollution;
- c) the management of waste;
- d) fisheries conservation;
- e) control of pesticides

(POLICY IMPLEMENTATION)

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E.U. has also been active, in terms of policy harmonisation, in areas not normally defined at the national level as ‘environmental’, i.e.

- noise pollution control
- control of genetically modified organisms

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E.U. tended to take ‘mutual recognition’ approach on environment policy on issues with more ‘local’ or ‘regional’ basis (*subsidiarity*), i.e.

- a) protection of eco-systems (at local level);
- b) protection of natural habitats (wild life);
- c) the management of natural resources, such as forests and soil;
- d) the promotion of energy conservation and alternative sources of energy

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Underlying principles of E.U. environment policy:

- a) *Sustainable development* – renewable natural resources such as air, water and forests should be used in such a way as to ensure their continued availability for future generations;
- b) *Integration* – environmental protection **must** be a component of all E.U. policies that might have an environmental impact

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- c) *Prevention* – action to prevent the emergence of environmental problems, rather than just responding to problems as they arise;
- d) *Subsidiarity* – the E.U. restricts itself to issues that are best dealt with jointly;
- e) *Derogation* – Member states that are unable to bear economic burden of environmental protection given longer deadlines, lower targets, financial assistance

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SUMMARY:

1. Agenda-setting: environment forced on to E.U. agenda through 'crises' of environmental concerns, rise in public concern and opinion, and growth of environmental lobby groups;
2. Policy formulation and implementation: greater degree of harmonisation than most other public policy areas – subsidiarity/mutual recognition flexibility at local level for relevant 'local issues'