Green 10 A group of leading environmental NGOs active at EU level

Why the European Parliament should block Jean-Claude Juncker's attempt to undermine the EU's environmental policies

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The Green10 are concerned that the structure of the new European Commission, the mission letters, and the choice of Commissioners, as presented on 10 September, reveal a **serious downgrading of environment** and a roll back of existing EU commitments to sustainable development, resource efficiency, air quality, biodiversity protection and climate action.

This would represent **a betrayal of the interests of EU citizens**, a vast majority of whom feel strongly about the environment. The special Eurobarometer 416 from 8 September 2014 shows that despite the economic crisis, 95% of the 28.000 interviewed citizens said that protecting the environment is important to them personally and that more should be done. It shows a solid majority of citizens support EU environmental legislation and asks for more forceful implementation. It shows no public demand for environmental deregulation.

This would also represent **an unacceptable de facto scrapping of the 7th Environmental Action Programme (7EAP),** a legally binding commitment that was negotiated and agreed by Commission, Member States and European Parliament little over a year ago. In practice, President-elect Juncker appears to ignore these legally binding priorities.

What can the European Parliament do?

The European Parliament must react forcefully to prevent an agenda which seems to erase 30 years of EU environment policy without democratic debate. As a minimum the Parliament must demand to:

1. **Establish a Vice-President for Sustainability**, coordinating the environment, fisheries, agriculture and regional policy portfolios. This would allow a proper space for environmental and resource efficiency policies. In addition to that the Vice-President for Jobs, Growth, Investment and Competitiveness needs to mainstream environment in his agenda explicitly.
2. **Upgrade the Vice-President for Energy Union to a Vice-President for 'Climate Action and Energy Union'** and have this reflected in her mandate. This would mean that the Commission representative within the international climate negotiations would have a clear mandate to address the climate crisis. Furthermore climate action should become a cornerstone for the work of all eight members of the Project Team for a Resilient Energy Union and a Forward-Looking Climate Change Policy.
3. **Ensure the Environment portfolio is reinstated**, restoring its competences and providing the Commissioner with a new mandate to respect the European

Parliament's work and implement the 7th EAP. The Parliament must furthermore demand that the **mandate to the environment commissioner to weaken the Nature Directives is replaced with an instruction to strongly implement nature conservation legislation and to work to achieve the EU 2020 biodiversity target**. He should also continue to give priority to protecting people's health by **strengthening, not weakening key legislation on air quality and chemicals, and move the responsibility for biocides and pesticides back to DG ENV.**

4. **Resolve potential conflicts of interest** for the nominees, and notably for the Climate and Energy portfolio.

Key concerns arising from the new Commission set-up, as presented on 10 September:

1. **For the first time in 25 years there will be no fully empowered Commissioner for the Environment**

   The move from a Commissioner with dedicated responsibilities for environment to having this policy area shared with other demanding dossiers represents a clear relegation of environmental issues in the order of political priorities. The downgrading of the environment portfolio is hugely reinforced by the virtual lack of any reference to environment in the responsibilities of the Vice-Presidents. Environment will now fall under the Vice-President for Jobs, Growth, Investment and Competitiveness who does not have the environment mentioned in his mandate. Furthermore, the shift of the responsibility for relations with the European Chemicals Agency, whose job is to protect European citizens from harmful chemicals, from DG Environment to DG Enterprise shows a clear bias towards prioritizing business interests over protection of human health and the environment and flies in the face of the objectives of the REACH Regulation.

2. **Sustainability seems to have disappeared from EU priorities**

   Environmental sustainability, resource efficiency and the green economy are not covered at all at Vice-President level, except for a meager reference to "green growth" in the mandate of the Energy Union Commissioner. This implies a Commission that will be operating on the basis of an outdated paradigm of economic growth, one that benefits the industries and jobs of the past over those of the future, and detached from real world constraints and limits and in many cases with huge external environmental and healthcare costs. But the implications are much more far reaching. President-elect Jean-Claude Juncker made it clear that only Vice-Presidents will be able to bring forward legislation and only legislation in line with his priorities will be accepted[1]. As the environment is completely absent from the priority list, and no Vice-President is charged with promoting it, this means a de-facto shut down of EU environmental policy making.

[1] "*As a general rule, I will not include a new initiative in the Commission Work Programme or place it on the agenda of the College unless this is recommended to me by one of the Vice-Presidents on the basis of sound arguments and a clear narrative that is coherent with the priority projects of the Political Guidelines*." From Juncker's mandate to hi Commissioners

3. **The mandate to the Environment, Maritime Affairs and Fisheries Commissioner is entirely centered on deregulation.**

   Commissioner Vella is asked to overhaul and consider merging and "modernizing" the Birds and Habitats Directives. These are well known code–words used by those seeking to lower the level of nature protection in the EU. This is outrageous as the EU is still failing to achieve its biodiversity target and to live up to its international commitments under the Convention on Biological Diversity. On a formal level, this pre-empts the ongoing fitness check process as the Commission is currently conducting an in-depth assessment of the effectiveness of the Birds and Habitats Directives. This is even more troubling as the Environment portfolio is given to a Commissioner whose government is under intense international criticism for failing to implement EU bird conservation legislation. MEPs have repeatedly criticized Malta for the large scale killing of migratory birds in contradiction to EU law. Now a member of the Maltese government condemned for breaking this law is charged with amending it.

   The mandates furthermore explicitly orders Commissioner Vella to stop and assess the two most relevant policy packages inherited from the current Commission: the air quality package and the Circular Economy package.

   While we appreciate that the written mandate to Commissioner Vella refers to implementing the Common Fisheries Policy in a sustainable manner, we are shocked that it omits to mention any of the EU's environmental objectives that are laid out in the 7EAP including the EU 2020 biodiversity target, and instead focuses on simplification and burden reduction for business. It does not mention the need to actually achieve any already agreed EU objectives, let alone take new initiatives. This reads as a mandate for inaction and erosion of current levels of environmental protection.

4. **Putting people's health at risk**

   Threats to health from environmental pollution and degradation are a key concern for Europeans. Environment & health is one of the three priorities of the 7th EAP. Jean-Claude Juncker's priorities and structural re-shifting would put citizens health at risk: the shift of several responsibilities on regulation of harmful chemicals from DG Environment and DG SANCO to DG Enterprise shows a clear bias towards prioritizing business interests over protection of human health and the environment. The announcement to review the air quality package suggests that Jean-Claude Juncker is willing to continue to let European citizens pay the staggering bill of up to 900 bn EUR annually in health costs due to air pollution.

5. **The merging of the climate and energy portfolios and putting this Commissioner under a Vice-President for Energy Union implies that climate action is considered subordinate to energy market considerations**.

   Bringing climate action and energy policy under one Commissioner and the absence of climate from the mandate of the Vice-President for Energy Union (and the title given to that VP) suggests the relegation of climate action to a marginal element within a yet to be defined energy policy. This is unacceptable at time when scientific consensus is that climate change is one of the greatest threats to

mankind and has far reaching implications for the economy, security, immigration etc.

6. **The choice of a Climate and Energy Commissioner with well-known links to the fossil fuel industry raises issues of conflict of interest.** According to his declaration in the context of the 2014 European Parliament election, Commissioner Cañete owns shares in oil business making it a clear conflict of interest. The role he has personally played on Spain's environment, agriculture, fisheries and climate policies over the last years has been consistently criticized as regressive by civil society.

For contact : Ariel Brunner, Head of EU Policy, BirdLife Europe
ariel.brunner@birdlife.org, +32. 2. 238.50.92, +32.486.630.042