The EU Open Method of Co-ordination: Risks & Chances for Environmental Policy

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Content

• Comments on policy context for the debate
• What is the Open Method of Co-ordination?
• Analysis of EU environmental policy today
  • Three distinct regimes, & variants (some with ‘OMC’)
  • How much room is there for OMC (or similar)?
• Pros & Cons of OMC in EU environment policy
• Some building blocks for environmental OMC
• Outlook: 2,5 OMCs & a Job for the Convention
Policy Context: Some Cornerstones

• Env. sidelined in Convention, can that change?
• Lisbon Process sets EC agenda in Eu. Council, shows aversion to environment & sustainability
• Enlargement may weaken environment policy; Solution?: OMC and environmental conditions
• Renewed interest in EPI, which results in 2003?
• WSSD reinforced SD and SD strategies
• Council (Environment) more vocal (EPI, Lisbon)
• OMC pervades Community environment policy
What is the Open Method of Co-ordination?

- Goes back to **Maastricht Treaty** and need to **enforce criteria** for economic and fiscal stability
  - Based on „common concern“ + limited EU role
  - **Broad Economic Policy Guidelines** (new Bible)
  - **Multilateral Surveillance**, MS assessed annually
  - Commission/Council can shame MS
  - Heavy fines for failing Maastricht Criteria
- Process is taken very **seriously** at high level
- „**Maastricht Treaty Process“** grew into OMC
What is the Open Method of Co-ordination?

- **Lisbon European Council** (March 2000)
  Established *new open method of coordination*
  - by improving the *existing processes*,
  - introducing a *new OMC* at all levels, coupled with a
  - stronger *guiding & coordinating role* for Eu. Council
  - to ensure more *coherent strategic direction* and
  - *effective monitoring of progress*

- [respecting economic and fiscal *orthodoxy*]
- *Has spread to other areas* (economic & social)
What is the Open Method of Co-ordination?

• Experience has been thoroughly positive:
  • useful, efficient, and flexible (de Búrca & Zeitlin, no date)
  • encourages convergence of objectives, performance and policy
  • advancing common concerns and interests of the MS
    • while respecting their autonomy and diversity.
  • genuinely joint and multi-level in its operation.
  • committing MS to share information, compare, reassess policy
  • deliberative problem-solving and crossnational learning
  • good for complex sensitive areas where
    • diversity precludes harmonisation
    • inaction is politically unacceptable
    • widespread strategic uncertainty recommends mutual learning
What can OMC do for Environment Policy?

• **Internal Market Regime**: nothing

• **Environment Policy Regime**: OMC-type now:
  - Combined with EC policy & law, e.g. ESF, WFD, IPPC
  - In Technical Committees in many much legislation
  - Networks such as IMPEL, EPRG, ‘Water Directors‘
  - Structures like Topic Centres, Concerted Actions

• **Sustainability Policy Regime**:
  - Cardiff EPI Process resembles OMC (ECCP, TERM)
  - NSSD-and-EU-SDS may be helped by OMC?
Pros & Cons of the OMC in Environment

• OMC very flexible; 'OMC-type' <-> 'real' OMC$
• Law basis needed for 'real' OMC, not OMC-type
• Stimulation of MSs' policies; not a sedative
  • In economic OMC stimulation prevailed; any sedation due to Maastricht Criteria, not OMC
• Synergies from OMC & binding laws
• Regime competition is good for environment
• Networking: initiation, continuity, innovation
• Enlargement: OMC flexibility & 'phase-in' help
Building Blocks for OMC in Environment

• Build case for Green **OMC contribution to EU**!
  • Can you **convince Amato**? Look at **Eurobarometer**!
  • Develop OMC for global challenges (**multilateralism**) 

• Needs **Environment Policy Guidelines**, and
• Build **Sustainability Policy Guidelines**
  • Build on **existing commitments** (EC law; MEAs etc.)
  • Emulate country (credit) ratings; OECD env. reviews
  • Many possible fields of application
Functions for OMC in Environment

- **Correspond** with economic and social OMCs
- Feed into **European Council** spring meetings
- Give **benefits to environment**, nature, resources
- Push **information routine**; **performance reviews**
- Policy learning, „**harvesting of policy lessons“**
  - Reward **innovators**; shame **dragging**
- **Strengthen Networks**; help manage pol. agenda
- ’**Green‘ the Broad Economic Policy Guidelines**
Make Full Use of OMC

• Create fully-fledged „Environment Policy OMC“ to mirror economic and social OMCs
  • Ministries of Environment, EU Institutions
• Create fully-fledged, „Cardiff OMC“ for EPI
  • Ministries of Environment & Heads of Government
• Check options for „WSSD OMC“ for SD & SDS
  • Ministries of Environment, Development, Foreign?
  • Keep open to Non-Member States

• Convention should prepare legal bases!
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