



The unfinished story of EU environment policy

One of Britain's foremost EU environment experts shows how Europe is constantly reinventing itself to meet the increasing challenges of creating a sustainable future. **Nick Rowcliffe** reviews Nigel Haigh's recently published book

It is widely accepted that when it comes to environmental law the UK is highly intertwined with the rest of Europe. With a referendum potentially just months away attention is focusing on what Brexit – a British exit from the 28-nation EU – could mean for environmental policy and practice.

A new book by one of Britain's foremost EU environmental experts avoids tackling the "EU: good or bad" question head on. Rather, the author aims to clarify what EU environmental policy is, how its remarkable growth occurred, and the main political and legal principles that underpin the EU environmental acquis. In *EU Environmental Policy: Its Journey to Centre Stage*, Nigel Haigh argues that the EU has enabled its member states to progress in a way they would never have done individually, and that the net result has been of global significance.

From the start, the EEC, then EC, then EU has increased its environmental reach. Successive treaty changes have strengthened the legal basis for action, gradually elevating sustainability to one of the bloc's principal objectives. As the head of the London office of the Institute of European Environmental Policy (IEEP), Haigh had a ringside seat during much of the formative period of EU environmental policy.

The book is mainly a collection of essays, lectures and book chapters written in the midst of important debates, with fresh updates to each providing a perspective up to 2015. It is not a history but a contemporaneous account, as Mr Haigh stresses. Thematic chapters introduce landmark legislation passed to deal with environmental problems in air, water, chemicals, waste, integrated pollution control, climate change and sustainable development. In the arena of air pollution, for example,

Haigh identifies the Large Combustion Plants Directive (LCPD) as a crucial European milestone. It resolved a dispute between countries by introducing costly controls on power station sulphur emissions. It managed this even though the countries that benefited most did not bear the highest costs.

And it applied a concept of burden sharing that has since come to have importance for combating climate change.

The LCPD also illustrates a broader theme – that the EU is a unique combination of a collection of wholly independent countries, nor a federal system with a central government. In the case of the LCPD, it was "not just 'made' in Brussels, contrary to a widely held view of how the EU operates, but was a truly collaborative venture", Haigh argues. "No country on its own could have produced a solution, and it was the EU that was able to negotiate an effective

policy that resulted in action."

Haigh also discusses some of the principles that drove EU environmental legislation: subsidiarity, the precautionary principle, effective implementation, science and environmental assessment, and what he calls "volume control". Coined by a Dutch writer, volume control is a too little understood concept, Mr Haigh says. But it is becoming more important as EU environmental policy has evolved from tackling gross pollution to focusing on issues linked to creating an environmentally sustainable economy.

The final chapter by David Baldock, Haigh's successor as head of the IEEP, shows how, with the exception of climate change, the pace

of new environmental policy-making has slowed in the 21st century, particularly since the recession. But it has not stopped evolving, he argues, and challenges remain if Europe is to achieve real sustainability, particularly to "green" major areas of EU policy that have far-reaching environmental impacts, including the common agricultural and fisheries policies, the management of the marine environment more generally and, of course, energy.

Now that it has reached centre stage, Baldock says, environmental policy will not be allowed to depart by wider European society. Nor should it, he says, given the scale of the challenges that still remain. ■

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EU Environmental Policy: Its journey to centre stage, Nigel Haigh, Routledge 2016, 214pp, £29.99