

## **Towards Integrated Prevention Policy (IPP+)**

### **How should European policy on resources, products and waste be developed?**

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#### **THE OFFICIAL ORIENTATIONS OF THE CURRENT EUROPEAN POLICY ON WASTE, PRODUCTS AND RESOURCES**

##### *The implications of the 6<sup>th</sup> EAP*

Since 1973, the orientation of European environmental policy has been determined by Community Environment Action Programmes, drawn up by the European Commission and approved by the Council of Ministers.

The **Sixth Community Environment Action Programme** (6<sup>th</sup> EAP) of the European Union, entitled "Environment 2010: our future, our choice" came into force in July 2002, through *European Parliament and Council directive 1600/2002/EC*. The 6<sup>th</sup> EAP sets out the priorities and objectives of the Community environmental policy until the 31st of December 2010. It proposes to go beyond a strictly legislative approach, preferring instead to implement a "strategic" approach through the use of various instruments and measures.

Regarding the management of natural resources and waste, the principal objective is to break the link between economic growth and use of resources (including waste production).

With this focus, the 6<sup>th</sup> EAP firstly reinforces the contributions of the "**Waste**" **Strategies of 1989 and 1996** in terms of hierarchy of management and trans-border movements of waste as well as calling for the following:

- specific objectives on waste prevention,

- regulatory measures on the distinction between "waste/products" and "disposal/recovery" as well as some specific waste flows (packaging, batteries, sludge, biodegradable waste, construction and demolition waste etc),
- the production of **Thematic Strategies** in the areas of both sustainable management of resources and waste recycling.

The strategy on soil protection (one of the 5 other thematic strategies set out in the 6<sup>th</sup> EAP), also very clearly makes reference to certain aspects of waste management.

Prior to the adoption of these Thematic Strategies, and with a view to starting debate on these issues, the Commission has published a series of communications :

- "Towards a Thematic Strategy for Soil Protection" (COM(2002)179 of 16.4.2002)
- "Towards a Thematic Strategy on the Prevention and Recycling of Waste" (COM(2003)301 of 23.5.2003)
- "Towards a Thematic Strategy on the Sustainable Use of Natural Resources" (COM(2003)572 of 1.10.2003)

Regarding products, European Commission also published a Green Paper in 2001 on **Integrated Product Policy** (COM(2001) 68 of 7.2.2001), followed by a communication on the same subject in 2003 (COM(2003)302 of 18.7.2003).

Finally, a communication on **Competitiveness of the Recycling Sector** was published in 1998 (COM(1998) of 22.7.98) and in particular resulted in the creation of the European Recycling Forum which has been in operation for more than a year.

The official sources of the current European environmental policy on waste, products and resources can be summarised as follows:

	Action Programmes	Strategies	Communications
1989		Waste Strategy (I)	
1996		Waste Strategy (II)	
1998			Competitiveness of Recycling
2001			Integrated Product Policy (Green Paper)
2002	6 <sup>th</sup> Community Environment Action Programme	"Towards a Thematic Strategy for Soil Protection"	
2003		"Towards a Thematic Strategy on the Prevention and Recycling of Waste" "Towards a Thematic Strategy on the Sustainable Use of Resources"	Integrated Product Policy (Communication)

Another way of summarising the situation in mid 2004 is illustrated by the following table:

	Communications	Final thematic strategies	Concrete action plan
Resources	Yes	No	No
Products	Yes	No	No
Waste	Yes	No	No
Prevention	Yes	No	No
Recycling	Yes	No	No

### *"Waste" Strategies*

The fundamental principles of the waste management policy that the Commission established in September 1989 (SEC(89)934 of 18.9.89) and July 1996 (COM(96)399 of 30.7.96) remain applicable today.

The first principle is based on the idea that waste must be managed in accordance with a **hierarchy of actions**, which are listed as follows:

1. prevention
2. (possible) re-use

3. recycling
4. energy recovery
5. disposal without causing danger for human health or the environment.

Another fundamental concept is that of necessary **(shared) responsibility of producers**.

Regarding the movement of waste requiring disposal, the rules of freedom of movement are tempered by the principal of proximity (waste must be disposed of near the place in which it was produced) and by the principal of self-sufficiency (the Member States must organise management of their waste largely within their own territory).

#### *Integrated Product Policies (IPP)*

Through the publication of the Green Paper in 2001, the concept of IPPs has become a key reference in the debate on how European policy on waste-products-resources should be developed. However, openness to the ideas generated by this concept was significantly restricted by the Commission in July 2003.

#### The 2001 Green Paper

In February 2001, the Commission advocated an "IPP" European approach which would include the entire life cycle of products starting from mining of raw materials, and continuing through production, distribution and use of products, finishing with management of the waste they generate.

Based on the significant participation of all parties involved, at all potential levels of action, three major objectives were put forward:

- To overcome the shortcomings of the market in price-fixing mechanisms, in particular:
  - differentiated taxation such as reduced VAT rates for eco-labelled products
  - extension and/or adaptation of producer responsibility in relation to certain product flows

- new approaches to State aid.
- To promote greener consumption, especially:
  - eco-labels
  - stricter checking of environmental self-declarations
  - use of new communication technologies and the Internet
  - good environmental practice in public procurement
- To promote greener production, with particular attention to:
  - the production and comparison of information on the environmental impact of products throughout their entire life cycle
  - the production, distribution and application of guidelines on eco-design
  - inclusion of environmental characteristics in the standardisation of products).

## The 2003 IPP

In its communication of July 2003, the Commission restated 5 ideas:

- discussion oriented around the life cycle, from design to disposal
- encouragement of the supply and demand of environmentally friendly products
- the involvement of all stakeholders
- permanent improvement of the different life cycle phases (rather than setting thresholds)
- a range of instruments favouring a voluntary approach.

The IPP is described as an **essential instrument** of the thematic strategies on the sustainable use of resources and on the prevention and recycling of waste. In order to make progress in this direction, the Commission proposes focusing on products with the highest potential for environmental improvement.

In October 2003, the Council adopted conclusions encouraging the Commission to pursue the IPP "more boldly". In particular, it recommended:

- a strategy consistent with all the existing information instruments, supported by an approach based on the entire "life cycle"
- an approach oriented around services as well as products, and in particular an **examination of approaches designed to encourage movement from products to services, in sectors where this would result in less use of resources and a reduced impact on the environment**
- strengthening of actions to encourage green public procurement
- an improvement in the quality of environmental information intended for consumers
- debate on the Europeanisation of environmental declarations on products
- a detailed work programme with specific deadlines
- an IPP working group with representatives from the Member States
- criteria for determining grants which are harmful for the environment
- examination of the economic instruments which could be used in the context of the IPP.

### **Thematic strategies**

The actual concept of thematic strategies was introduced by the 6<sup>th</sup> Environment Programme, without the latter defining it very specifically however. As a minimum requirement, it implies the formulation of proposals to attain objectives, and the definition of procedures with a view to their adoption. A thematic strategy can (but does not have to) include:

- diverse and varied approaches such as the drawing up of new legislation, more effective implementation of existing legislation, the use of economic instruments etc.
- both quantitative and qualitative environmental objectives
- deadlines allowing the measurement and assessment of measures planned in relation to the means used.

Regardless of their content, thematic strategies must be implemented in close consultation with the parties involved.

*The "Soil Protection" thematic strategy*

A communication entitled "Towards a Thematic Strategy for Soil Protection" was published by the European Commission on 16 April 2002. It covers "waste" issues through the discussion of two types of major threat affecting European soils:

- soil contamination through mining, industrial facilities and waste landfills
- the decline in organic matter in certain soils as a result of current farming systems, and therefore the need for organic soil conditioners and compost.

In terms of national policies, it points out that:

- central and northern Europe are concentrating their efforts on "contamination" issues
- southern countries are concentrating more on erosion and desertification.

For the European Commission, certain directives related to waste management policy are already a *key element to prevent soil contamination*. Most directly relevant is directive 86/278/EEC regulating the use of sewage sludge in agriculture.

The following areas of legislative work being carried out are identified as elements of a future thematic strategy on "soil":

- management of mining waste (with use of BATs),
- sludge management (revision of directive 86/278/EC with maximum limits of contaminants and extended to include all types of sludge)
- the management of compost and biowaste (in particular the certification of compost quality).

The European Commission states in this April 2002 communication that the future thematic strategy for the protection of soil will include:

- a proposal on soil monitoring

- a communication on the erosion of soil, the decline in organic matter and soil contamination.

*The "Prevention and Recycling" thematic strategy*

In May 2003, the Commission published "Towards a Thematic Strategy on the Prevention and Recycling of Waste" (COM(2003)301 of 23.5.2003).

This communication firstly assesses existing Community policy on waste management by identifying some shortcomings in European regulations, resulting in particular from:

- the lack of a global approach to recycling and an absence of harmonised standards for recycling operations
- the need to clarify definition of the term "waste" and recovery operations compared with disposal operations.

In the area of **prevention**, the communication opens the debate on:

- the potential for waste prevention
- exchanges of good practices
- the role of REACH (*Registration, Evaluation and Authorisation of CHemicals*)
- the validity of waste prevention plans
- the potential of the IPPC directive (*Integrated Pollution Prevention and Control*).

Beyond this, it mostly refers to the strategy on sustainable use of resources, and to the IPP.

In terms of **recycling**, the main question focuses on determining which instruments which would best provide an integrated economic approach. The communication of May 2003 lists these with comments on:

- the development of material-related objectives compared with product type objectives
- the correction of waste management costs through the use of economic instruments such as:

- tradable certificates
- co-ordination of national landfill taxes
- systems of variable taxes and charges for selective collections
- application of producer responsibility.
- the promotion of "clean" recycling (based on the best available technologies).

These various instruments should also benefit from supporting measures such as:

- research and development
- education and training
- measures based on demand for recycled materials.

### *Thematic strategy for resources*

In October 2003, the European Commission published "Towards a Thematic Strategy on the Sustainable Use of Natural Resources".

"Natural resources" are defined as:

1. raw materials such as minerals and biomass (necessary for human activities), either renewable (in the space of a human lifetime) or non-renewable
2. environmental media which allow life on the planet (air, water, soil), and the declining quality of which is a cause for concern as it influences the biodiversity of resources
3. flow resources (wind, tidal energy etc.)
4. physical space.

This communication opens debate on the use of resources by describing the characteristics which would be required of a future strategy in relation to current policies, but deliberately avoids proposing specific measures.

It therefore sketches a future strategy, the essential purpose of which would be to limit the environmental impact of the use of resources and waste generation and, as a minimum, to decouple them from economic growth. A period of **25 years** is planned **for**

**the implementation** of this strategy and the development of new patterns of production and consumption, requiring *the definition of clear long-term objectives in order to plan investment and innovate.*

The following are listed as possible ways of improving the use of resources:

1. the use of more eco-efficient technology
2. changing patterns of consumption
3. using less of a given resource, *if there are cost-efficient and feasible means to do so.*

At present the environmental impacts of using **non-renewable resources** are judged to be of *greater concern than their possible scarcity*. Thus, emissions of greenhouse gases produced by fossil fuels are felt to be more of a pressing problem than the risk of reserves running out.

In addition, the communication notes that:

- the known world reserves of fossil fuels are very large and keep on growing
- technical progress improving the efficiency with which resources are used, together with recycling, tempers concerns about growing scarcity
- changes in patterns of use through technological innovation mean that some resources can be replaced by others
- market mechanisms regulate prices: a resource which is getting scarcer will automatically become more expensive.

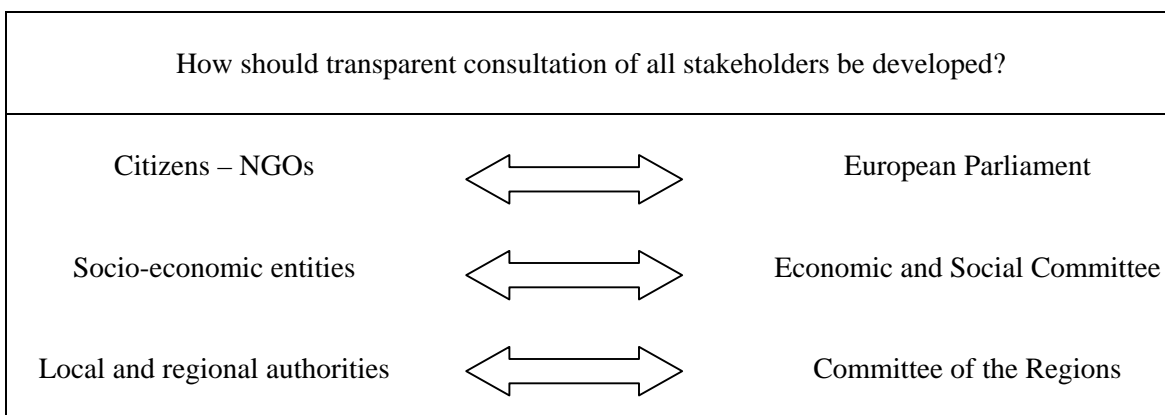
In terms of renewable resources, *it is the loss of biodiversity of habitats which appears to be most worrying*, though, as with non-renewable resources, scarcity is not considered to be problematic except for a few exceptions such as fish stocks and fresh water.

## SUGGESTIONS

### *On thematic strategies and consultation methods*

As a general point, we feel that that the consultation processes organised in the context of thematic strategies convey an unfortunate impression of improvisation. Each strategy follows its own agenda and its own procedures, and the Commission has not succeeded in organising a systematic process which results in a transparent summary of all the different consultations.

We feel, as a minimum, that stakeholders should be better identified, and put in contact with large entities within the institutional system and the democratic consultation processes of the European Union (as shown in the diagram below).



Why not organise - whenever possible upstream of decisions - systematic procedures for public hearings with the appointment of institutional rapporteurs, for the different groups of stakeholders?

### *European policy on waste-products-resources and local authorities*

It should be noted that among those involved in determining European policy on this issue, local and regional authorities play an essential role. Indeed, in the opinion of the Committee of the Regions (issued on 3 December 2003), *waste management policies, and environmental policies in general, should mostly be implemented at local and*

*regional level. Regional and local authorities understand the scope of the phenomenon, must manage these problems in a global way, and have more credibility in the eyes of citizens when it comes to implementing and managing waste recycling and prevention policies. They usually assign a considerable part of their budgets to the implementation of these policies, undertake awareness raising and public opinion campaigns, tend to implement good practices, and fund studies and research.*

As a result, cities, towns and regions (and their representative international networks) are the logical and most appropriate partners of the European Commission in the area of an integrated "resources-products-waste" policy and, in this respect:

- **consultation procedures** should be strengthened
- **priority areas of action** should be co-ordinated (waste prevention plans, increasing the responsibility of producers, selective collection methods, waste disposal taxes and bans, promotion of recycled products, encouraging re-use of products, raising awareness of eco-products etc.)
- **many different exchanges of information** and experience should be jointly organised
- certain types of European **funding** should be considerably increased.

#### *Prevention as the point of integration for action priorities*

We welcome the fact that the issues of waste, products and resources have been brought together, as they are closely interlinked. Unfortunately, the European Commission has included the issue of prevention in the thematic strategy on recycling. This is because its understanding of the issue:

- tends to set objectives in terms of the thematic strategy "Towards Sustainable Use of Natural Resources"
- aims to identify tools at the level of the Integrated Products Policy
- considers both "prevention" and "recycling" to be derivative areas of an environmental policy.

In our opinion, the weakness of this approach lies in the fact that it is not sufficiently focused on the principle of prevention.

The European Commission does indeed state that the principal challenge is that of "prevention of environmental impacts" without, however, daring to question the current model of economic growth. It advocates decoupling in relation to the negative impact linked to use of natural resources, without however engaging in a real discussion based on a development model which gradually frees itself from consumption of resources....and products.

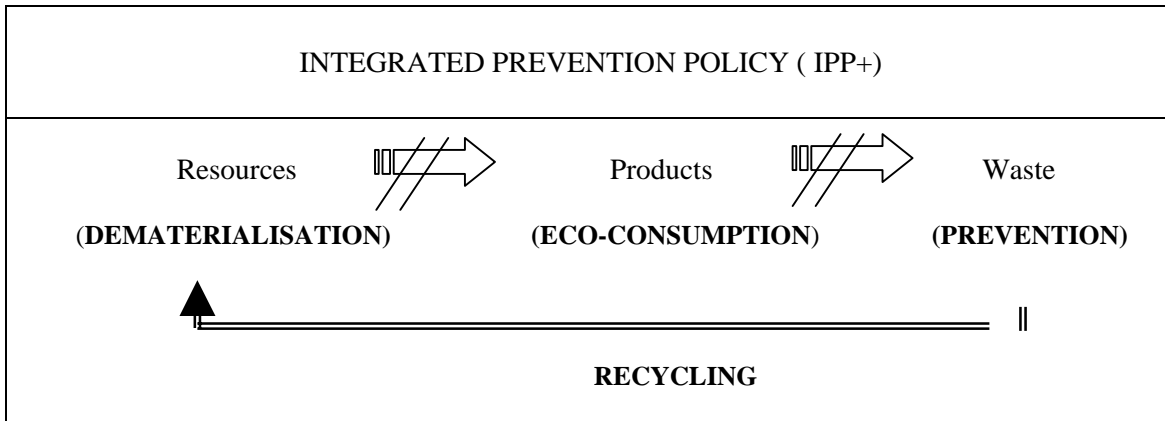
In our opinion, prevention should be defined in a broad sense and applied in a radical way from the upstream stages of resource use. In relation to the entire "resources-products-waste" life cycle, this would result in actions which affect both:

- the process of transforming products into waste
- and the process of transforming resources into products.

On the basis of these considerations, European policy should be developed in four major directions:

1. Dematerialisation
2. Eco-consumption
3. Waste prevention (in the strict sense of the term)
4. Recycling

The following diagram explains our point of view:



### **Towards a European dematerialisation policy**

The fact is that the current economic model leads us to an impasse. Assessment of our ecological footprint reveals that both American and European lifestyles are not sustainable. We must therefore question our use of material resources in terms of:

- both its impact on pollution and depletion of the environment
- the iniquities generated on a world-wide scale in terms of access to resources.

No matter what happens, we must urgently reduce the waste of certain resources and share them more effectively.

This process will result in two essential questions arising at the heart of European policy:

- what are our actual needs today?
- how can we satisfy them while reducing our use of material and energy resources?

## ***1. What are the needs of a European today?***

*Let us take the example of soft drinks in European society:*

*it is clear that we drink primarily to satisfy vital functions, but in addition to the satisfaction of a basic need, we drink for pleasure ... nobody would deny this. However, aren't we entitled to ask questions when we see that part of today's western population chooses to drink only sugary, fizzy drinks as their liquid intake?*

*In addition to the problem of public health and increased packaging, this phenomenon raises the question of the expression of consumer choices and the dependency of the latter on the effects of fashion and advertising.*

In addition to those elements which ensure our survival (air, water, food, mobility, protection etc.), the needs of human beings merge with aspirations for independence, self-affirmation, stability, protection, affection, respect, knowledge, understanding, participation, freedom, etc. Human beings also aspire to greater comfort, relaxation, pleasure, leisure, beauty and spiritual experiences etc.

Do the material goods produced by our society meet a real need? And secondly, do they meet it in a satisfactory way?

## ***2. How should we meet our needs?***

The way in which we meet our needs is related to **socio-cultural habits** that we believe are unchangeable. Within the so-called "developed" world, there are in fact considerable differences in levels of need and ways of satisfying them which differ significantly in terms of the resources consumed and the environmental impact generated, while we assume it is possible to find "happy" people in each of these societies.

Thus, an American consumes on average almost twice the resources and twice the amount of fossil fuels as a European and on average generates 700 kg of waste a year, compared with only 450 kg for a European: does this mean that Americans are twice as happy?

It is also possible to find differences of the same magnitude within the European Union: the Finnish produce half the packaging waste of the European average, without their quality of life or their autonomy of choice being significantly reduced.

Would the quality of life of Europeans be really seriously affected if they switched their consumer choices to tap water - which is of necessity local - instead of water bottled from all over Europe and, in some cases, the world?

It would appear that it is in fact possible to envisage meeting our needs differently and, in particular, in ways other than resource-consuming material abundance. Why not attempt to focus on **forms of consumption which are more immaterial**, and to decouple economic growth from our consumption of resources, by replacing certain categories of products with services? It is clearly not a case of consuming less, but of consuming differently.

"Sustainable consumption is not about consuming less, it is about consuming differently, consuming efficiently, and having an improved quality of life. It also means sharing between the richer and the poorer." (UNEP)

**3. *What voluntary, incentive-based or legally binding actions should be developed within the European Union to encourage dematerialisation?***

In addition to public debate and information/awareness-raising initiatives on "real needs/artificial needs" and on the actual impact of our "lifestyles" and consumption, the European Union could encourage more immaterial consumption and/or the replacement of products by services:

- via taxes on energy and raw materials (or zero-rating of secondary raw materials),
- or through stricter regulation of advertising (or of marketing or of even certain fashion phenomena) which encourages the wasting of resources.

No matter what happens, we will advocate policy-related exchanges of information and experience between local and regional authorities on awareness-raising campaigns run to encourage the preservation of resources.

## **For a European policy on Eco-consumption**

The aim here is to limit the transformation of resources into products by encouraging the consumption of certain products over others, which implies the need for a policy of eco-design and eco-efficiency for producers.

In this area, production and consumption are closely linked and measures should be taken to encourage both producers and consumers to make more sustainable choices.

Thus, a strong element of a "clean" product policy will involve the use of incentives encouraging the eco-design of products (which should lead to lower consumption of energy and raw materials at the stages of production, use and disposal).

In this sense, the "European Integrated Product Policy" is right to focus on the design and production of goods, as well as on their use and end-of-life. However, it combines with this other concerns which are more related to the form of its production and implementation, such as "participative" and "market-integrated" policy approaches.

In practice, a good product prevention policy at European level should be developed on the basis of strong orientations such as:

1. bans on certain products (heavy metals, chemical substances etc.)
2. economic instruments (reductions in VAT or other taxes) in favour of eco-products, starting with all products benefiting from the European eco-label
3. admission of obligatory deposits on certain products
4. the systematic admission of environmental criteria and reference to eco-labels in public procurement.

In terms of consumers, the prevention policy must allow them to make choices favouring awareness of consumption and the most effective use of products. This will include more information initiatives on purchases which generate little or no waste, or which

encourage a "second life" for products via second-hand markets, or through re-using or repairing them.

A European policy on eco-consumption should be developed through:

1. information/awareness-raising campaigns on labelled products and second-hand or recycled products using, in particular, the support of local public entities such as local and regional authorities
2. distribution of information on the most effective use of certain products
3. encouraging local and regional authorities to develop qualitative and quantitative integrated prevention systems
4. the promotion of awareness-raising campaigns to discourage the mentality of a "throw-away" society.

### **For a waste prevention policy**

In the area of waste, we feel that costed prevention objectives are essential in order to clearly define the willingness of public authorities to act in this direction. In addition to technical and scientific debates on statistics, economic stakeholders need to see the firm and long-term commitment of public authorities so that they can invest effectively. If legally binding costed objectives cannot be agreed upon, we would at least advocate indicative costed prevention objectives for different categories of waste.

In addition, we feel that if public authorities and large companies were obliged to produce waste prevention strategies, this would be a fundamental way of making progress, and an essential tool in terms of European policy.

Finally, given the essential contribution that individual composting and re-use can make in the attainment of waste reduction objectives, we feel that European initiatives should be introduced in this area. In the context of re-use, these could in particular encourage repair, hire or leasing activities through reductions in the VAT rates applied to these operations.

## **For a European recycling policy**

In the area of waste which can be treated, recycling is of major importance, as it closes the "resources-products-waste" cycle, by transforming the latter into secondary raw materials.

Recycling (of materials) results in:

- reduced consumption of raw materials
- reduced consumption of energy (in the vast majority of situations)
- reduced pollution
- job creation
- citizen involvement.

A series of initiatives complementing the directives on certain specific flows (packaging, cars, electrical equipment, etc.) is required at European level; the Commission recognised this itself as far back as 1998. These could include:

1. co-ordination of economic instruments aimed at discouraging products from being thrown away and encouraging recycling (taxes on waste disposal and processing procedures)
2. the widespread introduction and reinforcement of producer responsibility in conjunction with legally binding recycling objectives for a whole series of flows (packaging, WEEE, discarded vehicles, organic waste, bulky waste, batteries, oils, solvents, etc.)
3. the protection and promotion of sectors of the social economy involved in waste recovery
4. definition of standards on recycling activities
5. economic instruments (reductions in VAT or other taxes) in favour of recycled products.

## Summary

	<b>Resources</b>	Dematerialisation	<ul style="list-style-type: none"> <li>• Develop the debate on real needs/artificial needs</li> <li>• Illustrate the impact of different lifestyles</li> <li>• No longer manufacture a product or part of its components</li> <li>• Replace products with services</li> <li>• Favour the immaterial (or cultural) over material goods</li> <li>• Oppose advertising, marketing and fashions which result in excessive wasting of resources</li> <li>• Tax raw materials and energy</li> </ul>	
	<b>Products</b>	Eco-design (producers)	<ul style="list-style-type: none"> <li>• Ban the marketing of certain products</li> <li>• Reduce VAT on eco-products and in all cases on eco-label products</li> <li>• Introduce compulsory deposits</li> <li>• In the area of public procurement, encourage the inclusion of criteria favouring products:               <ul style="list-style-type: none"> <li>◦ manufactured using secondary raw materials</li> <li>◦ which have a longer lifetime</li> <li>◦ which are repairable or re-usable</li> <li>◦ which consume less energy</li> </ul> </li> </ul>	Eco-efficiency = process efficiency ("doing" less to create the same product or service) and product efficiency ("using" less to create the same product or service)
		Eco-consumption (consumers)	<ul style="list-style-type: none"> <li>• Encourage:               <ul style="list-style-type: none"> <li>◦ purchasing of eco-label products, products with a longer lifetime and re-usable products</li> <li>◦ distribution of information on more efficient use of products</li> <li>◦ local authorities to develop integrated prevention strategies</li> <li>◦ campaigns against a "throw-away" society</li> </ul> </li> </ul>	
	<b>Waste</b>	Prevention	<ul style="list-style-type: none"> <li>• Define costed objectives associated with waste prevention planning obligations</li> <li>• Promote home composting</li> <li>• Promote (in particular through economic incentives) re-use and repair, hiring, leasing and product-sharing activities</li> </ul>	
		Recycling	<ul style="list-style-type: none"> <li>• Tax waste disposal operations</li> <li>• Extend and reinforce producer responsibility</li> <li>• Extend and reinforce recycling objectives for certain types of waste</li> <li>• Develop economic instruments to encourage:               <ul style="list-style-type: none"> <li>◦ waste recovery activities, in particular by companies in the social economy</li> <li>◦ the market in recycled materials and products</li> </ul> </li> <li>• Define standards on recycling activities</li> </ul>	