

## POLICY PAPER

# Europe in Transition: The Future Place of the Environment in the European Union

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*Abstract:* The European Union recently celebrated 60 years since the Treaties of Rome were agreed. To foster debate about its future direction given the rise of populism and Brexit, the European Commission published the *White Paper on the Future of Europe* that identifies five alternative scenarios that inform how Europe could develop. Notwithstanding the European Union's (EU) strong environmental credentials, the potentially significant climate and environmental implications arising from each of these scenarios for the EU27 Member States is not elaborated and there is no serious reflection on possible environmental implications. The implications of two scenarios could result in lower environmental standards. This policy commentary examines the consequences of a loss of EU competency concerning environmental policy.

## I INTRODUCTION

A series of political, structural and environmental factors have brought about renewed consideration of the direction of the 'European project' and about the role of Europe in the world. Indeed, the 2019 European Parliament Elections saw

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both a paradoxical shift to the election of populist, and green, parties simultaneously (*The Economist*, 2019).<sup>1</sup>

Coinciding with a series of damaging crises (monetary, migrant, Brexit), in his State of the Union address in 2016, Jean-Claude Juncker stated that the EU is, “at least in part, in an existential crisis”. As a result, in March of 2017, the European Commission published the *White Paper on The Future of Europe* that identifies five alternative scenarios that inform how Europe could develop, as well as a series of reflection papers to discuss what some of these scenarios might entail across different policy domains. However, while the Commission does acknowledge some key environmental issues, there is no serious reflection on the wider consequences for the regulation, protection and well-being of the environment in the EU.

White Papers, in the European Union policymaking arena, contain proposals for EU action in a specific area.<sup>2</sup> The role of a White Paper is to stimulate a debate and assist in bringing about a political consensus (EUR-Lex, 2017). This *White Paper* highlights how ‘Europe’ is a world region in transition in many respects, facing new threats both internally and externally, and so needs to reconsider its place in the world. The *White Paper* puts forward its view of the drivers of Europe’s future before presenting five alternative scenarios to inform Europe’s development by 2025, and finally, seeks discussion about a way forward.

From a climate and environmental policy perspective, the question arises as to how central the European Commission sees environment-related issues to this debate on ‘The Future of Europe’. As Skjærseth (2017:84) states, the “European Commission has played a crucial role in promoting ambitious EU climate targets and policies that boost the credibility of EU leadership-by-example efforts internationally”. Climate impacts will generate large societal costs (Stern, 2007) and these are anticipated to be uneven with, for example, impacts on agriculture, tourism and public health predicted to vary significantly across European regions (Ciscar *et al.*, 2011; Watkiss and Hunt, 2012). Responding to these challenges, Europe has led by introducing its largest policy instrument, the EU Emissions Trading Scheme (EU ETS) to achieve climate change emissions reductions, described by Convery (2009:121) as “orders of magnitude more significant in terms of its scope, ambition, and likely impact than any other application of environmental economics I can think of”.

Wettestad *et al.* (2012) argue that there has been an increase in the transfer of environmental competence to the EU institutions. Indeed, the EU is the main driver of environmental policy in many Member States, including the UK and Ireland. A National Economic and Social Council (NESC) report from 2011 states that “unquestionably, the EU now exerts the most important and effective influence on

<sup>1</sup> <https://www.economist.com/charlemagnes-notebook/2019/05/26/populists-fall-short-of-expectations-in-the-european-elections>

<sup>2</sup> A White Paper sometimes follows on from a Green Paper that initiates an EU-level consultation process in the first instance.

both British and Irish Environmental policy” (p.21).<sup>3</sup> More recently, Brennan *et al.* (2018), highlight the profound influence of European Union membership on environmental governance in Northern Ireland. In addition, repeated Eurobarometer surveys<sup>4</sup> find that the environment is one of the few areas of the ‘European Project’ that enjoys genuine public support, and a majority agree that the EU-level is the appropriate one for taking action.

However, as the Commission’s focus tends to be cyclical in nature, focusing on jobs and growth in times of recession and on other issues, including environment, in times of economic prosperity (Steinebach and Knill, 2017:430), given the global economic crisis, it is perhaps unsurprising that environmental issues *per se* have not featured as prominently as economic related issues. Indeed, ‘environment’ did not feature as one of the Juncker Commission’s ten priorities.<sup>5</sup> Čavoški (2015) acknowledges this and states that “the main focus of the [...] Commission is a post-austerity agenda to stabilise national economies and boost jobs growth and investment” (2015:501) with Steinebach and Knill (2017) adding, “it seems that policy-makers are simply more willing to improve environmental standards and thus to burden the economy during benign economic conditions” (p.439).

Nevertheless, developed over the past 40+ years, the European Union has one of the most progressive environmental policies in the world (Jordan and Adelle, 2013) and has been a global leader in international climate change negotiations (Schreurs and Tiberghien, 2007). Indeed, the EU’s environmental *acquis* remains strong, with Gravey and Jordan (2016) finding that over a 22 year period up to 2014, policy “[d]ismantling was the least frequent direction of policy change – behind expansion and continuation of the status quo” (p.1194).

The size of the EU’s environmental *acquis* varies considerably, depending on the source consulted. For example, Čavoški (2015:502) states that “the current environmental *acquis* compris[es] at least 200 legal instruments”, whereas the UK House of Commons Environmental Audit Committee (2017) makes reference to over 800 pieces of EU environmental legislation.

Additionally, what the *acquis* actually covers is summarised succinctly in the draft UK [Brexit] Withdrawal Agreement<sup>6</sup> as follows:

<sup>3</sup> This is further indicated on the Department of Communication, Climate Action and Environment website which state that “A significant portion of Ireland’s environmental policy is also influenced by Ireland’s membership of the EU.” See: <https://www.dccae.gov.ie/en-ie/environment/topics/eu-and-international-policy/Pages/default.aspx>

<sup>4</sup> Eurobarometer surveys are carried out on behalf of the European Commission to assess public opinion and to gauge trends in Member States over time: [http://ec.europa.eu/environment/eurobarometers\\_en.htm](http://ec.europa.eu/environment/eurobarometers_en.htm)

<sup>5</sup> See: [https://ec.europa.eu/commission/priorities\\_en](https://ec.europa.eu/commission/priorities_en)

<sup>6</sup> Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, as agreed at negotiators’ level on 14 November 2018. [https://ec.europa.eu/commission/sites/beta-political/files/draft\\_withdrawal\\_agreement\\_0.pdf](https://ec.europa.eu/commission/sites/beta-political/files/draft_withdrawal_agreement_0.pdf)

*With the aim of ensuring the proper functioning of the single customs territory, the Union and the United Kingdom shall ensure that the level of environmental protection provided by law, regulations and practices is not reduced below the level provided by the common standards applicable within the Union and the United Kingdom at the end of the transition period in relation to: access to environmental information, public participation and access to justice in environmental matters; environmental impact assessment and strategic environmental assessment; industrial emissions; air emissions and air quality targets and ceilings; nature and biodiversity conservation; waste management; the protection and preservation of the aquatic environment; the protection and preservation of the marine environment; the prevention, reduction and elimination of risks to human health or the environment arising from the production, use, release and disposal of chemical substances; and climate change.*

Therefore, depending on the future development pathway (scenario) to be pursued by the constituent EU27 Member States (excluding the UK), the extent to which the climate and environment policy agenda remains a competency of the Union requires a considered evaluation. The aim of this policy commentary is to examine the impact on, and potential erosion of the environmental *acquis* under the different scenarios presented.

## II DRIVERS OF CHANGE AND FUTURE SCENARIOS

In keeping with the vision of Altiero Spinelli, a founding father of the European Union, of the Union as a ‘dynamic process’ with an ‘open end goal’, or what Jordan and Adelle label ‘tantalizingly ill defined’ (2013:8), change is inevitable. In terms of drivers of change, the *White Paper* recognises “a simple reality: Europe’s place in the world is shrinking” (European Commission, 2017:8). In this respect, the Commission identifies Europe’s declining relative population share and economic power as other global regions grow. It highlights various challenges like digitisation, for example; and identifies reservations about Europe’s capacity to deal with issues like persistent unemployment and inequality. On the other hand it highlights Europe being at the vanguard of innovation and investing in the largest research programme in the world. It speaks of Europe’s commitment to decarbonise and the need to adapt to growing climate and environmental pressures, devoting 20 per cent of total EU expenditure to actions against climate change, and asserts the need for societal change and emphasises some of its leadership credentials. It is apparent that (environmental) sustainability considerations are a key concern. In light of all of these drivers of transition, five future scenarios for the development of Europe, elaborated in Box 1, are put forward for debate:

**Box 1: Five Scenarios put forward in the White Paper on the Future of Europe**

- Carrying on: implementing the current reform agenda and achieving incremental progress.
- Nothing but the single market: deepening only certain key aspects of the single market.
- Those who want more do more: those who want to enhance cooperation in specific policy areas can do so.
- Doing less more efficiently: reduce its focus to a limited number of areas to enhance the functioning of the single market.
- Doing much more together: share more power, resources and decision-making.

In presenting a range of scenarios, the European Commission's stated aim is to start a debate to answer the question: *What future do we want for ourselves, for our children and for our Union?* Should it stay the course, seek to become more focused and efficient, or pursue further integration. In furthering this debate, the Commission also published a series of reflection papers to discuss what some of these scenarios might entail across different policy domains (see Box 2).

**Box 2: The Topics of Five Reflection Papers Published by the European Commission**

- The social dimension of Europe
- Economic and monetary union
- Harnessing globalisation
- Europe's defence
- The future of EU finances

However, irrespective of any of the individual scenarios, the question embedded throughout concerns the extent to which EU competency beyond the narrowest interpretation of the single market should be pursued; should its scope be widened through further integration, what some refer to as 'more Europe', or should it have a more focused and narrow scope, i.e. 'less Europe'.

The primary focus that is driving consideration of these scenarios is their implications for the single market, but, by extension, they raise questions about the future level of competence that the EU may retain or have conferred on it in terms of the climate and the environment as they relate to each of the scenarios put forward.

### III ANALYSIS OF CLIMATE AND ENVIRONMENTAL POLICY IMPLICATIONS

The implications of these somewhat provocative scenarios would have real implications in terms of societal experience of the environment and its contribution to wellbeing:

Under *Carrying on*, this foresees the EU27 continuing to shape the global agenda in climate policy and sustainable development. Progressing this scenario would involve the EU27 continuing to strive towards the full implementation of Article 191 in the Treaty on the Functioning of the European Union (TFEU) that includes the promotion of measures at international level to deal with environmental problems, and in particular combat climate change (see Box 3):

#### Box 3: Provisions of Article 191, TFEU

##### Article 191

- 1 Union policy on the environment shall contribute to pursuit of the following objectives:
  - preserving, protecting and improving the quality of the environment,
  - protecting human health,
  - prudent and rational utilisation of natural resources,
  - promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

Whereas under *Nothing but the single market*, a reduction in regulation could arise with the *White Paper* foreseeing differences in environmental standards emerging between Member States. This would mean that there would be a focus only on environmental issues that require action to reduce competitive distortions. This would see the standing of the environment in ‘Europe’ return to its status that pertained in the European Economic Community prior to the Single European Act (1987). Whilst this might imply stepping back from Article 191 of TFEU, the potential to protect the environment could remain (Articles 11, 114; see Box 4). While a competition case could be made for some, even most, environment regulations, economically related treaty articles do not specify the level of environmental protection and are instead motivated to harmonise national and legal administrative regulations (Knill and Liefferink, 2013:14). Knill and Liefferink (2013) state that “approximation of national environmental provisions for reasons of competition does not necessarily always have to lead to desirable results with respect to environmental policy”. They go further to state that “European harmonisation at a weak level can serve to block more stringent national measures” (p.16).

**Box 4: Provisions of Articles 11 and 114, TFEU****Article 11**

Environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development.

**Article 114**

1. Save where otherwise provided in the Treaties, the following provisions shall apply for the achievement of the objectives set out in Article 26. The European Parliament and the Council shall, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, adopt the measures for the approximation of the provisions laid down by law, regulation or administrative action in Member States which have as their object the establishment and functioning of the internal market.

But with a common position on climate change not necessarily achievable, “the EU as a whole” would not be represented at relevant international environmental fora. A race to the bottom could emerge between Member States with divergences in standards especially for non-transboundary environmental effects, for example noise or localised air pollutants.

Hence, the erosion of legal protection in the treaties could do untold damage to both the EU's internal environment and, as Skjærseth (2017) asserts, to its external image as a leader on global environmental issues.

**Box 5: Provisions of Article 193, TFEU****Article 193**

The protective measures adopted pursuant to Article 192 shall not prevent any Member State from maintaining or introducing more stringent protective measures. Such measures must be compatible with the Treaties. They shall be notified to the Commission.

If *Those who want more do more*, is pursued, this would not see any further EU27-wide integration. Rather, this scenario would simply allow Member States to cooperate to introduce environmental standards stricter than the communities, in accordance with the goals of Article 193 in the existing treaties (see Box 5). This could see a small group of countries cooperating to pursue more ambitious targets to achieve carbon neutrality, or to implement higher air quality standards etc.

Under *Doing less more efficiently*, there would continue to be intervention in environmental issues. Whilst it could involve an increased focus on environmental issues, it is more likely that there would be a reduction in focus on environmental issues. Attention would still be required where necessary for the single market, for example, through Article 352 (see Box 6) which covers “economically related environmental problems at best” (Jordan and Adelle, 2013:17).

### Box 6: Provisions of Article 352, TFEU

#### Article 352

1. If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures. Where the measures in question are adopted by the Council in accordance with a special legislative procedure, it shall also act unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament.

This would be in accordance with the subsidiarity principle whereby decisions are preferentially taken at the level closest to the citizen. However, this scenario could enable greater focus on other areas such as research and development with potential for investment to support decarbonisation. On the other hand the *White Paper* conceives that environmental standards could move away from harmonisation towards a basic minimum with a ‘race to the bottom’ emerging and climate ambitions being diminished with those struggling to meet their existing obligations opting out and divergences in climate-related environmental performance, and perhaps other areas, emerging.

Finally, under *Doing much more together*, this foresees continuing involvement in the environmental area and potentially expanding beyond the subsidiarity principle. This would also see the EU maintain and strengthen the principles underlining the protection of the environment based on (i) the precautionary principle, the principle that preventive action should be taken, (ii) the polluter pays principle, (iii) high environmental quality and (iv) maintaining its global representation at international environmental fora. In addition, the potential for new environmental taxes such as a carbon tax, to be pursued at the EU level, could be considered. In this scenario, Europe’s climate ambitions may become more ambitious with current targets being continuously pushed through research and development in decarbonisation innovations.

Hence the two scenarios potentially leading to a reduction in environmental competency at EU level are *Nothing but the single market* and, unless environment is one of the key objectives, *Doing less more efficiently*. The exact process by which the legal articles, and in particular the secondary legislation, would be dismantled is uncertain as this is unprecedented in EU history, with the UKs pending withdrawal from the EU as a test case. The UK House of Commons Environmental Audit Committee states that

*The Prime Minister has indicated that the Government intends to introduce a 'Great Repeal Bill' to repeal the 1972 European Communities Act and transpose all EU laws into UK law, with the intention that these laws can then be amended or repealed at a later date (p.15).*

Hence, the dismantling of the EU environmental *acquis* is likely to be an iterative process (see below) whereby the relevant treaty articles (primary legislation) would be repealed. It would be expected that secondary legislation (regulations, directives and decisions) would be preserved at EU level under transitional arrangements.<sup>7</sup> Transposed implementation measures would persist at the Member State level, unless amended or repealed.

The consequence of a decision to remove the environmental competence from the EU could involve the following:

1. The Member States agree to repeal the environmental articles in the Treaty (i.e. remove the primary legislation in the treaty).
2. Secondary legislation would remain at the EU Level e.g. directives. It would be a political decision to repeal with transitional arrangements put in place.
3. With the competency transferring to the Member States, they would have the power to retain/repeal transposed implementation measures.

While a competition case could be made for maintaining most air, water, waste and chemicals regulations, it could be at the level of the lowest common denominator. For non-economically related environmental legislation e.g. Zoos Directive (Directive 1999/22/EC), the question arising is whether repealing or diluting protections creates a competitive advantage.

## IV DISCUSSION AND CONCLUSION

The purpose of the *White Paper* is to promote discussion across Europe about how it should develop into the future. It does acknowledge some key environmental issues; the relationship between the energy sector and climate change is referenced,

<sup>7</sup> This could comprise of a reverse situation to the case of the so-called 'Grandfathering Regulation' (No. 1219/2012) that provided for transitional arrangements for bilateral investment agreements between Member States and third countries, after the Lisbon Treaty saw that competency transfer to the European Union.

as is the impact of technology on society with explicit mention of smart cities and connected cars.

To foster debate on the *White Paper* the European Commission contributed five reflection papers discussing select policy areas, but the Commission did not offer any explicit reflection paper about the climate and environmental policy domain. This is surprising considering, for example, that the EU previously published a specific white paper on climate change adaptation (see O'Neill and Scott, 2011 for a discussion), and also the significant role and positive influence that EU competence in this area has had on environmental performance (e.g. Chen and Huang, 2016; Velthof *et al.*, 2014; Donald *et al.*, 2007). As recently as June 2017, the Council of the European Union acknowledged that “sustainable development lies at the core of European values” (CoEU, 2017). Related to this point, the lack of environmental prominence may also be explained by the fact that the direction of climate and related energy policies has already been set by the ‘decarbonisation’ agenda, the climate and energy package for 2020 and the adoption of targets for 2030. Logically, the loss of this competence is not a serious consideration, even if it has been raised as a possibility. Nevertheless, the failure to consider any ‘radical’ alternative environmental vision for the future of the EU has generated some civil society discussion, and forms the basis for a proposition by 256 signatory environmental NGOs of a Scenario 6, Sustainable Europe for its Citizens. This scenario purports to represent a new vision for the Union, with the EU put forward as a driver for sustainability in Europe and beyond (FoEE and SDGWatch Europe, 2017).

The failure of the Commission, however, to seriously promote discussion about the environmental implications arising is of concern given the potential welfare impacts that the acknowledged climate and environmental pressures may present. The decision of the United Kingdom to leave the European Union has motivated more useful reflection on the environmental implications of deviation from existing EU environmental law than the publication of this *White Paper*. An Oireachtas [Irish Parliament] Committee on the implementation of the Belfast Agreement has heard that a no-deal Brexit would pose “a major threat” to nature and the environment on the island of Ireland. This was the advice of a joint report from the Environmental Pillar and Northern Ireland Environment Link which stated that “regulatory divergence between the two jurisdictions or uneven enforcement represents the biggest threat to maintaining the environmental cooperation required under the Belfast Agreement”.<sup>8</sup>

Given the cross-border dimension to environmental issues on the island of Ireland, there is potential for continued cooperation in the areas of climate change, biodiversity loss, waste management and air and water quality. However, this will depend on how much current EU environmental regulations are preserved in UK

<sup>8</sup> <https://www.irishtimes.com/news/environment/no-deal-brex-it-a-threat-to-nature-in-ireland-committee-hears-1.3946810>

law after withdrawal, taking into account the devolved nature of environmental governance in the UK.<sup>9</sup>

More generally, whilst the Commission's position is not explicitly stated, the desire for further integration permeates the discussion papers provided. For example, the completion of the banking union is being taken as a given and the development of a security and defence union "is a must". The *White Paper* is supposed to be concerned with promoting a critical debate about how Europe will develop into the future but the discussion being promoted is delimited with longstanding policy agendas implicit.

To consider some of the environmental implications, we reason that a so-called "soft Brexit" (see Burns *et al.*, 2016a) shares some similarities with the direction of the 'less Europe' scenarios of *Nothing but the single market* and *Doing less more efficiently*. Bearing this in mind, whilst Burns *et al.* (2016b) believes that climate policy will be minimally impacted by Brexit, other areas such as the implementation of the Habitats and Nitrates Directives may be more impacted as they are expensive for farmers to implement at a local level; as could other non-transboundary environmental issues. On the other hand, Skjærseth (2016) highlights emergent conflict between EU Member States concerning differences in ambition for energy and climate targets, particularly between ambitious climate leaders such as Sweden which "undertakes to achieve emission reductions that far exceed Sweden's required emission reductions under the coming EU Effort Sharing Regulation" (Ministry of Environment and Energy, 2018),<sup>10</sup> and "coal-dependent countries like Poland, which have not favoured more-stringent EU climate policies" (Skjærseth, 2016:54); hence, diverging tiers of climate ambition could be widened if the EU's environmental competency is diminished.

Environmental leadership considerations should remain an EU concern given the decision of the US President Donald Trump to withdraw the United States from the Paris Climate Agreement, allied with the increasing potential for a 'hard Brexit' seeing the UK reduce its environmental standards (Burns *et al.*, 2016a) to improve its competitiveness. Such factors would enable the EU to copper-fasten its place as a global leader in environmental protection and climate policy, demonstrable in its plans to devote 20 per cent of EU expenditure on climate action during the current budget cycle (2014-2020). Therefore, although it may seem unlikely that a reduction in the level of environmental competence conferred on the EU is either desired or will emerge; should a change in competence be realised within the Union, it would

<sup>9</sup> Recently, an Irish Seanad [Senate] Special Committee on the withdrawal of the UK from the EU heard that "there has been little discussion of the environment, environmental protection or sustainable development in the context of Brexit (p.29.)" [https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/seanad\\_special\\_committee\\_on\\_the\\_withdrawal\\_of\\_the\\_united\\_kingdom\\_from\\_the\\_european\\_union/reports/2017/2017-07-04\\_brexit-implications-and-potential-solutions\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/seanad_special_committee_on_the_withdrawal_of_the_united_kingdom_from_the_european_union/reports/2017/2017-07-04_brexit-implications-and-potential-solutions_en.pdf)

<sup>10</sup> <https://www.government.se/495f60/contentassets/883ae8e123bc4e42aa8d59296ebe0478/the-swedish-climate-policy-framework.pdf>

firstly, damage its global leadership role; and secondly, divergence in terms of non-economic environmental standards between Member States would be expected to arise. It is most likely that the main divergence in standards would concern, in particular, non-transboundary environmental effects.

Should a race-to-the-bottom emerge from any ‘less Europe’ scenario, differences in environmental preferences between Member States could undermine the long-term efforts to achieve harmonisation and would reduce the functioning of the single market.

While a competition case could be made to retain the majority of environmental legislation, in the absence of the environmental treaty articles, this only relates to equal standards to ensure fair competition, not to protect human health or environment and lowest common denominator standards could prevail. Hence the ‘high environmental quality’ objective in Article 191 may be lost and any environmental interventions would simply be to harmonise standards. Also, if the explicit environmental articles in the treaties were removed, the legally enforceable mechanism to achieve improvement in environmental standards would be lost. Furthermore, while there may be some motivation among Member States to increase environmental standards, there would be no legal requirement. The UK House of Commons Environmental Audit Committee highlighted this, noting that “simply transposing legislation without replacing the governance arrangements will lead to significant weakening of environmental protections in many areas, such as the lack of reference to a higher court and the absence of a body updating and enforcing legislation” (p. 22).

Overall the *White Paper*, arising as it does during a period of significant change in Europe, provides a timely opportunity to reaffirm Europe’s commitment to climate and environmental policy. The principles underlining the protection of the environment in the existing treaties are based on the precautionary principle, and the principle that the polluter should pay. Any withdrawal from these foundation principles would lessen the ability of the EU to implement progressive environmental policies such as the EU Emissions Trading Scheme, with the EU being perhaps the only supra-national institution in the world with the institutional capacity to do so. It may be the case, as called for in the Pope Francis’s Environmental Encyclical, that the EU is the model for a “system of governance for a range of global commons” (see O’Neil, 2016 for a discussion).

From the perspective of Eurosceptics, the purpose of the *White Paper* is simply a discussion about identifying the best mechanism for the EU to secure self-preservation. For others, this discussion is about identifying how best to further the single market with a view to supporting trade and economic convergence. So what is the most likely pathway for the Union to proceed? Perhaps the path of least resistance is a combination of *Carrying on* with current reforms on an incremental basis, whilst also enabling *Those who want more do more* to do so with differentiated integration facilitated in different policy areas. The reality is that

different preferences for policy integration have already found expression in terms of Eurozone currency membership and also membership of the Schengen Zone (area of visa free travel between a number of, but not all, Member States and some non-Member States). The principal challenge that faces the ongoing 'European Project' is the growth of Euroscepticism and the rise of populist politics. The current uncertainties presented by Brexit only add to this turmoil.

It remains to be seen which pathway the EU27 Member States will ultimately pursue. Whilst it is not obvious that the European Commission has seen climate and environmental policy as a critical component of this debate, it is important that stakeholders concerned with maintaining the progress achieved over the last 40 years continue to participate in this important discussion. Whereas the ultimate likelihood of certain scenarios being adopted may be questionable; nonetheless the implications of two of the outlined scenarios could compel the citizens of the EU to accept lower environmental standards and consequently lower environmental quality.

## REFERENCES

- Brennan, C., M. Dobbs, V. Gravey and A. Uí Bhroin, 2018. "A Policy Paper: The Future of Environmental Governance in Northern Ireland (July)", available at <https://www.brexitenvironment.co.uk/download/4083>.
- Burns C., A. Jordan and V. Gravey, 2016a. *The EU Referendum and the UK Environment: the Future Under a 'Hard' and a 'Soft' Brexit*; available at <http://ukandeu.ac.uk/wp-content/uploads/2016/08/The-Environment-under-Soft-or-Hard-Brexit.pdf> [accessed 29 June 2017].
- Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore, S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, 2016b. *The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?*; available at [http://ukandeu.ac.uk/wp-content/uploads/2016/04/Expert-Review\\_EU-referendum-UK-environment.pdf](http://ukandeu.ac.uk/wp-content/uploads/2016/04/Expert-Review_EU-referendum-UK-environment.pdf) [accessed 29 June 2017].
- Čavoški, A., 2015. "A Post-Austerity European Commission: No Role for Environmental Policy?" *Environmental Politics*. DOI:10.1080/09644016.2015.1008216.
- Chen X. and B. Huang, 2016. "Club Membership and Transboundary Pollution: Evidence from the European Union Enlargement", *Energy Economics*, Vol. 53, pp. 230-237.
- Ciscar, J. C., A. Iglesias, L. Feyen, L. Szabó, D. Van Regemorter, B. Amelun, R. Nicholls, P. Watkiss, O. B. Christensen, R. Dankers and L. Garrote, 2011. "Physical and Economic Consequences of Climate Change in Europe", *Proceedings of the National Academy of Sciences*, Vol. 108, No. 7, pp. 2678-2683.
- CoEU (Council of European Union), 2017. *Outcome of Proceedings. DEVGEN 13 ONU 83 ENV 624*, available at: <http://www.consilium.europa.eu/en/press/press-releases/2017/06/20-2030-agenda-sustainable-development/> [Accessed 29 June 2017].
- Convery, F. J., 2009. "Reflections – The Emerging Literature on Emissions Trading in Europe", *Review of Environmental Economics and Policy*, Vol. 3. No. 3, pp. 121-137.
- Donald, P. F., F. J. Sanderson, I. J. Burfield, S. M. Bierman, R. D. Gregory and Z. Waliczky, 2007. "International Conservation Policy Delivers Benefits for Birds in Europe", *Science*, Vol. 317(5839), pp. 810-813.

- Ellerman, A. D., F. J. Convery and C. De Perthuis, 2010. *Pricing Carbon: The European Union Emissions Trading Scheme*, Cambridge: Cambridge University Press.
- EUR-Lex, 2017. *White Paper. Office for Official Publications of the European Communities: Luxembourg*. Available at: [http://eur-lex.europa.eu/summary/glossary/white\\_paper.html](http://eur-lex.europa.eu/summary/glossary/white_paper.html) [Accessed 10 Nov 2017].
- European Commission, 2017. White Paper on the Future of Europe. Reflections and Scenarios for the EU27 by 2025. COM(2017)2025. Brussels: European Commission.
- FoEE (Friends of the Earth Europe) and SDGWATCH Europe, 2017. *Sustainable Europe for its Citizens*; <http://www.foeeurope.org/sites/default/files/other/2017/sustainable-europe-for-citizens-6th-scenario.pdf> [Accessed 29 June 2017].
- Gravey, V. and A. Jordan, 2016. "Does the European Union Have a Reverse Gear? Policy Dismantling in a Hyperconsensual Polity", *Journal of European Public Policy*, Vol. 23, No. 8, pp. 1180-1198.
- House of Commons Environmental Audit Committee, (2017). Sixth Report of Session 2016-2017, "The Future of the Natural Environment after the EU Referendum", HC 599.
- Jordan, A. and C. Adelle (eds), 2013. *Environmental Policy in the European Union*, Routledge.
- Knill, C. and D. Liefnerink, 2013. "The Establishment of EU Environmental Policy" in Jordan, A. and C. Adelle (eds.), 2013. *Environmental Policy in the European Union*, Routledge.
- NESC, 2011. *The Impact of European Environmental Policy in Ireland*. Dublin: The National Economic and Social Council.
- O'Neill E., 2016. "The Pope and the Environment: Towards an Integral Ecology?", *Environmental Politics*, Vol. 25, No. 4, pp. 749-754.
- O'Neill, E. and M. Scott, 2011. "Policy and Planning Brief: Adapting to Climate Change – A European Union Policy Agenda", *Planning Theory and Practice*, Vol. 12, No. 2, pp. 312-317.
- Schreurs, M. A. and T. Tiberghien, 2007. "Multi-level Reinforcement: Explaining European Union Leadership in Climate Change Mitigation", *Global Environmental Politics*, Vol. 7, No. 4, pp.19-46.
- Skjærseth, J. B., 2016. "Linking EU Climate and Energy Policies: Policy-Making, Implementation and Reform", *International Environmental Agreements: Politics, Law and Economics*, Vol. 16, No. 4, pp. 509-523.
- Skjærseth, J. B., 2017. "The European Commission's Shifting Climate Leadership", *Global Environmental Politics*, Vol. 17, No. 2, pp. 84-104.
- Steinebach, Y. and C. Knill, 2017. "Still an Entrepreneur? The Changing Role of the European Commission in EU Environmental Policy-Making", *Journal of European Public Policy*, Vol. 24, No. 3, pp. 429-443.
- Stern, N. H., 2007. *The Economics of Climate Change: The Stern review*, Cambridge: Cambridge University Press.
- Velthof, G. L., J. P. Lesschen, J. Webb, S. Pietrzak, Z. Miatkowski, M. Pinto, J. Kros and O. Oenema, 2014. "The Impact of the Nitrates Directive on Nitrogen Emissions from Agriculture in the EU-27 During 2000-2008", *Science of the Total Environment*, Vol. 468, pp. 1225-1233.
- Watkiss, P. and A. Hunt, 2012. "Projection of Economic Impacts of Climate Change in Sectors of Europe Based on Bottom Up Analysis: Human Health", *Climatic Change*, Vol. 112, No. 1, pp. 101-126.
- Wettestad, J., P. O. Eikeland and M. Nilsson, 2012. "EU Climate and Energy Policy: A Hesitant Supranational Turn?", *Global Environmental Politics*, Vol. 12, No. 2, pp. 67-86.