

ENVIRONMENTAL POLICIES BELOW MUNICIPAL LEVEL: TOWARDS SUSTAINABLE NEIGHBOURHOODS AND SMALL COMMUNITIES. POSITION OF THE EUROPEAN COMMITTEE OF THE REGIONS ¹.

by

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“Europe is not easy to build ... democratic unification on the basis of discussion and collaboration, can only be slow: this is the only way to identify the common good that is really good for everyone.”

V. Bachelet, *La facciamo l'Europa?*, featured in *Coscienza*, n. 6, March 20th 1953

¹ This work is inspired by the accompanying report to the opinion, presented to the European Committee of the Regions and approved by a large majority in Brussels on February 12, 2020, honouring, on the day of the 40th anniversary of the assassination, the memory of *Prof. Vittorio Bachelet*, vice-president of the Italian Superior Council of the Judiciary, murdered by terrorist hands at the end of the lesson of administrative law at the Faculty of Political Science at the University "La Sapienza" in Rome. The sacrifice of this courageous Catholic jurist is a perennial warning of democratic civilization against the darkness of reason of those who practice hatred and violence.

European environmental policies take on a new centrality through the development of the strategy for a green and inclusive transition drawn up by the European Commission *green new deal*, an integrated strategy of plans, programs and actions that should lead Europe by 2030 to a 50% reduction in CO2 emissions and by 2050 to *carbon neutrality*, thus making the European Union the world leader in the fight against climate change².

In this context, the *Committee of the Regions'* (CoR) initiatives are also taking place to strengthen, through the involvement of regional and local authorities, the strategy for changing the continent's development and growth model, given that insufficient implementation of EU policies and legislation on the environment, biodiversity and climate poses a risk to the long-term sustainability of our way of life, serious health threats and reduces the quality of life of EU citizens.

As is known, there is no homogeneous model of below municipal, administrative or even simply participatory institution in the Member States, despite the fact that the sub-municipal level of government is widespread among European local governments. However, the need to outline measures that can guarantee, precisely because of the institutional and territorial morphology of the Continent, spaces for intervention even at the level closest to European citizens remains unaffected.

Environmental policies, especially in recent years and in the outlined perspective of the *green new deal*, require the EU to find a new ambition in the transitions, such as that towards a circular economy and those towards more sustainable forms of energy, mobility and food production and consumption and to overcome what the European Environment Agency has called the "*European ecological deficit*"³.

The EU Commission must be able to encourage Member States, regions and cities, which are at the forefront, to achieve an environmental quality that is more advanced and innovative than those outlined in the legislation. Indeed, it is only through greater public awareness that the principles set out in the Treaty on the Functioning of the EU⁴ and Community case law on the environment (integration and sustainable development, cooperation, precaution, prevention and environmental responsibility - "*polluter pays*") can be reversed.

2 <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1576150542719&uri=COM%3A2019%3A640%3AFIN>. The *green new deal* is complemented by five other priorities contained in the EU Commission's policy guidelines for 2019-2024: *un'Europa che lavora per le persone, un'Europa pronta per l'era digitale, proteggere il nostro stile di vita europeo, un'Europa più forte nel mondo, un nuovo slancio per la Democrazia europea*. In setting out the main elements of the initiatives that will be presented during the year, the Commission strongly takes up the theme of the centrality of *Better Regulation* to improve *policy-making*, to design and implement policies that bring concrete results on the ground and make life easier for citizens and businesses, assuming the commitment to closely monitor the transposition and application of legislation and to apply "*Active Subsidiarity*"..

3 As is known, the European Environment Agency and the European Environment Information and Observation Network was established by Council Regulation 1210/90 of May 7th 1990, is based in Copenhagen, supports member countries in taking decisions on improving the environment by integrating environmental considerations into economic policies and coordinates the European Environment Information and Observation Network (Eionet) the textual reference to the study is found in *Ecological Footprint of European Countries*, 2015, in https://www.eea.europa.eu/data-and-maps/indicators/ecological-footprint-of-europeancountries/ecological-footprint-of-european-countries-2/#_ftn1.

A. Extending environmental policies to sustainable neighbourhoods and small communities.

The Committee of the Regions' opinion on *Towards an 8th Environment Action Programme* committed EU environmental policies to taking into account the needs of all types of communities and it should not be forgotten that the successful implementation of many national and EU environmental policies depends on the full involvement not only of regional and local communities but also of sub-communal communities and the contribution they can make⁵.

It is also necessary to begin by referring to the UN's Sustainable Cities and Communities Goal 11 of the *Sustainable Development Goals* (ODS), which aims to 'make cities inclusive, safe, resilient and sustainable' by involving sub-municipal levels in democratic and inclusive multi-level governance. This could prove very useful for development, for the effective implementation of policy objectives and for the legitimacy of the democratic system itself, particularly in areas where policy choices have a direct impact on citizens' lives, such as environmental issues and climate change.

Promoting sustainable communities, however, requires socio-cultural transformation to address new manifestations of social, economic and environmental inequalities. Commitments to address them include, to name but a few, the EU Urban Agenda⁶ and its partnerships, the Leipzig Charter

⁴ It should be recalled that under Articles 11 and 191-193 TFEU) the European Union has powers to intervene in all areas of environmental policy, such as air and water pollution, waste management and climate change. Its scope of action is limited by the principle of subsidiarity and the requirement for unanimity in the Council on issues of taxation, spatial planning, land use, quantitative water management, choice of energy sources and the structure of energy supply.

⁵ <https://webapi2016.cor.europa.eu/v1/documents/COR-2018-01672-00-00-AC-TRA-IT.docx/> content. The opinion identifies the following necessary measures:

- a) better policy integration, more effective source based polices, targeted EU-funding;
- b) research into different implementation challenges;
- c) implementation tools: at the moment environment and climate legislation have their own set of tools and guidance materials. To avoid confusion and ensure greater coherence, the CoR proposes a more unified method with capacity building instruments (e.g. tools and programmes, workshops, webinars, guidance materials, etc.);
- d) collection of knowledge and best practices in a single, publicly accessible and easily searchable database which contains the appropriate features that help identify best practices;
- e) actions to promote, expand and finance existing and new initiatives that support knowledge and best practice sharing by European, national, regional and local networks and city-to-city cooperation such as peer-reviews and mutual learning activities, site visits, green twinning, partner-to-partner mentoring and coaching;
- f) monitoring via the Environmental Implementation Review process.

⁶ <https://ec.europa.eu/futurium/en/urban-agenda> EU Urban Agenda addresses the problems of cities by creating partnerships between the Commission, EU organizations, national governments, local authorities and stakeholders such as non-governmental organizations.

on Sustainable European Cities⁷, the Aalborg Charter and Commitments⁸, the Basque Declaration⁹ and the New Urban Agenda¹⁰.

It seems therefore necessary to promote the concept of sustainable community in order to involve all territories and ensure that even the less wealthy areas can access the opportunities necessary for the development of sustainable solutions.

The Committee of the Regions in its priority 1 for 2015-2020 ("*Creating jobs and sustainable growth in cities and regions to provide a better quality of life for citizens*")¹¹ It moves in this very direction, in line with its opinion on *The Seventh Environment Action Programme and the sustainable city*¹², according to which the concept of sustainable communities should be aimed at rehabilitating poor or vulnerable areas by combining social and environmental objectives.

The environmental challenges may have specific effects in the different sub-municipal units, so it seems relevant to develop at each level comprehensive approaches that take due account of localized or differentiated solutions that may require specific responses and contributions.

Responsibility for the sub-municipal level lies with the levels of *governance* in each Member State responsible for that level, which must also ensure the involvement of communities and social actors. It follows that local and regional authorities have an important responsibility for their territory; they must actively involve and support the sub-municipal levels in the implementation of environmental policy and enable citizens to make communities more sustainable.

There is no doubt that there is a multiplicity of terms used in relation to these communities, including hamlets, neighbourhoods, districts, wards, sectors, villages, parishes, borough.

The terms in point may refer to administrative units or communities without an administrative role. The Committee's opinion therefore makes equivalent use of the terms '*sub-municipal*' and '*below the municipal level*'. There are, in fact, different contexts in which small communities are found, from urban districts to rural districts, from island communities to upland communities, from densely populated to sparsely populated areas and from wealthy to deprived areas.

Account should be taken of specific territorial situations linked to particular environmental challenges.

Because of their peripherality, these areas sometimes have special natural characteristics that give them a significant ecological importance:

⁷ <https://ec.europa.eu/futurium/en/urban-agenda> EU Urban Agenda addresses the problems of cities by creating partnerships between the Commission, EU organizations, national governments, local authorities and stakeholders such as non-governmental organizations.

⁸ <http://www.sinanet.isprambiente.it/gelso/files/leipzig-charter-it.pdf>

⁹ The 2016 'Basque Declaration' encourages new paths to create productive, sustainable and resilient cities.

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¹¹ <https://cor.europa.eu/en/engage/brochures/Documents/The%20political%20priorities%20of%20the%20European%20Committee%20of%20the%20Regions%202015-2020/2675%20political%20priorities%202015%20IT%20WEB.pdf>

¹² <https://www.ttsitalia.it/wp-content/uploads/2014/08/Parere-Comitato-delle-Regioni-su-programma-ambiente-e-citta-sostenibili.pdf>

- small islands, for example, may find themselves in a situation of physical separation from the rest of the municipalities to which they belong, which makes access to services and decision-making processes difficult. Cooperation should be promoted with the *CoR's Interregional Group on Insular Regions* and other networks, such as, for example, *Clean Energy for EU islands*, *the European Small Islands Federation* and *the European Small Islands Network*;
- poorly populated and underpopulated areas often have a considerable distance from the rest of the municipality. Promoting and extending cooperation with existing networks, e.g. the *Northern Sparsely Populated Areas* network, the *Southern Sparsely Populated Areas* network and *Euromontana*, is of paramount importance in this respect;
- communities at the sub-municipal level located in areas with specific geographical profiles, such as mountain or lake areas.

The Committee of the Regions' initiative must therefore also focus on small communities at sub-municipal level which face multiple challenges. Sub-municipal communities may not have:

- i) elected representatives,
- ii) specific competencies,
- iii) a budget to cover even minimum costs or technical expertise needed to know, for example, how to access EU funding.

There can be no doubt that there is a considerable diversity of existing institutional forms below the local level.

Indeed, the sub-municipal level, precisely because of the multiplicity of forms of organization in the Member States and its often poorly formalized organization, offers great potential in terms of participatory and democratic experimentation to develop new forms of involvement and communication.

In this direction, the role of voluntary grassroots organisations of citizens from small communities in local associations and committees that aim to work on a specific environmental issue or, more generally, to promote sustainable actions seems fundamental. Although these groups can bring together resources, expertise, energy and motivation, local and regional authorities can, for their part, play a key role in giving them autonomy and responsibility through technical and financial support and regular consultation.

B. Pathways to strengthen environmental policy below the municipal level.

Communities at sub-municipal level are generally the most directly affected by environmental issues such as air quality or noise, as they have limited control over transport and mobility decisions. It is therefore essential that data can be disaggregated at sub-municipal level in environmental monitoring mechanisms so that targeted measures and solutions can be taken.

This requires the development of a coherent policy framework at sub-municipal level and in particular for islands in relation to climate change mitigation in order to facilitate their transition to

clean and renewable energy sources. Inspiration could be drawn from the integration of the Pact of Islands into the Covenant of Mayors for Climate and Energy and ongoing initiatives such as the *Clean Energy for EU islands Initiative*¹³ and the *Climate Active Neighbourhoods Interreg project* could be involved.

In this context, it is essential to ensure the involvement of small communities (in particular island, mountain or rural communities, where the main areas characterized by particular biodiversity are located) in the management of natural areas, which often do not coincide with municipal boundaries. Such involvement could increase the sense of local responsibility for environmental policy choices and reduce conflicts around issues such as land use. Equally, such increased participation could further increase awareness of the socio-economic benefits of protected natural areas, whether they are *Natura 2000* sites or similar areas.

The role of communities at the sub-municipal level in the implementation of *Nature Based Solutions*, in particular green corridors or belts, urban trees, as well as peri-urban nature areas, is therefore growing in importance and these initiatives should provide equitable access to nature and its benefits in terms of human health, climate change mitigation and adaptation, as well as increased resilience to natural or human hazards.

Similarly, it is essential to ensure tailor-made technical support from the relevant levels of governance for small communities, in particular isolated and insular communities, to implement sustainable wastewater treatment and waste management practices, e.g. to tackle marine and coastal pollution through the adoption of circular economy practices and the development of plastic and zero-waste strategies; initiatives already in place, such as, for example, the OECD project to support cities and regions in the circular economy, should also be promoted¹⁴.

The development of measures to support socially-innovative practices at sub-municipal level should be encouraged, ranging from loan groups sharing items and tools at local level to repair groups allowing members to repair items that would otherwise be discarded.

The dissemination of microclimate interventions for adaptation to climate change, particularly in densely built-up urban neighbourhoods, must also be promoted. Such interventions can include low-cost initiatives, but also more complex solutions at the neighbourhood level, such as disconnecting buildings from the sewerage system to improve rainwater management. Such interventions have the potential to increase the resilience of natural hazard sensitive sub-municipal areas by relieving pressure on critical infrastructure.

A non-secondary side can also be provided by fostering so-called regenerative food systems, which produce ecological, economic and social benefits at the sub-municipal level and beyond (e.g. school or community gardens, community supported agriculture or innovative farming methods).

13 https://ec.europa.eu/info/news/26-european-islands-launch-clean-energy-transition-2019-feb-18_en

14 https://circulareconomy.europa.eu/platform/sites/default/files/national_strategy_for_circular_economy_11_2017_it1.pdf

Sustainable tourism represents a growth opportunity for small communities, as indicated in the *Sparsely populated and under-populated areas* briefing of the European Parliament's Research Service and in previous opinions of the Committee of the Regions on tourism¹⁵ and cultural heritage¹⁶.

The EU must recognise the role of multiple and innovative forms of participatory democracy in promoting sustainable communities, particularly at sub-municipal level. This potential could be further enhanced if the democratic innovation aspect is explicitly taken into account in the relevant components of EU environmental policies.

In this respect, the long-standing and successful efforts of *Local Agenda 21* (LA21)¹⁷ as a starting point for the inclusion of the sub-municipal level in environmental policy should be mentioned. Over the past decades, LA21 initiatives have supported local authorities in implementing strategies and actions for sustainability at local level through the sharing of methods, tools and good practices.

In pursuing its environmental objectives, the Union must take into account the specific needs and contributions of small sub-municipal communities in formulating and implementing its environmental policies. Therefore, mechanisms should be identified to take sub-municipal issues into account in the preparation of CoR opinions and bring them to the attention of EU institutions and bodies, and closer cooperation should be developed with appropriate organisations and networks dealing with or representing sub-municipal structures at EU level.

It is up to the members of the Committee of the Regions themselves to interact with the sub-municipal communities in their respective territories, to bring their experiences to the Committee to discuss them within the Committee and to integrate them into their work, in particular into Committee opinions, *inter pares* exchanges and, potentially, the technical platform for environmental cooperation (joint initiative of DG Environment and the European Committee of the Regions), and explicit reference should be made to communities at sub-municipal level in the Committee's priorities for the period after 2020.

Social, economic and environmental cohesion is a fundamental commitment of the EU, in particular with a view to reducing disparities between the levels of development of the various regions (both island and continental), in accordance with Article 174 of the Treaty on the Functioning of the European Union (TFEU), and sub-municipal levels of *governance* are relevant in this respect.

In this respect, the possibility of extending the *Division of Powers Portal*¹⁸ by adding, where relevant, an additional section for each Member State concerned to include intra-municipal administrative entities, based on an analysis of their role in environmental and climate change policies, should be considered.

The European Commission should be asked to consider the possibility of establishing a '*Sustainable Neighbourhood*' award, in order to encourage local communities to participate in the management of their own territory, and to organize a unique or recurring event to promote

15 NAT-VI/009 (GU C 185 del 9.6.2017, page 15)

16 SEDEC/VI-035 (GU C 361 del 5.10.2018, page 31)

17 <http://www.gdrc.org/uem/la21/la21.html>

18 https://europa.eu/european-union/index_it

interaction with small communities, such as a 'European Day of Sustainable Villages and Neighbourhoods'.

In order to strengthen community outreach, the Committee of the Regions should strive for a wider recognition of the importance of the sub-municipal level in local environmental policy among other EU institutions and bodies. To this end, the inclusion of the sub-municipal level in future strategy documents and in the review of ongoing strategies by the EU institutions and bodies could be supported and the sub-municipal level should be raised through EU research and innovation projects (*Horizon 2020*¹⁹ and *Horizon Europe*²⁰) and through more efficient cooperation with the *European Environment Agency* (EEA)²¹ and EU research services.

Similarly, it is essential to strengthen the dialogue with the European Commission, including in the framework of the technical platform for environmental cooperation, in order to ensure that small communities at sub-municipal level are adequately taken into account in the implementation of specific EU environmental policies. This could build on the efforts already made by DG ENV and other DGs to provide guidance documents and tools focusing on small communities and neighbourhoods.

In the outlined perspective of community involvement, material on EU networks and activities of particular interest to small communities should be made available on the Committee of the Regions' website²², providing information on networks, programmes and events and collecting relevant contributions.

Likewise, ways to promote the recognition of environmental achievements in small communities, highlighting good practice and encouraging the re-proposal of sustainable solutions should be considered. This includes examining integration into existing and EU recognition schemes, in line with the practices applied for the *European Green Capital*²³, *European Green Leaf*²⁴, *Natura 2000*²⁵, *Transformative Action*²⁶ and the *European Week for Waste Reduction*²⁷ awards.

The inclusion of the topic of environmental implementation in communities at sub-municipal level in the annual theme or programme of recurring EU-level environmental events, such as *Green Week*, *European Week for Waste Reduction* or *European Week of Regions and Cities*, can enable the use of information and communication technologies to better connect sub-municipal communities both among themselves and with their local authorities, in order to promote democratic participation and decision-making.

19 https://ec.europa.eu/programmes/horizon2020/sites/horizon2020/files/H2020_IT_KI0213413ITN.pdf

20 https://ec.europa.eu/info/horizon-europe-next-research-and-innovation-framework-programme_en

21 <https://www.eea.europa.eu>

22 <https://cor.europa.eu>

23 <https://www.egcaeglportal.eu>

24 Still <https://www.egcaeglportal.eu>

25 <https://www.eea.europa.eu/themes/biodiversity/natura-2000>

26 <https://sustainablecities.eu/transformative-action-award/>

27 <https://www.ewwr.eu/en/project/main-features>

C. Implementation measures.

In order to ensure the achievement of the objectives outlined above, it is necessary that sub-municipal institutions have access to EU funding programmes. Some of these are already specifically designed for the neighbourhood level, such as the *URBACT*²⁸ programme, which promotes European exchange and learning for sustainable urban development, while community staff at sub-municipal level must be given appropriate training so that EU funds can be used efficiently.

Community-led local development (CLLD)²⁹ and *LEADER*³⁰ action groups can become specific tools to mobilise and involve the sub-municipal level more closely in the pursuit of long-term development and the achievement of the *Europe 2020*³¹ objectives.

The European Commission should consider how best to ensure that small communities can contribute to and benefit from EU-funded projects to promote sustainability at the sub-municipal level.

This could be achieved through: (i) the inclusion of specific references to small communities in guidance documents and manuals; (ii) the preparation and publication of calls for expressions of interest and/or work programmes specifically targeting communities at sub-municipal level; (iii) the simplification and rationalisation of financial and eligibility rules to encourage and facilitate the participation of such communities (e.g. reallocation of funds) in order to promote the harmonious development of the Union as a whole (Article 174 TFEU).

The Committee of the Regions, with the adoption of its own-initiative opinion "*Towards sustainable neighbourhoods and small communities - Environmental policies below municipal level*", opens a new perspective for the involvement of local communities in the renewed European environmental policy, the only way to ensure its implementation and success. It is now a question of reversing its indications in the choral push towards a Europe that fights climate change at its roots and aims at the strategy of a European *green deal* by reducing emissions and promoting growth.

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28 <https://urbact.eu>

29 https://ec.europa.eu/regional_policy/sources/docgener/informat/2014/community_en.pdf

30 https://enrd.ec.europa.eu/leader-clld_it

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