

Europe Favors Compelling Industry Innovation and Shaping Public Opinion via NGO Activism

“...[T]he sources of environmental pollution are no longer concentrated in individual industrial facilities but lie in manifold economic activities and consumer behavior. This limits the scope for solving them through simple command-and-control.

In this situation, **business has an increasing role in achieving environmental objectives and targets**...Companies that innovate in an attempt to win new markets or increase competitiveness should also be looking at reducing their levels of pollution and waste.

...**Regulation can serve to stimulate enterprises to innovate profitably, both in terms of their market and the environment. Legislation should aim at setting the appropriate high standards that must be attained**, but aim at regulating results or outcomes rather than be prescriptive in the means for achieving the goals. Regulation must be flexible, accounting for widespread economic and geographic diversity...Finally, regulation can offer positive incentives to companies to perform well, for example, even to exceed the standards set.

In some cases, non-regulatory methods will be the most appropriate and flexible means of addressing environmental issues. The Commission is currently examining new methods of governance, including alternatives to traditional regulation such as voluntary commitments and agreements...**This also includes, when appropriate, setting a regulatory framework establishing policy objectives and leaving the practical implementation measures to be defined by industry in a consensual manner, in support of the legal framework ('co-regulation')**. [e.g., *Commission delegations to regional technical standards groups*].

...Broadening the dialogue. The [EU] Commission has made a commitment to develop more open and transparent government, which brings European citizens closer to the European institutions. **This also has special reference to the process of policy making where real efforts need to be made to ensure that the full range of interested groups are given the opportunity to influence decision making.** This must include economic interests, national, regional and local authorities and **environmental groups**.

Non-governmental organizations (NGOs) have an important role to play in channeling the views of the 'person in the street' to decision-makers, in participating in expert or technical groups and in monitoring the implementation of legislation. They represent a broader public interest in the policy process” (emphasis added).

COM (2001) 31 final 2001/0029 (COD), “Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions – On the Sixth Environmental Action Program of the European Community ‘Environment 2010: Our Future, Our Choice’”, at pp. 61-62.