

Assessment of the sustainability of governmental policy

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Abstract

Stating that sustainable development is important does not in itself lead to a more sustainable development. An important step towards sustainable development is incorporating sustainable principles in a broad spectrum of governmental policy. To achieve this integrative strategies and integrative decision making tools are developed. One of these tools is the environmental or sustainability test for governmental policy. More and more local, regional and national governments are introducing these kinds of tests in their policy making to assess the impact of governmental policy on sustainable development. The general goal of these tests is to give environmental considerations full and appropriate attention in decision making. This tests stretch out to all fields of governmental policy which could have environmental impacts, like transport, housing, spatial planning, etc. As a form of ex-ante evaluation these tests resemble (strategic) environmental impact assessment. But in it's procedures, the kind of decision-making they are used for and in it's output, these tests are quit different.

The paper is based on experiences with these tests gained in two projects developing and implementing sustainability tests, one for three middle size cities and one for a province, in the Netherlands. It discusses the choices made in the different local, regional and national settings and their implications.

Introduction

The general shift in environmental policy towards sustainable development was brought to the political agenda by the Brundtland report. Sustainable development asks for a new and more comprehensive approach in environmental policy with an emphasis on an integration of environmental policy objectives into other policy areas (interpolicy co-operation and integration).

Sustainable development was widely agreed upon at the Rio Conference in 1992. The overall goal of chapter 8 of Agenda 21 is to integrate socio-economic and environmental concerns in the decision-making process with a broad range of public participation. Sustainable development was also adopted in the 5th Environmental Action Programme of the EU. The Maastricht Treaty (the Treaty on European Union, 1992) stated already that environmental protection requirements must be integrated into the definition and implementation of the Community's other (non-environmental) policies. Thereby the EU has obliged itself by its founding legislation to integrate environmental issues into its policies. The Treaty of Amsterdam makes the achievement of sustainable development one of the explicit objectives of the European Union. And it highlights the need to integrate environmental protection requirements into the definition and implementation of all Community policies.

Many national governments stated the importance of interpolicy co-operation for sustainable development. For instance the well-known first Dutch National Environmental Policy Plan states that many policies on all level of government have important side effects on the environment and that much more attention has to be devoted to the interpolicy co-operation, which entails that policy areas like transport policy, physical planning, agricultural policy, economic structure policy, water management, building regulations, energy policy and educational policy have to be fine-tuned with the national environmental policy (States General, 1990).

Many local authorities state the importance of sustainability for their community, often through preparing Local Agenda 21's. Local institutions are in a good position to regulate and manage environment and development activities,

On the suitability of the local level for interpolicy integration, Chapter 28 of Agenda 21 states that: *'many of the problems and solutions being addressed by Agenda 21 have their roots in local activities'* and *'local authorities construct, operate and maintain economic, social and environmental infrastructure, oversee planning processes, establish local environmental policies and regulations, and assist in implementing national and subnational environmental policies'* (Chapter 28, Agenda 21).

Problem definition

Stating that sustainable development is important, and that it's has to be taken into account in a broad spectrum of governmental polices does not lead in itself to a more sustainable development. The central question in this paper is; *how do we ensure that sustainable development as a goal will been taking into account in governmental policy?*

We will discuss concrete steps to ensure that sustainable development is taken into account. Some recommendations for concrete steps can be found on the international and European level. The Commission on Sustainable Development (CSD, 1997) reviewed the progress made in the implementations set out in chapter 8 of Agenda 21, which addresses the integration of environment in decision-making. Two of the four key objectives of this chapter are of particular interest in offering concrete recommendations how sustainable development can be taking into account. Firstly the development of (national) sustainable strategies as a major contributor to inter-policy integration. Secondly the development and use of specific policy-making tools and instruments that help to integrate environment and development in decision-making, including environmental impact assessment and indicators.

The EU not only made the incorporation of environmental objectives in other activities in the EU a major step in achieving sustainability, it also relates it to the assessment of these activities. 'Given the goal of achieving, sustainable development it seem only logical, if not essential, to apply an assessment of the environmental implications of all relevant polices, plans and programmes' (The Fifth Environmental Action Plan, 1992) This assessment is concretised for two activities:

- an appraisal of the strategies and operations proposed in regional development plans financial supported through EU strategic funds (Aidè Mémoire, 1993);
- the assessment of certain environmentally significant plans and programmes (Eu-Directive 96/0304).

Sustainable strategies and plans

One of the major ways to integrate sustainable development with other governmental polices is the development of integrated strategies for sustainable development at the national and lower levels of government. This can mean efforts to incorporate sustainable development principles in overall planning efforts, or the production of separate sustainable strategies including national, regional and local Agenda 21s.

Firstly world wide developed and less developed countries have produced national sustainable development strategies (NSDSs), national conservation strategies or environmental action plans. The concept of the national sustainable development strategy (NSDS) was introduced by the Agenda 21 (par. 8.7) aiming to 'build upon and harmonise the various sectoral economic, social and environmental policies and plans that are operating in the country'.

In recent years there have been several cross-national reviews of experiences with national 'green' planning (OECD, 1995a; Lampietti & Subramanian, 1995; REC,1995, Dalal-Clayton, 1996, Janicke Carius and Joergens, 1997). From this comparative research a new type of plan emerges which are (Janicke, 1996):

- more comprehensive than older generations of plans or integrate existing sectoral environmental plans;
- less predominantly concentrated in the environmental administration and give more attention to interpolicy integration;
- less government inward bound and give more attention to the external integration with societal stakeholders;
- more concerned with sustainable development and less with traditional pollution control.

Secondly the incorporation of sustainable principles in overall planing efforts which can lead to integration and unification of existing plans. Agenda 21 recommends (par. 8.7) that national sustainable development strategies should 'build upon and harmonise the various sectoral plans that are operating in the country'. Some countries like the Netherlands, have established a strong and dominating comprehensive plan which covers and integrates the whole field of environmental policy. In other countries a comprehensive plan exists, but is weak in relation to the sectoral environmental policy plans while in a third group of countries until now such a broad national plan is completely missing (Janicke Carius and Joergens, 1997).

Evaluations are quite critical about the implementation and follow-up of these strategies and the realisation of 'widest possible participation' in strategy development in practice. The CSD (1997) even

concludes that 'national sustainable development strategies are more useful for the process they involve than for the outputs they seek to produce' For the national strategies the CSD recommends that the emphasis needs to be put on the participatory and learning aspects of the process more than on the document that is the product of the process. Even in the most impressive example of environmental planning (OECD, 1995b) other government departments continue to marginalise environmental considerations (Bennet, 1997). An accent on the process can be the establishment of national-level commissions or co-ordinating mechanisms designed to develop an integrated approach to sustainable development and to include a wide range of civil society sectors in the process of agenda-setting and strategy-building.

According to the CSD (1997) local-level strategies and plans, especially Local Agenda 21, have proved more successful than many of those at the national level in terms of making a direct impact on other policy areas.

Integrative decision-making and policy tools for sustainable development

Integrative decision-making tools are economic and policy instruments that aid the process of integrating environment and development in decision-making (CSD, 1997). These tools help decision makers achieve and measure progress towards sustainable development goals and targets. According to the CSD among the decision-making tools that have been particularly widely developed and used are (1) environmental impact assessment, (2) indicators of sustainable development, (3) environmental management systems, (4) integrated pollution prevention and control (IPPC), (5) pollutant release and transfer registers and (6) other policy instruments, including economic instruments (environmental taxes and charges, environmental subsidies and green funds), voluntary agreements and joint implementation. For our discussion especially the (strategic) assessment of plans, programmes and proposals seems an important integrative instrument because it aims at contributing to interpolicy integration within the government, and not just measures the progress towards sustainability

In literature and practice several arguments for strategic environmental assessment are given

1. satisfying the requirements of funding organisations, international agreements or legislation;
2. assessment of the framework for decisions on projects with significant impact on the environment;
3. a tool for integrating environmental considerations in the decision making process.

Ad 1. Not only the assessment of projects but also the strategic assessment of plans can be requested by international bank, lending agencies and international organisations, like the example of the European Structural Funds. Or the need can follow from fulfilling international agreements or legislation, like the new EU-directive 96/304.

Ad 2. Environmental impact assessment (EIA) is concerned with the assessment of environmental impact of projects and programmes during project planning and implementation. In the European context it aims at providing the competent authorities with relevant information to enable them to take a decision on a specific project in full knowledge of the project's likely significant impact on the environment (Council Directive 85/337/EEC, 27 June 1985). A new directive aims at strategic environmental assessment (SEA) as a tool in integrating environmental considerations in plans and programmes that are likely to have an environmental impact, with the aim to take account of these likely effects before adoption and implementation of these plans and programmes (EU-directive 96/304).

The idea is that plans and programmes establish the framework for subsequent development consent decisions. Decisions which are formally require and EIA often result from 'up stream' decisions which prepare the formal decision which requires an EIA. These 'up stream' decisions, for instance on the location of projects which require an EIA, define the subsequent decisions.

Ad 3. SEA could be a continuous decision-making tool for integrating environmental effects into plans and policies, aiming at the identification of the cumulative consequences of policies, governmental programmes and plans with impact on the environment, introducing sustainability principles into decision-making. It can also provides a mechanism for public participation in discussions relevant to sustainability at a strategic level.

It will be clear to whatever the arguments for a strategic assessment of plans and programmes are it will be an impossible task to perform a formal strategic assessment for every strategic decision within other governmental fields. Strategic assessment will be restricted to the most important environmental relevant plans. This is especially the case when SEA leans on the methodology of EIA, done with the same stringency as EIA and using EIA principles of documentation, procedure, significance, alternatives and the involvement of the public.

EIA has had an important contributions to interpolicy co-operation and the development of concepts and methods for a more comprehensive approach of the environment. Furthermore it lead to a professionalisation of the study of environmental effects of decisions. But the problems in time, capacity and knowledge are apparent. Obvious solutions are:

1. restricting EIA and SEA to a very limited number of plans, programmes and proposals;
2. limiting the procedure for instance only informal, government intern procedures;
3. taking a less stringent methodological, more qualitative approach.

In the rest of the paper we will discuss the choices and limitations of the alternative of environmental tests as a form of a more informal tool for integrative decision making.

Experiences with sustainability and environmental tests in the Netherlands

The following discussion is based on experiences with sustainability and environmental test in the Netherlands. The remarks on the situation on the provincial and municipal level are based on two projects by the Centre for Clean Technology and Environmental Policy (CSTM) of the University of Twente, one supporting three medium-size municipalities and one supporting a province, in developing an environmental test. Part of both projects was an inventory of other experiences with environmental testing on a local and provincial level. The evaluative remarks on the national level are based on the reporting of the minister of environment of the reviewing of the development and implementation process of the national environmental test

National level

During the discussion on the governmental reaction on the Brundtland report a motion (Boers-Wijnberg) was proposed that the government would stipulate for every ministry and every policy sector how the recommendations of the Brundtland report would be given form. This lead to action point A 141 in the first national Environmental Policy Plan. The implementation was co-ordinated and methodological supported by the Ministry of environment, but the actually reporting was left to the responsible Ministries themselves. The goal of the examination by the ministries was to realise changes in existing policy instruments and come up with recommendations to give meaning to the Brundtland report in their specific policy areas.

A second related action point, A142, stated that 'proposals with possible important consequences for the environment should be provided with information on the consequences for the environment'. A Commission Environmental Test advised on this action point, and came up with recommendations for environmental testing. Their main advice was that external integration in a development process were building in guarantees is needed for sustainable development to be taken into account by the other departments. The output should be environmental paragraphs added to proposals and plans, not a checklist how to perform a test. An important guarantee for use could be establishing a Committee to review the process of environmental testing.

Provincial and local level

At local level and regional level, in line with the principle of subsidiarity, certain issues in environment and development can be most effectively treated because provinces play an important role in planning and co-ordination in environmental policy, municipalities in implementing national policies.

The goal of sustainable development was a prominent part of the four year political programs in the three municipalities in the first project. To give sustainable development shape all three municipalities recognised the importance of sustainable development becoming part of the decision making in all municipal areas.

The first part of the municipal CSTM project was taking account of the experiences with environmental and sustainable testing in other Dutch municipalities who already established procedures for such test. This lead to several conclusions about fundamental choices that had to be made:

- working with actual quantitative scores, how attractive they appeared for politicians, was in practice very unrealistic. In the first place it is very difficult to score a proposal as more or less sustainable. Secondly in practice one does not always think in terms of alternative proposals, except for go or not go. In the municipal project it was decided to work towards 'environmental paragraphs' as output of the tests, were the arguments of the decision should be elaborated on instead of some sort of final score;
- knowledge appeared to be a problem especially in terms of how a specific policy area is related with sustainable development, what are relevant national policies, etc. In the project it was decided to

developed a computer programme called Thumb in Dutch (DUIM) which stands for Sustainable Development Impulse (**D**uurzame Ontwikkelings **IM**puls, DUIM). DUIM is a computer programme based on (interactive) educational software which provides the information and basic steps to come up with an environmental paragraph to go along with an proposal. It gives information and content of relevant documents and policies and references to other information (for instance names of experts with phonenumbers);

- another lessons taken from other experiences was that it is best that the related policy area itself performs the test, which means producing an environmental paragraph with a proposal. The environmental department does not have the necessary helicopter view to add environmental paragraphs to all proposals, and they are somehow considered as a opponent in municipal policy;
- another important choice that has to be made in very test is which decisions require environmental testing and which not, in other words 'the area of application'. In the DUIM-project this choice is left to the proposing department. They can choose for a more strategic level with consequences for subsequent decision making, or for testing more operational decisions. Or they can argue why a test is superfluous;
- a very important observation of experiences in other municipalities was the phenomenon of 'political erosion' of the tests. The political back up of the test was very essential. If some time after introducing the test the general trend is that (a) an environmental paragraph is not taken into account, or (b) there are no sanctions if environmental paragraphs are not added, there will be erosion. After a while the test will not longer be used, in a sense that departments will stop adding environmental paragraphs.

In the second phase of the municipal projects civil servants of a great range of policy areas were interviewed on how they handled sustainable development issues at that moment. This showed that:

- sustainable development is a very abstract concept in practice. Some departments have a lot of experience with interpolicy integration with environment like physical planning, some other departments like welfare, culture and sport don't have an idea how they are related to sustainable development;
- many interviewed civil servants stress the work load and time available, stressing that the instrument should be simple and pragmatic. The willingness to take responsibility for sustainable development in their policy area is quit high.

The interviews lead to some conclusions and modifications of the project:

- sustainable development is to ambitious, at first the municipalities should be glad when environmental effects will be taken into account;
- Duim can be a very important communication instrument, especially when other department add to the content of the computer programme;
- The test should not be implemented as a directive, but through a system of diffusion and mutual learning in the organisation.

In a third phase the test were evaluated in several experiments in all municipalities. At this moment one municipality is actually using the test, one is still evaluating and the third one dropped out of the project because of internal problems and problems with the programme. The biggest implementation problem is the filling of the information content of the programme. To be used it needs to be an encyclopaedia of knowledge of environmental policy. At this moment the programme is too empty to satisfy the departments who are well aware of sustainable development, but who are the ones that in practice have to be testing the most. This makes the programme somehow superfluous.

The goal of the provincial project was twofold. Not only developing an environmental test but also an economic test. Several trends in EU and national policy and law prioritised the environmental testing of policies at the one hand and testing the economic effects of environmental regulations and policies at the other hand. In this projects the choice was made to develop two batteries of questions for environmental and economic questions both. During the project these two goals became goals in the new provincial strategic plan. Compared with the municipalities it was expected that the expertise on sustainable and environmental effects at the provincial level was much higher. The interviews with provincial civil servants showed that already a lot of separate test, procedures and integrative decision making instruments were developed. As a result after evaluating the lists of questions in some separate cases it was decided that the test should be supplementary to already ongoing initiatives. A system was discussed to guarantee that the test are actually used, with for instance a Test review Committee with outside involvement. The results at the moment is that there is a one year experimental phase where the test are still facultative.

Conclusions

In this paper we discussed as a central question; *how do we ensure that sustainable development as a goal will be taken into account in governmental policy?*

We reviewed several instruments for integrative decision making. Of the well known instruments especially strategic assessment of plans, programmes and proposals seems of major importance for integrating environmental issues in other policy areas. We concluded that not every proposal can be preceded by a formal and methodological strong strategic assessment procedure. We discussed therefore experiences with less formal procedure called sustainability or environmental tests to be used on different levels of decision making

These methods are based on the idea that policy-makers should be forced to justify how they took the aim of sustainable development into account. This does not mean that this will lead to sustainable development always prevailing, but justify why a specific sectoral goal in a proposal has prevailed. The outcome of such a test could be ranging from a sustainability score to an environmental paragraph added to a proposal

Remarkable is the stress on the pragmatic and relative simplistic character the tests should have.

Fundamental choices made in the Dutch examples which offer lessons for other examples are:

1. no sustainability or environmental friendly score but legitimisation of the choice that has been made in respect to sustainable development;
2. internal procedures with no public involvement and no strict methodological scoring of environmental effects;
3. working towards an expected output, in the form of environmental paragraphs with reporting on environmental effects and arguments for the proposal, not according to a checklist
4. responsibility for the output lays with the department preparing a proposal, not within a central (environmental) department;
5. building in guarantees that the test are actual used.

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