

## **Environmental Implementation Review country dialogue Luxembourg 12/10/2017**

### *Summary*

Luxembourg held an EIR country dialogue on the afternoon of 12/10/2017, with approx. 60 participants, from the Luxembourg Ministry of Sustainable Development and Infrastructure, Ministry of Agriculture, NGOs, scientific institutions, unions and associations. Six other MS (AT, CZ, EE, FI, LV, SI), were also attending the event.

The meeting was chaired by Luxembourg environment minister **Carole Dieschbourg**, who pointed out in her opening that the EIR kick-off took place under the Luxembourg Presidency and Luxembourg is still very supportive of this exercise, which is about sustainability. To address the challenges (like water pollution or loss of biodiversity), more dialogue is needed with other sectors, for instance with agriculture. An example of good cooperation is the circular economy, for which the whole Government is committed.

In his speech, **Aurel Ciobanu-Dordea** (Director for Implementation & Support to Member States, DG Environment, European Commission) mentioned that the EIR aims at a horizontal overview of the environmental domain and at influencing the political agenda of the Member States. Discussing the EIR in the Environment Council helps Member States to act together, to deliver on targets, and to maintain confidence in the EU as a real community. The Commission supports Member States in dealing with environmental implementation and encourages the spread of good practices. The recently launched peer-to-peer (P2P) tool is relevant in this regard, which can finance expert missions, workshops and study visits in a quality-controlled, light, flexible, rapid and targeted way.

The meeting consisted of **three thematic sections**: air & water, biodiversity, governance. The presentations focused on the findings of the EIR country report, also listing the measures already taken or to be taken to address the suggested actions contained in that report.

**Luc Zwank** (Water Management Agency) presented the challenges and opportunities in the water sector, and the way forward. Demographic increase and diffuse pollution present the biggest pressures. While for drinking water a conformity rate of > 99% with EU legislation is reached, and all bathing water sites are in excellent condition, for urban wastewater collection and treatment full conformity is expected for mid-2018. Addressing the pollution from nitrates still requires further efforts, legislative amendments and cooperation with the Ministry of Agriculture. To follow up the suggested actions of the EIR, the management plan of 2015 has substantially been revised, inventories have been established, peer review exercises have taken place, and criteria for the evaluation of new projects likely to fall under Article 4(7) of the Water Framework Directive are currently being developed.

**David Glod** (Environment Agency) spoke about air quality. Short-term measurements show that air quality is very good or good in all three zones (rural zone represented by ten cantons, City of Luxembourg and its periurban area, and the industrial ore basin represented mainly by the Canton Esch/Alzette). However, long-term measurements show certain periods over the year with high dust and high ozone concentration, but the main issue in Luxembourg City is still NO<sub>2</sub> concentrations and traffic as its main source. To address it, the Sustainable Mobility Strategy (MODU), in place for many years already, focuses - inter alia - on providing better public transport by constructing a new tramline between the city center and the plateau Kirchberg; modernisation of the bus fleet (towards Euro VI) and avoiding the need for busses

transiting the center by building an interconnection between train, tram and bus at the Kirchberg. To reduce the traffic (in particular diesel), new fiscal measures for zero and low emissions cars have been introduced. Furthermore, the national air quality program adopted in June 2017 proactively aims at including municipalities and local communities in the discussion about air quality. There is good cooperation with the local municipalities who contributed to the national air quality program. Furthermore, the energy awarding system «Klimapakt» was put forward as a positive example that found a good resonance among the municipalities. This system was adapted to include air quality aspects, which now provides an incentive for municipalities to take initiative to define projects at local level that improve air quality. In June this year, a Clean Air Dialogue took place in Luxembourg with the Commission, where three main air pollution emission challenges were identified: NO<sub>x</sub> from transport, ammonia from agriculture and PM<sub>2.5</sub> from residential heating. The National Air Pollution Control Programme, due by April 2019 under the new National Emission Ceilings Directive, will be a key tool to tackle these pollutants.

**Stephanie Zimmer** (Institut fir biologesch Landwirtschaft an Agrarkultur asbl, IBLA, Luxembourg Institute for organic farming and agriculture) presented the main environmental challenges from agriculture, comparing conventional and organic farming from an economic and ecologic viewpoint. She highlighted that in addition to environmental challenges (concerning water quality, soil quality, air quality, biodiversity), also other dimensions of sustainability like economic resilience (e.g. profitability of the farm, risk management), social well-being (e.g. quality of life, fair trading) and good governance (e.g. responsibility, transparency) shall be taken into account when assessing sustainability. To help farmers assess their sustainability, FiBL (Research Institute of Organic Agriculture) developed a tool (SMART = sustainability monitoring and assessment routine), based on the sustainability goals for the food and agriculture systems set by FAO. For a sustainable food system, dietary patterns of consumers and agricultural practices need to be aligned, as sustainable agriculture also depends on consumer needs and demands.

**Questions & Answers** dealt *inter alia* with monitoring nitrogen in water, an accident in Belgium (Wallonia) causing pollution in Luxembourg, the reform of the CAP (mid-term review and the need for 'greening' it). Minister Dieschbourg stressed the need for cooperation with the agriculture sector, not only at national, but also at EU level, and emphasized the importance of the EIR.

**Gilles Biver** (Ministry of Sustainable Development and Infrastructure, Environment Department) presented the National Biodiversity Strategy and Action Plan, adopted in January 2017. According to a study by the EEA, Luxembourg is the most fragmented country in the EU, which causes a big challenge for biodiversity conservation. The high level of fragmentation in conjunction with the high land consumption is a main challenge to the conservation status of habitats and nature protection in general. Mr Biver informed that a central recommendation of the EIR has been achieved by finalising the Natura 2000 network. To address the remaining recommendations of the EIR country report, several measures have been and are being taken, e.g. establishment of steering committees to finalise the management plans (nine out of 66 plans still need to be adopted); monitoring programmes; restoration of habitats and species; 12 action plans for priority species or habitats; ecological corridors, passages. Biodiversity measures are also included in the Rural Development Program, with a view of achieving a result-based payments approach for agricultural practices. National financing plans have been adopted for the above-listed measures, but M.

Biver also called on the Commission to investigate on strengthening biodiversity payments through measures of the CAP.

**Jacques Pir** (Mouvement Écologique) highlighted the main causes of biodiversity loss in Luxembourg, which are due to the high land consumption rate and non-sustainable agricultural practices. He highlighted results of a recent study on pesticide residues in bee pollen (BeeFirst) and criticised the Government for its current politics, in implementing national Rural Development Program (RDP), in preventing environmental protection measures to have their full effect such as by not reacting appropriately to demographic increase and the resultant urbanisation of the countryside, as well as for not yet having put forward a coherent national plan for the sustainable use of pesticides. He also pointed at deficiencies at EU level, in particular in the CAP and in the policy on pesticides. He stated that agri-environmental measures of the national RDP are not target-oriented on the conservation of priority species and habitats under the Habitat Directive and the national nature protection plan and he invited the Government to provide sufficient financial and human resources, and to involve more the local municipalities.

An open and informative, yet tense **discussion** took place, demonstrating also how different sectors can work together. While representatives of the Luxemburgish Ministry of Agriculture reacted to the criticism on the role of agriculture (in particular by rejecting the view that the authorities have been too lax as regards assessing the consequence of the use of certain pesticides), Minister Dieschbourg emphasized the importance of NGOs in presenting their critical views and in inciting the Government to go beyond current efforts, She also promoted effective dialogue between different sectors which she found crucial. The Commission's efforts should thus be thanked for having facilitated the dialogue through the EIR.

**André Weidenhaupt** (Director General, Ministry of Sustainable Development and Infrastructure, Environment Department) presented the organisation of national administration: responsibility lies with the Ministry of Sustainable Development and Infrastructure (transport, public works, territorial development), Ministry of Environment (environmental issues, water management, nature and forests), and with 105 local municipalities (waste management, drinking water). The legislative procedure, the implementation, authorization system, control measures were also briefly presented. Several strategic plans concern implementation: sustainable development plan (the 3rd one being under preparation), 2nd climate action plan (2eme plan), 2nd nature conservation plan (PNPN2) etc, complemented by sectoral plans on housing, transport, zones of economic activity and countryside. The national follow-up to the Rifkin study on the 3rd industrial revolution is also ongoing.

**Ion Codescu** (Head of Unit for Environmental Implementation, DG Environment) explained why governance had been included in EIR reports. Most sections deal with thematic issues, but the enabling framework for implementation should also be examined, therefore section 5 on governance is amongst the most important parts of the report. He has also explained the challenges to gather the right information to report on (more difficult than for the Thematic sections covered by reporting obligations) and pointed out that feedback from national level, including via such dialogues is vital to address the right issues and thus pave the way for structural solutions. It has been noted that there are some common problems shared by several Member States, e.g. lack of administrative capacity, lack of financing, lack of

knowledge/data, insufficient compliance mechanism, lack of integration of environment into other policies. Cooperation between ministries and municipalities plays a crucial role in implementation, just like national courts as not everything can be enforced at EU level. Congratulations should go to the Minister and the ministry for organising this event, as it helps better understanding of what goes well and what not. The peer-to-peer (P2P) tool shall also enable exchanges of experience and good practices between Member States.

During the **Questions & Answers**, it was made clear that the EIR analysis focuses on key environmental legal obligations (e.g. transparency in the governance section), and less on supportive measures such as awareness raising. However, awareness raising could help a lot in implementation, and the Commission has started to put together an inventory of inspiring practices. The Commission will try to invest more in studies and to deliver better information in certain chapters for the 2nd EIR round, and also to cover other sectors (industrial emissions, climate change and maybe chemicals).

**Main points and conclusions of the event:** 1) The biggest challenges for Luxembourg currently are air quality (in particular to address the exceedance of NO<sub>2</sub> limit values), water pollution (inter alia from nitrates, pesticides and urban wastewater), and loss of biodiversity / landscape fragmentation. 2) Luxembourg is performing well in circular economy, where a smooth intra-governmental cooperation exists. 3) Luxembourg is very supportive of the EIR. 4) EIR is about sustainability, where common efforts are needed through all concerned sectors (e.g. environment, agriculture, transport, economy). It is important to identify and exchange good practices, the new peer-to-peer tool is important in this regard. 5) The Commission will make efforts so that the 2nd EIR reports are even more comprehensive and based on better data where available.