



EMAS REVISION AND LOCAL AUTHORITIES AND OTHER PUBLIC BODIES: Our proposal

The long term experiences regarding the implementation of EMAS within local authorities and other public bodies suggest strongly the adoption of an EMAS Version for Public Authorities :

- more suitable for management processes of public bodies, responsible for territorial management and other strategic environmental aspects and life quality of citizens;
- more open towards synergies with other instruments adopted by Local Governments related to sustainable development processes.

With regard to the first item, it appears necessary to take into account the three key decision-making levels of local authorities¹: strategic, operative and managerial, exploiting the existent.

The second item, it could be useful to obtain converging instruments in an EMAS at local government level. These instruments, supported by the European Community (i.e. local Agenda 21, Environmental Accountability, Environmental Budgeting, Aalborg Commitments, Green Public Procurement, etc.)², were conceived to promote sustainability.

We therefore propose for the Revision of the EMAS Regulation to insert an annex dedicated to the application of EMAS in Public Authorities developed on the basis of Decision EC n. 681/2001 indications (Annex I - point 8).

This specification would represent a feature of the EMAS Regulation compared with other Environmental Management System standards.

Some important elements for the application of EMAS in Local Authorities are actually not included in the annex proposal draft as they relate to the choices operated during the revision of Regulation text:

- Key performance indicators;
- Possibility to introduce and manage sustainability issues;
- Necessity of high qualified verifiers for local authority;
- Full support to cluster approach;
- Specific advantages and incentives for EMAS registered local authorities

These following recommendations are proposed by TANDEM, the Italian network on EMAS and Local Authorities, and the IDEMS project partners. The recommendations are supported by ICLEI – Local Governments for Sustainability and Lake Constance Foundation.

Parts from official European Commission sources are quoted in *italics*.

ANNEX XX “Emas and Local Authorities”

X.1 General

Local Governments are permitted to register since April 2001, the date of the first regulation revision. Ever since, it represents one of most growing sectors considering the number of registrations³.

Considering that a great deal of responsibility for territorial management and citizens’ life-quality is with public authorities , and taking into account recent EC documents underlining the relevance of territorial

¹ “Modernising government. The way forward”. OECD, Paris 2005

² See Life Project TANDEM to develop EMAS and LA21 in Local Authorities; LIFE Project European *eco*BUDGET to develop a European approach to environmental budgeting, Life Project IDEMS to integrate environmental management systems and environmental accountability and budgeting systems; EU funded project ACTOR to develop Aalborg Commitments tools and references; Life Project LEAP for local environmental management system and procurement, EU funded Project Managing Urban Europe 25 for development of guidance towards an integrated sustainability oriented management system.

³ European Commission activated a specific session of its website dedicated to local authorities: http://ec.europa.eu/environment/emas/local/index_en.htm



planning or related management systems (for example the Thematic Strategy on the Urban Environment), it becomes important to provide specific indications on the EMAS application in Local Governments and other public bodies.

X.2 Indirect Aspects

If the organisation seeking an EMAS registration is a public institution, it is important to state that the indirect environmental aspects, such as those that are a consequence of the authority's policies, can be the most important and, therefore, the problems to be considered cannot be restricted only to the management's organisational structure and to the associated direct environmental aspects.

Indeed, the political responsibilities of a public administration are connected to the management of the territory and the quality of the life, present and future, of the citizens that fall under its responsibility.⁴

Local Government's environmental policy must concern territorial management and the definition of the objectives of environmental improvement may include:

➤ Planning

Plans, programmes and possibilities of indirect influence regarding land-use, mobility, air quality, nature and landscape protection, waste and water management and sustainable design should be included successfully in EMAS.

➤ Green Public Procurement

A local authority must demonstrate evidence of the implemented actions with regard to its goods and services suppliers. This demonstration aims at influencing the suppliers' environmental behaviour.

In particular, Green Procurement can support the decrease of direct impacts and can also play an important role in the promotion and enhancement of ecolabel and in increasing economic operators and customer awareness.

➤ Voluntary Agreement

Due to the role of implementing policies, Local Governments act in agreement with or influencing numerous actors – citizens, interest groups, business, other local governments, other levels of government. Good governance requires close co-operation with those. This is even more important as Local Governments have only limited control over a variety of issues, instead they regularly need to influence others activities. Local Governments basically have three options to encourage favourable action of other actors– being the role-model, setting incentives and promoting favourable strategies, regulating to enforce legislation and ensuring implementation by others. To this end, an effective implementation of EMAS suggests to seek voluntary agreements with community partners and other levels of government.

Voluntary agreement with other local bodies could be very effective in reaching common and shared objectives (for example it's possible to have better results regarding air quality by implementing the cooperation among Local Authorities operating at different levels).

It is also important to describe, which stakeholders (farmers, citizens, economic operators, etc.) are responsible for the quality of an environmental component. This is to involve them in improvement action planning.

Having different organisations homogeneously impacting on the same cluster (urban, industrial, etc.) can be the starting point to achieve common objectives, also by implementing joint actions through public-private partnership.

X.3 Entity

A Local Government can obtain higher benefits, when registration is applied to the whole organisation (i.e. territory) instead of individual departments.

Overall system effectiveness in Local Governments is being achieved by means of a cross-sectorial approach that encounters the main processes supporting this characterisation.

For some local authorities, due to the complexity of the management and of the aspects to be considered, it can be possible to accept a separate registration of parts of such organisations. In this case the

⁴ Ref. EC Decision n. 681/2001 (Annex 1 – point 8)



communication to the public and use of the logo shall be unambiguous and clearly referred only to the specific branch or unit registered⁵.

Registration on a departmental basis is possible in all Member States under the following conditions⁶:

1. the registered entity needs to have management control and influence over its environmental aspects;
2. commitment from the top level of the organisation is required;
3. use of the logo and communication to the public must be clear and unambiguous (stakeholders should recognise which part of the local authority is registered).

Environmental policy has to be central for the whole organisation and the EMAS system should be able to improve the quality of the territory managed by the organisation. So, partial registrations can be accepted but only in consideration of a specific commitment of the Direction to extend the application field to the whole organisation.

X.4 Environmental policy

The adoption of a common environmental policy, which is only possible with the involvement of the highest political body (i.e. the council) and the top management (e.g. Mayor, CEO), has to be a requirement for the implementation of those organisational processes within Local Governments supporting the achievement of that objective.

In the development of some management system's phases (audit's cycle, improvement programme, etc.), it would be useful to consider the specific nature of local political bodies and the period of political mandates: environmental verifiers should consider coexistence of technical and political timing.

X.5 EMAS and other instruments

EMAS application in a Local Government must be consistent with the monitoring and evaluation of existing and legally required instruments and complementary with other sustainability instruments:

- Aalborg Commitments can help to survey social and economic components of sustainability;
- agenda 21 processes can support citizens consultation and participatory planning;
- environmental accountability can help periodic verification and environmental programme monitoring and represents a substantial support to set out Environmental Statements (from balance to statement). To make environmental accountability more prominent national laws or other standard methodology (as *eco*BUDGET and Clear) represent a useful reference;
- normative procedures and measures (as Strategic Environmental Assessment).

Further considerations to be included into annexes or guidelines

Key Performance Indicators

Traditionally the evaluation and verification of environmental management systems have been concentrated on ensuring a functioning of a system and a continual improvement independent of the level of performance achieved. However, as a "standard of excellence" EMAS regulation should guarantee significant improvement in environmental performance. Establishing a set of performance indicators would allow better evaluation of the environmental benefits gained through EMAS.

A set of "model" performance indicators could be collected and proposed to help the local governments to follow up the progress of their management programmes. However, at the same time certain flexibility needs to be retained since the objectives and targets of the environmental programmes are set locally and therefore vary depending on local circumstances.

⁵ Ref. EC Decision n. 681/2001 (Annex 1 – point 8)

⁶ Ref. FAQ session of EC website dedicated to local authorities:
http://ec.europa.eu/environment/emas/local/index_en.htm



A set of performance indicators would also provide opportunities for comparisons between local governments for example through regional benchmarks. Various sets of indicators are available and used by local authorities. Our recommendation is to agree on one of the existing key performance indicator sets as a basis for all local authorities and suggest the application of additional indicators according to the national and/or local situation.

Specific advantages and other incentives for EMAS registered local authorities

Local governments should be offered incentives to implement and to maintain EMAS. These could include for example bonuses related to funding applications or offering other additional benefits to EMAS registered authorities. These incentives should be proposed at European and national levels.

High qualified verifiers for local authorities

It is necessary to ensure a set of qualified and externally accredited verifiers that can ensure a consistent interpretation and proper application of the EMAS system. EMAS verification should be done by professionals who understand local government structures and functions.

Information on city development and local sustainability should be included in the training of verifiers. Training should take into account existing reporting requirements and mechanisms of local governments and how to make these an integrated part of the environmental management system and thus prevent additional duties for documentation and reporting.

In addition, peer reviews might help to meet more targeted training and information needs of local governments. For example the new Danish system is establishing a set of internal verifiers, who will work across municipalities and thus ensuring the spreading of knowledge among local governments.

Qualified and well trained verifiers would in turn assist in creating a structure which would be more transparent, consistent and trusted and should encourage greater understanding and acceptance of EMAS.

Full support to cluster approach

In order to promote the participation of organisations including those concentrated in well defined geographical areas or operating in any form of “cluster”, local authorities may set up a network with trade associations, chambers of commerce, companies, parks and other interested parties for providing assistance in fulfilling EMAS requirements by implementing collective activities and resources. The organisations will share and use these collective activities and resources to set out the necessary steps to individually comply with EMAS Regulation and seek for registration on an individual basis. Cluster approach could achieve an environmental performance on territorial scale. An official recognition according with the modalities to be established by the European Commission of cluster could be important.