

THE EEB'S ASSESSMENT OF THE ENVIRONMENTAL RESULTS OF THE LATVIAN PRESIDENCY OF THE EU January – July 2015

Based on the EEB's Ten Green Tests for the Latvian Presidency
released in January 2015

“Good efforts on biodiversity, bad results on air”

SUMMARY OF EEB'S VERDICT ON THE TEN GREEN TESTS

ISSUE:	VERDICT:
1. DEFEND AND DEVELOP ENVIRONMENT POLICIES	☺
2. REFORM TRADE POLICIES	☹
3. CLEAN AIR	☹
4. FIGHT CLIMATE CHANGE	☹
5. REFORM ENERGY POLICY	☹
6. BIODIVERSITY	☺
7. CIRCULAR ECONOMY	☹
8. WASTE	☹
9. HAZARDOUS CHEMICALS	☹
10. SUSTAINABLE DEVELOPMENT	☺

SUMMARY

The Latvian Presidency got off to a rocky start amid controversies over the Commission's insistence on withdrawing the waste package. But the Presidency played a successful and critical role in ensuring that the Council's position on this was clearly communicated to the Commission thereby defending the role of the Environment Council. The Presidency gave considerable priority to biodiversity. At its informal environment ministerial it focused attention on the upcoming mid-term review of the EU Biodiversity Strategy and on the importance of reconciling renewable energy and biodiversity objectives. Latvia also organised a special conference on biodiversity. This helped send a strong message underlining the significant political support for the EU's nature directives.

Less positive was the outcome of the deal on biofuels, which failed to address the impacts the reform proposals had set out to address. Worrying as well has been the direction of the debate on the air package. Many Member States have pushed for the deletion of methane ceilings based on nonsensical arguments of 'double regulation' leading to the Presidency taking it out of the Council texts. Even more concerning have been the developments around TTIP and CETA and the complete lack of any initiative to, for example, engage different Council formations in the debate or push for greater public access to key negotiating texts. Instead the Presidency has simply kept its fingers crossed, hoping that a deal will be concluded by the end of 2015.

INTRODUCTION:

This is an assessment of the Latvian Presidency by the European Environmental Bureau (EEB), the largest federation of environmental citizens' organisations in Europe. The EEB's mandate encompasses all environment-related issues, a broad agenda comprising 'traditional' environmental issues as well as sectoral and horizontal policies with a direct or potential environmental impact, sustainable development and participatory democracy.

The EEB views six-month presidencies as convenient periods over which progress on the EU's environment-related policies and legislation can be measured. We appreciate that a Presidency cannot make decisions on its own; it needs the cooperation of the European Commission, European Parliament and other Member States. But the Presidency can still have considerable impact and influence, for example through the way in which it chairs discussions, prioritises practical work and gives a profile to specific issues.

The EEB's assessment is not an overall political assessment of the Presidency's performance. We are not assessing its role on foreign affairs issues, internal security matters or migration policies, for example. On the other hand, nor is the assessment limited to the activities and outcomes of the Environment Council; it covers all Council configurations to the extent that they deal with topics that affect the environment. Our assessment is based on the Ten Green Tests we presented to the Latvian Government at the start of its Presidency in January 2015.

At the outset, the EEB wishes to acknowledge and express its appreciation of the open and cooperative approach adopted by the Latvian Presidency.

On the Latvian's Presidency's performance against the Ten Green Tests, item-by-item, the EEB reached the following conclusions:

1. Defend and develop EU environmental policies

The test

- *Insist on full and ambitious implementation of the Seventh Environmental Action Programme (7EAP), which was agreed between the three institutions, including by standing up to the Juncker Commission's anti-environment and deregulation agenda.*
- *Call on the Commission to speed up the process of presenting a new proposal for a Directive on Access to Justice, building on and strengthening the 2003 proposal; and once issued, swiftly convene Council working group meetings to make good progress on this directive.*
- *Encourage the Commission to make good progress with the preparation of a horizontal EU law for Environmental Inspection.*
- *Ensure that work in the framework of REFIT aiming at the reduction of administrative burdens will not be misused to lower environmental standards or weaken environmental laws.*
- *Support a reform of the EU standardisation system to make it more transparent and ensure effective participation by stakeholders.*

The verdict: Positive

Following the adoption in December 2014 of the Commission's Work Programme for 2015 amid controversy over the announced withdrawal of the waste package, the first weeks of the Latvian Presidency were dominated by a debate in Council and the European Parliament on how to react to this. Thanks largely to an initiative of the Latvian Presidency, the Commission received a clear message following the General Affairs Council that the withdrawal of the waste package was opposed by Council.

Most initiatives in relation to this test were with the Commission, which did not progress in putting forward outstanding long-awaited proposals on access to justice or inspections, but instead put forward a 'Better Regulation Package' in May. This, despite a lot of positive rhetoric about the benefits of regulation, mostly proposed new procedures, bodies and measures that are very likely to have a deregulatory effect.

Negotiations over the core of this package, the Inter Institutional Agreement on Better Law-making, however, only started after 25 June Council and the main responsibility for addressing key problems with the Commission's proposal will lie with the Luxembourg Presidency.

1. Reform Trade Policies

The test

- *If put to a vote, reject the Comprehensive Economic and Trade Agreement (CETA) between the EU and Canada that was finalised in May 2014 as it is understood to include a highly problematic and fundamentally undemocratic Investor State Dispute Settlement (ISDS) mechanism, which the Sustainability Impact Assessment commissioned by the European Commission advised not to include, and which could expose the EU and national governments to expensive lawsuits for passing environmental legislation.*
- *Oppose the inclusion under the Transatlantic Trade and Investment Partnership (TTIP) of an ISDS mechanism, of any type of regulatory cooperation provisions, or other types of provisions which could restrict the present level of environmental and health protection or the freedom of the EU to legislate to protect public health and the environment.*

The verdict: Negative

During the Latvian Presidency, negotiations on TTIP continued at a very slow pace. They were mostly held up because of uncertainty about US President Barack Obama receiving Trade Promotion Authority from the US Congress and continued uncertainty over which direction Commissioner Malmstroem would take with the most controversial element of TTIP, the use of private, for-profit, arbitration courts to resolve investment disputes between investors and states. The Latvian Presidency did not make much of a noticeable effort to push for a new approach to the negotiations on TTIP, on the contrary the highly unrealistic target of a deal being concluded in 2015 remained one of its overarching priorities for an 'engaged Europe'.

Uncertainty over CETA continued as well with little effort made by either the Commission or the Presidency to provide more clarity on when the 'legal scrubbing' would be over and when it would be put to a vote.

The Commission has taken some very preliminary steps towards developing a new broader trade strategy, but this is still in a very embryonic stage.

Overall, there are few, if any, signs of a deeper re-think about Europe's trade agenda with most proponents of TTIP still considering the widespread opposition to be a 'communication problem'.

3. Clean Air

The test:

- *Insist that negotiations will continue on the entire proposed air package with a view to strengthening it in line with the objective of the Seventh Environmental Action Programme (7EAP) by 2030, i.e. to attain "levels of air quality that do not*

give rise to significant negative impacts on and risks to human health and environment”.

- *Support ambitious binding emission reduction commitments (ERCs) for 2020, 2025 and 2030, including 2020 levels going significantly beyond those set under the revised Gothenburg Protocol and the 2005 TSAP, with ceilings for mercury included and those for methane to start in 2020. Ensure in particular that the Environment Council keeps full control over negotiating the revised NEC on behalf of the Member States.*
- *Support the introduction of EU-wide source control measures to reduce air pollution, with particular attention to medium scale combustion plants (MCPs), as well as domestic heating, shipping, non-road mobile machinery, and the agriculture sector.*
- *In the case of (MCPs), ensure that emission limit values are aligned with what is achievable by the use of best available techniques (BAT), that the deadline for compliance is brought forward and that the proposed permitting, monitoring and reporting regimes are strengthened.*

The verdict: Mixed

In December 2013, the European Commission submitted the Clean Air Programme for Europe to the Council and the European Parliament. The package consisted of two legislative proposals: a proposal to revise the National Emission Ceilings (NEC) Directive and a proposal for a new Directive to limit emissions of certain pollutants into the air from Medium Scale Combustion Plants (MCPs).

The Latvian Presidency managed to conclude the negotiations on the Directive on MCPs with a provisional deal found on Tuesday 23 June.

The outcome is far from being an ambitious one and leaves us far short of the air quality levels which would have been achieved by implementing best available techniques. This is mainly due to a strong push from the Council to introduce higher limits and unnecessary exemptions and delays which weakened the initial Commission proposal.

However, the new Directive should be welcomed as a first step in the right direction. So far, emissions from MCPs were not regulated at EU level so this new Directive will guarantee a minimum level of protection throughout the European Union for the first time. It is now important that Member States go beyond those requirements to ensure clean air for their citizens.

Concerning the NEC Directive, the Presidency continued discussions at working party level, in particular on the scope of the Directive and on the flexibility mechanisms proposed by the European Commission. In an effort to raise the political profile of the issue and encourage debate at a political level, the Presidency put the Directive on the agenda of the June Environment Council. Despite its efforts to take the discussions forward, too many Member States pushed for a removal of methane limits from the draft law and for a flexibility mechanism consisting of trading emissions between land and sea. We welcome the latter, but very much regret the former. The level of ambition in the annexes - which is the most important element of the Commission proposal – has not been discussed at technical level.

So while the Latvian Presidency deserves credit for succeeding in making further progress on this important file, we very much regret the outcome of the Council discussions, in particular the removal of methane from the scope of the Directive.

The Luxembourg Presidency will have an important role to play in ensuring that the discussions lead to greater air quality for EU citizens, especially as it will be in charge of starting crucial discussions on the emission reduction commitments in annex II.

4. Fight Climate Change

The test

- *Ensure that the EU takes global leadership to secure progress in the negotiations towards an international agreement in Paris that will ensure that emission reduction pathways to 2050 are equitable, based upon the latest scientific information of keeping well below a 2°C rise - bearing in mind an emerging consensus that staying below a 1.5°C rise is more likely to be required - and on global equity and justice concerns. Ensure that surplus credits from the first commitment period of the Kyoto Protocol are annulled.*
- *Take effective steps to improve the EU Emissions Trading System (ETS), including by taking further the Commission's proposals for long-term solutions to match the EU ETS with the objectives of at least the 2050 decarbonisation roadmap, and ensure that ETS revenues are invested in climate action.*

The verdict: Neutral

The Latvian Presidency showed its commitment to move forward with preparations for an international agreement in Paris, keeping the discussion of the UN Framework Convention on Climate Change (UNFCCC) conference and the road to Paris on the agenda of the Environment Council and European Council in March and June. The Council missed the opportunity to step up overall ambition to the necessary level and to send a positive signal to the international community by ensuring that emissions from the LULUCF sector would not compromise the level of ambition.

The approval of the agreement with the European Parliament on the market stability reserve was a step in the right direction. The decision to make the market stability reserve operational by January 2019, although too late to qualify as a sign of global leadership, is at least a signal to assure markets that the EU wants to fix the EU Emissions Trading System (ETS) and have a sensible carbon price. This generally positive development is hindered by the prospects of a prolonged subsidy to the carbon intensive industry by granting free pollution permits for the period 2012–2030.

5. Reform energy policy

The test

- *Ensure that the upcoming Communication on Energy Union as well as the legal proposal to implement the Commission's Investment Package and the Council discussions on this will give a central role to energy savings and sustainable renewable sources and expedite the required phase out of nuclear and coal.*
- *Support an ambitious legislative proposal to revise the EU Energy Labelling Directive and combine it with a strong Communication on the next Working Plan for 2015-2017 regarding the further implementation of the Ecodesign Directive.*
- *Ensure that a political agreement on biofuels and ILUC is reached that leads to a significant improvement of the Council's first reading position by including ILUC factors in both the Renewable Energy Directive (RED) and the Fuel Quality Directive (FQD) for compliance purposes, not only reporting. Support a cap on unsustainable land-based biofuels close to current consumption levels and set some strong safeguards for ensuring the sustainability of advanced biofuels.*
- *In the insufficient 2030 framework for climate and energy, support a limit on the share of unsustainable bioenergy within the target for renewable energy and the introduction of comprehensive carbon accounting.*

Verdict: Mixed

The Latvian Government made the Energy Union an integral part of its Presidency through a high-level conference in Riga shortly before the launch of the Energy Union proposal and succeeded in adopting relatively progressive Council conclusions on the implementation of the Energy Union that focused on the role of consumers and investments in the energy sector. While the role of energy efficiency is clearly stressed, a strong bias towards gas and other fossil fuels remains. The call of the Council to fully implement and enforce existing EU legislation is a welcome one.

The work regarding energy labelling and ecodesign could not be covered by the Latvian Presidency due to the insufficient progress made by the Commission.

The informal council meeting in April of environmental and energy ministers discussed the need to implement energy and climate, and nature conservation policies in a mutually supportive way, which was a timely and well-chosen topic. Even if the discussions only resulted in general recognitions and a Presidency summary, it was a valuable opportunity for the Latvian Presidency to show that both sets of ministers agree that solving climate change should not be done at the expense of biodiversity and that improved planning, cross-sectoral cooperation and a new sustainability framework for all bioenergy is needed.

On biofuels and ILUC, the Latvian Presidency secured a long overdue deal. In itself the deal is a strong political signal that first generation land-based biofuels that are capped at 7% should no longer be seen as an adequate solution to the fight against climate change and this should be welcomed. However, the content of the deal is far from perfect.

The deal also fails to factor in the emissions linked to Indirect Land Use Changes (ILUC) in determining which biofuels can be counted towards national biofuels targets and can therefore receive public subsidies, thereby ignoring scientific evidence on the carbon impacts of biofuels. Despite strong support from the European Parliament, the Council remained fiercely opposed to addressing this problem. As it stands with the current deal,

the Commission will need to report on these emissions, but EU Member States will not have to do anything to actually reduce them.

Finally, as regards advanced biofuels, the deal falls short of putting in place strong safeguards to mitigate the risks of other displacement effects to occur in the future.

Concerning the governance framework for the 2030 climate and energy objectives, the deliverables still remain with the Commission and will have to be picked up by the following Presidency.

6. Biodiversity

The test

- *Support a debate in Council that will underline the importance of the EU doubling its efforts towards meeting the 2020 Biodiversity Targets as set out in the Biodiversity Strategy.*
- *In particular, send a strong signal to the European Commission that the planned fitness check of the Birds and Habitats Directive must be carried out objectively, be evidence based and that its conclusions should not be pre-judged as in the mandate letter of Commissioner Vella.*

The verdict: Positive

The Latvian Presidency organised an informal meeting of environment ministers in Riga in April 2015 to discuss biodiversity protection, more specifically to assess the implementation of the EU Biodiversity Strategy. A joint session of environment and energy ministers focused on biodiversity protection and renewable energy use. In these meetings, the determination of the EU to achieve the objectives of the EU Biodiversity Strategy was clearly expressed and a number of Member States expressed their strong support for the EU's nature legislation.

In addition, the Latvian Presidency has supported the Commission's Mid-Term Review of the EU 2020 Biodiversity Strategy due to be published in the autumn of 2015 by organising a conference entitled "EU Biodiversity Strategy 2020 – implementation". Participants contributed to the evaluation of progress made in implementing the EU Biodiversity Strategy, especially as regards issues such as the integration of biodiversity into sectoral policies and the financing and assessing of biodiversity and ecosystem services. The State of Nature in the European Union report published by the Commission on 19 May 2015 served as the basis for the discussions. The conference results should feed into the Commission's mid-term review.

Although not one of the issues in the test, it is also worth noting that in the March Environment Council, Council decision (EU) 2015/451 concerning the accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was adopted. Following the adoption of this decision the EU will become a Party to the Convention on International Trade in Endangered Species (CITES) on 8 July 2015.

7. Circular Economy

The test:

- *Insist that discussion in the Council continues on the basis of the Commission proposal for a Circular Economy Package to ensure alignment of the EU product and waste policies with the 7EAP and the Resource Efficiency Roadmap.*
- *Ensure that a 40% resource efficiency target for 2030, calculated as raw material consumption per GDP, is complemented by a more detailed resource efficiency dashboard at European, national and, where possible, priority sector levels, encompassing quantitative indicators such as total material consumption, CO₂, water and land use footprints.*
- *Grasp the potential of product policy, notably by supporting an ambitious Communication on the next Working Plan for 2015-2017 regarding the further implementation of the Ecodesign Directive. This should put special focus on creating the proper conditions for a circular economy by supporting in particular the development of minimum requirements for the durability, reparability and recyclability of products, including the detoxification of materials as a crucial enabler for reusing and recycling valuable components and materials cost-effectively.*
- *Make sure that the “Zero Waste Programme for Europe ” associated with the “Towards circular economy” Communication is not restricted to eliminating waste to landfill, but also addresses the waste-to-energy question and integrates provisions to avoid waste incineration that is not compatible with the reuse and recycling of materials.*

The verdict: Neutral

It is to be noted that due to the withdrawal of the waste policy revision package and a postponement of the circular economy proposal by the new Commission, the Latvian Presidency was not fully in control of the circular economy agenda. While the Latvian Presidency played a significant role in reaffirming the Council's opposition to the withdrawal (first expressed at the December 2014 Environment Council) and keeping the debate on circular economy high on the agenda, it did not continue the Council debate on concrete and ambitious formulations to be integrated in the new package.

8. Waste

The test

- *Insist that negotiations in Council continue on the basis of the existing Commission proposal and support renewed ambition for a new waste framework policy aligned with the waste treatment hierarchy, notably the introduction of a binding waste prevention target on food waste, specific objectives for reuse and preparation for reuse activities, and a minimum 70% recycling target for*

municipal solid waste by 2030, calculated on a unique harmonised methodology at European level.

- *Ensure the systematic introduction of economic instruments in all waste management plans to be notified to the Commission to support a proper implementation of the waste policy, such as reinforced extended producer responsibility, pay-as-you-throw schemes and the taxation of landfill and incineration of untreated waste.*
- *Support an update of the packaging and packaging waste Directive targets, making the best of this integrated product and waste legislation, boosting the overall level of recycling to over 80% by 2030 and revising the old-fashioned essential requirements set in 1994 to enhance the prevention of over-packaging and incentivise reusable solutions.*
- *Support a ban on the landfilling and incinerating of all recyclable and compostable waste by 2020, and set a staged target on the maximum amount of residual waste per capita per year to be landfilled or incinerated.*

The verdict: Neutral

In March the Commission formally confirmed the withdrawal of the waste package under the very unconvincing pretext that it would like to 'improve it and re-table a more ambitious one'. Despite a sound statement from the General Affairs Council in February, where the Presidency called on the Commission not to withdraw the waste package, the Commission decided to move ahead with the withdrawal regardless.

With regard to concrete actions to be undertaken in the future, the call by the Council to prevent more waste and investigate specific measures was certainly a step in the right direction. But the Latvian Presidency failed to win Council support for: the development of EU-wide minimum requirements for extended producer responsibility schemes; a revision of the essential requirements for packaging material; and a clear limit on waste-to-energy.

9. Protect the public from hazardous chemicals

The test

- *Encourage the Commission to step up its work towards achieving the 7EAP's goals in relation to chemicals by developing new EU tools to achieve the non-toxic environment goal, for example, to address nanomaterials, to develop and publish an endocrine-disrupting chemicals (EDCs) package and to extend information requirements for all carcinogens, mutagens and reproductive toxicants regardless of their production volumes.*
- *Ensure that the Council conclusions on the REACH EDCs review are adopted under the Environment Council as opposed to the Competitiveness Council and acknowledge that EDCs cannot be adequately controlled and therefore need to be phased out as soon as is practical.*
- *Demand that the Commission consults with the European Council and the European Parliament on any attempt to modify the REACH authorisation process as the simplification and streamline proposal is not an implementing act, but a major change of the REACH legal text.*

- *Insist that a European Commission proposal to increase transparency for EU citizens on nanomaterials should include an EU-wide register, the only valid tool that would close the knowledge gap about the nanomaterials used, manufactured and imported in the EU.*
- *At EU level, promote further actions to address mercury including:*
 - *Banning the export of mercury-added products that are not allowed on the EU market;*
 - *Phasing out mercury in dental care since safe mercury-free alternatives are available;*
 - *Adopting ambitious BAT conclusions with Associated Emission Levels (AELs) in the new Large Combustion Plant Best Available Techniques Reference Document that require a significant reduction in emissions in the sector, since this is the largest source of mercury emissions in the air in Europe and globally;*
- *At global level, continue the EU's leadership role in activities related to preparation for the ratification and implementation of the Minamata Treaty on Mercury, and in collaborating with NGOs.*

The verdict: Neutral

The Latvian Presidency's work on chemicals was focused on the international environmental processes (namely the Conference of the Parties (COP) for the three UN Chemicals and Waste Conventions – the Rotterdam, Stockholm and Basel Conventions), rather than the European ones.

On 15 January, the Working Party on International Environment Issues discussed a roadmap for work in the chemicals area during the Latvian Presidency.

During its Presidency, Latvia did not specifically work on the 7EAP's goal of a non-toxic environment or the implementation of the REACH regulation.

On EDCs, the EU Council of Ministers agreed to join the court case, started last year by Sweden, against the European Commission for failing to introduce criteria for endocrine disrupting chemicals (EDCs) in the Biocides Products Regulation (BPR) by December 2013.

In spite of nanomaterials (NMs) being one of the Presidency's top five environment issues, Latvia was not active enough on this issue. It is worth noting that the Commission failed to propose how to account for them under REACH. However, the Latvian Presidency did not take the initiative to advocate for a timely proposal, not even during its close cooperation with the CARACAL subgroup on nanomaterials ("CASG Nano", composed of Member States' Competent Authorities and stakeholder experts).

On mercury, the results of the public consultation, launched by the Commission in late 2014, on the implementation of the Minamata Convention by the EU, were published at the end of March 2015, showing strong public support for a dental amalgam phase-out. No particular initiatives were taken by the Presidency within this context.

The final opinion from the Scientific Committee on Emerging and Newly Identified Health Risks (ScenihR) about "the safety of dental amalgam and alternative dental restoration materials for patients and users", published in May, affirms that mercury-free alternatives have to be used in sensitive populations.

The legislative package implementing the Minamata Convention in the EU has not yet been published although it was expected at the beginning of 2015. To our knowledge, no particular initiative was taken by the Presidency to accelerate this process.

The final working group of the Best Available Techniques (BAT) Reference Document (BREF) on Large Combustion Plants (LCP) took place in June 2015, and, as noted above, BAT conclusions with Associated Emission Levels (AELs) for mercury were set for the first time as part of the BREF.

10. Sustainable Development

The test:

- *Building on the European Council conclusions of October 2012 on the outcome of the Rio+20 Conference, provide input to the review of the Europe 2020 strategy and seek a review of other relevant EU and national policies, strategies and programmes with a view to strengthening their environmental content, and maintaining the pressure on the Commission to develop a new Sustainable Development Strategy, with a long-term vision and as a guiding framework for the EU2020.*
- *Strengthen the environmental component of the European Semester, including by adopting progressive conclusions in the Environment Council in advance of the forthcoming Annual Growth Survey.*
- *Ensure that the EU plays a progressive role in the negotiation of the post-2015 framework, including the drafting of sustainable development goals that put sustainable consumption and production at their core, and ensure that environmental sustainability is central to all external dimension policies funded by the EU budget.*

Verdict: Positive

It was only two months into the Latvian Presidency when it became clear that the foreseen review of the Europe 2020 Strategy, originally scheduled to be discussed at the March Spring Council, was to be kicked into the long grass, at least until the end of 2015. The immediate consequence is that Juncker's political priorities and guidelines continue to function as the main political strategy of the Commission, putting the prospect of a much needed reform of Europe's main political strategy even further away than before.

As regards the European Semester, the Latvian Presidency organised an exchange of views on this at the March Environment Council and adopted some positive recommendations on greening the Semester, building on the Council Conclusions adopted during the Italian Presidency. Unfortunately, the Commission decided to effectively remove any greening element from its Country Specific Recommendations. Most worrying was the fact that for only one Member State, namely Luxembourg, did it recommend shifting its tax base towards pollution and resource consumption, compared to eight in 2014, and no Member State was asked to phase out fossil fuel subsidies.

The EU played an interesting, but not leading, role in the Post 2015/SDG process, failing to make firm commitments or take more responsibility for this global agenda. In the joint council conclusions from 26 May on “A New Global Partnership for Poverty Eradication and Sustainable Development after 2015”, the Council referred to the gradual elimination of environmentally harmful subsidies that are incompatible with sustainable development, including for fossil fuels. It also emphasises the importance of policy coherence for sustainable development, both domestically and internationally. It failed, however, to adequately recognise the need for systemic change, such as the reform of financial institutions and international governance of the global financial and economic system. Furthermore, the conclusions only provide a list of economic incentives, while a list of regulatory instruments is absent.