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(Information)

COUNCIL

Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council

of 1 February 1993

on a Community programme of policy and action in relation to the environment and sustainable development

(93/C 138/01)

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the draft from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas the Treaty establishing the European Economic Community, as amended by the Single European Act, explicitly provides for the development and implementation of a Community policy on the environment; whereas the Treaty on European Union signed at Maastricht on 7 February 1992 has as a principal objective the promotion of sustainable growth respecting the environment, and specifies the objectives and guiding principles of that policy and the factors which must be taken into account in its preparation;

Whereas the Declaration of the Heads of State and Government, meeting in Council on 26 June 1990, calls *inter alia* for a further action programme for the environment to be elaborated on the basis of the principles of sustainable development, preventive and precautionary action and shared responsibility;

Whereas the Community and its Member States have acquired considerable experience in the development and implementation of environmental policy and legislation and have thereby enhanced protection of the environment;

Whereas the United Nations Conference on Environment and Development (UNCED) meeting in Rio de Janeiro, 3 to 14 June 1992, adopted the Rio Declaration and Agenda 21 which are aimed at achieving sustainable patterns of development worldwide as well as a declaration of forest principles; whereas important Conventions on climate change and biodiversity were opened for signature and were signed by the Community and its Member States; whereas the Community and its Member States also subscribed to Agenda 21 and the said Declarations;

Whereas at the European Council meeting in Lisbon on 27 June 1992 the Community and its Member States committed themselves to the rapid implementation of the principal measures agreed at UNCED;

Whereas the European Council meetings in Lisbon on 27 June 1992 and in Birmingham on 16 October 1992 invited the Commission and the Council to undertake work relating to the implementation of the principle of subsidiarity and the European Council meeting in Edinburgh on 11 and 12 December 1992 approved principles, guidelines and procedures for its practical application; whereas in accordance with the principle of subsidiarity, some aspects of the policy and specific actions embodied in the programme 'Towards sustainability' (3), hereafter referred to as the 'programme' fall to be carried out at levels other than those involving the competencies of the European Communities;

(1) Opinion delivered on 17 November 1992 (not yet published in the Official Journal).

(2) OJ No C 287, 4. 11. 1992, p. 27.

(3) See page 5 of this Official Journal.

Whereas the strategy advanced in the programme relies on the satisfactory integration of environment and other relevant policies,

ACKNOWLEDGE that the programme presented by the Commission has been designed to reflect the objectives and principles of sustainable development, preventive and precautionary action and shared responsibility set out in the declaration of the Heads of State and the Government of the Community meeting in Council on 26 June 1990 and in the Treaty on European Union signed at Maastricht on 7 February 1992;

CONSIDER that in so far as it provides a comprehensive framework as well as a strategic approach to sustainable development the programme constitutes an appropriate point of departure for the implementation of Agenda 21 by the Community and the Member States;

NOTE that many current forms of activity and development are not environmentally sustainable and ENDORSE, accordingly, the general objective of progressively orientating human activity and development towards sustainable forms;

AGREE that the achievement of sustainable development calls for significant changes in current patterns of development, production, consumption and behaviour;

DECLARE that such changes imply a sharing of responsibility at global, Community, regional, national, local and even personal levels;

ACKNOWLEDGE that the programme when implemented will take into account the diversity of the various regions of the Community, and will be consistent with the objectives of strengthening economic and social cohesion, and will aim at a high level of protection of the environment;

NOTE that the conclusions of the European Councils at Birmingham on 16 October 1992 and Edinburgh on 11 and 12 December 1992 will guide the Community's work in relation to the principle of subsidiarity;

CALL on the Commission to ensure that all proposals it makes relating to the environment fully reflect that principle, and UNDERTAKE to consider those proposals on a case-by-case basis to ensure consistency with the principle;

ACKNOWLEDGE that, pursuant to the principle of subsidiarity and the concept of shared responsibility, some aspects of the policy and specific actions indicated in the programme fall to be implemented at levels other than that of the Community;

NOTE that the application of the principle of subsidiarity will not lead to a step backwards in Community policy or hinder its effective development in the future; NOTE however that the policy will be made more effective if actions are taken at the appropriate level;

In so far as environment and development within the European Communities are concerned:

NOTE the report on the state of the environment which the Commission has published in conjunction with the programme; NOTE the generally positive impact that previous action programmes have made on certain environmental problems; NOTE that the end of the time-frame of the current action programme on the environment coincides with the completion of the Internal Market; NOTE that, during the fifth programme, the environmental dimension of the Internal Market should be reinforced;

CONSIDER, however, that the current measures do not appear to be sufficient to meet the increased pressures on the environment likely to arise in consequence of current and anticipated trends in economic and social activity within the Community and developments in neighbouring regions, especially central and eastern Europe and at a wider international level;

AGREE that more progressive, coherent and better coordinated policies and strategies for the environment and development involving all levels of society are called for;

ADVOCATE in order, *inter alia*, to reduce wasteful consumption of natural resources and to prevent pollution, the elaboration of the concept of life-cycle management of products and processes, particularly in relation to waste management, the use of clean or cleaner technology and the substitution of certain hazardous processes and substances with less hazardous processes and substances in the most cost-effective way;

ENDORSE the strategy of giving increased and appropriate attention to certain key sectors in a coordinated and comprehensive manner including through a strengthening of dialogue with the main actors in the sectors identified in the programme;

ACKNOWLEDGE the need for consideration of a comprehensive Community strategy and action plan for nature conservation and protection, especially in relation to biodiversity and forests;

REAFFIRM the crucial importance of ensuring that environmental concerns are taken fully into account from the outset in the development of other policies and in the implementation of those policies, and the need for appropriate mechanisms within the Member States, the Council and the Commission to help achieve this integration, upon which the strategy advanced in the programme relies;

INVITE the Commission to consider developing initiatives to this end, including examination of the possibilities for the following areas, and to report on its conclusions in due course:

— new mechanisms within the Commission to increase cooperation between policy areas in the development of proposed legislation including organizational aspects,

— the incorporation, in regular progress reports on the implementation of the programme and of Agenda 21, of specific assessments, sector by sector, of the contribution of other policy areas to the achievement of environmental objectives,

— the inclusion in new legislative proposals of a section dealing with the likely implications for the environment,

— the environmental dimension in the granting of community funds;

UNDERTAKE to consider at the national level, and at the level of the Council in its various formations, the introduction of comparable measures to achieve the same aims;

RECOGNIZE that the involvement of all levels of society in a spirit of shared responsibility requires a deepening and broadening of the range of instruments to complement normative legislation including, where appropriate,

— market-based and other economic instruments,

— research and development, information, education and training,

— financial support mechanisms,

— voluntary schemes;

NOTE the objectives, targets, actions and time-frames indicated in the programme, and consider that these constitute a useful start in moving towards sustainable development;

ACKNOWLEDGE the programme's contribution to efforts to fulfil the objective specified in the Treaty establishing the European Economic Community that the Community's environmental policy should take account of the potential benefits and costs of action or lack of action; INVITE the Commission to develop appropriate proposals in the light of such further study as may be necessary;

NOTE that sustainability of activity and development will not be attained within the life-span of this programme and, consequently, that further, still more progressive, measures will probably be necessary beyond the year 2000 in order to hand on the environment to the next generation in a fit state to maintain public health and social and economic welfare at a high level;

NOTE, also, that while many of the measures and actions are set within a time-frame which extends to 2000, and even beyond, it is intended to undertake a review of the programme before the end of 1995; in the meantime INVITE the Environmental Policy Review Group proposed in the programme, once it be established, to keep the implementation of the programme under review on the basis of regular reports from the Commission summarizing progress under the programme; as part of the review process consideration should be given to the relationship between trade and the environment;

CALL on the Commission in its reviews of the programme to give special attention to any necessary revision of objectives and priorities, after adequate consultation, especially with the Member States;

CONSIDER that in order to ensure that community measures on the environment are more effectively implemented, cooperation procedures between the Commission and the Member States should be further improved;

EMPHASIZE the importance of effective implementation and enforcement of Community legislation in all Member States; STRESS that due regard should be given both at the stage when legislation is proposed and when it is adopted to the quality of the drafting of the legislation, in particular in terms of the practicability of implementing and enforcing it; UNDERTAKE to discuss in Council the Commission's annual report on the state of implementation and enforcement of Community legislation in the Member States;

NOTE that, while Member States are responsible for the implementation and enforcement of measures agreed by the Council, the Commission will continue to be the appropriate body for the monitoring of that implementation and enforcement; CALL on the Commission to consider bringing forward proposals for helping to improve the functioning of enforcement agencies within the Member States and encouraging the spread of best practice;

STRESS the urgency of the European Environment Agency beginning work as soon as possible;

NOTE the proposal in the programme for the establishment of a consultative forum and an Environmental Policy Review Group and a network of enforcement agencies from the Member States; WELCOME the principle of wider and more systematic consultation with interested bodies;

In so far as environment and development at the wider international level are concerned,

ASSERT that the Community and the Member States will contribute positively to the implementation of effective strategies to deal with such problems as climate change, deforestation, desertification, depletion of the ozone layer and loss of biodiversity and to fulfil as early as possible the commitments to which they have agreed upon ratification of relevant international Conventions;

UNDERTAKE to play a positive role in the formulation of programmes of sustainable development including in the developing countries and in the countries of central and eastern Europe within the framework of the Community's cooperation and association agreements;

NOTE that many of the internal Community measures in the programme are designed to reduce wasteful consumption of resources and, thereby, will contribute to greater efficiency in resource management at the wider international level;

REAFFIRM their commitment to implement the eight point plan for follow-up to UNCED agreed at the Lisbon European Council. Tasks for the Community and its Member States which need to be addressed include:

— to establish the basis for ratification of the climate change and biodiversity Conventions with the aim of ratification by the end of 1993, and to prepare the relevant national strategies by the same time,

— to integrate the Rio Declaration, Agenda 21 and Statement of Forest Principles into appropriate policies of the Community and its Member States as soon as possible,

— to work to review, under the aegis of the Commission on Sustainable Development (CSD), the implementation of the forest principles, and to work towards the preparation of a possible forest convention,

— to participate positively in negotiations on a future desertification convention,

— to fulfil the commitments to strengthen assistance to developing countries in the field of sustainable development and to increase funding for Agenda 21 by identifying financial support to be given to developing countries including significant new and additional resources;

in this regard, to put into concrete form the ECU 3 billion commitment which the European Community and its Member States made in Rio as an initial contribution to the prompt and effective implementation of Agenda 21 with priority being given to technology transfer, institutional capacity building, and poverty reduction;

— to work for the restructuring and replenishment of the global environment facility so that it can become the permanent financial mechanism for relevant new global environmental Conventions, in particular the climate change and biodiversity Conventions,

— to continue to give consideration to an earth increment to the International Development Association (IDA) for environment purposes;

NOTE that the implementation of the programme will make a major contribution to the follow-up to Agenda 21 by the European Community and its Member States;

STRESS the need to promote the participation of non-governmental organizations (NGOs) and other major groups in the follow-up to UNCED at the national and CSD levels;

STRESS the importance of establishing the CSD and the need for full participation of the Community in the work of the CSD in line with the conclusions agreed by the Council on 23 November 1992 and NOTE that the Community and the Member States will submit regular progress reports on the implementation of Agenda 21 to the CSD;

and, in the light of the foregoing,

SUBSCRIBE to the necessity for a programme of policy and action in relation to the environment designed to achieve a sustainable development path;

APPROVE the general approach and strategy of the programme 'Towards sustainability' presented by the Commission;

INVITE the Commission to come forward with appropriate proposals to give effect to the programme in so far as it pertains to action at Community level;

UNDERTAKE to decide on proposals submitted by the Commission as expeditiously as possible taking account of the relevant indicative objectives, targets and timeframes set out in the programme which will be discussed in the context of those proposals;

CALL on all Community institutions, Member States, enterprises and citizens to accept their relative responsibilities to protect the environment for this and future generations and to play their full part in implementing this programme.