II

(Preparatory Acts)

COMMISSION

Proposal for a European Parliament and Council Decision on the review of the European Community programme of policy and action in relation to the environment and sustainable development 'Towards sustainability'

(96/C 140/04)

COM(95) 647 final — 96/0027(COD)

(Submitted by the Commission on 29 February 1996)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 130 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Acting in accordance with the procedure referred to in Article 189b of the EC Treaty,

Whereas on 18 March 1992 the Commission adopted the European Community programme of policy and action in relation to the environment and sustainable development 'Towards sustainability' (hereinafter referred to as 'the programme');

Whereas the European Parliament, in its resolution of 17 November 1992, welcomed the guidelines set in the programme;

Whereas the Council and the Representatives of the Governments of the Member States, in their resolution of 1 February 1993 [1], approved the general approach and strategy of the programme;

Whereas the Economic and Social Committee in its opinion of 1 July 1992 approved the concepts and the thrust of the programme;

Whereas, while many of the measures and actions in the programme are set within a time frame which extends to the year 2000, the programme provides for a review to be undertaken before the end of 1995;

Whereas a number of developments with a bearing on sustainable development have occurred since the adoption of the programme, in particular the adoption of Agenda 21 as the outcome of the United Nations Conference on Environment and Sustainable Development, and the adoption by the Commission of a White Paper on growth, competitiveness and employment;

Whereas the enlargement of the European Union by three new Member States, Austria, Finland and Sweden, poses new environmental challenges to the Union and committed the Community to review certain provisions of its legislation in the environmental field;

Whereas extensive consultation has taken place in the review process carried out by the Commission to establish information on progress to date and obstacles to the implementation of the programme;

Whereas in January 1996 the Commission presented a progress report on the implementation of the programme;

Whereas on 10 November 1995 the European Environment Agency presented an updated state of the environment report as a contribution to the review process;

Whereas the overall strategy, objectives and indicative actions of the original programme remain valid and whereas the programme constitutes an appropriate point of departure for the implementation of Agenda 21 by the Community and the Member States;

Whereas the basic strategy of the programme is to achieve full integration of environmental and other relevant policies through the active participation of the main actors in society in a broadening and deepening of the range of instruments to achieve behavioural change;

[1] OJ No C 138, 17. 5. 1993, p. 1.

Whereas the conclusions of the progress report show that progress has been made on a number of issues but that a great deal remains to be done to move towards sustainability;

Whereas the progress report identifies key priority actions needed to ensure that the process of sustainable development is given greater impulsion, whereas the Community should focus on a limited number of key priorities and other issues to support the implementation of the programme;

Whereas in the process of implementing the approach set out in the programme the necessity of integrating environmental considerations into Community policy and action needs to be translated into more operational terms; whereas, to this end, a number of priorities have been identified where action can be carried out most effectively at Community level, in relation to the target sectors of agriculture, transport, energy, industry and tourism;

Whereas this Decision does not prejudice the legal basis of the measures which, while complying with the objectives pursued by the actions provided for in this Decision, are adopted in the framework of other Community policies;

Whereas broadening the range of instruments has proved more difficult than envisaged; whereas the development and implementation of other instruments to complement legislation is necessary to bring about substantial changes towards sustainable development in current trends and practices, whereas this implies the further development of market-based instruments, horizontal instruments, and the improved use of the Community's own financial mechanisms as a means to promote sustainable development;

Whereas it is necessary to ensure a better implementation and enforcement of environmental measures, which implies action at all levels of the regulatory chain;

Whereas communication, information, education and training are crucial as a means to stimulate awareness and to promote behavioural changes in all sectors of society;

Whereas the Community has an important role to play in international action on the environment and sustainable development, whereas there is a need to respond to international challenges, in particular the potential accession of the associated countries of Central and Eastern Europe, the need to increase cooperation with the Mediterranean countries, the need to carry on the process initiated by the United Nations Conference on Environment and Development and discussions on trade and the environment;

Whereas further efforts are necessary to improve the basis for environmental policy in the form of reliable and comparable data, statistics and indicators, and methods for the assessment of the costs and benefits of action or lack of action;

Whereas it is necessary to further develop approaches to promote sustainable patterns of production and consumption;

Whereas it is necessary to promote the best use of new techniques and technologies;

Whereas it is necessary to further develop the concept of shared responsibility, in particular by reinforcing dialogue with, and participation of actors concerned by the preparation of Community policies and actions;

Whereas there is potential for Community support to provide more coherent and coordinated approaches in relation to activities at local and regional levels on issues vital to reach sustainable development, and to stimulate exchange of information and experience; whereas this is in particular relevant for territorial approaches addressing the urban environment, coastal zones and initiatives in relation to nature conservation areas;

Wheras the Community will further develop its policies in relation to the environmental themes covered by the programme, whereas specific focus will be given to a number of themes where action at Community level will be most beneficial,

HAVE DECIDED AS FOLLOWS:

Article 1

The Community reconfirms its commitment to the approach and strategy of the programme 'Towards sustainability' adopted by the Commission on 18 March 1992, welcomed in the resolution of the Parliament of 17 November 1992 and approved by the resolution of the Council of 1 February 1993. Member States, enterprises and citizens are encouraged to accept their respective responsibilities to play their full part in the continuing implementation of the programme and to seek to accelerate the process.

In order to speed up the process and to ensure the more efficient implementation of the approach set out in the programme, the Community itself will focus on five key priorities and five other issues as being those which will give an additional impulse to the implementation of the programme.

Notwithstanding these specific priorities, the Community will pursue all other action initiated under the programme.

This Decision applies without prejudice to the legal basis of the measures which, while complying with the objectives pursued by the actions provided for by this Decision, are adopted in the framework of other Community policies.

PART 1

KEY PRIORITIES

Article 2

Integration of the environment into other policies

The Community will develop improved approaches to integration of the environment into other policy areas, with a view to facilitating the process of moving towards sustainable development.

In relation to the sectors targeted under the programme, the Community will to this end focus on the following priorites where action can be carried out most effectively at Community level.

2.1. In relation to agriculture, priorities are:

(a) to further develop links between agricultural market instruments and environmental requirements pursuant to the process of the reform of the common agricultural policy with reduced reliance on market price support compensated by direct aid measures, which, where appropriate, could be linked to environmental considerations, as well as a better integration of market policies, rural development and environment policies. Such measures should include monitoring and reporting obligations;

(b) to provide for regular reporting on the pressures and effects on the environment of agricultural practices, such as data on fertilizers and pesticides consumption, consumption and quality of water, land use;

(c) to promote extensive production methods, sustainable farming technologies and organic farming products in close cooperation with the actors concerned. The Community will continue to encourage the development of local initiatives and disseminate information on them;

(d) to further develop an integrated strategy for the sustainable use of pesticides, including more detailed provisions on the distribution and sales of pesticides and restrictions of use and substitution of the most dangerous pesticides;

(e) to further develop comprehensive approaches to rural development, including the monitoring and coordination of the various policy instruments concerned.

The Community will develop a more comprehensive and strategie approach to forestry in relation to sustainable life-cycle oriented development, with a view to promote better coordination and coherence of actions and policies and also to respond to international developments.

2.2. In relation to transport, priorities are:

(a) to give greater attention to the determinants of transport demand by

— developing measures to achieve a greater internalization of external costs in transport prices as a prerequisite for influencing user choices in order to arrive at a more rational level of transport demand,

— promoting the better integration of land-use and transport planning and promoting demand-management measures, such as the use of telematics;

(b) to pursue its aim of reducing the imbalances between the different transport modes in particular by

— developing and applying an appropriate set of cirteria and methodologies for the strategic environmental assessment of transport infrastructure plans for trans-European networks,

— investigating possibilities for the use of Community funding to promote a better balance between transport modes,

— developing a framework for the solution of the environmental problems caused by traffic of heavy-goods vehicles, including the situation of transit regions,

— promoting the use of more environmentally friendly modes of transport, for example by encouraging public transport;

(c) to further tighten the provisions on emissions and noise from road vehicles and aircaft and on fuel quality, to develop action to reduce CO_2 emissions from passenger cars and to strengthen Community provisions on the inspection and maintenance of vehicles;

(d) to promote exchanges of experience between local authorities in relation to sustainable transport initiatives.

2.3. In relation to energy, priorities are:

(a) to support the development and application of energy-saving technologies and practices including renewable energy sources, by means of funding, awareness-raising and information measures, and to develop criteria for the screening of subsidy schemes in order to redress incentives which have an adverse effect;

(b) to encourage the implementation of all energy demand side management measures, the internalization of external costs and benefits, through tax incentives and by giving a higher profile to other means than taxation, and the improved coordination of consumer awareness initiatives in Community energy saving programmes;

(c) to reinforce energy-efficiency standards for appliances within the framework of technical and economic possibilities and to provide for their energy-efficiency labelling;

(d) to pursue the development of a Community framework for voluntary agreements in conformity with competition rules.

2.4. In relation to industry, priorities are:

(a) to actively support the ongoing development of eco-management schemes by the industrial sector, to review the environmental management and audit scheme and to develop programmes for the further promotion of environmental awareness by industry, in particular SMEs, as well as for vocational training and technical support;

(b) to develop a framework for an integrated, life-cycle oriented product policy, which will address *inter alia* the further development of life-cycle analysis and will take into account potential implications for the internal market;

(c) to improve legislation in relation to a coherent and comprehensive control of pollution from industrial installations, to develop a complementary framework to integrated pollution control, taking account of the particular problems of smaller installations and to encourage a better integration of external costs;

(d) to develop actions in order to enhance the awareness of industry of environmental issues, such as tools for better business information, including information on best available techniques, improvement of the diffusion of cleaner technologies as well as promotion of best environmental practices;

(e) to develop approaches to facilitate the development of eco-businesses;

(f) to give priority to the problems of small and medium-sized enterprises as regards technical and financial obstacles to the use of clean technology in relation to the environment.

2.5. In relation to tourism, priorities are:

(a) to provide for regular reporting on the pressures and effects on the environment of tourism practices, including in relation to the sustainable exploitation of coastal zones;

(b) to support awareness campaigns in order to promote an environmentally-friendly use of tourism resources, including the means of transport to and from tourist resorts;

(c) to promote the implementation of innovative good practices in the field of sustainable tourism development.

Article 3

Broadening the range of instruments

The Community will develop and apply a broader mix of instruments in order to bring about substantial changes in current trends and practices on sustainable development.

3.1. In relation to the development of effective market-based instruments as a means to implement policy, special attention will be given to:

(a) environmental changes;

(b) the application of the concept of environmental liability;

(c) voluntary agreements in the field of the environment in conformity with competition rules;

(d) the encouragement of fiscal reform as a means to the protection and improvement of the environment.

3.2. In relation to horizontal instruments, priorities are:

(a) to develop an approach to environmental impact assessment for plans and programmes, and to promote the development of methodologies, training and guidance material for both assessments of projects and of plans and programmes;

(b) to consider the extension of the environmental management and audit scheme to areas of activity other than manufacturing industry;

(c) to reinforce the role of standardization, in particular by the integration of environmental aspects in the elaboration of industrial standards;

(d) to develop criteria to assess the compatibility of existing Community policies and instruments, including financing, with the requirements of sustainable development;

(e) to review how environmental considerations could be better incorporated into the application of the Community's public procurement rules while safeguarding fair competition.

3.3. Priority will be given to improving the use of the Community's own financial support mechanisms as a means to promote sustainable development. In relation to the Community's funding mechanisms, and in particular the Structural and Cohesion Funds, this implies a better integration of environmental considerations and an evaluation of their environmental impact as a means of improving the quality of support action from the environmental and economic points of view.

3.4. The Community will pursue its current efforts to ensure the full realization of the potential that new techniques and technologies offer for sustainability in sectors such as agriculture, food processing, chemicals and pharmaceuticals, environmental clean-up and the development of new materials and energy sources.

Article 4

Implementation and enforcement of legislation

The Community will reinforce efforts at all levels with a view to ensuring better implementation and enforcement of environmental legislation.

Priorities are:

(a) to improve the legal framework for environmental policy by adopting more coherent and comprehensive approaches to specific sectors, by simplifying legislative and administrative procedures, where appropriate, and by giving specific attention to the enforceability of measures adopted;

(b) to enhance the role and implementation of reporting requirements under Community legislation;

(c) to enhance cooperation between the appropriate authorities responsible for implementation and enforcement of legislation;

(d) to consider means for improving access to justice to facilitate the involvement of the public in the implementation and enforcement of environment policies;

(e) to consider whether sanctions for non-compliance in new legislation could be introduced.

Article 5

Awareness-raising

The Community emphasizes the importance of communication, information, education and training as a means to stimulate awareness of sustainable development issues and to promote behavioural changes in all sectors of society. It will increase its efforts to improve the level of awareness and information of Community citizens on sustainable development issues.

Priorities are:

(a) to make accessible information on the state of the environment and to consider means to make available information on the implementation of Community legislation related to the environment in order to increase public awareness;

(b) to promote the integration of the sustainable development concept into Community education and training programmes;

(c) to develop a system for the evaluation and adequate dissemination of results of LIFE projects on a continuous basis;

(d) to promote 'Green' housekeeping for the Community's own institutions, to facilitate the exchange of best practices and to disseminate information as widely as possible.

Article 6

International cooperation

The Community will reinforce its role in international action on the environment and sustainable development. This implies in particular strengthening its approach to cooperation with the countries of Central and Eastern Europe and the Mediterranean, enhancing its role in

relation to environmental issues as identified in Agenda 21, and in relation to bilateral and multilateral cooperation on sustainable development issues.

6.1. In relation to Central and Eastern Europe, priorities are:

(a) to further develop a comprehensive approach in relation to environmental matters in the context of the strategy to prepare the associated countries of Central and Eastern Europe for accession;

(b) to continue cooperation with the countries of Central and Eastern Europe in this area, within the framework provided by the Europe Agreements. This implies continuing to provide financial cooperation, comprising technical assistance especially in approximation of legislation and its implementation and enforcement, investment support to environmental infrastructure and cooperation to provide better environmental practice;

(c) to open the LIFE programme to the associated Central and East European countries.

6.2. In relation to the Mediterranean countries and the Mediterranean Basin, priorities are:

(a) to develop, within the framework of the Declaration of Barcelona of November 1995, a regional approach through regular dialogue and greater and improved cooperation, in particular in relation to financial and technical assistance;

(b) to establish a short and medium-term priority action programme in relation to the Mediterranean Basin and to provide a monitoring mechanism for its implementation.

6.3. In relation to international environmental issues, priorities are:

(a) prior to the 1997 Special Session of the United Nations General Assembly, to prepare a communication on the implementation of Agenda 21 in all relevant Community policies as part of the Community's ongoing work in support of the UN Commission on Sustainable Development process;

(b) to carry out a policy review related to the integration of the sustainable development dimension in the implementation of the Lomé Convention; to evaluate Community development assistance overall to ensure that environmental appraisal systems are being followed;

(c) to support international work on elaborating sustainable development indicators and on measuring aid spending devoted to the environment;

(d) to work towards the strengthening of provisions on enforcement and dispute settlement when international agreements come up for revision;

(e) to continue cooperation in the environmental field in the Baltic Sea region;

(f) to reinforce the environmental component in cooperation with the newly independent States, in particular focusing on capacity-building and technical assistance within the Tacis programme;

(g) to reinforce the environmental component of cooperation with countries of Asia and Latin America in line with Council Regulation (EEC) No 443/92 [1] and with general orientations for the cooperation between the Community and the regions concerned.

6.4. In relation to trade and the environment, priorities are:

(a) to actively participate in international discussions dealing with the issue of trade and environment where the Community will promote a balanced approach to the respective concerns of environment and trade focusing on the integration of environmental requirements into the multilateral trading system;

(b) to give preference to multilateral solutions to trade and environment problems, respecting trade principles and promoting transparency in the definition and implementation of environmental measures, including new instruments of environmental policy.

PART 2

OTHER ISSUES TO WHICH PARTICULAR ATTENTION WILL BE GIVEN

Article 7

Improving the basis for environmental policy

The Community will ensure that its environmental policy is based on reliable and comparable data, statistics and indicators, on sound scientific information and on an

[1] OJ No L 52, 27. 2. 1992, p. 1.

assessment of the costs and benefits of action or the lack of action.

Particular attention will be given to:

(a) identifying and filling the gaps in current basic statistical data on the environment, developing the integration of environmental aspects into the data and statistics of other policies and ensuring the accessibility of this data;

(b) promoting the development of environmental indicators, performance indicators on all relevant policy issues as well as indicators for sustainable development as benchmark indicators to measure progress towards sustainable development and to allow for the setting of objectives and operational targets;

(c) improving links between scientific research and development policies and environment policy;

(d) further developing the use of economic evaluation techniques for the environment (cost effectiveness, cost/benefit and business impact techniques);

(e) developing satellite accounts to national accounts as a first step towards the integration of environmental aspects into national accounting concepts and practices.

Article 8

Sustainable production and consumption patterns

The Community will further develop instruments and action to enhance innovation in industry in relation to sustainable development and promote awareness and changes in behaviour by industry and consumers with a view to moving towards more sustainable patterns of production and consumption.

Article 9

Shared responsibility and partnership

The Community will encourage practical ways to improve shared action and partnership approaches to ensure sustainable development. It will develop better means of dialogue and ensure that an appropriate mix of actors is involved in the preparation and implementation of its policies and actions.

Article 10

Promotion of local and regional initiatives

The Community will further encourage activities at local and regional level on issues vital to attain sustainable development, in particular in relation to territorial approaches addressing the urban environment, the rural environment, coastal and island zones, cultural heritage and nature conservation areas. To this purpose, particular attention will be given to:

(a) further promoting the potential of spatial planning as an instrument to facilitate sustainable development, and further developing Europe 2000 + and the European Spatial Development Perspective as the basis for creating consensus among policymakers in relation to the territorial impact of sectoral development policies;

(b) developing a comprehensive approach to urban issues with special emphasis on the assistance required to support actions by local authorities to implement the programme and local Agenda 21;

(c) developing a demonstration programme on integrated management of coastal zones with a view to showing the impact of improved information and concertation mechanisms for the implementation of sustainable development, and identifying the need for further action at Community and other levels;

(d) developing a strategy to encourage local initiatives for development and employment to contribute to the conservation of natural areas, supported by the Structural Funds.

Article 11

Environmental themes

The Community will further develop its policies in relation to the environmental themes of the programme on the basis of high standards of environmental protection and will give specific focus to action in relation to the following themes which can be carried out most effectively at Community level.

11.1. In relation to climate change and ozone depletion, particular attention will be given to:

(a) identifying reduction objectives for carbon dioxide (CO_2) and other greenhouse gases for

2005 and 2010, and defining policies and measures necessary for their achievement;

(b) strengthening its control measures on halogenated chlorofluorocarbons (HCFCs) and methyl bromide, as well as on chlorofluorocarbons (CFCs) and halons, and intensifying research directed at finding suitable substitutes for these substances.

11.2. In relation to acidification and air quality, particular attention will be given to:

(a) developing a strategy to ensure that critical loads, in relation to exposure to acidifying pollutants, are not exceeded;

(b) establishing or amending quality objectives with respect to specific pollutants, and developing common procedures for the assessment and monitoring of air quality.

11.3. In relation to the management of water resources, particular attention will be given to:

developing a comprehensive strategy setting out an integrated planning and management approach to groundwater and surface water resources, which will focus on both quantitative and qualitative aspects and will ensure a sustainable management of regional European seas.

11.4. In relation to waste management, the Community will update the present waste strategy in the light of developments since 1989. Particular attention will be given to:

(a) developing a framework for the collection of comparable data;

(b) developing a more coherent approach to definitions and principles in the area of waste management legislation, in particular with a view to ensuring consistency of hazardous waste lists;

(c) evaluating experience made with the priority waste streams programme;

(d) supporting the creation and efficient functioning of markets for recycled products, taking into account life-cycle analysis;

(e) developing concepts of producer responsibility, taking into account its potential implications for the internal market and the principle of shared responsibility.

11.5. In relation to noise, particular attention will be given to the development of a noise abatement programme which will address comprehensively the provision of information to the public, common noise exposure indices, targets for noise quality and noise emissions from products.

11.6. In relation to nature protection and biodiversity, the Community, in the implementation of its other policies, will ensure a full integration of nature protection and biodiversity concerns.

11.7. In relation to the management of risks and accidents, particular attention will be given to:

(a) reviewing existing legislation on the export and import of dangerous chemicals, in particular in relation to the principle of prior informed consent;

(b) developing further measures in the area of agricultural and non-agricultural pesticides in view of ensuring their sustainable use;

(c) further developing policies to fully address Agenda 21 with respect to the substitution or phasing out of toxic chemicals;

(d) further reviewing the regulatory framework of new technologies.