

COM-4/045

Brussels, 26 June 2001

**OPINION**

of the

Committee of the Regions

of 13 June 2001

on the

**Communication from the Commission to the Council, the European Parliament,**

**the Economic and Social Committee and the Committee of the Regions**

**on the sixth environment action programme of the European Community**

**"Environment 2010: Our future, our choice" - The Sixth Environment Action Programme**

and the

**Proposal for a Decision of the European Parliament and of the Council laying down the  
Community Environment Action Programme 2001-2010**

(COM(2001) 31 final - 2001/0029 (COD))

**The Committee of the Regions**

HAVING REGARD TO the Communication from the Commission on the sixth environment action programme of the European Community "Environment 2010: Our future, our choice" - the Sixth Environment Action Programme and the Proposal for a Decision of the European Parliament and of the Council laying down the Community Environment Action Programme 2001-2010 (COM(2001) 31 final - 2001/0029 (COD));

HAVING REGARD TO the decision of the Council of 21 February 2001, under the third paragraph of Article 175 of the Treaty establishing the European Community, to consult the Committee of the Regions;

HAVING REGARD TO the decision of its Bureau of 13 June 2000 to instruct Commission 4 - Spatial Planning, Urban Issues, Energy and Environment - to draw up its opinion on the subject;

HAVING REGARD TO the European Community Programme of policy and action in relation to the environment and sustainable development "Towards Sustainability" (Fifth Environment Action Programme);

HAVING REGARD TO the Communication from the Commission on the Global Assessment of the Fifth Environment Action Programme (COM(1999) 543 final);

HAVING REGARD TO the Commission Working Document "From Cardiff to Helsinki and beyond", Report to the European Council on integrating environmental concerns and sustainable development into Community policies (SEC(1999) 1941);

HAVING REGARD TO the Council conclusions on the Global Assessment of the Community Programme of policy and action in relation to the environment and sustainable development "Towards Sustainability" (8072/00);

HAVING REGARD TO the Opinion of the Committee of the Regions on the Global Assessment of the Fifth Environment Action Programme (CdR 12/2000 fin)<sup>1</sup>;

HAVING REGARD TO the European Environment Agency's Assessment Report "Environment in the European Union at the turn of the century", 1999;

HAVING REGARD TO Draft Opinion CdR 36/2001 rev 1, adopted by Commission 4 on 3 May 2001, for which the rapporteur was **Mrs Estrela (PSE-P)**;

WHEREAS the Treaty on European Union requires environmental concerns to be integrated into Community policy with a view to guaranteeing sustainable development;

**adopted the following opinion unanimously at its 39th plenary session on 13-14 June 2001 (meeting of 13 June):**

**1. General comments**

The Committee of the Regions

1. considers that the Communication and Proposal for a Decision on the Sixth Environment Action Programme do not adequately reflect the fact that during the period covered by the Fifth Programme, and in spite of modest progress in a few areas of some fields, the state of the environment in Europe deteriorated from most points of view;
2. considers, under these circumstances, that for the Sixth Programme to constitute a legal instrument with binding decisions, it should be more specific and practically oriented, it should set clear objectives and targets, where possible, specifying figures and deadlines and it should provide and identify instruments and indicators for its own assessment;
3. consequently disagrees with the Commission's basic choice of a programme which "does not prescribe the precise nature of the actions and measures that will be necessary", and recommends that the document be fleshed out so as to turn it into a real action programme;
4. considers that the programme's role as the environmental component of a broader EU

strategy for sustainable development, to be submitted to the June 2001 European Council, should be made clearer;

5. emphasises the need to integrate environmental concerns into the two other sustainable development approaches unveiled at Cardiff (economic aspects) and Lisbon (social/training aspects);
6. supports the view that an advanced environmental protection policy can generate many benefits, over and above environmental ones, by for example promoting innovation, new market niches, competitiveness, profitability and employment and can help achieve the objective set at the Lisbon Summit of making the EU the most competitive knowledge-based economy in the world;
7. welcomes the extension of the Sixth Programme's duration to ten years, viewing this as the most suitable timescale for achieving the intended results, although it does recognise that this makes it all the more necessary to define specific goals and indicators in order to allow for proper mid-term evaluation and monitoring;
8. asks that both the mid-term report, scheduled for the fourth year of operation of the programme, and the final assessment, in the final year of the programme, be submitted to it;
9. is pleased to note some elements of its opinion on the assessment of the Fifth Programme in this new action programme, together with the express intention of identifying specific actions and responsibilities at local and regional level;
10. considers, however, that since local and regional government bodies bear responsibility for such important environmental issues as water supply and treatment, waste management, public transport and land-use and urban planning, and since their political choices impact directly or indirectly on almost all other environmental aspects, climate change, nature conservation, health and public information, the Sixth Programme should be worded in such a way as to reflect this situation more closely;
11. welcomes the European Commission's stated intention of developing new forums for dialogue and the exchange of experience with the general public and all interested parties, and believes that the Committee of the Regions can and must play a more active role in supporting these new forums;
12. welcomes the intention of including the promotion of sustainability in the EU applicant countries in the Sixth Programme;
13. regrets that the specific issue of the urban environment, which concerns 80% of Europe's population, has not been properly tackled, even in terms of the land-use planning and management approach;
14. generally endorses the priority lines of the strategic approach as well as the priority issues identified in the Sixth Programme, subject to the following critical analysis.

## 2. Recommendations concerning the strategic approach

The Committee of the Regions

1. recommends that the "fame or shame" strategy on implementation of directives, as announced in the Commission's communication, be properly reflected in the draft proposal and that it should, if possible, be extended to cover compliance/non-compliance with both regional/local level legislation and voluntary agreements;
2. points out that notification is a requirement (it is mandatory anyway under certain directives) and hopes that this instrument will be reviewed in cooperation with the EEA with a view to gearing it more closely to actual circumstances;
3. recommends that provision be made not only for better application of current environmental legislation, but also for updating and fine-tuning this legislation; demands that local and regional authorities be involved in preparing and evaluating Community environmental legislation; and calls for specific actions to be considered for increasing regional and local authorities' knowledge and understanding of Community legislation;
4. recommends that thought be given to extending the IMPEL network for exchanging best practice on the implementation of Community legislation to the local and regional levels throughout the Member States;
5. recommends that the promotion of higher inspection and supervision standards be extended to local and regional authorities, while acknowledging that responsibility for such inspection and supervision must lie at the lowest appropriate level of authority, in keeping with the subsidiarity principle;
6. proposes that ways be considered of introducing more stringent sanctions where Community environmental directives are judged in court not to have been complied with;
7. considers that the mainstreaming of environmental considerations into other policy areas should be stepped up, and suggests that the European Commission promote fuller integration into its own policies, in particular through specific descriptions in the relevant sectoral policy documents of how it integrates environmental measures into key sectors such as transport and agriculture;
8. strongly recommends that ways of evaluating and promoting the integration of the environment into sectoral policies at both Member State and regional/local level be specified and defined;
9. suggests that all regional and sector funding from Community programmes be made subject to a favourable assessment of the extent to which environmental policy is incorporated in the specific projects under consideration;
10. supports the more extensive introduction of eco-taxes and charges with a view to an environmental tax reform aimed at levying taxes on resource consumption and internalising environmental costs, with a concomitant easing of labour taxes in order to boost employment;
11. supports fully the concept of the polluter pays principle, by incorporating environmental costs into the price since it corrects false price signals;
12. urges that the proposed decision specify measures consistent with the new guidelines announced by the Commission for state aid and support with an environmental impact;

13. supports cooperation with businesses to achieve better environmental performance, but calls for explicit reference to be made to the special role which regions and local authorities can play vis-à-vis the businesses and industries located within their areas;
14. calls for more specific goals and instruments under the integrated product policy which has been announced;
15. urges that specific measures and actions for eco-efficiency be introduced, and emphasises that the European Environment Agency must be granted broader powers in this sphere;
16. strongly backs the proposal for a green public procurement policy, recommending the adoption of guidelines to ensure that all public bodies in Europe, ranging from the Commission and the Parliament to the Member States and local and regional authorities, undertake to make all contracts and purchases subject to prior assessment of the lifecycle and environmental sustainability of the products and services in question;
17. agrees with the importance of having permanently available up-to-date information on the state of the environment on a local and regional scale, but calls for the draft decision to specify what kind of information should be available, such as sources and types of polluting emissions, and to indicate the type of media to be employed for this, particularly Internet;
18. acknowledges and emphasises the irreplaceable role of regions and municipalities as information, training and awareness-raising interfaces for individuals and families on the environment and good environmental practice and, in this connection, draws attention to the advisability of encouraging cooperation and exchange with schools and NGOs;
19. is disappointed at the limited scope of the draft decision regarding land use planning strategy, and calls for this aspect to be revised and expanded, with consideration given to measures to promote general rules for sustainable land use planning in the EU, in accordance with the subsidiarity principle;
20. recommends that specific measures and actions be taken to support local bodies in meeting their responsibilities regarding urban planning and the urban environment, including swapping information about practices and experiences, with particular emphasis on urban transport and restrictions on the use of private vehicles in urban areas;
21. recommends that the use of regionally-targeted Community funds be made dependent upon an assessment of whether they meet appropriate land use planning standards.

### 3. Recommendations concerning the priority thematic issues

#### Climate change

##### The Committee of the Regions

1. welcomes the adoption of ambitious, quantified and timetabled targets for this priority area, and supports the view that climate change prevention should be viewed as an

engine for innovation, competitiveness and economic efficiency;

2. recommends that the Sixth Programme assume and flesh out the EU's firm commitment to meet the Kyoto Protocol targets, as well as other, subsequent targets which are beginning to look necessary, **regardless of the outcome of the international negotiations on this issue**, with a view both to securing the EU's international leadership in this area and to ensuring that the EU benefits from the advantages derived from moving to an economy with lower greenhouse gas emissions;
3. recommends that internal mechanisms be devised for imposing sanctions, also in the form of penalty payments, in proportion to any Member State non-compliance, and that the regions play a more active part in this by adopting regional greenhouse gas reduction plans and goals;
4. calls for quantified objectives and goals to be set for reducing emissions in the sectors contributing most to climate change, particularly transport;
5. reiterates its support for the creation of an emission rights trading scheme, but emphasises that such a scheme must be explicitly extended to the EU applicant countries; at the same time, it recommends that the "producer responsibility" clause be brought to bear;
6. supports the promotion of fiscal measures on energy, but believes that such measures should not only be aimed at greenhouse gases, but rather at all types of environmental impact from all energy sources, in particular the production of radioactive waste from nuclear energy;
7. it is particularly supportive of the priority action on energy saving in the air-conditioning of buildings, on account of the potential implications for local authority management and the urban environment;
8. acknowledges the specific role which will fall to regions and municipalities in adapting to some degree of climate change, in terms of both preparations to minimise its impact at local and regional level, and support and information for the general public; it recommends that the draft decision specify measures to promote urban planning which is better adapted to this purpose, particularly as regards building and infrastructure standards and an increase in the number of parks - old and new - in urban areas.

## Nature and bio-diversity

### The Committee of the Regions

9. believes that the objectives for this priority area should be reformulated to reflect the relative degrees of seriousness of the main risks, with the principal overall objective being to protect against the destruction of natural habitats and soil use changes detrimental to nature and bio-diversity;
10. recommends that certain priority actions whose scope extends beyond nature and bio-diversity, or which relate only indirectly to this area, should be placed under other headings in the Sixth Programme. This applies to the coordination of responses to accidents and natural disasters, the prevention of mining accidents, and protection against soil erosion and pollution;

11. recommends that moves to incorporate environmental concerns into agriculture and fisheries policies in future reviews of these common policies make specific reference to steps to integrate nature and bio-diversity conservation objectives and the cultural heritage associated with them, rather than to environmental policy in general;
12. recommends that the priority action on genetically modified organisms make specific reference to the assessment and monitoring of the risks involved for nature and bio-diversity;
13. recommends that specific actions and measures be adopted to develop and establish the Natura 2000 network, with consideration being given to Community co-financing of site management reflecting their respective Community value, and extending Natura 2000 to the applicant countries and to cover the marine environment;
14. welcomes the inclusion of forests under this heading on account of the implicit recognition of their multifunctional role and value for nature and bio-diversity conservation; it calls for priority actions to be defined for the conservation and restoration of Europe's remaining original and partly original forests, especially in the applicant countries;
15. advocates the adoption of a strategy to conserve the marine environment, and recommends it be extended to cover the nature and bio-diversity of coastal areas and estuaries, especially as regards the impact of tourism and the potential offered by innovative eco-tourism;
16. recommends the adoption of a priority action to promote nature and bio-diversity in urban settings, and to restore areas of land and watercourses which have become polluted, built over or covered up for no good purpose, focusing on the positive effects of preventing and minimising the impact of extreme climatic phenomena such as drought, floods or landslides;
17. regrets the lack of world-wide action, and calls for practical measures to be considered for conserving bio-diversity at world level, in particular by using economic instruments and market regulation, in line with developments in UN conventions on biological diversity and trade in endangered species and the need to implement these.

## **Environment and health**

### The Committee of the Regions

18. points out that Article 152 of the Treaty establishing the European Community stipulates that "a high level of human health protection shall be ensured in the definition and implementation of all Community policies and activities"; it therefore attaches the utmost importance to this area, agreeing with the overall objective, but it does regret the piecemeal way in which the question of environment and health is being tackled;
19. reaffirms the importance of providing the public with continuous, up-to-date information on pollution from industry and other sources, especially at local and regional level, and consequently regrets that the draft decision fails to take up the actions in this area mentioned in the communication;

20. welcomes the Commission's proposals on a chemicals strategy as well as the reference to the need for clearly defined deadlines and dates for evaluation; it consequently recommends that these deadlines and dates also be stipulated in the Sixth Programme;
21. considers that the Sixth Programme should also encourage the adoption of national, regional and local chemical safety plans;
22. calls for priority to be attached to compliance with the main international conventions on chemical products, such as the UN Convention on Persistent Organic Pollutants or the OSPAR convention on the protection of the marine environment;
23. supports the overall objective of reducing the use of pesticides, considering this to be compatible with more sustainable farming, geared to quality rather than to quantity, but regrets that the measures in the draft decision only partially reflect those described in the communication, especially concerning the elements of a future strategy for the sustainable use of pesticides;
24. considers that the sustainable use of water resources should be brought under the heading of sustainable use of natural resources, since the proposed measures on water quality consist essentially of arrangements to apply the framework directive on water;
25. recommends specific and innovative actions relating to the public health implications of water quality and water supply systems, as well as measures to promote sustainable and efficient management of water resources at local and regional level, including the full incorporation of environmental and resource costs associated with damage or negative impact on the aquatic environment, in pricing, in accordance with the framework directive on water;
26. recommends that actions on air quality reflect the crucial role of regions and municipalities in monitoring air quality and in providing the public with information, especially in urban areas;
27. agrees with the need for indoor air quality to be assessed and monitored, given its potential impact on health and the quality of urban life;
28. regrets that there are no measures relating to noise in the draft decision, and strongly recommends that the Community directive on environmental noise proposed by the Commission be supplemented with daughter directives, especially on aircraft and transport noise and, more generally, on the production of quieter forms of transport;
29. regrets that the section on the environment and health fails to deal specifically with the issue of food safety, which is however a matter of fundamental - and highly topical - concern to the general public in the EU.

### **Sustainable use of natural resources and management of wastes**

#### The Committee of the Regions

30. considers that the objectives in this section should focus on dissociating resource consumption and waste production from development, with a view to making development sustainable, rather than dissociating them from economic growth;



31. recommends that protecting soils from erosion and pollution be dealt with under this heading rather than under nature and bio-diversity, and that both the restoration of areas suffering soil pollution and steps to combat desertification be specifically included;
32. particularly and warmly welcomes the Commission's stated intention of increasing local authority involvement in preparing legislation on wastes, and of encouraging the exchange of information on experience and best practices between local authorities;
33. believes that free movement of waste material across borders must not stand in the way of local and regional waste processing solutions, while respecting the established hierarchy of responsibilities;
34. endorses the aim of giving priority to the prevention of waste production and of building this into an integrated product policy; it recommends that it be specified that this policy should be extended to cover products imported from third countries;
35. advocates systematic application of the principle of producer responsibility to all recyclable or sortable waste, which is generated when products are placed on the market, including not only packaging waste, disused vehicles and electric and electronic waste, but also used tyres, used batteries and accumulators, textile waste, construction/demolition waste and some hazardous household waste. As a general principle the producer responsibility should be individual and not collectively shared in order to create an incentive for the producer to develop more environmentally friendly products;
36. welcomes the reference in the communication to targets, with figures and deadlines, for waste prevention and recycling, and urges that these targets be duly incorporated into the priority actions in the draft decision;
37. endorses the priority given to waste recycling, and in particular supports the adoption of measures on construction and demolition waste as well as on biodegradable waste. With regard to the latter, it suggests considering incentives for the selective collection of organic matter for composting;
38. calls for the revision of the legislation on sludge to bear in mind the specific aim of harmonising the methodology used in measuring their degree of pollution.

#### 4. **International issues**

##### The Committee of the Regions

1. strongly recommends that the measure stipulating dialogue with the administrations of the EU applicant countries explicitly mention local and regional authority involvement in the dialogue, especially with a view to cooperation and exchange of experience in matters pertaining to urban planning and public transport;
2. regrets that the draft decision has left out the actions set out in the communication on helping to protect the environment of neighbouring countries;
3. urges that the EU clearly set itself the external policy priority of making world free trade agreements subject to international environmental agreements, and making them conditional upon an assessment of their implications for sustainable development;

4. supports the aim of strengthening international environmental governance, and recommends that backing be given to the creation of an effective World Environment Organisation; it calls for the priority actions and measures needed for achieving this to be specified, such as those for strengthening the UN environmental system;
5. strongly agrees that it is necessary to establish targets and measures for the World Summit on Sustainable Development in 2002 ("Rio+10"), and urges that regional and local authorities be involved in achieving this aim, especially with regard to initiatives to evaluate and implement Agenda 21 at local level.

## 5. **Participation and sound knowledge**

### The Committee of the Regions

1. welcomes the objective of pursuing a course of transparent governance and shared responsibility through more extensive involvement of, and dialogue with, all those concerned; in this context it again points to the special role that regional and local authorities play in implementing national and Community environmental policy and in voicing grassroots views and passing on information to the public;
2. notes the special role played by regional and local authorities in collecting data on environmental issues, their geographical distribution and local and regional socio-economic factors; it therefore calls for these authorities to be involved at an early stage in all measures designed to improve our knowledge about the state of the environment or to promote best practices in disseminating information on the environment;
3. advocates support for local and regional authorities in the collation and exchange of information for and with decision-makers and the public, and in their efforts to involve the public in these matters;
4. recommends that when information systems are reviewed and reports submitted, consideration be given to the evaluation of responsibilities and information flows between municipalities, regions and Member States, so as to ensure that reports and indicators relating to the state of the environment in the EU are consistent, effective and reliable. In this respect, Eurostat should develop a new green GNP, incorporating environmental factors and energy consumption, to be used in conjunction with the conventional GNP to measure European Union's wealth.

Brussels, 13 June 2001

The President

of the

Committee of the Regions

**Jos Chabert**

The Secretary-General

of the

Committee of the Regions

**Vincenzo Falcone**

<sup>1</sup> OJ C 317, 6.11.2000, p. 1

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