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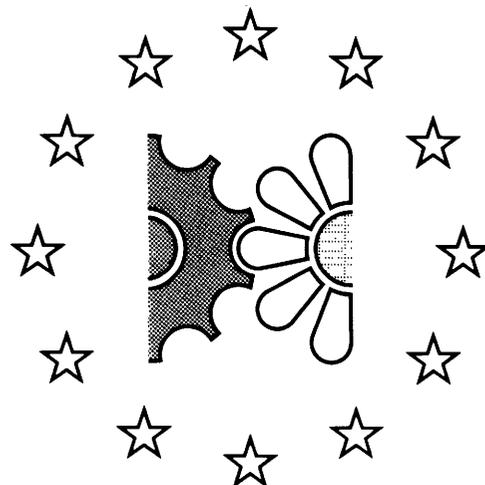
**RESEARCH AND DOCUMENTATION PAPERS**

1987-1988

EUROPEAN YEAR  
OF THE ENVIRONMENT

Environment, Public Health  
and Consumer Protection  
Series N°

10



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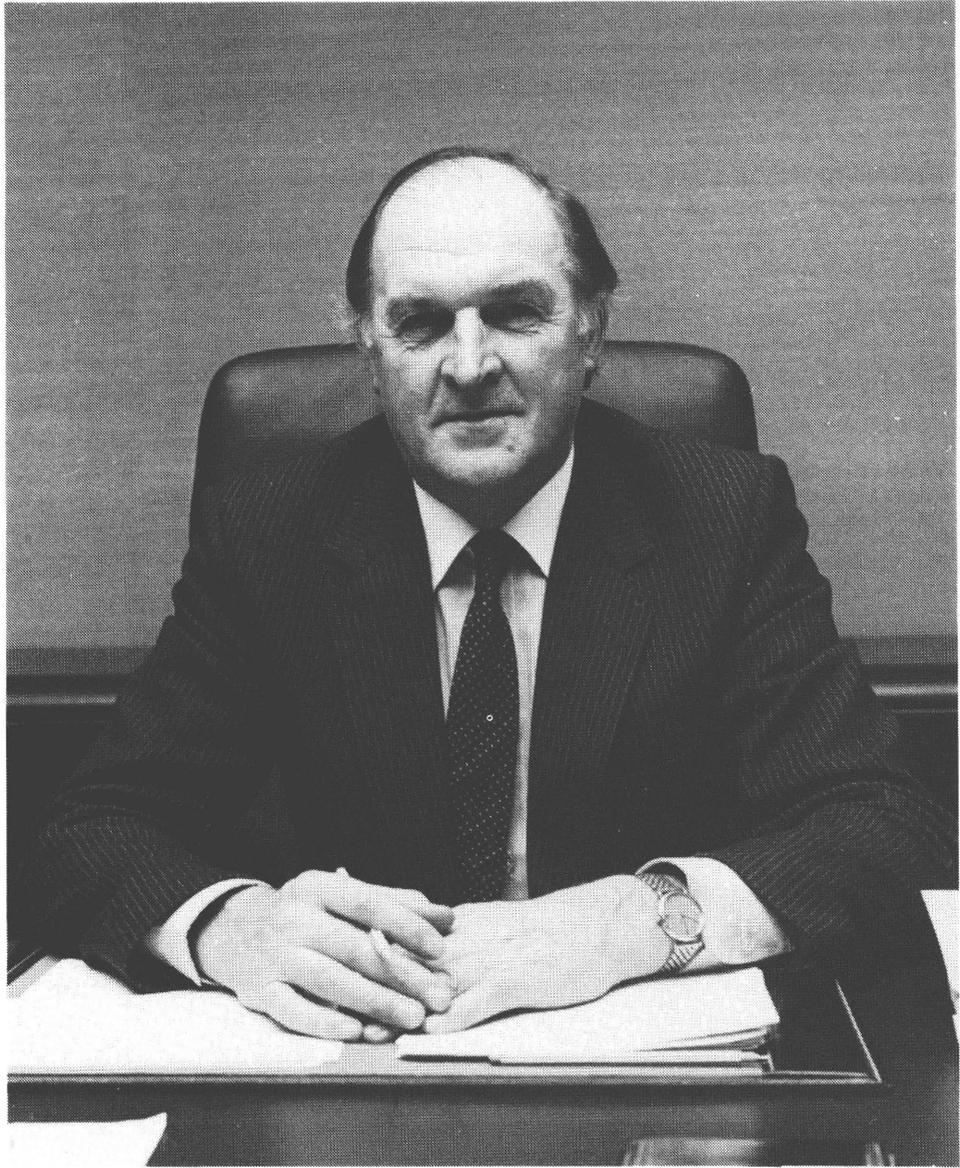
7 - 1987

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Views expressed in this document are not those of the European Parliament as an institution.

This publication is available in French, Danish, German, Greek, English, Italian and Dutch. The Spanish and Portuguese versions will be available at the end of 1987.



**EUROPEAN PARLIAMENT MANUAL**  
**FOR**  
**THE YEAR OF THE ENVIRONMENT**  
**1987 - 1988**

## PREFACE

1987 has been chosen as the year in which to heighten public awareness in Europe of the interest that every citizen has in the better protection and improvement of the environment. In this the Community institutions have made a wise choice, as 1987 will see both the entry into force of the Single European Act and the launching of a new action programme.

In a very specific way, the Single European Act defines the future objectives for Community action on the environment. The work done since 1972, when the European Summit in Paris which initiated environmental policy at Community level took place, has been so successful that it has proved necessary to supplement the Common Market Treaty in this area and devote three new articles to this comparatively new policy. After 15 years of sustained work in the environmental field, the Community is now going to initiate a fourth action, specific programme with a restricted but precise series of objectives.

It is one of European democracy's merits that it places every citizen in a position to demand continual improvements in the quality of the environment; and the Community institutions have a duty to respond to such demands. The European Parliament has never missed an opportunity to emphasize its very keen interest in environmental questions. The number of opinions it has delivered and the number of own-initiative reports it has considered on the subject of the environment have made the Committee on the Environment, Public Health and Consumer Protection one of the most active committees in Parliament.

I am pleased to have the opportunity of presenting this European Parliament Manual for the Year of the Environment as a contribution to the ecological movement. This manual gives basic answers to questions about work done at Community level to find solutions to the problems of pollution and the quality of life. It could prove a means of enabling every citizen to play a larger part in the collective action which is absolutely essential to the protection of the environment.



the Lord Plumb  
President of the European Parliament



## INTRODUCTION

by Mrs Beate Weber,  
Chairman of the Committee on the Environment,  
Public Health and Consumer Protection

The 30th anniversary of the founding of the European Community is an excellent occasion on which to begin the Year of the Environment. It is time to pause and reflect on the direction taken by the Community over the past 30 years and the direction it should take in future years.

Events in Seveso, Bhopal, Chernobyl and Basel have shown quite clearly that there are two sides to industrial development. In the Community, as elsewhere, economic growth does not go hand in hand with an improvement in the ecological and social situation. National sovereignty must be surrendered in the face of major environmental problems.

Environmental problems are by their very nature supranational. National legislation is virtually powerless when it comes to the pollution of seas and oceans, acid rain, radioactivity or the destruction of the ozone layer in the atmosphere. In many areas relating to the environment it is only by working together that we have the chance of making some progress and also supporting the action taken at local and regional level.

Until now, environmental issues have not been covered by the Community Treaties. It is only in recent years that environment policy has become a major issue and the subject of three action programmes, thanks to the growing public awareness which has also been reflected in the European Parliament. Now, through the Single European Act, Community environment policy is for the first time given Treaty status on an equal footing with the economic aims of Article 100, which was so frequently used in the past as a basis for European environmental legislation.

Policy making at European level offers the chance of a better environment, not a threat. It should therefore be used with great care. The internal Community market, which is to be completed by 1992, also offers the possibility of guaranteeing the protection of health, consumers and the environment at the highest level throughout the Community.

The European Year of the Environment is not an end in itself but a beginning. It provides an opportunity to increase public awareness of environmental issues and show that the problems are European in scale.

We hope that the Community and the Member States will now make good their promise to take account of environmental considerations in all other major policy areas, including agriculture, industry, regional policy, energy, etc. Only if we prevent environmental pollution and make environmental protection one of our key tasks will it be possible to reconcile ecological and economic concerns.

It will be a year of hard work, but also of hope for a genuine improvement in our environment. The European Year of the Environment will have been a success if, at its end,

- everyone is aware of environmental problems and acts accordingly,
- all national and European environmental legislation is implemented and enforced and
- the environment is in a better state than it was at the beginning of the year.

I hope that this brochure will help to make as many people as possible aware of the difficulties which must be faced at European level in finding a solution to environmental problems. It would also be a valuable achievement if this publication could give the general public a clearer picture of Community legislation and the work of their directly elected representatives in the European Parliament.

A handwritten signature in black ink, appearing to read "Hans Eekhout". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

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I. THE YEAR OF THE ENVIRONMENT 1987/88



## **1. HISTORICAL BACKGROUND AND ORGANIZATION**

When the Heads of State and Government agreed in Paris in 1972 to adopt measures at Community level to combat environmental pollution, virtually nobody was aware how important the problem was to become, not least because of its international aspects. The decision by the European Council at its meeting of 29/30 March 1985 (see EC Bulletin No. 3/85, point 1.2.5) to designate 1987 European Year of the Environment, however, pointed towards the growing significance of environmental protection at European level.

The European Parliament in its resolution adopted on 18 February 1986 (OJ No. C 68, 24.3.1986, p. 49) gave a warning, however, that this year should not be allowed to turn into a year of declarations and pronouncements and therefore called for practical measures to bring about a more effective Community environmental policy (see Annex 1).

The Council, in a formal resolution (OJ No. C 63, 18.3.1986, p. 1), then adopted an action programme for the European Year of the Environment (see Annex 2). A committee of patrons, consisting of eminent public figures known in the Member States for their commitment to environmental protection, was formed to assist in its organization (the list of members appears in Annex 3). National committees were set up with the chief task of promoting, supporting and implementing projects organized for the European Year of the Environment in the Member States (the list of national committees and their chairmen appears in Annex 4).

## **2. EUROPEANS AND THEIR ENVIRONMENT IN THE RUN UP TO THE YEAR OF THE ENVIRONMENT**

Between 19 March and 15 April 1986, one year before the start of the Year of the Environment, an opinion poll was carried out for the Commission in which almost 12 000 Community citizens over the age of fifteen were questioned about their environmental awareness. The survey took place, however, before the Chernobyl nuclear accident and the chemical pollution in the upper Rhine caused by Sandoz (The Europeans and their environment, Commission of the European Communities, (IX/EYE/61/86). It revealed that environmental awareness was greatest in Italy: 85% of Italians took the view that environmental protection was an urgent problem which could not be ignored. Italy was followed by Greece (84%), Luxembourg (83%) and the Federal Republic of Germany (80%). The problem was felt to be least serious in France and Ireland (56% in each case), and these countries lagged behind the new Community Member States, Spain and Portugal (72 and 71% respectively).

- see Table 1 -

Table 1:

THE URGENCY OF THE NEED FOR ENVIRONMENTAL PROTECTION

Protection of the environment is:

	<u>an urgent and immediate problem</u>	<u>a future problem</u>	<u>not really a problem</u>	<u>no reply</u>	<u>TOTAL</u>
Belgium	62	25	4	8	100
Denmark	77	15	1	7	100
Germany	80	15	3	2	100
France	56	38	5	1	100
Ireland	56	31	6	7	100
Italy	85	11	1	3	100
Luxembourg	83	17	0	0	100
Netherlands	63	30	5	2	100
United Kingdom	67	26	4	3	100
Greece	84	10	1	5	100
Spain	72	17	3	8	100
Portugal	61	25	4	10	100
COMMUNITY TOTAL	72	22	3	3	100

Source : The Europeans and their environment in 1986, Commission of the European Communities, IX/EYE/61/86

Questions to the Community's inhabitants about the environmental pollution which disturbed them most revealed great differences among the Member States. People in Denmark had the fewest complaints, followed by Ireland, the United Kingdom, France and the Netherlands.

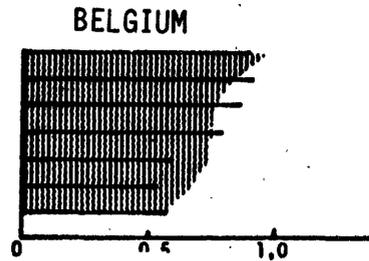
According to this survey, however, people had the most concerns about their environment in Italy.  
(see Table 2)

Table 2:

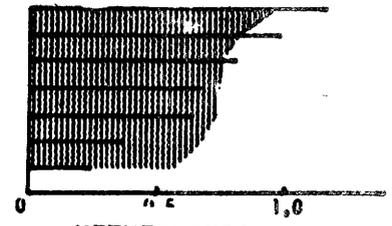
ENVIRONMENTAL ISSUES THAT CAUSE THE MOST CONCERN

BY COUNTRY

Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

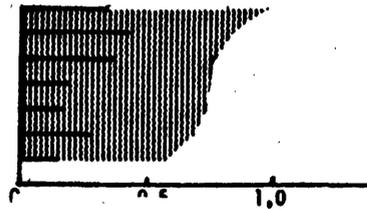


LUXEMBOURG

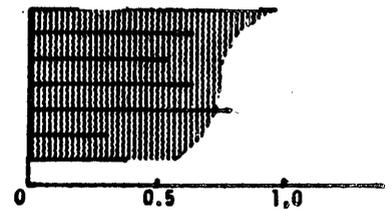


Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

DENMARK

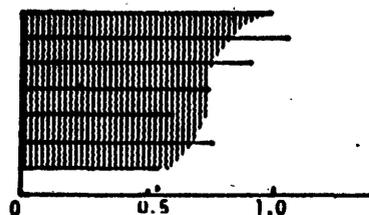


NETHERLANDS

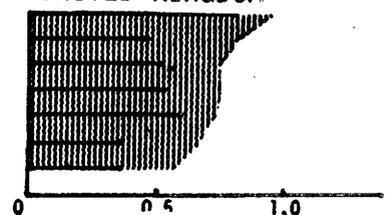


Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

GERMANY

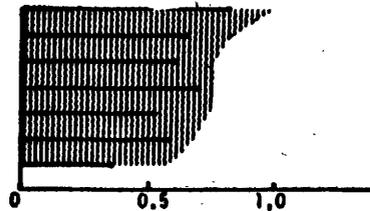


UNITED KINGDOM

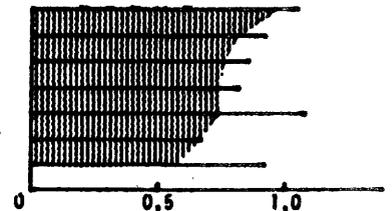


Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

FRANCE

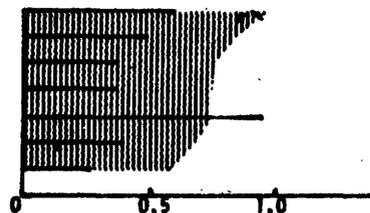


GREECE

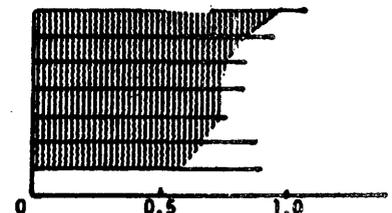


Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

IRELAND

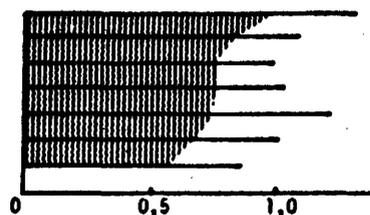


SPAIN

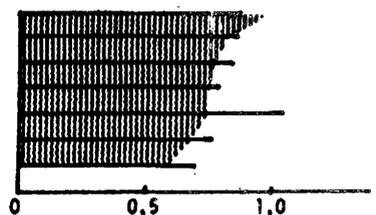


Damage to the landscape  
Air pollution  
Noise  
Loss of farmland  
The way rubbish is disposed of  
Drinking water quality  
Lack of access to open space

ITALY



PORTUGAL



**NB.** The shaded area represents the average for the Twelve.

Source : The Europeans and their environment in 1986, Commission of the European Communities, IX/EYE/61/86

If the results of the last opinion poll carried out for the Commission in 1982 are compared with those of the 1986 survey, it is clear that people are becoming much more aware of environmental problems, except where depletion of natural resources is concerned. (see Table 3)

**Table 3:**

**AWARENESS OF NATIONAL AND WORLD ENVIRONMENTAL PROBLEMS:  
TRENDS BETWEEN 1982 AND 1986 (EEC-10)  
(Index between 0 and 3)**

		B	DK	D	F	IRL	I	L	NL	UK	GR	EC 10
With regard to your country, how far are you worried or concerned about:												
. pollution of water, rivers and lakes	1982	1.70	1.95	2.20	1.97	1.85	2.17	1.86	2.25	1.76	1.86	2.02
	1986	1.75	2.24	2.18	2.11	1.94	2.46	2.25	2.29	2.06	1.92	2.18
. damage to marine wildlife and beaches <sup>1</sup>	1982	1.81	2.17	2.25	2.24	1.91	2.21	2.13	2.38	2.19	2.20	2.21
	1986	1.76	2.30	2.17	2.18	1.95	2.48	2.21	2.35	2.16	2.13	2.22
. air pollution	1982	1.78	1.83	2.15	1.87	1.67	2.19	1.99	2.11	1.59	2.19	1.96
	1986	1.83	2.11	2.16	2.01	1.80	2.45	2.19	2.33	1.86	2.08	2.12
. waste disposal methods <sup>1</sup>	1982	1.88	2.11	2.25	2.14	1.95	2.15	2.03	2.45	2.16	2.33	2.18
	1986	1.79	2.37	2.17	2.08	2.05	2.50	2.16	2.43	2.22	1.95	2.23

Finally, how far are you  
worried or concerned about:

. the disappearance of the world's plant and animal species	1982	1.76	2.05	2.18	1.92	1.60	1.98	2.23	2.12	2.01	1.81	2.01
	1986	1.78	2.17	2.21	2.15	1.63	2.28	2.37	2.25	2.18	1.79	2.17
. the exhaustion of the world's natural resources	1982	1.89	2.16	1.99	1.95	1.61	2.15	2.39	1.95	2.03	1.94	2.02
	1986	1.73	2.11	1.93	1.85	1.71	2.21	1.95	1.95	2.12	1.86	2.00
. possible changes in the world's climate caused by carbon dioxide	1982	1.64	2.03	2.06	1.67	1.67	2.03	1.81	1.69	1.74	1.83	1.86
	1986	1.68	2.15	2.03	1.92	1.84	2.29	2.17	1.84	2.01	1.96	2.03

Number of downward trends:	1	0	0	0	0	0	1	0	0	1	0
Number of upward trends:	0	6	0	4	1	6	2	3	4	1	4
Balance of trends:	-1	+6	0	+4	+1	+6	+1	+3	+4	0	+4

The figures in boxes show a significant change between 1982 and 1986.

<sup>1</sup> Question expressed differently in 1982.

Source: The Europeans and their environment in 1986, Commission  
of the European Communities, IX/EYE/61/86

Widely divergent views were held on the extent to which the authorities were able and willing to operate effective environmental protection. The Danes were the most positive in their assessment of their authorities' efforts, followed by the Germans and the Dutch, whilst Ireland, Spain and Portugal had the highest number of people questioned who thought that the authorities were not concerned at all with environmental matters. (see Table 4)

Table 4:

ASSESSMENT OF ENVIRONMENTAL PROTECTION BY THE AUTHORITIES

COUNTRY:	Concerned and effective	Concerned but not effective	Not concerned	Don't know	Total	Index <sup>1</sup>
Belgium .....	14	56	16	14	100	1.98
Denmark .....	38	44	5	13	100	2.38
Germany .....	30	51	13	6	100	2.18
France .....	23	49	7	21	100	2.20
Ireland .....	9	48	28	15	100	1.79
Italy .....	6	54	18	22	100	1.85
Luxembourg .....	16	63	6	15	100	2.13
Netherlands .....	29	55	4	12	100	2.29
United Kingdom .....	15	42	23	20	100	1.90
Greece .....	23	42	10	25	100	2.17
Spain .....	15	32	29	24	100	1.82
Portugal .....	12	36	28	24	100	1.79
COMMUNITY TOTAL	19	47	16	18	100	2.03

<sup>1</sup> Index calculated by awarding three points to "concerned and effective", two to "concerned and not effective" and one to "not concerned" and omitting the "don't knows".

Source: The Europeans and their environment in 1986, Commission of the European Communities, IX/EYE/61/86



II. THE EUROPEAN COMMUNITY'S ENVIRONMENT POLICY UNDER THE EEC TREATY



## 1. LEGAL BASES

European environmental protection legislation is based on a European action programme on the environment, adopted in 1973, which laid down a number of general principles for a European environmental policy. The 'prevention' and 'polluter pays' principles were fundamental to this programme.

These ideas were updated and extended in a second programme dating from 1977 and a third action programme, with markedly different starting points from those of the first programme, was adopted in 1983. It placed the Community under an obligation to introduce environmental considerations gradually into the planning and implementation of all measures, including those in other sectors of the economy. The prevention of environmental problems became the fundamental principle and criterion for the development of a rational environmental policy (for details of the action programmes, see III, 1 below).

As the EEC Treaty does not state that environmental protection is an objective of the European Community, the powers for legislation in this field have in the past had to be derived from other Treaty provisions and Articles 100 and 235 of the EEC Treaty have usually been cited. Article 100 concerns the approximation of laws to prevent distortion of competition in the Member States. Article 235 is intended to provide powers, where they would otherwise be lacking, insofar as this is necessary to attain, in the course of the operation of the common market, a Treaty objective. One of the objectives, within the meaning of Article 2 of the EEC Treaty, is the improvement of living and working conditions in the Member States, to which a comprehensive Community environmental policy can contribute.

However, a crucial disadvantage of these legal bases is that the Council of Ministers must reach unanimous agreement in the case of all environmental proposals. To improve the situation the European Parliament submitted amendments including special provisions concerning environmental protection (OJ No. C 68, 24.3.1986). In December 1985, the European Council adopted, not least on the basis of this resolution, the Single European Act, which contains parts of Parliament's resolution and, for the first time, secures the place of environmental protection in the EEC Treaties (see Annex 5).

Article 130R of the S.E.A. contains the basic outline of a Community environmental policy, including the important principle that environmental protection requirements should be a component of the Community's other policies.

Even though, pursuant to the first paragraph of Article 130S, the Council must decide unanimously on the action to be taken by the Community, the second paragraph of this article provides for an easier method of reaching a decision.

## 2. COMMUNITY LEGISLATION IN THE FIELD OF ENVIRONMENTAL PROTECTION

The Community has adopted over 100 acts in the field of environmental protection (for details of measures see those listed at the end of each section in III). Few individuals in the Community are aware of this fact, as they often have the impression that their national parliaments have adopted another law relating to environmental matters. However, the Council of Environment Ministers has in many cases adopted a measure, on a proposal from the Commission and after the European Parliament has delivered its opinion. Depending on the nature of the measure it is either directly applicable in each Community Member State (a regulation) or it is adopted as a directive, which occurs most frequently for environmental matters, where a binding objective is laid down, but Member States are free to choose the means of achieving it. In the latter case the national Parliament has only limited room for manoeuvre, in the former - the regulation - even this does not exist. Article 189 of the EEC Treaty also recognizes other legal provisions which are, however, far less significant for environmental policy. These are the decision, which is wholly binding on those to whom it is addressed, and recommendations and opinions which are not binding.

## 3. THE RULINGS OF THE COURT OF JUSTICE

The European Court of Justice in Luxembourg has the task in particular

- of declaring void, at the request of a Community institution, a Member State or a directly affected natural person, acts of the Commission, the Council of Ministers, or Governments which do not comply with the Treaty,
- of giving a ruling, at the request of a national court, on the interpretation or validity of provisions of Community law (preliminary ruling procedure). National courts must refer these matters to the Court of Justice when there is no other court of appeal in the Member State concerned.

a. The Commission, as guardian of the Treaties, has a special role in referring matters to the Court as it has to monitor whether measures adopted are implemented correctly. When it discovers an infringement of Community law it can, as a last resort, refer the matter to the Court of Justice, which can give a ruling against the Member State in proceedings for infringement of the Treaties.

The following table shows the incidence of references to the Court by the Commission in the field of the environment and consumer protection, the Member State concerned in each case and the cases in which the Court gave judgment for the Commission from 1978 to 1985. No judgments were given in favour of the Member States.

**Table 5: References to and judgments of the Court since 1978**

Member State	Reference to the Court								Judgment for the Commission							
	1978	1979	1980	1981	1982	1983	1984	1985	1978	1979	1980	1981	1982	1983	1984	1985
B				6			1	7					6			
D								2								
I				5				5					5			
L								1								
NL				2			1	1					2			
DK								1								
F								3								
GR								2								
IRL								1								

Source: Third Annual Report to the European Parliament on Commission monitoring of the application of Community law - 1985 - COM(86) 204 final, OJ No. C 220, 1.9.1986, p. 21

Mostly, however, Member States attempt to avoid a ruling being given against them by the Court of Justice by taking the necessary measures before the judgment is given, but sometimes they are not successful.

Thus Belgium found itself unable to adopt the necessary national provisions in respect of several environmental protection directives dating from 1975 to 1978. The Belgian Government justified this situation mainly on the grounds that important institutional reforms made implementation of the directives impossible. The Commission had, however, already taken this factor into account before bringing the action. The measures should have been taken between 1977 and 1979, but a case was only brought in 1981 when the Commission finally lost patience. In the interests of the uniform application of Community law the Court cannot take internal national situations as justification for failure to comply with EEC law. Judgment was therefore given against Belgium for failure to fulfil its obligations under the Treaty (Judgment of the Court of Justice of 2 February 1982, Cases 68-73/81, [1982] ECR 153).

The dispute is still continuing. The Commission brought another case in 1985, because the directives in question had still not been implemented (pending cases 227-230/85). Thus Belgium is not only disregarding the directives but also the judgments of the Court given in 1982.

Fortunately such cases are very infrequent, although the Commission has also brought an action against Italy in respect of the same directives. The Italian Government also drew attention to legislative difficulties, but, like Belgium, was unable to avoid a ruling being given against it (Judgment of the Court of Justice of 17 December 1981, joined cases 30-34/82, [1981] ECR 3379).

Unlike Belgium, however, Italy has now acted on the judgment of the Court and has incorporated the Community directives into national law.

More serious than the failure to incorporate directives into national law are the disputes on the content and scope of Community provisions, as in a case brought by the Commission against France. In 1983 the Commission made a reference to the Court because France, in implementing the directive on the disposal of waste oils (OJ No. L 194, 19.6.1975, p. 23) had infringed Article 34 of the EEC Treaty which prohibits restrictions on exports. The purpose of the directive on waste oils is to protect the environment from the adverse effects of discharge, storage or processing of such oils. The Member States, therefore, had to take the necessary measures for collection, disposal and, if possible, recycling. If necessary they had to ensure that one or more undertakings carried out the collection and/or disposal of the waste oil offered to them in the zones assigned to them. A permit was required for undertakings disposing of waste oils.

The French law implementing this directive provided that waste oils could be delivered only to French collectors or disposal undertakings and disposed of only by authorized French undertakings. This excluded any possibility of delivering waste oils to undertakings from other Member States, which had appropriate permits. This restriction on exports could not be justified even on environmental grounds. By judgment of 7 February 1985 the Court of Justice found that France had failed to fulfil its obligations under the Treaty (Judgment of the Court of Justice, Case 173/83, [1985] ECR 500).

b. As well as the Commission, in its role as guardian of Community law and thus also the Community's environmental protection legislation, national courts are becoming more important through the preliminary rulings procedure. If a national court (civil, criminal or administrative) has to apply and interpret provisions of national law, enacted on the basis of a Community directive, in a case before it, it can (and in some cases must) submit questions on the interpretation of such provisions to the Court of Justice: for example, in criminal proceedings before an Italian court a ruling is to be given on the pollution of an Italian river. In order to assess liability under Italian law, the Italian court wishes to ascertain whether the Italian legal provisions are in line with Directive 78/659 on the quality of fresh waters.

Under the legal protection system of the EEC Treaty, individuals cannot themselves bring an action directly in the Court of Justice. However, by means of an action brought in a national court they can ultimately, through a reference by this court to the Court of Justice, benefit environmental protection in the Community and thus further the implementation of Community law, which has provided the basis for the national law.

(The Commission has published guides outlining how individuals can lodge complaints with the Commission concerning failure to comply with Community law - for details see V.1.).

#### 4. ENVIRONMENTAL PROTECTION IN THE COMMUNITY BUDGET

If the general public regards environmental protection as one of the key issues in Europe today, we might expect this concern to be reflected in the Community budget. There is a popular belief that the more money there is to be distributed, the more important (or more central) that particular policy sector is. A reading of the Community budget, however, suggests that there is only a limited amount of truth in this view today. In 1986, two-thirds of total expenditure from the overall budget of 34 600 m ECU - i.e. roughly 20 000 m ECU - was spent on agriculture and a mere 21 m ECU (=0.06%) on environmental protection (see table).

#### Size of the budget allocated to the Directorate-General for the Environment, Consumer Protection and Nuclear Safety in relation to the general budget.

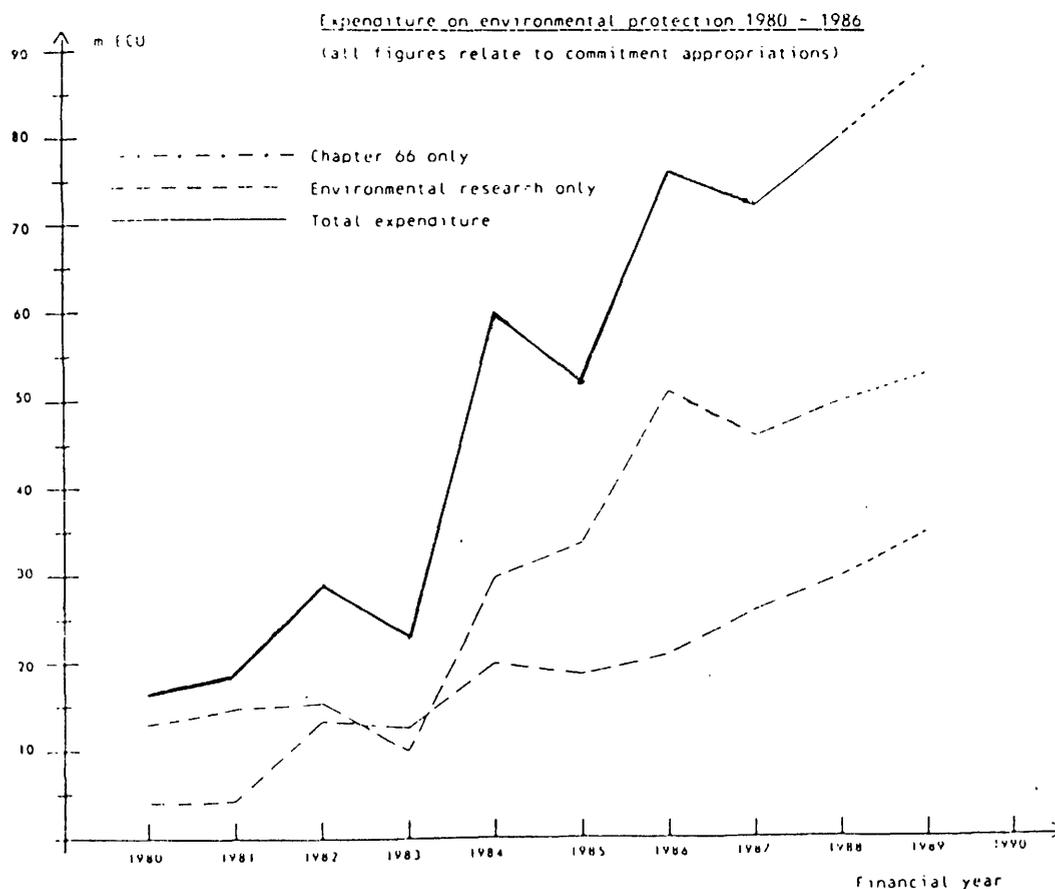
Year	x 1 000 ECU Chapter 66 or equivalent	x 1 000 ECU general budget Commission	% of the general budget (payment)
1978 Arts. 354 & 355	2 370	12 137 147	0.01952
1979 Arts. 354 & 355	3 395	13 245 047	0.02563
1980 Arts. 354 & 355	3 990	15 362 401	0.02206
1981 Arts. 354 & 355	4 320	18 974 958	0.02276
1982 Chapter 66	Comm. 13 300 Pay. 10 800	21 609 946	0.06154 0.04998
1983 Chapter 66	Comm. 12 690 Pay. 13 590	21 153 37	0.05999 0.06424
1984 Chapter 66	Comm. 19 964 Pay. 16 214	24 935 899	0.08006 0.06502
1985 Chapter 66	Comm. 18 665 Pay. 15 165	27 985 240	0.06670 0.05419
1986 Chapter 66	Comm. 20 950 Pay. 20 750	34 618 067	0.06052 0.05994

Source: Commission of the European Communities

These figures should be seen not only in the light of public opinion as mentioned above but also in relation to the real importance of European policy on environmental protection for the development of the Community. In other words: agricultural policy still has financial priority in the Community of Twelve but more and more political priorities are being placed in other policy sectors.

The European Parliament has been largely instrumental in this shift of priorities since the first direct elections in 1979, as it now exercises effective decision-making powers in the budgetary procedure. It has used the increased self-confidence it gained from the direct elections in its many clashes with the Council during budget talks, to boost the resources allocated to research, social policy, regional policy, development and indeed environmental policy. Between 1980 and 1986, the resources allocated to the latter rose in absolute terms from 4 m ECU to the 21 m ECU referred to above. i.e. within seven financial years there was a fivefold increase in budget resources.

The real breakthrough came in 1982 when resources were increased from 4.3 m ECU to 13.3 m ECU. These rates of increase make the environment section one of the fastest growing items in the Community budget. It must not be forgotten, however, that this expenditure accounts for only one-third of total budget expenditure on the environment. If we include the resources allocated to environmental research, environmental protection in the Third World or environmental aspects of regional policy, total expenditure in 1986 was almost exactly 90 m ECU which represents roughly 0.25% of the overall budget (see diagram).



## **5. COMMUNITY FINANCIAL AID IN THE ENVIRONMENTAL SECTOR**

### **A. Action by the Community relating to the environment (ACE)**

#### **a) Aim**

The purpose of action by the Community relating to the environment is to ensure a preventive reduction in pollution and a more careful use of natural resources in the most economically sensible fashion, to improve the techniques and methods for monitoring the quality of the natural environment, and to make a contribution towards the maintenance and re-establishment of seriously threatened biotopes.

#### **b) Main features**

Action by the Community relating to the environment, established by Council Regulation (EEC) No. 1872/84 (OJ L 176, 3.7.1984), concerns three fields of application:

- demonstration projects aimed at developing new 'clean' technologies, i.e. technologies which cause little or no pollution and which may also be more economical in the use of natural resources, in specific areas;
- demonstration projects aimed at developing new techniques and methods for measuring and monitoring the quality of the natural environment;
- projects providing an incentive and aimed at contributing towards the maintenance or re-establishment of seriously threatened biotopes which are the habitat of endangered species and are of particular importance to the Community, under Directive 79/409/EEC.

#### **c) Eligibility and selection criteria**

To be eligible for financial support, a project must be of interest to the Community and in terms of the protection of the environment and/or the management of natural resources.

Projects which fall within other Community programmes are not eligible. Demonstration projects aimed at developing new 'clean' technologies must fall within the following areas: surface treatments (scouring, lacquering, galvanizing and cadmium-plating processes, replacement of cadmium), leather industry, textile industry, cellulose and paper industries, mining and quarrying, chemical industry and agri-food industries. These projects must also:

- implement innovatory technologies or procedures for which the research phase may be assumed to have been completed but which are still untested or not yet in existence in the Community;
- by their demonstration value, be such as to encourage the creation of other similar installations which are capable of noticeably reducing adverse effects on the environment;

- first and foremost concern installations or procedures which, either because of the large amounts or the particularly dangerous nature of their emissions, seriously harm the environment, while at the same time a reduction in the use of natural resources should be aimed at.

Demonstration projects aimed at developing new techniques and methods for measuring and monitoring the quality of the natural environment must cover first and foremost the major air, water and soil pollutants and contribute towards harmonization of methods of measurement and comparability of measurement results obtained within the Community.

Financial support for projects relating to biotopes shall be commensurate with the importance of the area to the Community and with the urgency of the need for the financial support in question.

#### d) Financial provisions

Community financial support may not exceed:

- 30% of the cost of demonstration projects relating to new 'clean' technologies and to new techniques and methods for measuring and monitoring;
- 50% of the cost of the projects aimed at contributing towards the maintenance or re-establishment of seriously threatened biotopes.

In the event of commercial exploitation of the results of a project, the Community may request repayments of its financial contribution.

#### e) Procedures

Financial support under the regulation may be granted to the natural persons, or the legal persons constituted in accordance with the law of the Member States, who are responsible for the project.

Applications for financial support for demonstration projects relating to new 'clean' technologies and to new techniques and methods for measuring and monitoring the quality of the natural environment must be drawn up in response to an invitation to submit projects prepared by the Commission and published in the Official Journal of the European Communities.

The invitation to submit projects specifies the particulars to be provided in accordance with Regulation No. 1872/84 (Annex II). Applications are to be sent to the Commission with copies to the competent authorities of the Member State concerned.

Applications for financial support for projects concerning biotopes are to be sent to the Commission through the intermediary of the Member States; they must contain the particulars specified in Annex III to Regulation No. 1872/84.

After the Commission has decided whether to grant or refuse financial support for eligible projects, the obligations deriving from Community support are laid down in contracts concluded between the Commission and the persons responsible for the projects.

Recipients of Community financial support must send the Commission, each year or at its request, a report on the fulfilment of the contractual obligations towards the Commission, and in particular on the progress of work on the project and the expenditure incurred in carrying it out.

f) Proposal for a new regulation

In December 1986, the Commission submitted a proposal for a new regulation to the Council which follows the layout of Regulation No. 1872/84 in substance. In the light of the experience acquired, a number of amendments have been proposed which are designed to ensure greater credibility on the one hand and to broaden the scope of the regulation on the other (COM(86) 729 final). In brief, the amendments are as follows:

Scope:

Annex 1, which limited Community support for the development of new 'clean' technologies to some sectors only, is deleted.

Consideration is given to the development of new techniques in two new areas, i.e.:

- techniques for recycling and re-using waste;
- techniques for locating and restoring sites contaminated by hazardous wastes or substances.

On the subject of nature protection, the proposal is to depart from restricting the scope to species of birds only since projects should provide for the protection, maintenance or re-establishment of areas of particular Community-wide importance for the conservation of nature and especially of seriously threatened biotopes which are the habitat of endangered species. Provision is also made for granting Community support to projects to save species as well as to projects concerned solely with the protection of habitats.

Financial provisions:

- laying down the financial resources needed: it is proposed that these be determined annually in the light of actual and foreseeable needs as part of the normal budgetary procedures.
- maximum Community contribution: a certain degree of flexibility is introduced as regards the maximum Community contribution to special measures to save species in danger of extinction in the Community.

Decision-making procedure: the Member States may no longer appeal to the Council against Commission decisions on the financial support to be granted.

Period of validity: it is proposed that the new regulation apply for an indefinite period.

## **B. Measures in the field of research**

These measures concern the Council Decision of 10 June 1986 (86/234/EEC) adopting multiannual research and development projects in the field of the environment (1986-90) (OJ L 159, 14.6.1986).

### a) Scope:

Research and development programmes in this field cover protection of the environment, climatology and natural hazards and pilot projects on major technological hazards. They have been adopted for a period of five years as from 1 January 1986. The cover work is carried out as shared cost contract research, concerted actions and coordination and training activities.

### b) Scientific content of the programme

Health effects of pollutants, ecological effects of pollutants, assessment of chemicals, air quality, water quality, soil quality, noise research, eco-system research, waste research and reduction of pollution.

### c) Concerted actions

Concerted actions may be implemented in the following areas within the scientific programme: Air pollution effects on terrestrial and aquatic ecosystems, physico-chemical behaviour of atmospheric pollutants, organic micro-pollutants in the aquatic environment, treatment and use of organic sludge and liquid agricultural waste, coastal benthic ecology, indoor air quality and its impact on man, protection of species, new technologies and environmental protection, and the compatibility of fibres with the environment and health.

## **C. Project concerning the ERDF**

As the Community's fourth environment action programme (1987-1992) indicates, public authorities in certain areas of the Community already face economic problems applying Community measures, especially in relation to the installation of basic environmental infrastructures. In order to overcome these difficulties, the Commission intends to make a proposal for a Community programme within the framework of the Regional Development Fund which will have as its objective to assist disadvantaged areas of the Community to implement Community environment directives, thus promoting both socio-economic development in such areas and Community environment policy (Communication COM(86) 76 final).

## **D. MEDSPA**

On 24 April 1984, the Commission adopted a programme for the protection of the environment in the Mediterranean basin. In its communication it undertakes to define a strategy and plan of action for the regions concerned in the following specific areas:

- availability and protection of water resources;
- waste management
- rational use of land;
- development of Community participation in international activities.

The Economic and Social Committee in its opinion of 27 March 1985 and the European Parliament in its resolution of 10 March 1985 made a number of recommendations that led to a redefinition of the objectives and fields of action of MEDSPA.

#### **E. Agriculture and Environment**

The present agricultural structures policy (Regulation EEC No. 797/85) provides for a series of measures to safeguard the environment.

##### **a) Improvement of the environment**

Provision is made for a system of Community investment aid for, inter alia, the protection and improvement of the environment. The aid may be granted to farmers who submit an improvement plan.

##### **b) Specific measures to assist farming in less-favoured areas**

In regions which appear on the Community list of less-favoured farming areas, an annual compensatory allowance is granted to assist farming activities in the light of clearly defined natural handicaps. The allowance is granted for a maximum of 15 years if the recipient afforests all or part of the area used as a basis for calculating the allowance.

##### **c) Forestry measures for agricultural holdings**

Aid may be granted for the afforestation of agricultural land and for investments in woodland improvements such as the provision of shelter belts, fire breaks, water points and forest roads.

In the case of intensive farming sectors, Community aid is either limited (pig production) or not granted (production of eggs and poultry).

Discussions are currently under way in Council on Commission proposals amending Regulation EEC No. 797/85. In its declaration of 15.12.1986, the Council agreed that the package of socio-structural measures should be adopted and would comprise the following provisions:

**Early retirement:** a compulsory early retirement scheme linked to the setting-aside of agricultural land, inheritance and restructuring with the granting of an annual allowance or a premium per hectare.

**Low-input farming:** consideration is being given to a compulsory scheme to encourage a more extensive method of production or lower production. The scheme could cover:

- aid for conversion to products of which there is no surplus
- aid for the extensification with regard to surplus products.

Compensatory allowances: the current basis for calculating the compensatory allowance (see above) in the light of natural handicaps will be increased and eligibility for the allowance, which is currently limited to stock-farming, will be extended to certain other products.

Environmental protection and maintenance of the natural environment: the Community will contribute to schemes introduced by the Member States to encourage farmers to adopt methods of production compatible with the need to protect the environment and natural resources in environmentally sensitive areas.

#### **F. Environment and employment**

The Commission is to submit to the Council a draft decision establishing a five-year Community programme of projects illustrating how action in the field of the environment can also help to create jobs. The programme will show how the principle of integrating environmental objectives into sectoral policies can be applied in the field. The programme will consist of two phases: in the first phase (1988-90) between 60 and 80 projects will be launched and on average the Community will contribute between 350 000 and 500 000 ECU per project (financial estimates for phase II of the project will be adopted by the Council towards the end of phase I). In selecting projects emphasis will be placed on:

- the demonstration aspect
- the most urgent environmental problems
- the connection with implementation of the Community's sectoral policies, and
- regional needs in terms of the environment and job creation.

(\*Text prepared by Commission departments)

#### **6. THE ROLE OF THE EUROPEAN INVESTMENT BANK IN FINANCING 'CLEAN' ENVIRONMENTAL PROJECTS**

The European Investment Bank (EIB) was established in 1958 as part of the decision to create the European Economic Community and Article 130 of the Treaty of Rome defines the Bank's task: to contribute to the steady and balanced development of the Community by providing loans and guarantees for capital investment projects. Regional development has, therefore, always been the Bank's first priority. In adapting itself to changing economic circumstances, the EIB has also responded to new investment demands. Since the seventies, at the request of its Board of Governors, it has increasingly financed investments contributing to energy policy objectives (development of indigenous resources, energy saving, import diversification). From the beginning of the eighties on, again acting on the Board of Governors' guidelines, the Bank has stepped up lending for advanced technology and, notably, for the protection of the environment. The EIB signed the Declaration of Environmental Policies and Procedures Relating to Economic Development in 1983 and is an active member of the Committee of International Development Institutions on the Environment.

The size and character of the projects financed on environmental grounds vary greatly. A large-scale, long-term effort in Northern Italy, to clean up the River Po and its basin, receives EIB support, but so do small-scale sewage disposal schemes in Denmark as well as, for example, a growing number of German power plants complying with new national legislation on emission control.

The investments in Germany illustrate the role the European Investment Bank may play. Environmental legislation is the prerogative of national governments and the Council of the European Communities. While the EIB, through its financing activities, has facilitated the execution of such decisions, its support for environmental protection goes further.

How the Bank's positive impact in environmental matters could be maximised was one of the questions central to the establishment of a working group of the EIB's Board of Directors in 1983. A series of recommendations were formulated by the working group and unanimously endorsed by the Board of Governors in 1984.

The environmental consequences of all projects for which the Bank receives loan demands are assessed before a financing decision is taken. The EIB ensures strict application of provisions in national, international and Community regulations. The Bank also draws promoters' attention to ongoing Community deliberations and is committed to persuading investors to adopt the least polluting techniques available. By way of encouragement, for investments offering greater protection than required by law, the Bank is willing to provide additional finance over and above the usual maximum of 50% of the investment costs.

In principle, all projects which help to protect the environment, for example by making for cleaner air or water, are eligible for EIB finance, regardless of their location.

The growing focus on protection of the environment is evidenced by the EIB's lending figures (in millions of ECU):

LENDING WITHIN THE COMMUNITY

YEAR	TOTAL LENDING	FOR ENVIRONMENTAL PROJECTS	%
1984	6 194.9	156.8	2.53
1985	6 524.4	360.4	5.52
1986	7 071.1	701.7	9.92

The environmental loan figures include those projects which have been financed expressly on the grounds of their contribution to environmental protection (often in combination with other policy objectives).

In addition, many of the projects financed by the EIB on other grounds also have a positive environmental impact but do not figure as such in the Bank's statistics. By-passes, for example, funded in the context of regional development policy, and district heating systems, which receive EIB loans because they help to meet European energy objectives, clearly have a positive effect on the environment.

With regard to the financing modalities, the European Investment Bank provides the appropriate medium or long-term loan for each individual project with the duration depending on the type of project and its expected life. Interest rates reflect the Bank's cost of borrowing the (various) currency(-ies) disbursed. In the case of fixed-interest loans, rates are usually set at the time of contract signature, whereas rates for variable interest loans are determined quarterly or semi-annually.

Both public and private sector borrowers may obtain loans from the EIB. There is no formal procedure to follow in approaching the Bank for finance and contact can be made directly, by telephone or by letter, with the EIB in Luxembourg, or with the offices in Rome, London, Athens, Brussels and Lisbon.

Addresses:

Headquarters:

100, boulevard Konrad Adenauer, L-2950 Luxembourg - tel. 4379-1

Outside offices:

- Athens: Ypsilantou 13-15, GR-10675 Athens - tel. 7249 811
- Brussels: Rue de la Loi 227, B-1040 Brussels - tel. 230 98 90
- Lisbon: Avenida da Liberdade, 144-156, 8º - P-1200 Lisbon - tel. 328989 or 328848
- London: 68, Pall Mall - London SW1Y 5ES - tel. 839 3351
- Rome: Via Sardegna, 38 - I-00187 Rome - tel. 4719-1

### **III. THE MAIN FEATURES OF COMMUNITY ENVIRONMENT POLICY**

The outline of Community environment policy given in this section is taken from the Fact Sheets prepared by the Directorate-General for Research and updated at the end of 1986. Its sole purpose is to identify and set in a general context the directives and regulations embodying environment policy. Over the years, since 1972, these have built up into a body of legislation that can on occasions be confusing. Thought should perhaps be given to the publication of a codified version of the Community-level legislation in force.

This third section refers extensively to work by Parliament, even though its efforts have not always been successful.

At the end of each chapter the reader will find a list of the enactments in force, together with the name of the rapporteur for the Committee on the Environment, Public Health and Consumer Protection in the case of those which have come into effect since July 1979.



## **1. LEGAL BASIS AND PROGRAMME OF ACTION**

### **A. Legal basis for action**

The Treaties do not contain any provisions directly covering the implementation of a common policy on the environment. The Conference of Heads of State or Government held in Paris in October 1972 reaffirmed the need to implement such a policy and called on the Community institutions to draw up an action programme based on a precise timetable and to use Article 235 of the EEC Treaty where Article 100 did not apply as the legal basis for environmental protection measures.

However, the intergovernmental conference held in September 1985 to revise the EEC Treaty decided to insert three new articles to provide a proper legal basis for Community action on the environment.

The Single European Act adopted by the Conference on 16 and 28 February 1986 has yet to be signed and ratified by all the Member States. It sets a threefold aim for Community action on the environment:

- to preserve, protect and improve the quality of the environment;
- to help protect individual health;
- to ensure the careful and rational use of natural resources.

The new provisions will make environmental protection a component of the Community's other policies. Community action in this area will be confined to cases where the aims stated above can better be realized at Community level than at that of the Member States in isolation. The steps to be taken will be decided by unanimous vote of the Council, which will determine what falls within the scope of decisions to be taken by qualified majority in respect of implementing such steps. Funds are available from the Community budget for certain measures of benefit to the Community as a whole.

### **B. Objectives**

The first action programme on the environment was adopted by the Council on 22 November 1973 (OJ No. C 112, 20.12.1973). This was confirmed and expanded in May 1977 (OJ No. C 139, 1977). The third action programme ran from 1982 to 1986 (OJ No. C 46, 1983), and in October 1986 the Commission put forward its draft fourth action programme.

The main aims of the first two environmental protection action programmes were:

- to prevent, reduce and as far as possible eliminate pollution and nuisances;
- to maintain a satisfactory ecological balance and ensure the protection of the biosphere;

- to avoid any exploitation of natural resources which causes significant damage to the ecological balance;
- to guide development in accordance with quality requirements, especially by improving working conditions and the quality of life;
- to ensure that account is taken of environmental aspects in structural planning and regional development;
- to seek common solutions to environment problems with States outside the Community, particularly in international organizations.

The third action programme on the environment emphasizes that the two previous programmes are still valid, but should be updated and supplemented. Environmental policy goals should thus be geared to economic and social needs and sound resource management:

- helping to create new jobs by promoting and stimulating the development of growth industries producing goods, equipment and processes that are less polluting or use fewer non-renewable resources;
- reducing any form of pollution, in the broad sense of the term, which is wasteful or unacceptably costly to the community;
- economizing certain raw materials that are non-renewable or difficult to supply, and to encourage the recycling of waste and the search for less polluting alternatives; and
- preventing or reducing the possible adverse effects of using energy resources such as coal or nuclear power as alternatives to oil, and to promote energy saving and the use of less polluting energy resources.

To put this policy into effect, the third programme asks the Commission to be guided by the following considerations which delimit its action:

- the desirability of action at Community level;
- the need to avoid any unnecessary duplication, by checking whether the subjects in question are already being dealt with satisfactorily by international bodies;
- the importance of assessing, as far as possible, the costs and benefits of the action envisaged. In any strategy designed to make the best use of resources, the application of the 'polluter pays' principle has a decisive part to play. On this, the Council adopted a recommendation as early as 1975 regarding cost allocation by public authorities on environmental matters (OJ No. L 194, 25.7.1975);

- the need to take account of the differing economic and ecological conditions and the differing structures in the Community;
- the value of careful research, analysis and consultation before proposals are submitted to the Council. Appropriations are earmarked for this purpose in Chapter 66 of the Community budget.

The Commission has so far published two reports, in 1977 and 1979, on the state of the environment, assessing the results of its action. In March 1984 it published a report on the first ten years of the common environmental policy.

The Commission's aim for 1987-1992 is that the fourth Community environmental action programme should prompt the Community to move into a new phase in its environmental policy by incorporating the environmental dimension into its economic, industrial, agricultural and social policies and by framing preventive policies that reconcile economic and social development, environmental policy and industrial and human safety. In other words, a new quality of development must be sought, different from that known by previous generations, in which protection of the environment in all its forms must be guaranteed. This requires explicit commitment to devising and enforcing high standards of environmental protection that are environmentally justified and economically rational.

### C. Parliament's opinion

In its opinion of 17 June 1982 on the draft third programme, Parliament laid particular stress on the following points:

- the evolution of environmental policy away from the earlier concept of repairing damage after the event towards a policy of preventing such damage;
- the development of an environmental strategy for gradual incorporation of environmental policy into other policy areas;
- the difficulty experienced by the Commission in proposing a programme analogous to the previous action programmes, owing to the difficult economic situation;
- the need to make the draft programme more specific and supplement it by proposals for practical measures;
- improving the process of consultation with national authorities and all bodies having a legitimate interest.

Parliament also asked the Commission to devote greater attention to trans-frontier pollution, protection of the urban environment, the ecological effects of modern agriculture and forestry and the ecological effects of the Community's development policy.

In 1983 Parliament took the step of setting up a committee of inquiry into the processing of toxic and dangerous substances, and in 1985 it arranged a public hearing on 'Agriculture and the Environment'.

In February 1986 Parliament delivered an opinion on the Single European Act's provisions on the environment. It felt that Article 3 of the treaty should refer to the goal of protecting the environment and that a 'common policy' should be set up in this area, as distinct from the narrower concept of Community 'action'. It also called for provision for advance vetting of environmental action planned by the Member States and their regional authorities. It was aware of the problem of compensation for the cost of environmental protection and proposed that aid towards such costs should be deemed to be compatible with the common market. Parliament's suggestions were not incorporated in the final text of the Single Act.

## 2. ATMOSPHERIC POLLUTION

Air pollution is caused mainly by the following factors:

- sulphur dioxide and suspended particulates from industrial activity and fuels in particular, with their harmful effects on the cardiovascular and respiratory systems;
- lead from motor vehicle traffic, with its effects on the nervous system in particular;
- carbon monoxide from the incomplete burning of fuel;
- nitrogen oxides (NOX), from burning fossil fuels at high temperatures, which are considered to be one of the main causes of acid rain and the death of forests.

### A. The main legal provisions

One of the Council's first decisions was to establish, in June 1975, a common procedure for the exchange of information between surveillance and monitoring networks based on data relating to atmospheric pollution caused by certain sulphur compounds and suspended particulates (OJ No. L 194, 25.7.1975). The following measures may be put into one of two categories according to whether they are aimed at the quality of the environment or at the sources of pollution. The first category includes:

- the 1980 directive on air quality limit values and guide values for sulphur dioxide and suspended particulates (OJ No. L 229, 30.8.1980);
- the 1985 directive on air quality standards for nitrogen dioxide (OJ No. L 87, 27.3.1985);
- the Geneva Convention on long-range transboundary air pollution (OJ No. L 171, 27.6.1981)

- the decision of June 1982 establishing a reciprocal exchange of information and data from networks and individual stations measuring air pollution within Member States (OJ No. L 210, 19.7.1982).

The second category includes:

- the November 1975 Council Directive on the sulphur content of certain liquid fuels (OJ No. L 307, 27.11.1975), namely fuel oil for domestic heating and small commercial establishments. This directive relates to sulphur dioxide, which attacks buildings and monuments and corrodes materials, and a new proposal has been put forward to reduce sulphur content still further in certain Member States (notably the Federal Republic of Germany);
- the decision concerning chlorofluorocarbons in the environment (OJ No. L 90, 3.4.1980);
- the directive on the combating of air pollution from certain industrial plants (OJ No. L 188, 16.7.1984), which introduced a system of prior authorization for the operation of these plants;
- the proposal for a directive to limit emissions of pollutants into the atmosphere from large combustion plants, particularly power stations;
- the regulation on the protection of the Community's forests against atmospheric pollution. The purpose of this regulation, which is backed up by a measure on the protection of forests against fire, is to ascertain more clearly the state of health of the Community's forests and to develop ways of conserving and restoring them (OJ No. L 326, 21.11.1986).

With particular reference to exhaust gases from motor vehicles, the Community, prompted by Germany, had already adopted a directive in March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles (OJ No. L 76, 6.4.1970). This directive has been amended several times. In June 1983 the Council took the view that the progress made in the construction of motor vehicles allowed a further reduction in the limit values (OJ No. L 197, 20.7.1983). In March 1985 the Community decided to gradually introduce lead-free petrol - having already established limit values for lead in the air (OJ No. L 378, 31.12.1982) in 1982 and, in June 1978, a maximum content of lead in petrol (OJ No. L 197, 22.7.1978) - and to reduce still further the limit values for exhaust gases (OJ No. L 96, 3.4.1985). Measures were also taken as early as 1972 concerning diesel engines (OJ No. L 190, 20.8.1972). In June 1986 the Commission put forward two new proposals containing additional provisions on exhaust gases from diesel-engined vehicles.

## **B. Two special areas**

Two areas have received particular attention, namely pollution from large combustion plants and exhaust gases from motor vehicles. In the public mind these areas are linked with the concern caused by the slow death of forests and the degradation of the natural environment.

### **a) Large combustion plants**

The Commission's proposal dates back to 15 December 1983. Because of their cross-frontier effects, the measures already taken by some Member States must be coordinated in order to ensure their equivalence. The Community has already adopted directives in this area concerning air pollution from industrial plants and the limitation of emissions of nitrogen oxide. These are framework directives defining quality standards and laying down the conditions with which new plants must comply. The 1983 proposal represents the first attempt to establish uniform emission standards for the major air pollutants, sulphur dioxide, dust and nitrogen oxides and to reduce in the long term - by 1995 - the volume of pollutant emissions.

The parliamentary report summarizes the content of the proposal as follows: the proposal for a directive 'is intended to apply to all combustion plants with a thermal output of 50 MW or more burning any kind of fossil fuel (coal, brown coal, peat, oil or gas). The provisions vary according to the size of the combustion plant. They are more stringent in the case of plants with a higher rated thermal output (of over 300 MW, mainly power stations) and more lenient in the range from 50 to 300 MW (comprising mainly industrial combustion plants for heat production or combined power and heat production).

Between 50 and 75% of all sulphur dioxide emissions from large combustion plants derive from power stations, while industrial plants contribute between 25 and 50%.

Specific emission limit values are laid down for sulphur dioxide, nitrogen oxide and dust, covering all new large combustion plants, together with procedures for monitoring compliance with the emission limits. For existing and operational large combustion plants of over 50 MW it is proposed to reduce the total national emission levels in the period from 1980 to 1995. The aim is to reduce sulphur dioxide by 60%, nitrogen oxide by 40%, and dust likewise by 40%.

Parliament delivered its opinion in November 1984. The main amendments it proposed concerned:

- the earlier and more stringent limitation of emissions of pollutants from large combustion plants;
- regulations for existing combustion plants imposing a drastic limitation of the emissions of pollutants from these plants as well;

- the removal of most of the exemptions provided for in Article 7 of the Commission's initial proposal;
- stack heights;
- the definition of 'low-sulphur fuel'.

On 18 February 1985 the Commission presented an amended proposal which took no account of the main amendments mentioned above. In June 1985 the Council had still not reached a decision and Parliament adopted a second resolution condemning certain Member States for their irresponsible attitude and calling on them to join the '30% Club' in order to start limiting the transnational air pollution caused by their large combustion plants. The proposal is still under consideration by the Council.

#### b) Exhaust gases from motor vehicles

The two proposals submitted by the Commission in June 1984 followed measures begun in the early 1970s. They concerned the approximation of the laws of the Member States concerning the lead and benzene content of petrol. The purpose of eliminating lead from petrol is twofold, namely to remove the lead contained in petrol from exhaust gases and hence from the atmosphere and to allow motor vehicles to be fitted with a catalytic oxidation and reduction exhaust system. This system, which is intended to purify exhaust gases by removing unburned hydrocarbons (HC), carbon oxides (CO) and nitrogen oxides (NOX), would quickly be put out of action by lead deposits. Lead has been used until now in high compression engines running on high performance petrol (with a high octane rating) to reduce pinking. The elimination of lead from petrol means reducing the octane rating from 98 to 95 (91 being the rating for regular petrol) and will result in a slight increase in petrol consumption. The catalyser technology is expensive in itself and can only be used with electronic injection, thereby raising the cost of the exhaust system still further.

Another solution under consideration for engines with a cubic capacity of less than two litres is the 'lean-burn' engine. This system allows a reduction in unburned hydrocarbons (HC) but raises the temperature, resulting in the formation of more nitrogen oxides (NOX). It therefore requires equipment enabling the exhaust gases to be recirculated as a cooling agent in combustion. The simple oxidation catalyst system will still be required for engines with an average cubic capacity in order to reduce the unburned hydrocarbons and carbon monoxide as will the electronic injection system which automatically calculates the quantities of fuel required.

Parliament delivered its opinion on 12 December 1984. Its main concern was to speed up the implementation of the Commission's programme by bringing forward the deadlines from 1995 to 1989. It distanced itself from the catalyst technology by advocating the development of other technologies, in particular the 'lean-burn' engine. It took the view that the deadlines should be suitably staggered for vehicles of less than 2 000 cc capacity. It recommended speed limits with a view to reducing harmful emissions and tax incentives for the accelerated adoption of methods suitable for reducing these emissions.

The Council adopted the proposal concerning the lead content of petrol on 20 March 1985. Unleaded petrol will be generally available from 1 October 1989. However, despite a conciliation meeting between Parliament and the President of the Council, opposition from Denmark and Greece prevented the Council from adopting a formal decision on the other proposal concerning exhaust gases.

### **3. WATER POLLUTION**

#### **A. The main provisions in force**

Efforts to combat pollution have undergone numerous developments and include a large number of directives, which can be divided into three categories according to their objectives or their scope.

##### **a) Quality objectives**

A large number of directives establish quality objectives for water intended for particular uses, in the form of lists of parameters and numerical values which must be respected. Included among them are:

- the directive of December 1975 on the quality of bathing water (OJ No. L 31, 5.2.1976). Member States were given ten years to ensure compliance with these standards: thus the directive was due to come into full force in December 1985;
- two directives on the quality of fresh waters needing protection or improvement in order to support fish life (OJ No. L 222, 14.8.1978) and on the quality required of shellfish waters (OJ No. L 281, 10.11.1979);
- regarding surface fresh water, the directive of June 1975 on the quality required of surface water intended for the abstraction of drinking water (OJ No. L 194, 25.7.1975), the directive establishing a common procedure for the exchange of information on the quality of surface fresh water in the Community (OJ No. L 334, 24.12.1977), the directive defining standards concerning the methods of measurement and frequency of sampling and analysis of surface water intended for the abstraction of drinking water (OJ No. L 271, 29.10.1979), and the directive relating to the quality of water intended for human consumption (OJ No. L 229, 30.8.1980).

##### **b) Limit values**

Regarding dangerous substances discharged into the aquatic environment by industrial plants, the Community legislation has introduced the system of stricter limit values, whilst at the same time leaving member countries free to choose the system of quality objectives, with the corresponding obligation to show that these objectives are being complied with. The parent directive was introduced in 1976 (OJ No. L 129, 18.5.1976), establishing a blacklist of 129 substances declared dangerous by virtue of their toxicity and their bio-accumulation, and was supplemented in December 1979 by a decision on the protection of groundwater against pollution caused by these substances (OJ No. L 20, 26.1.1980).

In June 1986 the parent directive was tightened up; specific limits were set for waste from different types of industry and quality standards laid down for the aquatic environment into which they are discharged. Provision has also had to be made for the Member States to monitor the aquatic environment affected by hazardous waste (OJ No. L 181, 4.7.1986).

Pursuant to these directives, specific directives were introduced prescribing limit values for cadmium discharges (OJ No. L 291, 24.10.1983), hexachlorocyclohexane (HCH) discharges (OJ No. L 274, 17.10.1984) and mercury discharges (OJ No. L 81, 27.3.1982 and OJ No. L 74, 17.3.1984).

#### c) Provisions on marine pollution

In this field the legal measures aim primarily to put an end to pollution caused by hydrocarbons, protect the North Sea and the Mediterranean and prevent marine pollution from land-based sources.

With respect to hydrocarbons, the Community has set up an action programme on the control and reduction of this kind of pollution (OJ No. C 162, 8.7.1978). A Community information system has been established for the control and reduction of pollution caused by hydrocarbons discharged at sea (OJ No. L 355, 1981). In March 1986 this system was extended to establish an inventory of resources for intervention in the event of a spillage at sea of harmful substances other than hydrocarbons (OJ No. L 77, 22.3.1986). The protection of the North Sea has given rise to the Bonn Convention regarding cooperation in dealing with pollution caused by hydrocarbons and other harmful substances, to which the Community as an entity is a party (OJ No. L 188, 16.7.1984).

The Mediterranean is the subject of two conventions signed by the Community, the first dealing with the prevention of pollution caused by dumping from ships and aircraft, and the second with pollution caused by oil and other harmful substances in cases of emergency (OJ Nos. L 240, 1977 and L 162, 1981). The Council has received a communication from the Commission which seeks to implement a policy and an action programme on the protection of the environment in the Mediterranean region.

Marine pollution from land-based sources - i.e. pollution emanating from water courses, underwater pipelines and ports - is the subject of the Paris Convention, to which the Community acceded in March 1975 (OJ No. L 194, 25.7.1975).

#### **B. Role of Parliament**

It is not possible to reiterate here all Parliament's different opinions and observations regarding water pollution. But some paragraphs of the two resolutions adopted in October 1984 on the eve of the International North Sea Conference, which was due to open on 30 October 1984 in Bremen, may be quoted to illustrate its role as an instigator of policy.

In them Parliament calls on the Commission to ensure that:

- 'the participating States draw up a Convention on the North Sea which provides for a joint control and monitoring system, with direct executive powers (North Sea Police),
- the participating States create a new legal basis - possibly in the form of a multilateral agreement with non-EEC Member States - so that joint regulations on penalties and liability can be adopted for the protection of the North Sea,
- all participating States sign the United Nations Convention on the Law of the Sea, Section XII of which contains legal requirements for the protection and conservation of the marine environment, by the final date for signature, i.e. by 10 December 1984 and ratify it as soon as possible thereafter.'

Parliament also sets two requirements:

- 'the use of the North Sea as a dumping ground for dilute acids, radioactive waste, untreated waste and effluent, industrial refuse, heavy metals, chlorinated hydrocarbons, phosphates and nitrates must stop immediately;
- a general register for the North Sea and its coastal regions must be drawn up as part of the coordinated research programmes. This register and the experts' proposals arising out of it must become a binding standard for all uses of the sea and rivers'.

#### **4. WASTE DISPOSAL AND PROCESSING**

In its action programmes on the environment, the Community has set itself three guiding objectives regarding the management of waste:

- the prevention and the reduction in quantity of non-recoverable waste;
- the recovery, recycling and re-use of waste as raw materials and as energy sources;
- the safe disposal and management of non-recovered waste.

With respect to recovery, the emphasis is placed primarily on the use of waste in agriculture and the energy industry. The programmes warn the Member countries against taking measures which might encourage a trade in dangerous waste outside the Community, which would be harmful to competition and the environment.

In its draft fourth programme (1987-92) the Commission points out that the Community produces over 2 milliard tonnes of waste annually, 80% of which could be re-used or recycled as raw materials or as an energy source. Three-quarters of all waste is disposed of as landfill, too often without being correctly buried. The Commission has encouraged the use of new technologies to improve the situation in its Community environment projects, which it proposes to expand.

## A. The provisions in force

The 1975 directive lays down the basic principles concerning waste, with regard to its collection, disposal, recycling and processing (OJ No. L 194, 25.7.1975). This text was supplemented in 1978 by a directive on toxic and dangerous waste (OJ No. L 84, 31.3.1978). It drew up a list of toxic and dangerous substances or materials, divided into 27 groups. These provisions confirm that the part of the cost of waste disposal not covered by the proceeds from the treatment must be met according to the 'polluter pays' principle. Measures have been taken in individual areas:

- waste from the titanium dioxide industry (OJ No. L 54, 25.2.1978 and OJ No. L 378, 31.12.1982);
- waste oils (OJ No. L 194, 25.7.1975). In January 1985, the Commission put forward a proposal designed to reinforce the present provisions; its aim is to eliminate the risk of environmental pollution from the incineration of waste oils - instead it favours the more rational option of regeneration. It draws particular attention to synthetic oils, which should be disposed of in the same way as PCBs (see dangerous substances). Parliament has supported the Commission proposal because of the laxness of present Community legislation and has even tightened it up;
- the dumping and incineration of waste at sea, on which the Commission in July 1985 put forward a proposal for a directive harmonizing the Member States' obligations under international conventions to which they are not all signatories;
- radioactive waste, which has been the subject of special measures for many years. Examples include the programme of June 1975 (OJ No. L 178, 26.6.1975), the resolutions of February 1980 (OJ No. C 51), and the new programme of March 1980, which an advisory committee was set up to run (OJ No. L 78). A third programme for 1985-89 was adopted by the Council in March 1985. This includes research into, firstly, the treatment, conditioning and handling of waste and, secondly, final storage (in underground geological formations) of high-level and long-lasting waste. It also covers optimum radioactive waste management from the safety and cost angles;
- a further example in this connection is the decision of July 1977 concluding the Convention for the Protection of the Rhine against Chemical Pollution (OJ No. L 240, 19.9.1977), supplemented by a decision of June 1985 on cadmium (OJ No. L 175, 5.7.1985).

Mention should certainly also be made of the 'post-Seveso' directive regarding the supervision and control within the Community of the transfrontier shipment of hazardous waste (OJ No. L 326, 13.12.1984). This directive was a response to the dioxin tragedy at Seveso, when drums containing waste were being transported within the Community without even the most elementary safety precautions. In June 1986 the directive was extended to cover the risk of pollution occurring outside the Community (OJ No. L 181, 4.7.1986).

## **B. Role of Parliament**

The clandestine shipment of the drums containing dioxin from Seveso provoked a sharp reaction on the part of Parliament. It immediately set up a committee of inquiry which submitted its report in April 1984. In the resolution adopted in June 1983 (OJ No. C 184, 11.7.1983), Parliament called for the following, inter alia:

- 'Demands that, in cases of non-compliance with these legal provisions, Member States take proper sanctions against producers of waste, or transport and disposal undertakings, or any authorities which neglect to take the necessary supervisory measures to avert danger and harm to man and the environment;
- stresses that the vocational training and instructions for hauliers of dangerous wastes and substances must include ample information on the field of application of this directive and on safety measures and rescue procedures;
- believes there is an urgent need for provisions to allow the classification of undertakings operating in the transport and disposal sector based on their technical/organizational capacity and operation reliability;'

Regarding the management and the storage of radioactive waste, in its resolution of January 1985 Parliament deplored the lack of coordination and cooperation between the various organizations which deal with nuclear waste, the absence of common standards and specifications for the management of nuclear waste and the difficulty of gaining an overall view of the state of research. In this connection it pointed out 'that the net nuclear power in the Community will increase between 1980 and the year 2000 by a factor of nearly seven: in the same period while the volume of low-level waste will increase by a factor of just over four that of high-level waste will increase by a factor of almost twenty-five. While radioactive waste represents 0.3% of the total volume of waste produced in the Community, it accounts for almost all of the radioactivity. It is therefore clear that this amended programme for the management and storage of radioactive waste is urgent and vital both for the well-being of mankind and for the future of the nuclear industry;'

## **5. DANGEROUS SUBSTANCES AND THE MAJOR RISKS INVOLVED**

Human activity can place both the environment and public health at serious risk. A series of legislative measures concerned with prevention are set out here under the heading of major risks.

### **A. The provisions in force**

#### **a) Dangerous substances**

Before an environmental policy had even been defined, in June 1967 a directive was adopted relating to the classification, packaging and labelling of dangerous substances (OJ No. L 196, 16.8.1967). When it was amended for the sixth time in September 1979, two new principles were laid down:

- a system of notification of all new chemical substances, so as to ensure harmonized supervision at Community level of the marketing of these substances. The notification is valid in all Member States;
- the harmonization in the Member States of the tests which the new chemical substances must undergo.

The Commission attaches great importance to these amendments and regards this text as a model of the preventive approach described in the third action programme.

An important item of legislation has also been passed on the discharging of hazardous chemicals into the aquatic environment (see section on water pollution).

#### b) Detergents

In 1973, two directives were adopted, one prescribing the average rate of biodegradability for surfactants, the other relating to methods of testing biodegradability (OJ No. L 347, 17.12.1973). Further texts were adopted in 1982 (OJ No. L 109, 22.4.1982). These measures aim to prevent the large-scale formation of foam which limits air-water contact and so jeopardizes the photosynthesis vital to aquatic flora. A further risk is that of the eutrophication of the water by the addition of fertilizers in the form of the phosphates used in the manufacture of detergents.

#### c) PCBs and PCTs

These initials stand for polychlorinated biphenyls and terphenyls, used as components in electricity transformers. If a fire breaks out, these substances can turn into dioxin (as at Seveso). Since 1976 the Community has been concerned with the problem of their disposal, calling on Member States to prohibit the uncontrolled discharge, dumping and tipping of PCBs and PCTs as well as objects and equipment which contain them (OJ No. L 108, 26.4.1976). These substances also figure in two directives relating to their sale and use (OJ Nos. L 262, 27.9.1976 and L 197, 3.8.1979). When it emerged that the pollution of the environment by PCBs and PCTs was not declining, a sixth amendment of the Directive of July 1976 became necessary in October 1985 (OJ No. L 269 of 11.10.1985), placing an almost complete ban on the sale of the products as of 30 June 1986.

#### d) Pesticides

Plant protection products have been the subject of twin measures. The first is based on Article 43 of the EEC Treaty relating to the common agricultural policy and is aimed at pesticide residues in and on fruit and vegetables (OJ No. L 340, 9.12.1976). In May 1986 this was extended to include pesticide residues on and in cereals and animal-derived foodstuffs. The second measure, based solely on Article 100 of the EEC Treaty on the harmonization of legislation, relates firstly to the classification of pesticides (OJ No. L 206, 29.7.1978) and secondly to prohibiting the sale and use of plant protection products containing certain active substances (OJ No. L 33, 8.2.1979). The list issued with the directives deals with the categories of prohibited products, that is to say compounds of mercury and persistent organo-chlorine compounds (aldrin,

dieldrin, chlordane, endrin, DDT etc.). Because of its complexity the legislation has been the subject of a number of written questions, including questions 1582/84 (OJ No. C 161, 1985) and 191/85 (OJ No. C 248, 1985), the latter relating to the export of pesticides to Third World countries.

e) Major risks

After the dioxin accident at Seveso the Community took steps to prevent major accidents and to limit their consequences. The directive of June 1982 (OJ No. L 230, 5.8.1982) imposes on manufacturers in all Member States the obligation to inform the authorities about substances, plants and possible locations of major accidents. It imposes on Member States the obligation to inform persons likely to be affected by a major accident. It authorizes the Commission to maintain files containing an account of major accidents which occur, including an analysis of their causes and the measures taken in response. In the context of the EEC Treaty, this directive applies neither to the activities of the ECSC nor to nuclear installations.

Events on the banks of the Rhine in Switzerland in November 1986, which had such serious effects on the quality of the river's water, highlighted three points:

- the need for improvements to the system for alarm and information in case of accidental discharges,
- the need for harmonization of legislation governing the handling of dangerous chemicals,
- the need for fair arrangements regarding liability and compensation.

These failings should lead to the directive on major-accident hazards being revised and to agreements being negotiated with the non-member European countries to extend the directive's provisions to include them.

f) Environmental impact assessment

Concern to prevent pollution has led the Community to instruct Member States to assess the effects of certain public and private projects on the environment (OJ No. L 175, 5.7.1985). This directive will be implemented in Member States as of July 1988.

Environmental impact assessment will be compulsory for:

- oil refineries,
- conventional and nuclear power stations,
- radioactive waste storage facilities,
- steel works,
- asbestos extraction and processing works,
- integrated chemical plants,
- construction of motorways, port facilities and waterways,
- toxic and dangerous waste disposal facilities.

g) Other provisions

The following should be quoted:

- hotel safety, on which the Council adopted a recommendation regarding fire risks on 1 December 1986;
- the biological screening of the population for lead (OJ No. L 105, 28.4.1977). In December 1982, new measures were taken regarding a limit value for lead in the atmosphere (OJ No. L 378, 31.12.1982);
- in the field of nuclear energy, a number of proposals have demonstrated the Commission's concern regarding this sector of the economy. These proposals cover a research programme on reactor safety, a research programme on the de-commissioning of nuclear power plants, the transfer and the export of nuclear materials.

**B. Role of Parliament**

The final formulation of the directive on the assessment of the effects of certain public or private projects on the environment offered an opportunity to compare the differences in approach between the Council text, which aims essentially to prevent the creation of pollution or nuisances, and the Parliament resolution, which sees the problem, as the 1983 action programme intended, as one of the rational management of the environment. To this end, in its resolution of February 1982, Parliament invited the Commission to assemble ecological charts taking account of:

- the characteristics of the environment and its potential for regeneration in the event of pollution;
- the presence of natural resources;
- the tangible consequences of pollution which already exists;
- activities which might suffer as a result of harmful effects on the environment.

Moreover, the Bhopal tragedy in India, which was caused by a leak of methyl isocyanate from an insecticide plant, gave rise not only to a wave of sympathy for the victims of the disaster, but also to questions about the existing Community measures for the prevention of such a disaster. For its part, in December 1984, Parliament adopted two resolutions which call on the Commission, inter alia:

- to study the organization of safety measures for plants of this type due to be built in the Community, with a view to ensuring the protection of workers and the public in surrounding areas;
- to establish whether Community safety measures are adequate and whether they require review and if necessary improvement in the light of the events in India;
- to ensure that all Member States have brought their legislation into line with the Seveso directive;
- to ensure that European firms apply the same safety measures to their subsidiary companies abroad - especially in the Third World - as within the Community, to protect the environment and the health of the public.

## **6. THE PROTECTION OF NATURE**

Community action to protect our natural heritage has so far been based on the following principles:

- the preservation of non-renewable genetic resources and the prevention of its depletion;
- the preservation of global ecological equilibria by safeguarding the habitat of fauna and flora;
- the promotion of underlying ethical considerations.

In its draft fourth environmental action programme, the Commission develops three themes to expand the present approach. Far from limiting its action to stop-gap measures (as we shall see below), the Commission comes out in favour of effective measures to protect all forms of wildlife and all habitats.

Secondly, it enlarges on the theme of problem areas when it refers to urban rehabilitation, the European Coastal Charter and mountain areas that have to fulfil the functions of tourism, protecting habitats, fauna and flora and the economic development of the local population.

The third nature protection topic dealt with in the new action programme is protection of the soil. The Commission wants to tackle the three main causes of soil degradation: contamination, physical degradation and misuse of the soil.

Community action so far can be grouped together under two headings, conservation of habitats and protection of fauna and flora.

### **A. The conservation of habitats**

Community action is essentially based on the Berne Convention of 19 September 1979 on the conservation of wildlife, to which the Community as such is a party, following the Council Decision of 3 December 1981. The Convention took effect in the Community as of 1 September 1982. In addition to this text mention should also be made of the observations of the EP on the conservation of the fauna and flora of certain regions such as the Wadden Sea, the Irish moors and the lakes and ponds of Sicily. With respect to action taken outside Europe, relevant examples include the Council Decision of 4 September 1981 regarding the Canberra Convention on the conservation of the Antarctic as well as the Cartagena Convention of 24 March 1983 on the protection and exploitation of the marine environment in the West Indies.

### **B. Fauna and flora**

In this field, the Community belongs to the following international conventions:

- the Bonn Convention of 23 June 1979 on the protection of migratory species of wild animals;
- the Washington Convention of 3 March 1973 on international trade in endangered species of wild fauna and flora (CITES Convention). The Community signed this convention on 3 December 1982 (OJ No. L 384, 31.12.1982);

- the Canberra Convention, quoted above, on the conservation of marine species in the Antarctic.

Apart from these measures based on international conventions, relevant texts are few, and the majority of these were only adopted as a result of pressure from public opinion which was channelled by the EP.

#### a) Wild birds

In December 1974 the Commission sent out a recommendation to Member States on the protection of birds and their habitats (OJ No. L 21 of 28.1.1975). It called on them to join two conventions, the Paris Convention concluded on 18 October 1950 on the protection of birds and the Ramsar Convention concluded on 2 February 1971 on Wetlands of international importance especially as wildfowl habitats. These two conventions have still not been signed by all the Member countries of the Community.

In April 1979 the Council adopted a directive on the conservation of wild birds. This directive has a number of objectives:

- the preservation, maintenance or re-establishment of a diversity and a sufficient area of habitat of all species of birds covered by the directive;
- the establishment of a general system of protection for all these species;
- the prohibition of the sale, the transport for sale or the possession of birds, either live or dead, as well as the hunting, trapping or killing of them, except under clearly determined conditions.

At the same time the Council called on Member States to inform the Commission within two years of special protection areas for endangered species, wetlands of international importance and wetlands already classified under national legislation. At present projects are being submitted to the Commission with a view to obtaining financial support from Community funds. These projects will contribute to the preservation or the re-establishment of severely threatened habitats which shelter endangered species and which are of particular importance to the Community.

#### b) Whaling

From 1981 onwards the Council has regulated the imports of cetacean products (OJ No. L 39, 12.2.1981). In December 1982 the Community joined the Washington Convention on international trade in endangered species of wild flora and fauna (OJ No. L 384, 31.12.1982). In May 1985 the EP passed a new resolution following the refusal of certain members of the International Whaling Commission (IWC) to comply with the 1982 IWC decision to phase out commercial whaling as of 1986. The EP resolution refers to the negotiations to be undertaken with Denmark on the reduction, perhaps provisionally to zero, in the number of humpback whales caught. It mentions the difficulties encountered with Portugal - which was due to join the IWC - and with the USSR, Norway and Japan, which were due to cease whaling as of July 1986, in compliance with the IWC decision.

- c) The import of skins of certain seal pups and products derived therefrom

In March 1983 the Council adopted a directive calling on Member countries to ban the importing of skins of certain seal pups, i.e. white coat pups of harp seals and pups of hooded seals (bluebacks). The ban was valid until October 1985. Under pressure from the EP - five resolutions were passed between 1982 and 1985 - the ban was extended by four years until October 1989. The Commission is to submit to the Council a report accompanied by suitable proposals by 1 October 1987 at the latest. The measures taken by the international community, and more particularly those taken in Europe, have led to a considerable drop in the number of catches between 1981 and 1984, notably in the North-West Atlantic.

- d) Animal experiments

The ethical aspect of the protection of nature comes to the fore in the EP resolutions of June 1984 and September 1986 on the limitation of animal experiments and the protection of laboratory animals. Many experiments could be discontinued if similar results could be obtained by other methods and if the results were stored in a central European data bank. In November 1986, the Council adopted a directive on the protection of animals used for experimental and other scientific purposes (OJ L 358, 18.12.1986).

Other aspects of nature protection are also under consideration at the EP, very often on the basis of motions for resolutions put down by Members. The subjects include: the creation and the conservation of nature reserves for the benefit of the Community, the genetic diversity of cultivated plants and trees, the preservation of the natural environment at the mouth of the Ems and the construction of a port in the gulf of Dollart. The last example concerns a report drawn up following a petition.

## **7. INTERNATIONAL COOPERATION**

International environmental cooperation is based on the principles established by the Court of Justice's judgment in the AETR case (Case 22/70, 31 March 1971). According to these principles, any powers vested in the Community are by implication exercised by the institutions, both within the Community and internationally. This was confirmed in a declaration annexed to the Single European Act. As the environment falls within the field of competence of both the Community and the Member States under the principle of subsidiarity (power is vested in the Community if it can be more effectively exercised by the Community than by the Member States), the Single Act lays down that cooperation with non-EEC countries and international organizations is the shared responsibility of the Community and the Member States. In this respect, the Member States' powers, reaffirmed in the Single Act, to negotiate in international bodies and to conclude international agreements does not seem contrary to Article 228 of the EEC Treaty, which vests such powers in the Commission. Furthermore there are regional problems that can be settled in a smaller framework (pollution of the Rhine, Scandinavia and the Mediterranean basin).

### **A. Achievements**

Community action in the international field has developed on three fronts: within international organizations, through the conclusion of international conventions and in development cooperation.

#### **a) International organizations**

A certain number of international organizations are working on the environment, e.g. UNEP (United Nations Environment Programme), OECD, the ECE(UN) and the Council of Europe. The action programmes call on the Member States to endeavour to reach a common position in these organizations.

For its part, the Community is endeavouring to pursue and develop its action at international level (for example in cooperation with the United Nations Environmental Programme and the world nature conservation strategy drawn up by the UICN (International Union for Conservation of Nature and Natural Resources)). Moreover, in cooperation with the EFTA countries particular attention has been devoted to environmental problems, including air pollution caused by vehicle exhaust fumes.

#### **(b) International conventions**

The EEC is gradually joining a number of international conventions. The most important conventions to which the EEC belongs concern water pollution, atmospheric pollution and the protection of animal species:

- the Berne Agreement regarding the International Commission for the protection of the Rhine against pollution (29.4.63);
- the Bonn Convention on the protection of the Rhine against chemical pollution (3.12.76);

- the Barcelona Convention on the protection of the Mediterranean against pollution (16.2.76) and the Protocol relating to dumping operations by ships and aircraft;
- the Bonn Agreement on cooperation in combating pollution of the North Sea caused by hydrocarbons and other dangerous substances (13.9.83). This agreement has not yet entered into force;
- the Paris Convention for the prevention of marine pollution from land-based sources (4.6.74). This convention deals with pollution emanating from estuaries, rivers, pipelines or from coastal sources;
- the Bonn Convention on the conservation of migratory species of wild animals (23.6.79);
- the Washington Convention on international trade in endangered species of wild fauna and flora (3.3.73);
- the Berne Convention on the conservation of European wildlife and natural habitats (19.9.79);
- the Geneva Convention on long-range transboundary air pollution (13.11.79);
- the Canberra Convention on the conservation of Antarctic marine living resources (20.5.80);
- the Cartagena Convention on the protection and exploitation of the marine environment in the West Indies (24.3.83);
- the Vienna Convention on the protection of the ozone layer in the upper atmosphere (22.3.85).

In certain cases, however, the Commission hopes that the action taken within the framework of international conventions will be supplemented by Community directives which will reduce the disparities which could result from the implementation of these conventions. To this end, in July 1985 it submitted a proposal for a directive on the dumping of waste at sea. The Commission has also asked for authorization to negotiate and approve on the Community's behalf certain measures for the implementation of international environment protection agreements, to which the Community is a contracting party, which have a regional impact.

The draft Fourth Action Programme 1987-1992 mentions a number of points that should be pursued:

- strengthening Community involvement in the protection of regional seas,
- ensuring respect by the Community and Member States of the principles laid down in the Convention on the Law of the Sea,
- more effective Community involvement in the work of the Convention on the Conservation of Antarctic Marine Living Resources.
- participation in the London Dumping Convention,
- participation in the Council of Europe Convention for the protection of vertebrate animals used for experimental and other scientific purposes.

The powers in the field of the environment vested in the Community by the Single Act will enable it in future to conclude conventions on a purely Community basis. Hitherto the Community's role has been limited to participation in international conventions.

Failure by a Member State to ratify a convention may lead to application of Article 169 of the EEC Treaty on failures to fulfil obligations under the Treaty. There are two cases where this may arise. Failure to ratify may invalidate the whole of a joint convention that, by definition, lays direct obligations on the Member States and obligations on the Commission in areas that fall exclusively within its province. It may also happen - as stated by the Commission in the answer to Written Question No. 1996/84 - that a Member State is obliged under the Treaty to participate in a convention. The Commission acknowledged that so far there are no examples of delays in ratification leading to the application of Article 169 of the EEC Treaty. It also says that the Member States do not appear, in the present state of Community law, to be under obligation to ratify the Berne Convention on the conservation of European wildlife and natural habitats.

#### c) Development cooperation

In its action programmes on the environment, in the Lomé Conventions and within the framework of the agreements concluded with the Mediterranean countries, the Community has taken account of relations between the environment and development and has included protection of the environment in its development policy. By signing, on 1 February 1980 with ten multilateral development institutions, the declaration on environment policy and economic development, the Community recognized the importance of protection of the environment in the implementation of development policy and at the same time committed itself to incorporating this objective into the cooperation programmes and projects drawn up in the framework of the EEC's cooperation agreements with the developing countries. The third Lomé Convention of 8 December 1984 includes a specific chapter on the conservation of natural resources and the combating of drought and desertification.

The Community is endeavouring to create conditions for lasting economic development, taking account of the interaction between development, the environment, population and resources. Priority objectives are conservation of tropical forests, measures to combat desertification, the management of water and the adoption of farming systems and methods of energy use which are not harmful to the environment. On 3 October 1984, the Council and the representatives of the national governments, meeting within the Council, adopted a resolution restating these objectives, as well as a resolution on new forms of cooperation in the sphere of water (OJ No. C 272, 12.10.1984) aiming to encourage voluntary local or regional initiatives. In January 1986, the Commission presented a Communication on the conservation of natural resources and countering desertification in Africa. Parliament is preparing an own-initiative report on the environment in Latin America and development of the Amazon region. In June 1986, the Commission presented two proposals for a decision and recommendation on export from and import into the Community of certain dangerous chemicals, entailing joint notification and consultation procedures for trade of this kind, to be negotiated within the framework of the OECD and UNEP.

## **B. The role of the European Parliament**

Community action has always been supported by Parliament, which, in various resolutions, has called for action to be stepped up in certain areas. In the matter of the combating of photochemical pollution (Doc. 1-636/81) and deep seabed mining and the marine environment (Doc. 1-688/82), Parliament felt it was essential for the EEC to accede to the Convention on the Law of the Sea. As regards the export to Sweden of products containing cadmium (Doc. 1-821/82), it supported Sweden's decision to restrict as far as possible the use of cadmium. With respect to urgent measures against oil pollution of the North Sea (Doc. 1-1381/82) the EP has requested, inter alia, that a 'Conference on the North Sea' be organized and an independent control body set up.

On several occasions Parliament has called for international action to settle problems of pollution in the Mediterranean to be stepped up. In May 1985, in considering a communication on the protection of the environment in the Mediterranean basin, Parliament stressed the importance of measures taken in the context of the Barcelona Convention and stated that the EEC should expand its role in this area.

Parliament has insisted on the reduction and controls of exports of pesticides to the developing countries and called for an increase in information and training in the use of these products.

In a resolution passed in April 1985, Parliament emphasized the decisive role which the seven leading Western industrialized nations could play. It called on them to agree on concrete measures to limit environmental pollution in their respective countries during their meeting in May 1985, and not to offload their responsibilities onto international organizations.

In November 1986 Parliament's Committee on the Environment held a public hearing on respect for the international conventions on nature conservation. The hearing allowed assessment of the difficulties encountered in applying the Washington and Berne Conventions mentioned above.

## **8. IMPLEMENTATION OF ACTION**

The Community has gradually devised a number of instruments without which the action implemented would have proved inadequate.

### **A. State of the environment**

In December 1975, the Council established a common procedure for the setting up and constant updating of an inventory of sources of information on the environment in the Community (OJ No. L 31, 5.2.1976). The Council decision provides for a list for each Member State of scientific and technical information and documentation centres and services, of specialist centres and independent experts, and of current or scheduled research projects.

In June 1985, the Council adopted a four-year Commission work programme concerning an experimental project for gathering, coordinating and ensuring the consistency of information on the state of the environment and natural resources in the Community (OJ No. L 176, 6.7.1985). The programme covers the following main areas:

- the identification and description of biotopes of major importance for nature conservation;
- the collecting and processing of data on acid depositions;
- gathering and organizing consistent information concerning the environmental resources and characteristics of the Mediterranean regions (land use, soil erosion, water quality, seismic risks and coastal areas);
- the comparability and availability of environmental data collected in the Member States and the choice of data analysis methods.

The information thus gathered will be made public for the purpose of implementing environmental policies, subject to rules of confidentiality. The objective of the Community action is also to improve the comparability of Member States' statistics.

#### **B. Research programmes**

Research currently under way is grouped according to method, i.e.:

- either by means of programmes carried out by the Joint Research Centre (JRC) in the form of direct action,
- or as part of contract action (indirect action) and concerted action (scientific and technical cooperation with third countries - COST).

All this research constitutes the environmental research action programme known as environmental RAP. Research activities in the environmental RAP are supplemented by a demonstration programme covering action by the Community relating to the environment (ACE).

##### **a) Contractual research and concerted action**

Since 1981, all research projects conducted in this way have been grouped together in a research and development programme (1981 to 1985) which includes an environment protection subprogramme consisting of five research areas, and one climatology subprogramme (OJ No. L 101, 11.4.1981).

A new research and development programme (1986 to 1989) was adopted by the Council in June 1986 which covered 11 research topics, a 'climatology and natural hazards' section and pilot projects on major technological hazards (OJ No. L 159, 14.6.1986). Appropriations for the new programme amount to 75 m ECU. The Commission document presenting the new 1986-1989 research programme gives a list of reports published by the Commission between 1975 and 1985 following the environmental research programmes.

b) The JRC programme

Of the JRC activities that form part of the research programme for 1984 to 1987, the fifth section covers the environment, and includes the following subjects (OJ No. L 3, 5.1.1984):

- environmental protection: chemical products, quality of the environment, energy and the environment;
- application of remote-sensing techniques, and more particularly agriculture and soil management, protection of the marine environment and natural disasters;
- industrial hazards: accident prevention, control and management.

Commitment appropriations amount to 99 m ECU. With the entry into force of the Single European Act (Article 130 F et seq), Community technological research and development activities will be the subject of a new framework programme to be implemented by means of special programmes particularly in the case of the quality of life, which includes health and the environment. According to the Commission, appropriations allocated for the environment in this 1987-1989 framework programme should amount to 425 m ECU over a period of five years. For 1987, the Commission has proposed an amendment to the 1984-1987 programme, which will take account of the medium-term general trends reflected in the new 1987-1992 framework programme.

**C. Budget appropriations**

Most of environmental expenditure is entered in Chapter 66 of the Community budget. When adopting the 1986 and 1987 budgets, Parliament proposed that, for the sake of greater clarity, appropriations should be allocated under the following new headings:

- Article 660: protection and improvement of the environment. This consists of basic studies, pollution measurement, assessment of hazards due to chemical substances, an inventory of sources of information on the environment, and protection of forests. Commitment appropriations for 1987: 6,409 m ECU.

- Article 661: Community intervention such as aid for the development of clean technologies and the harmonization of statistics. This Article includes appropriations for action by the Community relating to the environment (ACE). In December 1986, the Commission proposed extending the scope of the ACE Regulation and to apply it for an indefinite period. Commitment appropriations would amount to 27.7 m ECU for the period 1987-1990. Appropriations to be committed under Article 661 amount to 5.94 m ECU in 1987.
- Article 662: specific measures for protection of the marine environment. Appropriations to be committed in 1987 amount to 1,924 m ECU.
- Article 663: environment projects and operations, particularly measures to combat pollution caused by waste. Appropriations to be committed in 1987 amount to 1,352 m ECU.
- Article 664: measures required to implement directives and decisions on the environment, particularly relating to toxic and dangerous chemicals, atmospheric pollution and waste products. Appropriations to be committed in 1987 amount to 2.5 m ECU.
- Article 665: direct action in particularly endangered regions such as the Mediterranean area. Appropriations to be committed in 1987 amount to 1 m ECU.
- Article 666: European environment year. Appropriations to be committed in 1987 amount to 7.3 m ECU.

It should also be noted that other items have been entered in the budget for the environment:

- Research: Item 7328, concerning shared cost research activities. Appropriations to be committed in 1987 amount to 14 m ECU.
- Item 7374, concerning direct action environment research. Appropriations to be committed in 1987 amount to 31.9 m ECU.
- The European Foundation for the improvement of living and working conditions: Article 644 of the budget provides for an endowment of 5.5 m ECU for 1987.

## **9. ASSESSMENT OF 12 YEARS OF ENVIRONMENT POLICY**

The European Council of 30 March 1985 in Brussels agreed to declare 1987 European Environment Year. The Community's action programme adopted in February 1983 expires at the end of 1986. The time therefore seems ripe for an assessment of the results achieved after 12 years of endeavour.

All the action described in the preceding notes clearly shows that the Community's efforts have been sustained, and are all the more commendable in that at the outset there was no legal basis for the environment policy apart from articles in the EEC Treaty couched in general, not to say minimal, terms (EEC Treaty, Article 235).

Nevertheless, a reading of the most recent programme (1983) will show that actual achievements have fallen a long way short of the ambitious targets proposed. There are, of course, the general difficulties which are also felt in other sectors and which mean that a unanimous vote has to be secured in the Council and directives then have to be translated into national law. The three annual reports issued by the Commission on the implementation of Community law show that, despite the fairly long periods of time the Member States are usually given to comply with directives, resistance remains strong. The Commission had to issue 69 warnings to the Member States concerning the environment and consumer protection in 1985. Twenty-six reasoned opinions were delivered and 23 cases had to be brought before the Court of Justice. When texts are adopted and made operational, the environmental case is still not won if the texts are not respected. In the 1983 action programme, the Commission was urged 'to examine very closely the actual implementation at national level of Community Regulations, Directives and Recommendations ... This examination will also include a study of the sanctions available in the Member States in case of infractions'. This item in the programme has still to be put into effect.

The steps to be taken, of course, do not always follow the strict, logical order of a programme, and successes have been achieved as a result, in most cases, of circumstances favourable to a particular project. It is symptomatic in this connection that it was not until June 1985 that the Council drew up a work programme for obtaining information on the state of the environment and natural resources in the Community, although this data was clearly essential from the outset, since the aim of the programme, too, is to study biotopes of major importance in nature conservation, acid deposits and environmental protection in the Mediterranean region.

The logic behind the action taken has not always been apparent - far from it. It is worth pointing out that, when drawing up its proposals, the Commission undertook to assess, as far as possible, the costs and benefits of the action envisaged. Such an assessment, almost wholly absent from the final proposals submitted to the European Parliament, would nonetheless have been useful in the search for ways of reconciling environment policy with the other Community policies. The 1983 programme stated that '... making environmental policy a part of economic and social development ... should result in a greater awareness of the environmental dimension, notably in the fields of agriculture (including forestry and fisheries), energy, industry, transport and tourism.' As regards agriculture, it is Parliament which has taken the initiative of carrying out a wide-ranging study, at the very time when the Community is embarking on the consideration of a report on agricultural reform.

The revision of the EEC Treaty has provided an opportunity for inserting special provisions on the environment. One of these states that environmental protection requirements are a component of the other Community policies, thus giving a fresh boost to environment policy. The aims of that policy still have to be reconciled, in particular, with the fight against unemployment and with overall economic growth. OECD studies on the macro-economic effects of environmental spending show that, despite the difficulty of assessing with any degree of certainty the amount of productivity lost in the United States in the '60s and '70s, approximately 8 to 12% of the slow-down in measured productivity growth was due to environmental protection legislation.

We should not, however, lose sight of the fact that the new environmental provisions in the EEC Treaty refer expressly to the 'polluter pays' principle, and that environmental legislation, although it may represent a new burden on industry, is simply rectifying a situation in which damage could be inflicted on individuals or society with impunity.



COMMUNITY MEASURES TO ASSESS AIR QUALITY

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT Rapporteur* Opinion	DATE OF ENTRY INTO FORCE**	SUBJECT
1970	Directive (70/222) OJ L 76/1 6.4.1970	Pollution of the air by vehicle exhaust produced by spark ignition motors	OJ No.C 160/7 18.12.1969	1.10.1971	Provisions concerning the licensing of these vehicles
1972	Directive (72/306) OJ NO.L 190/1 20.8.1972	Pollutant substances in the form of exhaust fumes from diesel vehicles	Not entered in OJ	10.2.1974	Provisions for the licensing of diesel vehicles including maximum permissible pollutant discharges from diesel motors
1975	Directive (75/716) OJ No.L307/22 27.11.1975	Sulphur content of certain liquid fuels	OJ No.C74/46 3.7.1974	26.8.1976	Ascertaining the sulphur content of fuels
1977	Directive (77/537) OJ No.L 220/38 29.8.1977	Emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors	OJ No.C 125/51 8.6.1976	30.12.1978	Granting of type approval and establishing maximum exhaust levels
1978	Directive (78/611) OJ No.L 197/19 22.7.1978	Lead content of petrol	OJ No.C 280/9 8.12.1975	5.1.1980	Maximum lead content of premium grade petrol set at 0.40g/L (except for Ireland)
1980	Decision (8/372) OJ No.L 90/45 3.4.1980	Cluro-fluorocarbons in the environment	Newton- Dunn ED/UK	OJ No.C 4/60 7.1.1980	31.12.1981 Restrictions on the manufacturing of Cluro-fluorocarbons and a reduction of 30% in their use in the filling of aerosol cans

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Source: European Parliament, Directorate-General for Research; EC Commission

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR* OPINION		DATE OF ENTRY INTO FORCE**	SUBJECT
1980	Resolution OJ No.C 222/1 30.8.1980	Transboundary air pollution by sulphur dioxide and suspended particulates				Objective: control of pollution by sulphur dioxide and suspended particulates
1980	Directive (80/779) OJ No.L 229/30 30.8.1980	Air quality limit values and guide values for sulphur dioxide and suspended particulates		OJ No.C 83/44 4.4.1977	18.7.1982	Fixing limits and guide values for sulphur dioxide and suspended particulates in the atmosphere and the fixing of analyses methods; establishing measuring stations
1981	Decision (81/462) OJ No.L 171/11 27.6.1981	Convention on long-range trans- boundary air pollution	Squarcialupi COM/I	OJ No.C 59/71 10.3.1980		Accession of the Community to the Geneva Convention
1982	Decision (82/459) OJ No.L 210/1 19.7.1982	Reciprocal exchange of information concerning air pollution within the Member States	Mertens PPE/D	OJ No.C 125/65 17.5.1982	1.10.1982	Common procedures for an exchange of information between networks at individual stations measuring air pollution caused by sulphur compounds and suspended particulate
1982	Decision (82/795) OJ No.L 392/29 25.11.1982	Precautionary measures concerning chloro-fluorocarbons in the environment	Scrivener L/F	OJ No.C 125/167 17.5.1982	19.11.1982	Consolidation of the precautionary measures referred to in Decision 80/372

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR*	OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1982	Directive (82/884) OJ No. 378/15 31.12.1982	Limit value for lead in air		OJ No.C 28/31 9.2.1976	10.12.1984	Fixing the limit value for lead at 2 microgrammes pb/m <sup>3</sup> expressed as an annual mean concentration and the sampling and analyses procedures used to determine the concentration of lead in the air
1984	Directive (84/360) OJ No.L 188/20 16.7.1984	Air pollution caused by industrial plant	Squarcialupi COM/I	OJ No.C 342/160 19.12.1983	30.6.1987	Measures to limit air pollution caused by old and new industrial plant
1985	Directive (85/203) OJ No.L 87/1 27.3.1985	Air quality standards for nitrogen dioxide	Van Hemeldonck S/B	OJ No.C 337/434 17.12.1984	1.1.1987	Fixing limits and guide values for nitrogen dioxide
1985	Directive (85/210) OJ No.L 96/25 3.4.1985	Lead content in petrol	Sherlock ED/UK	OJ No.C 12/56 1985	1.1.1986	Lowering of lead content of leaded petrol to 0.15 gpb/l and the introduction through out the Community of unleaded premium grade petrol as of 1.10.1989
1986	Regulation (3528/86) OJ No.L 326/2 21.11.1986	Protection of forests against air pollution	Ghergo PPE/I	OJ No.C 172/87 2.7.1984	24.11.1986	See title
1986	Regulation (3529/86) OJ NO.L 326/5 31.11.1986	Fire protection for forests	Ghergo PPE/I	OJ No.C 172/87 2.7.1984	24.11.1986	See title

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT	
1987	Regulation (525/87) OJ No.L 53/1 21.2.1987	Protection of the Community's forests against fire	Ghergo PPE/I	OJ No.C 172/87 2.7.1984	24.2.1987	See title
1987	Regulation (526/87) OJ No.L 53/14 21.1.1987	Protection of the Community's forests against atmospheric pollution	Ghergo PPE/I	OJ No.C 172/87 2.7.1984	24.2.1987	See title

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COMMUNITY MEASURES ESTABLISHING QUALITY STANDARDS FOR WATER

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1975	Decision (75/437) OJ No.L 194/5 25.7.1975	Prevention of sea pollution by discharges from the land			Ratification by the Community of the Paris Convention on the prevention of marine pollution by discharges from the land
1975	Directive (75/440) OJ No.L 194/34 25.7.1975	Quality of surface water which provides drinking water	OJ No.C 62/7 30.5.1974	18.6.1977	Definition of quality requirements of drinking water; introduction of programmes to purify surface water
1976	Directive (76/160) OJ No.L 31/1 5.2.1976	Quality of bathing water	OJ No.C 128/13 9.6.1975	10.12.1977	Fixing quality standards for bathing water, frequency of sampling and measuring procedures
1976	Directive (76/464) OJ No.L 129/23 18.5.1976	Pollution caused by certain dangerous substances discharged into the aquatic environment of the Community	OJ No.C 5/62 8.1.1975	4.5.1978	Introduction of Community procedures concerning the discharge of certain dangerous substances into the aquatic environment and the fixing of maximum values or quality objectives and monitoring procedures
1977	Decision (77/585) OJ No.L 240/1 19.9.1977	Protection of the Mediterranean against pollution	OJ No.C 259/42 1976		Resolution of the Barcelona Convention and its first protocol by the Community

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1977	Decision (77/586) OJ No.L 240/1 19.9.1977	Protection of the Rhine against chemical pollution			Conclusion of the Bonn Convention by the Community
1977	Decision (77/795) OJ No.L 334 24.12.1977	Exchange of information on the quality of surface fresh water in the Community		12.12.1977	Development of measuring stations; establishing measuring parameters
1978	Directive (78/176) OJ NO.L 54/19 25.2.1978	Waste from the Titanian dioxide industry	OJ No.C 28/16 9.2.1976	22.2.1979	Limitation of waste accumulation and recycling of waste
1978	Directive (78/659) OJ No.L 222/1 14.8.1978	Quality of fresh waters supporting fish life	OJ No.C 30/37 7.2.1977	20.7.1980	Establishing quality standards for waters containing fish and frequency of sampling
1979	Directive (79/869) OJ No.L 271/44 29.10.1979	Methods of measurement and analyses of surface water intended for the abstraction of drinking water	OJ No.C 67/48 12.3.1979	11.10.1981	Establishing reference methods of measurement and frequency of sampling
1979	Directive (79/923) OJ No. L 281/47 10.11.1979	Quality required of shell fish waters	OJ No.C 133/48 6.6.1977	5.11.1981	Fixing of quality objectives and measuring procedures
1980	Directive (80/68) OJ No.L 20/43 26.1.1980	Protection of ground water against pollution caused by certain dangerous substances	OJ No.C 296/35 11.12.1978	19.12.1981	Prevention of discharges of dangerous substances into ground water

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR*	OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1980	Directive (80/778) OJ No.L 229/11 30.8.1980	Quality of water for human consumption		OJ No.C 28/27 9.2.1976	17.7.1982	Fixing quality standards and measurement procedures
1981	Decision (81/420) OJ No.L 162/4 19.6.1981	Combating pollution of the Mediterranean sea by oil and other harmful substances	Maij-Weggen PPE/NL	OJ No.C 28/55 9.2.1981		See title
1981	Decision (81/971) OJ No.L 355/52 10.12.1981	Community information system for the control and reduction of pollution caused by hydro-carbons discharged at sea	Maij-Weggen PPE/I	OJ No.C 28/55 9.2.1981		Establishment of an information system to combat oil pollution comprising a list of national and joint contingency plans comprising brief descriptions of their content and details of the authorities responsible for them
1982	Directive (82/176) OJ No.L 81/29 27.3.1982	Mercury discharges by the chlor-alkali electrolysis industry	Fuillet S/F	OJ No.C 175/24 14.7.1980	1.7.1983	Establishing limit values and quality objectives on the basis of Directive 76/464
1982	Directive (82/883) OJ No.L 378/1 31.12.1982	Surveillance and monitoring of environments concerned by waste from the Titanian dioxide industry	Vanneck ED/UK	OJ No.C 149/101 14.6.1982	10.12.1984	Establishing parameters minimum frequency of sampling analyses and referent measuring procedures for monitoring compliance with Directive 78/176/EEC
1983	Decision (83/101) OJ No.L 67/1 12.3.1983	Protection of the Mediterranean sea against pollution from land based sources	Bombard S/F	OJ No.C 334/146 20.12.1982		Protocol for the protection of the Mediterranean sea

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT	
1983	Directive (83/513) OJ No.L 291/1 24.10.1983	Cadmium discharges	Weber S/D	OJ No.C 334/138 20.12.1982	28.9.1985	Establishing limit values and quality objectives on the basis of Directive 76/464
1984	Directive (84/156) OJ No.L 74/49 17.3.1984	Mercury discharges by sectors other than the chlor-alkali electrolysis industry	Lentz- Cornette PPE/L	OJ No.C 10/302 16.1.1984	13.3.1986	Fixing of limit values and quality objectives
1984	Directive (84/491) OJ No.L 274/11 17.10.1984	Discharges of HCH and Lindane	Bombard S/F	OJ No.C 127/138 14.5.1984		Fixing of limit values and quality objectives
1986	Directive (86/280) OJ No.L 181/16 4.7.1986	Discharges of DDT, Pentachlorophenol etc.	Pearce ED/UK	OJ No.C 120/172 20.5.1986		Establishing limit values and quality objectives

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COMMUNITY MEASURES FOR THE DISPOSAL OF WASTE

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1975	Directive (75/439) OJ No.L 194/31 25.7.1975	Disposal of waste oils	OJ No.C 85/6 18.7.1974	18.6.1977	Establishing provisions concernin the collection and disposal of waste oils without damage to the environment; recommendation concerning the recycling of such oils. Introduction of a licensing procedure for undertakings engaged in the collection and/o disposal of waste oils and the introduction of a register for waste oils
1975	Directive (75/442) OJ No.L 194/47 25.7.1975	Waste disposal	OJ No.C 32/36 11.2.1975	18.7.1977	Support for the limitation of accumulated waste and the recycling of waste, establishment of provisions on the disposal of waste without damage to the environment
1976	Directive (76/403) OJ No.L 108/41 26.4.1976	Polychlorinated Biphenals and Triphenals	OJ No.C 157/87 14.7.1975	9.4.1978	Provisions prohibiting the uncontrolled disposal or dumping of substances. Obligation to dispose of PCB and substances containing PCB without damage to the environment. Support for the recycling of used PCBs. Introd

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YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT	
					of a licensing system for undertakings commissioned to dispose of PCB	
1978	Directive (78/319) OJ No.L 84/43 31.3.1978	Toxic and dangerous waste		OJ No.C 30/27 17.2.1977	22.3.1980	Support for measures to restrict the accumulation of waste and encourage the recycling of waste
1981	Recommendation (81/972) OJ No.L 355/56 10.12.1981	Re-use of waste paper and the use of recycled paper	Hooper ED/UK	OJ No.C 28/66 9.2.1981		Recommendation concerning the formulation and implementation of programmes for the increased use of recycled paper and board
1984	Directive (84/631) OJ No.L 326/31 13.12.1984	Transfrontier shipment of hazardous waste	Van Hemeldonck S/B	OJ No.C 184/50 11.7.1983	1.10.1985	Notification of transfrontier shipments of dangerous wastes and common provisions concerning the transport and packaging of dangerous wastes
1986	Directive (86/278) OJ No.L 181/6 4.7.1986	Use of sewage sludge	Bombard S/F	OJ No.C 77/136 19.3.1984		Introduction of a monitoring system for the use of sewage sludge in agriculture and provisions concerning methods of analyses of sludges and soils

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Source: European Parliament, Directorate-General for Research; EC Commission

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR*	OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1986	Directive (86/279) OJ No.L 181/13 4.7.1986	Transfrontier ship- ment of hazardous waste	Weber S/D	OJ No.C 36/197 17.2.1986		Concerns in particular the transport of waste for disposal to a third country on the basis of the OECD recommendation
1987	Directive (87/101) OJ No.L 42/43 12.2.1987	Waste oil	Mertens PPE/D	OJ No.C 255/269 13.10.1986		Adoption of more stringent measures than those contained in Directive 75/439 on the recycling of waste oil; reduction of PCB/PCT content of waste oil

\* The name of the rapporteur is only given from the beginning of the first electoral period of the directly elected European Parliament commencing in 1979

\*\* 'Entry into force' means that the provisions contained in the directives must have become national law in the Member States by that date

Source: European Parliament, Directorate-General for Research; EC Commission

COMMUNITY MEASURES CONCERNING CHEMICAL PRODUCTS

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPORTEUR*	OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1967	Directive (67/548) OJ No.L 196/1 16.8.1967	Classification, packaging and labelling of dangerous substances		OJ No.C 209/3133 11.12.1965	1.1.1970	See title. The establishment of legal and administ- rative measures (amended 1969, 70, 71, 73, 75, 79, 80, 81, 82)
1973	Directive (73/404) OJ No.L 347/51 17.12.1973	Detergents		OJ No.C 10/29 5.2.1972	30.6.1975	90% level of bio- degradability of detergents
1973	Directive (73/405) OJ No.L 347/53 17.12.1973	Methods of testing the bio-degradability of anionic surfactants		OJ No.C 10/29 5.2.1972	26.5.1975	Establishment of methods of testing bio-degradability (amended 1982)
1982	Directive (82/501) OJ No.L 230/1 5.8.1982	Major accident hazards of certain industrial activities (Seveso Directive I)	Roudy S/F	OJ No.C 175/49 14.7.1980	8.1.1984	Manufacturers' required to provide the competent authorities with information concerning substances, installatic and possible major accident situations; in addition introductic of better information for employees working on the industrial sites concerned and the individual and Communit authorities
1987		Major accident hazards of certain industrial activities (Seveso Directive II)	Sherlock ED/UK	OJ No.C 305/9 26.11.1985		More stringent measures than those contained in the Seveso I Directive

\* The name of the rapporteur is only given from the beginning of the first electoral period of the directly elected European Parliament commencing in 1979

\*\* 'Entry into force' means that the provisions contained in the directives must have become national law in the Member States by that date

Source: European Parliament, Directorate-General for Research; EC Commission

COMMUNITY MEASURES FOR THE PROTECTION OF PLANTS AND ANIMALS

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOORTEUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT
1975	Recommendation (75/66) OJ No.L 21/24 28.1.1975	Protection of birds and their habitats			Recommendation to the Member States to accede to the Convention of Ramsar on the conservation of wetlands and the Paris Convention on the protection of birds
1979	Directive (79/409) OJ No.L 103/1 25.4.1979	Conservation of wild birds		OJ No.C 163/28 11.7.1977	6.4.1981 Measures to maintain wild bird populations at reasonable levels; special measures to protect certain species introduction of a general ban on trade
1981	Regulation (348/81) OJ. L 39/1 12.2.1981	Imports of whales or other cetacean products	Muntingh S/NL	OJ No.C 291/49 10.11.1980	1.1.1982 Intoduction of obligatory licensing procedure for the import of whales and other cetacean product into the Community
1981	Decision (81/691) OJ No.L 252/26 5.9.1981	Conservation of Antartic marine living resources	Muntingh S/NL	OJ No. C 101/117 4.5.1981	Decision on the conclusion of the Convention on the conservation of these marine living resources
1982	Decision (82/72) OJ No.L 38/1 10.2.1982	Bern Convention	Muntingh S/NL	OJ No.C 175/18 14.7.1980	Conclusion of the Convention on the Conservation of European wildlife and natural habitats
1982	Decision (82/461) OJ No.L 210/10 19.7.1982	Bonn Convention	Verroken PPE/B	OJ No.C 327/95 14.12.1981	Convention on the conservation of migratory species of wild animals

\* The name of the rapporteur is only given from the beginning of the first electoral period of the directly elected European Parliament commencing in 1979

\*\* 'Entry into force' means that the provisions contained in the directives must have become national law in the Member States by that date

Source: European Parliament, Directorate-General for Research; EC Commission

YEAR	MEASURE	TITLE (Abbreviated)	EUROPEAN PARLIAMENT RAPPOREUR* OPINION	DATE OF ENTRY INTO FORCE**	SUBJECT	
1982	Regulation (3626/82) OJ No.L 384/1 31.12.1982	Washington Convention	Muntingh S/NL	OJ No.C 327/105 14.12.1981	31.12.1982	Agreement on inter- national trade in endangered species of wild flora and fauna in the Community
1983	Directive (83/129) OJ No. 91/30 9.4.1983	Importation of skins of certain seal pups and products derived therefrom	Collins S/UK	OJ No.C 334/132 20.12.1982	1.10.1983	Ban on commercial import of the skins of certain seal pups and products derived therefrom
1984	Decision (84/132) OJ No.L 68/36 10.3.1984	Barcelona Convention	Collins S/UK	OJ No.C 334/121 20.12.1982		Mediterranean specially protected areas
1984	Regulation (1872/84) OJ No.L 176/1 3.7.1984	Action by the Community relating to the environment	Johnson ED/UK	OJ No.C 123/88 16.5.1983	4.7.1984	Provision of financial support (3/4/6.5 mECU) for 3 years for projec- to ensure the main- tenance of biotopes
1986	Directive (86/609) OJ No.L 358/1 18.12.1986	Protection of animals used for experimental and other scientific purposes	Schleicher PPE/D  Jackson ED/UK	OJ No.C 255/250 13.10.1986	24.11.1989	Establishment of procedures for animal experiments and provisions concerning the general care of animals and the conditions in which they are kept

\* The name of the rapporteur is only given from the beginning of the first electoral period of the directly elected European Parliament commencing in 1979

\*\* 'Entry into force' means that the provisions contained in the directives must have become national law in the Member States by that date

Source: European Parliament, Directorate-General for Research; EC Commission

#### **IV. THE EUROPEAN PARLIAMENT AND ENVIRONMENT POLICY**

Ever since the ecological movement started, the European Parliament has felt it should act as spokesman for this new current of thought. By setting up a special Committee on the Environment, Public Health and Consumer Protection, it has helped to make the public in the Community aware of the scale of the problems raised by the ecological movement. Given the number of its legislative consultations and own-initiative reports, this committee is currently one of the most important in the European Parliament.

This chapter explains the means used by the European Parliament for considering matters relating to the environment, and attempts to assess the impact of Parliament's work.



## 1. THE ROLE OF THE EUROPEAN PARLIAMENT IN THE LEGISLATIVE PROCESS

In the past ten years, Parliament has made an important contribution to public awareness of the importance of environmental protection. The public in turn constantly puts pressure on Parliament to prevent any recurrence of ecological disasters such as the Amoco-Cadiz, Lekkerkerk, Harrisburg, Seveso, Bhopal, Chernobyl and Basel incidents.

In order to assess the European Parliament's role in drafting Community texts, we must describe in turn the work done in parliamentary committees and at public sittings, and the action taken on Parliament's opinions and resolutions.

### A. Consideration by committee

Agendas for meetings of the Committee on the Environment, Public Health and Consumer Protection are always very full. They consist of 25-30 items, many relating to consultation of Parliament on proposals for directives and the consideration of motions for resolutions tabled by Members on their own initiative and referred to the parliamentary committee. This accumulation of opinions requested by the Council and parliamentary initiatives is peculiar to the Committee on the Environment, which is well aware that the ecological movement is a recent development and that there is no possibility of devising a major programme in one or two decades. But many Members cannot content themselves with proposals submitted by the Commission as part of action programmes. Even if only out of respect for their electors, they must show an interest in all problems public opinion has become alive to, even though progress is slow.

This desire to maintain contact with the public has prompted the Committee on the Environment to abandon the idea of keeping its meetings confidential. It has decided to do the opposite: except where otherwise decided, all its meetings are open to the public; consequently it has asked its members not to smoke during meetings.

The number of written and oral questions and motions for resolutions are indicative of interest in the environment:

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1985-1986	Total	Environment, Public Health and Consumer Protection	Environment alone
Written questions	3722	675	397
Question Time	1156	177	97
Oral questions	111	27	21
Motions for resolutions	1773	258	157

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This table is based on figures for the period March 1985 to February 1987 taken from the Celex and Pardoc databases on 1 March 1987. The motions for resolutions are initiatives taken by Members pursuant to Rule 47 of the Rules of Procedure and referred to the Committee on the Environment as the committee responsible.

In the 60s, environmental protection matters were dealt with by the Committee on Social Affairs. The Committee on the Environment was created in the middle of the 70s and the number of agenda items has increased rapidly over the years to such a point that consideration was recently given to differentiating environmental matters from public health and consumer protection matters and to creating another committee. Parliament abandoned this idea because of the large number of parliamentary committees that already exist - 18 at present, without counting parliamentary delegations. At present, the Committee on the Environment, Public Health and Consumer Protection meets on average 4 days a month, in actual fact at 6 half-day meetings.

The draft agenda for the February 1987 meeting is attached. It gives some idea of the variety of subjects tackled (Annex 6).

The parliamentary committee devotes most of its time to the consideration of opinions on Commission proposals for which it is the committee responsible. As the Treaty now stands, most of the time Parliament's committee has an opportunity to express an opinion on Commission proposals only once. On average, a subject is included three times on a committee agenda before it can be forwarded to plenary sitting. At the first meeting, the committee hears an introduction by the rapporteur. At the second meeting, there is a general debate. At the third meeting, the committee votes on amendments tabled. Most frequently, it tables amendments to the texts of proposals for directives or regulations, and amendments are also tabled individually by Members in preparation for Parliament's plenary sittings. Once the Single Act enters into force, it is to be expected that some changes will be made involving the cooperation procedure. This procedure implies that Parliament will be asked for its opinion a second time within a very short deadline. Its purpose is to transform Parliament's consultative role into one of cooperation in the legislative process.

Other types of debate should also be mentioned such as speeches by Presidents-in-Office of the Council once or twice every six months, which are often followed by a debate in the form of questions to and answers by the Minister, and hearings during which the committee obtains the views of experts. The last two hearings organized by the Committee on the Environment were on the subject of agriculture and environment and the application of environmental protection legislation.

#### **B. Consideration in plenary sitting**

Debates organized in plenary sitting on environmental topics do not always attract a large attendance. They sometimes take place at the beginning or very end of parliamentary part-sessions. It has been confirmed that this is true even if a subject as compelling as the Seveso directive is placed on the agenda for the beginning of a Thursday afternoon, as was the case at the debate during the sitting of 19 February 1987. This state of affairs is due to the technical nature of environmental problems. Interest in such matters could be increased if, despite their technical nature, the political debates gave a clearer indication of their impact on everyday life.

Attendance for the vote on amendments is generally much more regular. It could even be increased once the Single European Act comes into force inasmuch as the cooperation procedure would be applied to environmental matters. The new Article 149 of the EEC Treaty in fact states that in this case Parliament may act by an absolute majority of its component Members. It is even foreseeable that, as in the case of budgetary matters, the requirement to be present for the vote on texts with more direct legislative effect may lead to greater interest in the debates.

In general, the vast majority of amendments tabled by the Committee on the Environment are adopted by the plenary assembly.

### **C. Action taken on Parliament's resolutions and opinions**

At present, Parliament merely has a consultative role in the legislative procedure. Once its opinion has been delivered, it no longer has any influence on the final decision. Only the Commission can make use of Article 149 of the EEC Treaty to modify or even withdraw its proposals before the Council takes a final decision.

In order to strengthen its position, Parliament has tried to foster its relations with both the Commission and the Council. The Commission for its part has agreed to report to Parliament on the action it intends to take on its amendments before the Council decides. As a result, Parliament modified its Rules of Procedure (Rules 32 to 36) at the beginning of the 80s.

The Council for its part agreed as early as 1975 that a conciliation procedure could be initiated for proposals with important financial implications. This procedure, which goes hand in hand with the strengthening of Parliament's budgetary powers, is described in the Treaties (page 900). It has scarcely ever been applied to environmental matters. Nor have the results always been convincing.

With the entry into force of the Single European Act, Parliament will have an opportunity to 'cooperate' in the legislative procedure. This procedure, which is described in the new Article 149, can be applied to Commission proposals concerning the environment intended to approximate laws which have as their objective the establishment and functioning of the internal market (Article 100A). Parliament will then be able to proceed with the second reading after it has been apprised of the Commission and Council's reaction to its amendments.

When all is said and done, the Commission still has the final word. Only voting conditions in the Council can be changed in the light of the attitude of Parliament and the Commission during the second reading.

Even when the Council reaches a decision, the environmental cause has still not been won. The crucial point in the environmental sector occurs when directives are incorporated into legislation by the Member States, who have a fairly long deadline, two or three years in general, for doing so. It often happens that deadlines are not met. Some Member States encounter particular difficulties here, mainly because of their regionalized state structure. In Italy and Belgium this structure is a recent innovation and has yet to be streamlined.

The last stage of the ecological cause occurs when undertakings and public administrations have to comply with the standards adopted in accordance with Community directives. This is not the least of the problem. Chapter V provides some information on the rights citizens have to ensure compliance with environmental rules.

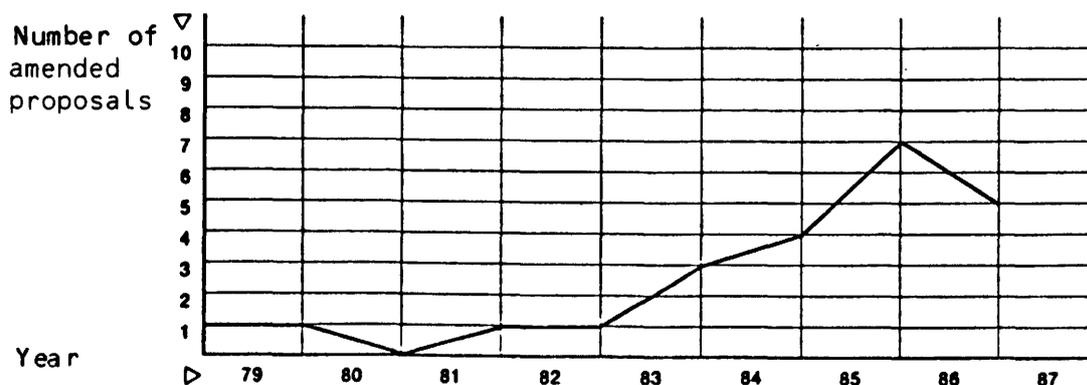
## 2. WAYS IN WHICH THE EUROPEAN PARLIAMENT CAN INFLUENCE THE LEGISLATIVE PROCESS IN THE EUROPEAN COMMUNITY

As regards the European Community's legislative procedure the Rome Treaties provide only that the European Parliament must be consulted on the Commission's proposals. Although the duty of consultation was confirmed by the Court of Justice of the European Communities in the isoglucose case, the European Parliament's opinion on the proposals is not binding. Because this legal situation is unsatisfactory for Parliament, it has attempted to apply the democratic parliamentary principles common to all Member States to the decision-making process within the European Community by putting forward its own ideas for reform, by submitting for example a draft Treaty establishing the European Union. In addition, on the basis of an initiative by members of the Committee on the Environment in particular, a resolution was adopted in February 1986 containing detailed proposals as to the way in which protection of the environment could be incorporated in the existing Rome Treaties.

The Single European Act came into being largely by virtue of the EP's efforts. The Act provides for the European Parliament to have more say in the legislative procedure and also expressly provides that protection of the environment is a component of the Community's other policies.

Even on the basis of the existing legal situation (the Single European Act had not yet come into force by the copy deadline) and particularly after the first direct elections to the European Parliament in 1979 it is noticeable that the European Parliament's influence on the making of Community legislation is increasing. This is shown by the mere fact that the Commission is making more and more use of its power to amend its original proposals pursuant to the second paragraph of Article 149 of the EEC Treaty in accordance with the wishes of the European Parliament. It submits the proposals, thus amended, to the Council of Ministers which, in its turn, is increasingly taking into account the European Parliament's opinions in its decision-making. Thus 22 proposals were amended by the Commission after obtaining Parliament's opinion in the period from 1979 to the end of 1986, in which there were 132 consultation procedures. In 1985 only 7 Commission proposals were amended (see table).

Table: Frequency of proposals amended by the Commission pursuant to the second paragraph of Article 149 of the EEC Treaty (in the field of the protection of the environment)



Source: European Parliament, Directorate-General for Research

In addition to the opportunity of exerting an influence over draft legislation through the consultation procedure laid down in the Rome Treaties, Parliament has, through Rules 47 and 102 of its Rules of Procedure, given itself the option of taking its own initiatives which can lead to legislative measures. Parliament is making increasing use of this opportunity, taking the view that, particularly in the field of environmental and consumer protection, there is a greater need for legislation than the Commission sometimes supposes. Between the second direct elections in June 1984 and the end of 1986 the European Parliament therefore adopted a total of 28 reports in the field of the protection of the environment based on Members' personal initiatives. Some of these initiatives were taken up by the Commission and led to legislative measures on the part of the Council, for example the regulation on the import of skins of certain types of seal and a directive on the protection of animals used for experimental purposes.

Parliament's other ways of taking the initiative itself are to set up committees of inquiry and to hold hearings (see point V.1.A. below for the way in which it can take action on the basis of petitions).

The European Parliament set up a committee of inquiry in order to clarify the disappearance of 41 drums containing dioxin following the Seveso disaster. That committee took a critical look at the practices surrounding the transportation of toxic and dangerous wastes within the Community and made specific legislative demands. This prompted the Commission to submit proposals for the improvement of the legal situation, at that time unsatisfactory, which led to a more stringent directive on the transportation of such wastes.

Before taking specific parliamentary initiatives, the Committee on Environment, Public Health and Consumer Protection has recourse to hearings of experts in order to obtain expert knowledge of the facts. The committee organized hearings on acid rain (April 1983), the problem of the environment and agriculture (September 1985) and the application of the Bonn, Washington and Bern international conventions and the Community directive on the protection of birds (November 1986).

It will be interesting to see the effect on the day-to-day legislative routine between the three institutions, the Commission, the Parliament and the Council, when the Single European Act has come into force. We trust that in particular the hopes of Parliament, the democratic body within the Community institutions, of a greater say in the European Community's legislative procedure will be fulfilled.

### **3. MEMBERS OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER PROTECTION**

The following is a list of full and substitute members of the committee, as set up at the part-session in January 1987, including all changes made before 1 March.

A curriculum vitae of each of the full members of the committee is also included.

The committee has 36 members and is placed eleventh on the list of parliamentary committees.

The abbreviations used to represent the political groups are as follows:

S Socialist Group  
EPP Group of the European People's Party  
(Christian-Democratic Group)  
ED European Democratic Group  
COM Communist and Allies Group  
LDR Liberal and Democratic Reformist Group  
ERDA Group of the European Renewal and Democratic Alliance  
ARC Rainbow Group: Federation of the Green-Alternative European Link, Agalev-Ecolo, the Danish People's Movement against Membership of the European Community and the European Free Alliance, in the European Parliament  
ER Group of the European Right  
NA Non-attached Members

(a) List of full and substitute members by political group:

		<u>Full members</u>	<u>Substitute members</u>
S	(11)	DUARTE CENDAN BARRAL AGESTA WEBER VITTINGHOFF SCHMID COLLINS HUGHES TONGUE BOMBARD MUNTINGH GREDAL	VAZQUEZ FOUZ ROTHE WALTER ELLIOTT FALCONER WEST LIENEMANN TOGNOLI AVGERINOS van den HEUVEL MADEIRA
EPP	(7)	ALBER MERTENS SCHLEICHER GAIBISSO PARODI BANOTTI LENTZ-CORNETTE	PEUS WEDEKIND BORGO LIMA HERSANT LAMBRIAS MAIJ-WEGGEN
ED	(5)	COTTRELL JACKSON Caroline LLORCA VILAPLANA SHERLOCK GUIMON UGARTECHEA	DURAN CORSANEGO JEPSEN PEARCE STEWART-CLARK PROVAN
COM	(3)	IVERSEN GRAZIANI SQUARCIALUPI	CASTELLINA MORAVIA LE ROUX
LDR	(3)	PEREIRA Virgilio ... MARTIN Simone	GARCIA Vasco NORDMANN VEIL
ERDA	(2)	DUPUY VERNIER	ANDREWS FITZSIMONS
ARC	(3)	HAMMERICH ROELANTS du VIVIER BLOCH von BLOTTNITZ	BOGH van der LEK GRAEFE ZU BARINGDORF
ER	(1)	LE PEN	TRIPODI
NA	(1)	ULBURGHS	CICCIOMESSERE

(b) Full members

CHAIRMAN

WEBER  
Beate

\* Reichenberg, 12 December 1943  
Teacher  
Federal Republic of Germany  
Address: Sickigenstrasse 1  
6900 HEIDELBERG

S

After the baccalaureat studied Russian and English at the Interpreters School of Heidelberg University 1963-1966. Studied at the Higher Teaching Institute of Heidelberg 1966-1968, graduating in English and sociology. Teacher 1968-1979, eight years in a primary school and three years in an international college. A member of the Heidelberg Municipal Council since 1975.

## Vice-chairmen

SCHLEICHER  
Ursula

\* Aschaffenburg, 15 May 1933  
Harpist  
Federal Republic of Germany  
Address: Bundeshaus, HT 327  
5300 BONN 1

EPP

1972-1980: Member of the German Federal Parliament; Member of the European Parliament since 1979. EPP coordinator in the Committee on the Environment until 1984 - vice-chairman of the European Parliament's Committee on the Environment since 1984. Special interests: air pollution, waste, dangerous substances in the environment and at the workplace and legislation on foodstuffs.

\*\*\*\*\*

ROELANTS du VIVIER  
Francois

\* Etterbeek, 5 November 1947  
Member of the European Parliament  
Belgium  
Address: Rue de l'Abbaye 97  
1050 BRUSSELS

ARC

Graduate in archaeology of the University of Louvain - Secretary-General of Inter-environnement Wallonie 1975-1983 and administrator at the European Environment Bureau 1979-1983. European Parliament rapporteur on agriculture and the environment (report adopted in February 1985) and on policy relating to the management of dangerous waste in the Community. Vice-chairman of the European Parliament's Committee on the Environment, Public Health and Consumer Protection since January 1987.

\*\*\*\*\*

PEREIRA  
Virgilio

\* Funchal (Madeira), 11 January 1941  
Teacher  
Portugal  
Address: Rua Pedro Jose de Ornelas  
6-B, Porta 1  
9000 FUNCHAL (Madeira)

LDR

Spokesman on social facilities, transport and communications of the Madeira Planning Committee since 1975 - President of the Municipal Council of Funchal from 1974 to 1983. Member of "BIOS" the Association for the protection of the environment in Madeira.

ALBER  
Siegbert

\* Hechingen, 27 July 1936  
Senior executive officer  
Federal Republic of Germany  
Address: Gammertinger Strasse, 35  
7000 STUTTGART 80

EPP

1969-1980 Member of the German Federal Parliament - MEP since 19 January 1977. 1980-1982 vice-chairman of the Committee on the Environment; chairman of the Subcommittee on Data Protection and the Committee of Inquiry on Toxic and Dangerous Substances (the Seveso Committee) for the period of their mandates. Vice-chairman of the EPP Group 1982-1984. Vice-President of the EP since 1984.

BANOTTI  
Mary

\* Dublin, 29 May 1939  
Social worker/nurse/broadcaster  
Ireland  
Address: 8, Cambridge Avenue,  
Ringsend,  
DUBLIN 4

EPP

Elected to the European Parliament in 1984. Active on social issues nationally before election. Lived and worked in Kenya, USA, Italy, UK and Canada. Rapporteur on exports of pharmaceuticals to Third World countries. Group spokesman on chemical exports. EPP. Irish Member of the European Parliament. Member of the Committee on the Environment, Public Health and Consumer Protection.

BARRAL AGESTA  
Carlos

\* Barcelona, 2 June 1928  
Member of the European Parliament  
Spain  
Address: Carrenca, 22  
BARCELONA

S

Writer, editor and poet - author of numerous published works. Director-general of the publishers Seix Barral (1950-1970) and Barral Editores (1970-1980). Senator for Tarragona (PSC-PSOE) during the second and third terms.

von BLOTTNITZ  
Undine

\* Berlin, 20 August 1936  
Interior decorator  
Federal Republic of Germany  
Address: 3130 UNTERGUT GRABOW-LUCHOW

ARC

Founder member of the 'Green Party' - has been active in the environmental protection and anti-nuclear movement for 12 years.

BOMBARD  
Alain

\* Paris, 27 October 1924  
Biologist  
France  
Address: 9, rue Aumone Vieille  
13100 AIX-EN-PROVENCE

S

Physician and biologist. In 1952, undertook an experimental crossing of the Atlantic Ocean without food and water to study the possibility of survival of shipwrecked persons. Director of the laboratory ships 'Coryphene' (1958-1960) and 'Captain Cap' (1960-1962). Founder and Delegate-General of the Laboratory of Marine Biology, the ocean observatory at La Bruse. Delegate-General of the High Committee for the Environment and of the Authority for the Conservation of the Littoral. Vice-chairman of the Council for the Sea Shore. Member of the Socialist Party. Member of the General Council of the Var Department, representing the canton of Six Fours, since 1979. Former chairman of the Provence-Alpes-Cote d'Azur Regional Council's committee on aquaculture. State Secretary to the Minister of the Environment, May-July 1981. Author of several works dealing with the sea. Commander of the Order of Sporting Merit (1953); Knight of the Legion of Honour (1955); Knight of the Order of Maritime Merit (1982); Holder of the Oulo de Corazao (Portugal - 1953) and of other foreign decorations.

COLLINS  
Kenneth D.

\* Hamilton, 12 August 1939  
Member of European Parliament, Lecturer  
United Kingdom  
Address: 11, Stuarton Park,  
EAST KILBRIDE G74 4LA

S

Educated at St Johns Grammar School, Hamilton Academy, Glasgow University and Strathclyde University. Former steelworks apprentice. Lecturer in social geography, Paisley College of Technology. Planning officer, Glasgow and Yorkshire. Chairman of the Committee on the Environment 1979-1984; vice-chairman 1984-1986. Socialist coordinator 1984 onwards. Deputy leader of the Labour Group 1979-1984.

COTTRELL  
Richard J.

\* Wellington (Somerset), 11 July 1943  
Journalist  
United Kingdom  
Address: Dean House,  
Clanage Road,  
Bower Aston,  
BRISTOL

ED

Writer, broadcaster and journalist by profession. Many years' experience as political and industrial reporter with a regional television company serving Wales and the West of England. Also specializes in journalism dealing with the aerospace, agriculture and transport industries. Conservative Group spokesman on the EP Committee on the Rules of Procedure, the Verification of Credentials and Immunities.

DUARTE CENDAN  
Jose Manuel

\* Madrid, 11 August 1936  
Member of the European Parliament  
Spain  
Address: Alameda Apodaca, 12  
CADIZ

S

Graduate in medicine. Member of the first constituent Cortes and senator during the first three terms. Member of the Parliamentary Assembly of the Council of Europe.

DUPUY  
Anne-Marie

\* Pithiviers, 18 September 1920  
Member of the Council of State  
France  
Address: Town Hall  
06400 CANNES

ERDA

Licentiate in law. Diploma of Higher Studies in private law. Head of the personnel service in a private bank 1952-1953. Head of the private office of Georges Pompidou (1966); Cabinet director to Georges Pompidou during his term as President of the Republic (1969). Ordinary member of the Council of State (1974) is currently under secondment as a Member of the European Parliament. Mayor of Cannes since 1983. Member of the Alpes Maritimes Department General Council since 1982. Rapporteur-general on the budget of the Alpes Maritimes Department. Member of the Regional Council (Alpes-Cote d'Azur). Knight of the Legion of Honour; Officer of the Order of Merit and of the Order of Merit for services to Agriculture. Holder of numerous foreign decorations.

GAIBISSO  
Gerardo

\* Monte Argentario, 30 May 1927  
Company executive  
Italy  
Address: Via Lecce, 31  
I-03100 FROSINONE

EPP

Leader of the Catholic Action group; provincial secretary; member of the National Council of Christian Democracy. Journalist and contributor to various newspapers. Editor of a periodical. Member of the Regional Council and regional assessor. Active member of the European Parliament's Committee on the Environment, Public Health and Consumer Protection. Has produced a major work on the use of natural medicine in the Community countries. Substitute member of the Committee on Agriculture, he is actively involved in its activities.

GRAZIANI  
Carlo Alberto

\* Rome, 29 March 1943  
Member of the European Parliament  
Italy  
Address: Via A. Depretis, 86  
I-00184 ROME

COM

Professor of Civil Law at the University of Macerata where he has been president of the Faculty of Jurisprudence and has lectured in agricultural law. Member of the editorial board of 'New Agricultural Law' and 'Review of Private Law'. Director of the Institute of Agricultural Legislation A. De Feo of the Italian Farmers' Confederation. Member of the town council of Villetta Barrea (1975-1985) in the Abruzzo region. His special interest lies in the problems of parks and nature reserves. Was a member of the federalist movement in the mid-60s.

GREDAL  
Eva

\* Nørresundby, 19 February 1927  
Member of the European Parliament  
Denmark  
Address: c/o Socialdemokratiet  
Thorvaldsenvej 2  
1998 FREDERIKSBERG C

S

Social worker. Member of the executive committee of the Social Democratic Party. Member of the Danish Parliament (Folketing) 1971-1978. Minister for Social Affairs 1971-1973 and 1974-1978. Member of the European Parliament since 1979. Chairman of the Danish Association of Social Workers 1959-1967. Vice-chairman of the Danish Women's Association 1959 and Vice-chairman of the National Mental Health Association 1967-1971.

GUIMON UGARTECHEA      \* Bilbao, 3 October 1931  
Julén                      Member of the European Parliament  
                                 Spain  
                                 Address : Avda. Universidades, 4  
                                 48007 BILBAO

ED

HAMMERICH                \* Frederiksberg, 7 September 1936  
Else                        Member of the European Parliament  
                                 Denmark  
                                 Address: Bodenhoffs Plads 8, 2.th  
                                 1430 COPENHAGEN K

ARC

Teacher 1960-1967. Qualified as a college of education lecturer in 1971. Lecturer in education and psychology at Blagard Teacher Training College since 1971. Carried out research at the Danish Teaching Academy 1975-1978. Member of the European Parliament (Danish People's Movement against Membership of the European Community) since 1979. Chairman of the Rainbow Group in the European Parliament. Member of the executive boards of a number of solidarity and peace movements.

Has written several works on educational, political and sociological subjects including: 'Fernalds metode' (1970), 'Opdragelse til international forståelse' (1972), 'Rapport fra et skoleår' (1971), 'Graenser for Faellesskab - en bog om social sortering i Folkeskolen og dens materielle arsager i lokalsamfundet' (1979), 'Under asken er der gloder - om kvinder i Chiles modstandskamp' (1981), 'Myter om Danmark og EF' (1981) and 'EF og freden' (1984).

HUGHES                    \* Durham, 19 August 1952  
Stephen                    Member of the European Parliament  
                                 United Kingdom  
                                 Address: Room 4/74,  
                                 County Hall,  
                                 DURHAM DH1 5UR

S

My primary interests are clustered around the Committee on the Environment and include such issues as health and safety - with special reference to energy matters and in particular the whole of the nuclear industry and the disposal of nuclear waste. Also, following my report on asbestos, I am working on the area of dangerous substances both at the workplace and within the wider environment. Representing a mining community, as I do, I obviously retain an interest in the whole of the energy sector but with particular reference to coal, the workings of the ECSC and the possibility of EEC induced redundancies throughout the mining industry.

IVERSEN  
John

\*Grindsted, 4 January 1954  
Teacher  
Denmark  
Address: Viborgvej 182 D  
8210 ARHUS V

COM

Qualified as a teacher 1980; taught at schools in the Arhus municipal area 1980-1982 and 1984. Member, Directorial Committee (1978-1982) and National Executive Committee (1980-1982) of the Socialist People's Party; Chairman, Arhus Party Branch 1980-1982; member, Party's Committee for EEC Affairs 1982-1985. Administrator with the EP Communist and Allies Group 1982-1983. Author of 'Om EF - en kolos på lerfodder eller en supermagt på vej?' (1984) and, in collaboration with Flemming Sørensen, of 'Den tredje vej - SF gennem 25 år' (1984).

JACKSON  
Caroline F.

\* Penzance (Cornwall), 5 November 1946  
Historian and political adviser  
United Kingdom  
Address: 74, Carlisle Mansions,  
Carlisle Place,  
LONDON SW1P 1HZ

ED

Member of the United Kingdom National Committee for the European Year of the Environment. Elected MEP for Wiltshire in 1984. Member of the EP's Committee on the Environment. Recent rapporteurships on EEC food policy and treatment of experimental animals. Former member of the UK National Consumer Council. Educated at St. Hugh's College, Oxford. Research fellow and tutor at Oxford before becoming political adviser to the Conservative Group in the European Parliament in 1975.

LENTZ-CORNETTE  
Marcelle

\* Niederkorn, 2 March 1927  
School teacher  
Luxembourg  
Address: 76, Route d'Esch  
BELVAUX

EPP

Communal councillor for 16 years. Member of the Luxembourg Parliament for 5 years. Member of the European Parliament since 1 March 1980. Rapporteur on meat products, nature reserves, the budget, the environment and own resources.

LE PEN  
Jean-Marie

\* La Trinite-sur-Mer, 20 June 1928  
Record publisher  
France  
Address: 8, Parc de Montretout  
92210 SAINT CLOUD

ER

Licentiate in law. Higher Study Diploma in Political Science. President of the Corporation of Paris Law Students 1949-1951. Sublieutenant in the First Parachute Battalion of the Foreign Legion in Indochina in 1954. Political editor of 'Caravelle', the journal of the French expeditionary corps in 1955. Former national delegate of the Union for the Defence of French Youth; secretary-general of the 'Front national combattant' in 1956; secretary-general of the Comite Tixier-Vignancour 1964-1965; President of the National Front since 1972. MP for the Seine attached to the Group for French Union and Fraternity in the National Assembly 1956-1958 and independent Member for the Seine 1958-1962. Rapporteur on the war budget. Former Senator of the French Community. Rapporteur on the national defence budget. Is currently a member of the Council of the 20th Arrondissement of Paris. Director of the record collection 'Hommes et faits du XXe siecle'. Holder of the Cross for Military Valour.

LLORCA VILAPLANA  
Carmen

\* Alcoy, 29 November 1921  
Member of the European Parliament  
Spain  
Address: Luchana, 17  
28010 MADRID

ED

Doctorate in history. Lecturer in universal contemporary history at the University of Madrid. State information officer and adviser. Member of the Administrative Board of the Spanish Radio and Television Company, RTVE, from November 1980 to May 1983 for the election of the Congress of Deputies. Member of the Spanish Parliament (Cortes) representing Madrid from 1982 to 1986. Chairman of the Parliamentary Committee for the Control of Radio and Television. Former president of the Madrid Ateneo (cultural centre). Vice-president of the Spain-Israel Friendship Association. Holder of numerous decorations from Spain and other countries. Has travelled all over the world and attended many congresses on historical and cultural subjects. Author of twenty books including critical and fictional works. These include: 'Europa, en decadencia?', 'El Mariscal Bazaine en Madrid', 'Emilio Castelar, precursor de la democracia cristiana', 'Por los caminos de Europa', 'El sistema', 'Las Cortes como representacion', 'Las mujeres de los dictadores', 'Diario de un viaje a la China de Mao', 'Llamame Evita' and 'Del aperturismo al cambio'.

MARTIN  
Simone

\* Tourcoing, 14 April 1943  
Member of the European Parliament  
France  
Address: THONNANCE LES MOULINS  
52230 POISSONS

LDR

Qualified nurse. Member of the Republican Party. Member of the Saint-Dizier town council. Member of the Champagne-Ardennes Regional Economic and Social Committee. President of the CDJA (Departmental Young Farmers' Centre) 1972-1974. Member of the bureau of the CNJA (National Young Farmers' Centre) 1972-1974. Vice-president of the CNJA 1974-1978. Member of the Chamber of Agriculture in 1973. Member of the bureau of the Chamber of Agriculture in 1975. President of EDE (Departmental Stock Farming Establishment) for Haute-Marne in 1979. Deputizing member of the APCA (Permanent Assembly of Chambers of Agriculture). Knight of the Order of Agricultural Merit.

MERTENS  
Meinolf

\* Boenkhausen, 4 June 1923  
Farmer and forester  
Federal Republic of Germany  
Address: Boenkhausen 3  
5678 - SUNDERN 6

EPP

Secondary-school leaving certificate (Abitur) 1942. Served in the war. Studied at Agricultural College. Qualified as master farmer. Member of the CDU in 1952. Vice-chairman of the Westphalia-Lippe CDU Committee on Agriculture. Member of the Arnsberg Subdistrict Council (Hochsauerland) from 1956 to 1984. Deputy subdistrict executive officer from 1962 to 1980. Member of the North Rhine-Westphalia Land Assembly from 1966 to 1980. Member of Westphalia-Lippe Chamber of Agriculture. Holder of the Federal Order of Merit (1st Class).

MUNTINGH  
Hemmo Jan

\* Amsterdam, 30 December 1938  
Nature conservationist  
Netherlands  
Address: Zondervans-Reed 1  
9079 PJ ST. JACOBIPAROCHIE

S

1969 Graduated in business economy  
1969-1972 Active in industry as business economist  
1972-1979 Active as nature conservationist  
1979- Member of the European Parliament

Author of various works on nature and the environment. (Former) Member of the executive board of a number of environmental associations. Special interests include ecological problems in the developing countries.

PARODI  
Eolo

\* Genoa-Sestri, 21 May 1926  
Physician, surgeon and clinical pathologist  
Italy  
Address: Via G. Mameli, 2A/16,  
16122 GENOA

EPP

Graduate in medicine and surgery. University lecturer in hygiene. Specialist in hygiene and clinical and laboratory haematology; chief clinical pathologist at Genoa-Nervi Hospital. President of the National Medical Federation. President of the Genoa Medical Association. President of the Genoa Tumours Research Institute. President of the Third Section of the National Health Council. Member of the Higher Health Council and member of the Standing Committee of Doctors of the EEC. Author of over 100 articles and 4 books on scientific and social subjects. Holder of the Gold Medal of Merit for Services to Public Health and Commander of the Order of Merit of the Italian Republic.

SCHMID  
Gerhard

\* Straubing, 5 May 1946  
Chemist  
Federal Republic of Germany  
Address: Richard Wagner Strasse, 4  
8400 REGENSBURG

S

Studied chemistry in Munich and Regensburg, graduating in 1972. Awarded doctorate in 1977. Assistant at the Institute for Biochemistry in Regensburg. Member of the SPD in 1965. District chairman of the Young Socialists from 1972 to 1975. Member of the SPD Executive for the Niederbayern-Oberpfalz district since 1975. SPD District Chairman. Member of the SPD party council.

SHERLOCK  
Alexander

\* Coventry, 14 February 1922  
Medical practitioner  
United Kingdom  
Address: 58, Orwell Road,  
Felixstowe,  
SUFFOLK IP11 7PS

ED

MB.BCh(Hons.) London Hospital Medical School, ACRP (Associate of the Royal College of Physicians), authority on occupational health. Barrister-at-law (Gray's Inn). Educated at Magdalen College School, Oxford (scholar) and Stowmarket Grammar School. General practitioner and specialist in occupational health, safety and welfare. Member of Suffolk County Council 1973-1979. County surgeon. St. John Ambulance Association and Brigade, Suffolk. Past County President of the British Medical Association. Officer of the Most Venerable Order of the Hospital of St. John of Jerusalem.

SQUARCIALUPI  
Vera

\* Pula (Yugoslavia), 5 August 1928  
Member of the European Parliament  
Italy  
Address: Via Losanna 16  
20154 MILAN

COM

Journalist with the Italian Television Company (RAI). Became interested in environmental and consumer issues at the end of the 1960s. Elected to the Senate of the Italian Republic in 1976. Elected to the European Parliament in 1979 and 1984, has pursued her interest in those areas in the relevant committees. In more than ten years, she has produced dozens of reports such as those on the first action programme for the protection of health at the workplace, aromatic compounds, pollution of subterranean waters and pollution produced by major combustion plants, exports of harmful pesticides to the Third World and dangerous products exported by the USA and the disappearance of certain varieties of plants. Was vice-chairman of the Committee of Inquiry on Toxic and Dangerous Waste following the disappearance of 41 barrels of dioxin from Seveso.

TONGUE  
Carole

\* Lausanne (Switzerland), 14 October 1955  
Member of the European Parliament  
United Kingdom  
Address: 84, Endsleigh Gardens,  
Ilford  
ESSEX IG1 3EG

S

Educated at state schools in Harold Wood and Brentwood. Awarded BA (Honours) in Government and French by Loughborough University. Assistant editor of 'Laboratory Practice' 1977-1978. Courier and guide 1978-1979. Robert Schuman scholarship for research in social affairs with the European Parliament 1979-1980. Administrative assistant and secretary with the Socialist Group of the European Parliament from 1980 to 1984. Member of the Campaign for Nuclear Disarmament, Fabian Society, Socialist Environment and Resources Association, the Quaker Council for European Affairs and the Cooperative Party. Main policy interests: women's rights, peace and disarmament, cooperatives and the environment.

ULBURGHS  
Jef L.E.

\* Zolder, 9 June 1922  
Member of the European Parliament  
Belgium  
Address: Boslaan 27  
3600 GENK

NA

Trained for the priesthood in Sint-Truiden and Liege. First university qualification in social sciences (labour studies) at the Higher Institute for Popular Culture, Liege. Licentiates in catechistic studies (French section) and political and social sciences from the University of Louvain. Priest at Grace-Berleur (Liege) from 1947 to 1961. Chaplain to the Christian Workers' Movement (MOC) in Seraing (Liege) from 1961 to 1969. Secretary of the Limburg Pastoral Council and Chairman of the Peace and Justice Committee 1969-1974. Priest and community worker in Zwartberg 1974-1984. Member of Genk Municipal Council since 1982. Co-founder of World Schools, the Workers' University and the International Meeting Centre for Basic Communities. Author of articles, books and a play. Active in the movement against the A 24 motorway in Limburg. Active in the movement against the dumping of coal ash in Sledderlo lake (Genk).

VERNIER  
Jacques

\* Paris, 3 July 1944  
Engineer  
France  
Address: Douai Town Hall  
59500 DOUAI

ERDA

Graduate engineer from the Ecole Polytechnique. Former director of the Nord-Artois-Picardy Water Authority. Author of 'La bataille de l'environnement' (published by Robert Laffont - 1971).

VITTINGHOFF  
Kurt

\* Mülheim/Ruhr, 9 January 1928  
Trade union general secretary  
with IG-Metall  
Bad Kreuznach  
Federal Republic of Germany  
Address: Salinenstrasse 37  
6550 Bad Kreuznach

S

Born in 1928. Attended primary school 1934-1942. Attended technical school 1942-1944. Served apprenticeship as joiner and cabinet-maker 1945-1949. Served as chairman of the company advisory committee for many years. Trade union general secretary since 1963 (first representative of IG-Metall Bad Kreuznach). Member of the European Parliament since 1984. Member of the Committee on the Environment, Public Health and Consumer Protection. As rapporteur for the Socialist Group has dealt with issues such as exhaust gas emissions of motor vehicles and desulphurization of liquid fuels, emissions from diesel engines, noise emissions from track vehicles, proprietary medicines, biotechnologies, etc.

#### 4. MEMBERS OF THE SECRETARIAT STAFF RESPONSIBLE FOR ENVIRONMENTAL MATTERS

There are members of staff responsible for environmental questions in several directorates-general :

##### Directorate-General for Committees and Delegations (DG II)

Director-General a.i. : Mr Alfons VAN NUFFEL  
Committee Secretary : Mr Lieven VAN DER PERRE

Tel. Luxembourg : 6145/2558  
Brussels : 6172/2755  
Strasbourg : 6126/4418

Other : Giorgio FERRARA  
Committee : Anne MANSON  
Staff : Brigitte NOUAILLE-DEGORCE  
Members : H el ene MARGARITOPOULOU  
: Paul ENGSTFELD

##### Directorate-General for Information, and Public Relations (DG III)

Director : Mr Guido NAETS  
Official responsible : Mr Yves QUITIN

tel. Brussels : 6172/2802  
Strasbourg : 6126/4123

##### Directorate-General for Research (DG IV)

Director-General a.p. : Mr Francis ROY  
Head of Division : Mr Jean DUREN

Tel. Luxembourg : 6145/2750  
Brussels : 6172/2102  
Strasbourg : 6126/4590

Mr Hans-Hermann KRAUS (environment)  
Tel. Luxembourg 6145/3721

Mr Graham CHAMBERS (health - consumers)  
Tel. Luxembourg 6145/3957

Library

Director : Mr Klaus POEHLE  
Documentalist : Mr Jozef DE WALSCHE

Tel. Brussels : 6172/2102  
Strasbourg : 6126/4812

NB : The numbers 6145 are for telephone calls between the  
6172 offices of the European Parliament in  
6126 Luxembourg, Brussels and Strasbourg

Calls from outside the Parliament should be preceded by the following numbers :

for Brussels : 322/234 + extension  
for Luxembourg : 352/4300 + extension  
for Strasbourg : 0033/8837 + extension



## **V. THE ENVIRONMENT AND THE PUBLIC**

This chapter covers information of fundamental interest to the public in upholding its rights in dealings with the European institutions.

It also seemed worthwhile to give some details about education, particularly higher education, on the environment, which is still not very systematically organized in the sense that the academic authorities have rarely created official links between the various sociological and scientific disciplines that touch on the environment.



## **1. CITIZENS' RIGHTS**

This section gives a brief summary of the ways in which the public can uphold their rights and defend their interests at Community level. Below is a description of the three options available - an approach to the European Parliament, the Commission or the Court of Justice. While not necessarily exclusive, each approach has its own procedures. Petitions are addressed to Parliament, usually in the hope of finding solutions to problems that have a public impact or settling individual complaints through contact between the parliamentary committee and a national authority. Petitions can also be more political and call for legislation or intervention by the Commission. The Commission handles complaints about wrongs suffered by members of the public who are unable or unwilling to enter into legal proceedings. Recourse should be had to legal proceedings to get a Community act overturned or to claim compensation.

### **A. The right to petition**

Petitions fall within the scope of parliamentary activity. For the public a petition provides the most direct way of approaching the authorities. It is one of the ways, along with administrative appeals, legal proceedings and a direct approach to Members of Parliament, by which ordinary individuals can defend themselves.

Every Community citizen has the right to address petitions to the European Parliament, subject to certain conditions laid down in Parliament's Rules of Procedure.

The right may be exercised individually or jointly. The conditions to be fulfilled are:

- the request or complaint should be in writing and signed;
- it should mention the petitioners' names,
- their nationality,
- the permanent address of each signatory,
- and fall within the sphere of Community activities.

Parliament attaches such importance to the right to petition that it has set up a committee solely for the consideration of petitions thus showing its concern to remain in close contact with the public.

Parliament cannot of course intervene directly to solve problems raised in a petition. It can only act within the powers conferred on it by the Treaties. When a petition has been declared admissible - i.e. it fulfils the conditions listed above - the Committee on Petitions can take one of the following courses of action.

- It can study the problems mentioned in the petition, by holding hearings if necessary, sending MEPs to establish the facts locally, or asking the Commission to provide documentation or information. Solutions are often found through this approach.

- It can draft an opinion, which is forwarded by the President of Parliament to the Commission or Council without the need for adoption in plenary sitting.

- It can ask the President of Parliament to take the matter up with a national authority.

- It can draft motions for resolutions for adoption by Parliament as a whole. If the motion is adopted, it may be forwarded to the Commission, the Council or the Member States, calling on them to take specific measures.

The Committee on Petitions' conclusions are on each occasion forwarded to the petitioners with an explanatory statement.

A list of the European Parliament's information offices, which petitioners may contact, is given further on. Petitions may in any case be sent to

The President of the European Parliament  
Centre Européen, Plateau du Kirchberg,  
L-2929 LUXEMBOURG

## **B. Complaints to the Commission**

It is the Commission's task to ensure that the provisions of the Treaties and the measures taken by the institutions pursuant thereto are applied.

To carry out this task it has various means of investigating, averting and even taking legal proceedings against infringements. It has a complaints form for this purpose, a copy of which is given in annex 7. It does not necessarily follow that complaints to the Commission will lead to the solution of individual problems but a complaint does not rule out legal proceedings or the right to petition.

## **C. Legal proceedings**

Environmental issues basically come under the Treaty establishing the European Economic Community. Under the Single European Act, three new articles, setting out action to be taken in such matters, have been added to the Treaty. It may happen that the Community institutions take certain action in the field of the environment that is of public interest. If a natural or legal person - in practice it is more often organizations than individuals - thinks that action taken by the Council or Commission is illegal on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaty or of any rule of law relating to its application, or misuse of powers, a case can be brought before the Communities' Court of Justice. There are however two important conditions.

- The decision deemed to be illegal must be addressed to or directly and individually concern the plaintiff.

- The case must be brought within two months of the publication of the measure or of its notification to the plaintiff or, in the absence thereof, of the day on which it came to the plaintiff's knowledge. The time limit does not have to be observed if, in a case challenging a Council or Commission regulation, the plaintiff invokes the inapplicability of the regulation he deems illegal.

The EEC Treaty offers a second possibility of redress for natural or legal persons that have been adversely affected by a Community institution's failure to address to them any act other than a recommendation or an opinion - in other words a binding act. Proceedings for failure to act are admissible only if the institution concerned has first been called upon to act. If, within two months of being called upon, the institution concerned has not defined its position, proceedings may be brought within a further period of two months.

The third possibility for public redress lies in claims for compensation for damage caused by Community institutions or their employees in the performance of their duties. The Community may thus be ordered, under its non-contractual liability, to make good damage in accordance with the general principles common to the laws of the Member States.

Proceedings must be brought with the help of a lawyer before the Court of Justice of the European Communities, Plateau du Kirchberg, Luxembourg.

Community environmental action is almost always in the form of directives that do not generally create direct rights for individuals. The directives are incorporated into national law by the Member States. Consequently, nationally-created citizens' rights may be defended in the courts of the Member States. In that case the plaintiff has the option of asking the court hearing the case to refer it to the Community's Court of Justice for a preliminary ruling, so it may give an interpretation of the EEC Treaty or a ruling on the validity and interpretation of the action taken by the Community institutions.

## 2. THE ENVIRONMENT IN HIGHER EDUCATION IN THE COMMUNITY

One of the main objectives of Community environmental policy is to enable the environment to play a role in all Community policies. The Commission's programmes for action substantially recognize the need for environmental education as complementary to, rather than distinct from, any specific action.

Teaching is the foundation of any kind of education and it is obvious that, in this campaign, it is of prime importance to teach people about the environment. A child who has become accustomed to think about the environment in relation to all the subjects he is taught, will automatically continue to give consideration to the environment in his future career.

### A. Community help in providing education on the environment

#### Primary and secondary schools

As the aim is to include the environment in school syllabuses and to exchange ideas, the Commission has drawn up pilot educational schemes to experiment with and disseminate new educational methods in the field of the environment. The first stage, for primary schools, proved successful, and the Member States have now extended the results in the national education systems. The second stage was for secondary schools. At this level there were problems about the type of approach - whether there should be a special extra syllabus for the environment, which would not be in accordance with the plan to include the environment in all subjects, or whether teaching on the environment should be an integral part of all subjects taught, although this would be on the assumption that most teachers have some environmental knowledge. The Commission prefers the integrated approach and is considering the possibility of similar schemes in universities and vocational training courses.

All these schemes and projects have found widespread support among the Member States' governments and education ministers.

#### Academic training (education and research)

Owing to the complexity of multidisciplinary and integrated academic training on the environment the Member States' own resources in funds and capacity are frequently insufficient.

In higher education as a whole, efforts to step up academic cooperation in the Community have largely got under way. Joint study programmes and short study visits, which are part of the Commission's 1976 action programme in the field of higher education, are the first concrete achievements in the Commission's scheme to aid higher education.

Participants (representatives of universities and other establishments with degree courses) at the Conference on Cooperation in Higher Education held in Brussels in November 1985, asked for urgent measures to increase the Community's commitment with regard to student mobility, recognition of periods of study abroad, the creation of a European university network and greater cooperation between industry and universities. This is in accordance with the Commission's aims in the COMETT programme (Programme of the Community in Education and Training for Technology), which deals with cooperation between industry and the universities, and in the ERASMUS programme (European Community Action Scheme for the mobility of university students).

As higher education plays a key role in the completion of the Common Market, the Community action programme and initiatives taken by the Commission have the full support of the European Parliament and the Economic and Social Committee of the European Community. From the academic side, the Liaison Committee of Rectors Conferences of Member States of the European Communities has made a unanimous appeal to the Council to approve the ERASMUS programme. It is stressing the need for a sufficiently large budget to allow ERASMUS to have a truly significant impact on student mobility.

A great variety of disciplines are represented in the joint study programmes but, so far, only one programme is devoted to environment sciences as a multidisciplinary, integrated subject that transcends frontiers. As this is a relatively new, complex and developing field, this under-representation may be explained by a lack of information on university courses on the subject.

In the wider field of higher education in the European Community, the Commission has published a 'Student Handbook' and a 'Directory of Higher Education Institutions.' These guides are intended to assist contact and cooperation between higher educational establishments in the Community. So far there is no comprehensive guide to courses on the environment (teaching, research or both). Nevertheless, national studies permit the conclusion that the environmental dimension may be found in most programmes of university studies and the faculties offer a fairly wide range of courses on the environment. These courses may be optional or compulsory and in some cases lead to special or additional degrees.

In all Member States environmental research is a major sector of academic activity and leads on, as a matter of course, to advanced studies (seminars, various post-graduate studies). As with teaching, research is largely concentrated on the following academic disciplines: human sciences, social and economic sciences, medical sciences, natural applied sciences, civil engineering and technology, agriculture, architecture, teacher training and the law.

Since it is not possible to give a complete list of all courses on the environment here, attention will be given to the 'European Diploma in Environmental Sciences', which so far is the only course that fulfils Community objectives of transnational and interdisciplinary cooperation.

## **B. The European Diploma in Environmental Sciences**

The diploma is a joint post-graduate course offered in four Community countries (West Germany, Belgium, France and Luxembourg) by six university institutions (the Luxembourg University Foundation, the University of Metz, the Luxembourg University Centre, the University of the Saarland, the University of Trier and the University of Kaiserslautern) and an institute of regional cooperation (the Institute for Regional Cooperation in the Intra-Community Frontier Regions).

The general institutional framework of the diploma is determined by an inter-regional cooperation protocol on environmental sciences, following the decision of the presidents of the institutions mentioned above to create a two year university course for the European Diploma in Environmental Sciences, which was recognized by the Commission (DG V - Directorate-General for Employment, Social Affairs and Education) as a joint study programme eligible for subsidies.

#### Objectives and rationale of the course

Students are admitted to the course after obtaining a degree at the end of at least eight semesters of study, provided they have a knowledge of the two working languages (German and French). The main objective of the diploma is to enlarge on earlier university studies on environmental planning and analysis, while seeking greater Community cooperation.

The course covers two academic years and consists of a general multidisciplinary course on the environment, followed by two options 'environmental planning' or 'analysis of the environment', training in research through a research project on the option chosen, and additional training by means of specialized seminars.

#### Timetable and syllabus

The course covers two academic years and is structured as follows:

- A first semester (340 hours of lectures, seminars and practical work) is devoted to a general multidisciplinary course on the environment (environmental problems, general and applied ecology, data processing and systems analysis, geography, economics, sociology, law, political science and regional planning with regard to the environment). This semester is a full-time course offered by the Luxembourg University Foundation in Arlon (Belgium).

- The next three semesters are devoted to training in and by means of research. The research must be carried out in at least two of the university institutions taking part, one French-speaking and one German-speaking. The number of courses and seminars vary according to the option chosen (environmental planning or analysis).

#### - University of Metz (France)

- Geography and planning, disruption of ecosystems as a result of various types of planning, and human ecology and planning (Faculty of Arts).

- Impact of toxic substances on ecosystems and laboratory techniques (Science Faculty and Environmental Sciences Centre).

#### - University of Trier (West Germany)

- Remote sensing and photo-interpretation, general and specialized soil science, geochemistry and cartography (Department of Physical Geography and Ecology of the Earth).

- University of Saarbrücken (West Germany)

- Principles and methods of biogeographical assessment, bioindicators and ecological land registers, ecological assessment of particular planning projects (Department of Biogeography).

- University of Kaiserslautern (West Germany)

- Regional, urban and rural planning, landscape planning, transport planning and planning methodology (Department of Architecture, Regional and Environmental Planning, and Civil Engineering).

Further training is offered in seminars, with particular reference to the implementation of Community legislation on the environment (Luxembourg University Centre - Grand Duchy of Luxembourg), transfrontier cooperation on the environment (Institute for Regional Cooperation in the Intra-Community Frontier Regions - Grand Duchy of Luxembourg), and the European Communities' legal and institutional system.

In addition to the diploma course, students can follow individual courses to improve their knowledge of their second language (French or German).

The final diploma, awarded after satisfactory completion of all the course papers and the final oral examination, has scientific value and is recognized by the academic authorities of the universities taking part. The course was introduced in 1981 and 16 people now hold the diploma.

Although the course has got off to a good start, there are various problems:

- Financial problems (inadequate funds, lack of grants to enable students to live abroad, etc.),

- Academic recognition,

- Information (particularly on the publicity for and marketing of the programme),

- Research (working in industrial, national and private laboratories).

In order to find a solution to these problems, a non-profit-making association, 'Promotion of the European Diploma in Environmental Sciences', has been set up. It has received a grant from the Commission's Directorate-General for the Environment, to allow it to get its projects under way. More detailed information may be obtained from the Luxembourg University Foundation (Fondation Universitaire Luxembourgeoise ASBL, Rue des Déportés 140, B-6700 Arlon, Belgium).



## **VI. PROFESSIONAL AND ENVIRONMENTALIST ORGANIZATIONS**

Setting up associations to inform the public and attempt to influence political decision-making is an essential part of environmental protection. For the purposes of this compendium, it seemed useful to cite the European Environmental Bureau and list its affiliated organizations in each of the Member States.

It is equally true that there can be no environmental protection without the aid of the major protagonists of economic life. This chapter will, therefore, also include summaries of the views of European industry and trade unions.



## **1. EUROPEAN ENVIRONMENTAL BUREAU (EEB)**

The European Environmental Bureau (EEB) is the coalition of more than 75 major environmental organizations from the twelve Member States of the European Community. It represents more than 15 million European citizens.

The EEB was established in 1974 and has a Brussels-based secretariat. It acts as the main spokesman on behalf of the European environmental community in contacts with the EC institutions (Commission, Parliament, Council of Ministers). It publishes a regular newsletter on European environmental matters as well as a newsletter on environment and development issues in English/French, it organizes seminars and publishes reports on subjects of present interest in the European environmental field and - last but not least - it lobbies the EC institutions and national governments for a more effective European environmental policy.

The EEB has an Executive Committee consisting of 12 people (one from each EC Member State) and a General Assembly, representing its member organizations. The Executive Committee meets about four times a year, the General Assembly once a year (Annual General Meeting - AGM).

Address: European Environmental Bureau (EEB)  
Secretary-General: Ernst R. Klatte  
Rue Vautier 29  
B-1040 Brussels

Tel.: (32-2) 647.01.99

List of EEB members: see Annex 8.

## **2. EUROPEAN TRADE UNION CONFEDERATION (ETUC)**

ETUC was founded in February 1973 and now has 35 national trade union member confederations from the countries of the European Community (EC), the European Free Trade Association (EFTA) and other Western European countries (Malta, Cyprus) and, since the beginning of 1985, Turkey. It represents a total of 44 million unionized workers. The 11 ETUC approved European trade union committees, i.e. European federations of craft unions from one or more economic sectors, also belong to ETUC.

The following ETUC committees are concerned with environment-related topics:

- Committee on Environmental and Living Conditions,
- Energy Affairs Committee,
- Committee on Health and Safety at Work.

ETUC coordinates the employees' group in the Dublin Foundation and is represented on the steering committee on European Environment Year. On the basis of the Single Act (Article 118B) it represents employee interests in the European social dialogue.

ETUC's 35 member organizations, trade union umbrella organizations from 21 Western European countries, are most anxious for European Environment Year 1987 to be a year of action and practical improvements to the environment and not a year of soap-box oratory.

A comprehensive and coherent environmental policy is in the interest of all workers and their families. Failure to provide for environmental protection constitutes an attack on employee interests, since it not only destroys the natural foundations of life but also poses a direct threat to employees' health.

At legislative level, ETUC wants European policy to take a new direction providing for the principle of anticipative action, the 'polluter pays' principle, and the application of the state of the art at all levels. Europeanization must not be retrogressive in relation to existing national provisions, either in the sphere of industrial health and safety or environmental protection; instead, it must lead to common provisions laying down the highest possible standards.

ETUC takes the view that an effective environmental policy creates jobs. Where environmental policy has failed to operate, in other words where there has been no investment to bring the industrial society into line with ecological imperatives, jobs have been imperilled or destroyed. An active environmental policy would have helped create urgently needed new jobs.

However, environmental protection must not be confined to rules and regulations and official supervision. It requires commitment from everyone, especially workers. They must be given additional rights, especially at workplace level, so that they may effectively influence the environmental behaviour of every enterprise.

These principles of the ETUC Environment Programme are also at the heart of trade union activities in Environment Year, which include:

- sector-related and regional environment projects focusing at the practical level on the employment aspects of environmental protection or environmental protection in relation to health and safety at work, for instance:

- construction and the environment,
- creating 'clean' jobs in the metal industry,
- pollution control of the Rhine,
- the internal market and health protection.

- union-run courses on the state of the environment and publicity campaigns.

Address: European Trade Union Confederation (ETUC)  
Secretary-General: Mathias HINTERSCHEID  
37, rue Montagne-aux-Herbes-Potageres  
B-1000 Brussels  
(Tel.: (32-2) 219.10.90)

### 3. UNION DES INDUSTRIES DE LA COMMUNAUTE EUROPEENNE (UNICE)

As spokesman of European business, UNICE regroups the national industrial and employer federations of both the EEC and EFTA countries. These in turn have the numerous national sector representative bodies as members, which often combine further in European sector organizations. UNICE liaises closely with a number of these on environmental matters so that a network has been established working both vertically and horizontally. This enables European industry to form a cohesive view on environmental matters. When matters are particular to their sector, individual sector organizations play a leading role with the rest adopting a supporting position. Common opinion is formed in UNICE on principles and policy aspects general to industry. In this way industry has the capacity to contribute significantly to the shaping and implementation of policies.

The whole of industry supported the Fundamental Principles of Environmental Policy published by UNICE in 1976. Some of the main points are useful to repeat here.

The objective of any environmental policy must necessarily be to protect and improve the quality of the environment. The achievement of this depends on all sectors of society. Industry accepts its part of the responsibility. Improvement of the environment ensures better living and working conditions but only economic development and prosperity are capable of supplying the necessary resources to finance and make technically feasible the improvement sought. Notions that the environmental policy can fuel the economy and employment prospects are misconceived; at best it can only act as a vector.

As standards become stricter environmental costs increase exponentially. This makes it essential that environmental objectives are soundly based, clearly defined and properly implemented. Environmental improvement will best be brought about by the concerted efforts of those responsible for devising or implementing pollution abatement programmes and of those ultimately responsible for satisfying the requirements of those programmes.

The harmonization of national policies and programmes is becoming increasingly important but it should not imply either unnecessary uniformity or the systematic adoption by the Community of the most stringent national regulations. Policy should be directed toward achievement of well defined objectives carried out uniformly without resulting in distortion of trade. Priority should be given to those policies which give the best environmental return for a given outlay.

Industry supports the 'polluter pays' principle, by which it means that the costs arising from pollution should be borne by those responsible for that pollution.

So far as implementation of policies is concerned, industry believes it is for enterprises to decide how they should best meet the demands of controlling authorities.

Industry believes that the European Parliament has an important role in contributing to a proper balance of interest between the numerous elements of society which make use of the environment. UNICE stands always ready to provide information and to discuss problems and the means of their solution.

Address: Union des Industries de la Communaute europeenne  
Secretary-General: Sigmund Tyszkiewicz  
Rue Joseph II, 40/B4  
B-1040 Bruxelles

Tel.: (32-2) 237.65.11

## VII. - USEFUL ADDRESSES

This chapter lists the Ministries in each Member State responsible for environmental matters and the staff of the external information offices responsible to the Directorate-General for Information and Public Relations of the European Parliament.

It has not been possible to include a list of the decentralized national authorities, since these are so numerous, but it is possible that such a list will be published separately.



**1. ADDRESSES OF ENVIRONMENT MINISTRIES  
IN THE MEMBER STATES OF THE EUROPEAN COMMUNITY**

**BELGIUM**      Secrétaire d'Etat pour l'Environnement et  
L'Emancipation Sociale  
Rue de la Loi 56  
B-1040 Bruxelles  
Tel. 02/230 49 25

Staatssecretaris voor Leefmilieu en Maatschappelijke  
Emancipatie  
Wetstraat 56  
B-1040 Brussel  
Tel. 02/230 49 25

**Denmark**      Miljøministeriet  
Slotsholmsgade 12  
DK-1216 København

**FRANCE**      Ministère de l'Environnement  
14 Bd. du Général Leclerc  
F-92521 Neuilly s. Seine  
Tel. 4758 12 12

**FEDERAL REPUBLIC OF GERMANY**

Der Bundesminister für Umwelt-,  
Naturschutz and Reaktorsicherheit  
Adenauerallee 139 - 141  
D-5300 Bonn 1  
Tel. 0228/56-1

**GREECE**      Ministry of Regional Development, Housing and the  
Environment  
Amaliadhos 17  
115 23 ATHENS  
GREECE

**IRELAND**      Minister for the Environment  
Custom House  
IRL-Dublin

**ITALY**      Ministero dell'ambiente  
Piazza Venezia 11  
I-Roma  
Tel. 06/678 56 18  
679 87 42

**LUXEMBOURG**      Ministère de l'Environnement  
5 A, rue de Prague  
L-2348 Luxembourg  
Tel. 48 80 02

**NETHERLANDS**      Minister van Volkshuisvesting,  
Ruimtelijke Ordening en Milieubeheer  
Postbus 20951  
NL-2500 EZ Den Haag  
Tel. 070/264201

**PORTUGAL**      Ministério do Plano e da Administracao do  
Território  
Gabinete Relacoes Europeias e Internacionais  
Rua do Século, 51-2.  
P-1200 Lisboa  
Tel. 36 27 51

**SPAIN**      Director General del Medio Ambiente  
Ministerio de Obras Publicas y Urbanismo  
Paseo de la Castellana s/n  
E-28046 Madrid

**UNITED KINGDOM**      Secretary of State for the Environment  
2, Marsham Street  
GB-London SW1P3 EB/United Kingdom

2. EUROPEAN PARLIAMENT INFORMATION OFFICES

Brussels Central Office:

Address:            97 - 113 Rue Belliard  
1040 Bruxelles

Telecop:            230.75.75 (Belliard)  
230.58.08 (Eastman)

Telex:                26 541  
65 711 (EP News)

	Tel.	Bur.	Bip
Director: Guido NAETS	234.20.79	109/EAST	907
(place of employment: Luxembourg)			
ass. M. VAN DER STRAETEN	234.20.54	110/EAST	
sec. M. GOEDERT	234.28.01	038/BEL	
Head of division:			
Guy VANHAEVERBEKE	234.20.06	042/BEL	
Ass. J. STEVENS	234.20.28	063/BEL	
Sec. An TORNEY	234.20.05	042/BEL	

The Copenhagen Office:

Address: EUROPEAN PARLIAMENT INFORMATION OFFICE IN DENMARK  
Borsen  
DK - 1217 COPENHAGEN K

Tel: (1) 14.33.77

Telecop: (1) 15.08.05  
Telex: 22612 EURPAR DK

Head: N.N.

Assistants: Soren SONDERGAARD  
Secr. Jytte BOLLERUP-JENSEN  
Ingelise ANDREASEN

The Bonn Office:

Address: EUROPAISCHES PARLAMENT  
Informationsbüro Bonn  
Bonn-Center  
Bundeskanzlerplatz  
D - 5300 Bonn 1

Tel: 0228/22.30.91

Telecop: 0228/21.89.55

Head: N.N.

Assistants: Gerhard MORITZ  
Klaus LOFFLER

The Athens Office:

Address: EUROPEAN PARLIAMENT  
2, Avenue Vassilissis Sophias  
GR - 106 74 ATHENES

Tel: (1) 72.33.421/24

Telex: 210 353

Telecop: (1) 72.31.993

Head: Georges PAPADOPOULOS

Assistant: Nikos KOSTITSIS

The Paris Office:

Address: PARLEMENT EUROPEEN  
Bureau d'information de Paris  
288 Boulevard Saint-Germain  
F - 75007 PARIS

Tel.: (1) 45.50.34.11

Telecop: (1) 45.51.52.53

Telex: 250606 F

Head: Francois BORDRY

Assistants: Jean-Louis BURBAN  
Isabelle DAVIGNON

The Dublin Office:

Address: EUROPEAN PARLIAMENT INFORMATION OFFICE  
43 Molesworth Street  
DUBLIN 2  
IRELAND

Tel: (1) 71.91.00

Telecop: (1) 79.53.91

Telex: 90974 EP EI

Head: Joseph A. FAHY

Assistant: Dermot SCOTT

The Rome Office:

Address: PARLAMENTO EUROPEO  
Via IV Novembre 149  
I - 00187 ROMA

Tel: (6) 679.05.07  
679.06.18

Telecop: (396) 679.39.80

Head: Marcello DELL'OMODARME

Assistant: Giovanni SALIMBENI

The Hague Office:

Address: EUROPEES PARLEMENT  
Voorlichtingsbureau  
Lange Voorhout 27 A  
NL - 2514 EB DEN HAAG

Tel: 070/62.49.41

Telecop: 070/64.70.01

Head: Eppo JANSEN

Assistant: Toon STREPPPEL

The London Office:

Address: EUROPEAN PARLIAMENT  
PRESS AND INFORMATION OFFICE FOR THE UK  
2 Queen Anne's Gate  
UK - LONDON SW1H 9AA

Tel: (1) 222.04.11

Telecop: (1) 222.27.13

Telex: 89.41.60

Head: N.N.

Assistants: Maurice TROWBRIDGE  
John HORTON

The Luxembourg Office:

Address: PARLEMENT EUROPEEN  
Bureau d'Information de Luxembourg  
1, Rue du Fort Thungen  
L - 2929 LUXEMBOURG

Tel: 352/43.00.25.96

Telecop: 352/43.72.61

Head: Fernand GEORGES

Assistant: Marie-Thérèse KLOPP

The Madrid Office:

Address: EL PARLAMENTO EUROPEO  
c Fernanflor, 4 - 70  
E - 28014 MADRID

Tel: (1) 429.33.52

Telex: 42641-PAREU

Telecop: (1) 429 83 49

Head: Maria Asuncion VALDES NICOLAU

Assistants: N.N.  
N.N.

The Lisbon Office:

Address: PARLAMENTO EUROPEU  
Rua Sacramento à Lapa, no 35  
P - 1200 LISBOA

Tel. (provisional): 1/67.82.81 or 1/67.76.86

Telex (provisional): 18810 COMEUR P

Telcopier: 1/66.80.89

Head: Nuno ANTAS DE CAMPOS

### VIII. GENERAL INFORMATION

This report on European Environment Year would not be complete without mention being made of certain information sources on environmental issues.

This final chapter includes two types of information which are generally less well-known, i.e. the contribution of the European Centre for Environmental Communication (CECE), and the data bases to consult in this field, at least those to which the European Parliament Library documentalists have access.

Many study papers and articles have been written on the environment. Each week the Commission of the European Communities publishes the Bulletin of the Automated Central Documentation Service (SCAD), which gives a breakdown of the main Community acts, the publications of the European institutions and a selection of articles on topics relating to the Community.



## EUROPEAN CENTRE FOR ENVIRONMENTAL COMMUNICATION (CECE)

For the past 15 years, environmental topics have been a source of inspiration for an increasing number of film directors, journalists in the audio-visual field and other 'communicators' desirous of using the magic of the screen in order to inform the public and convey to it an awareness and conviction of the urgent nature of current and possible future problems.

The past few years have witnessed a proliferation of films, videos and television programmes. It must be said that the quantity involved has not always been synonymous with quality, and production output varies substantially between northern and southern Europe.

Although one should welcome the fact that greater attention is being focused by the audio-visual media on environmental issues, it is nevertheless desirable to encourage quality production, which would lead to better distribution and greater effectiveness as regards making people aware of these issues. Furthermore, the lack of a market and organized distribution networks, as well as the lack of an institutional aid policy to overcome language barriers by specific funding, are all obstacles to the development of a real environmental (as opposed to wildlife) film industry and specialized film units and teams for television. Film is still used too often to criticize, and film directors should be encouraged to seek forms of expression which both retain viewers' attention and impart information.

Since 1980, the European Environmental Film Festival (Ecovision) has attempted to provide solutions to the above-mentioned problems. It is now established as the European meeting-point for environmental 'communicators'. The Festival is sponsored inter alia by the Community institutions and various national Ministries, and it holds a competition to single out the most striking productions.

A catalogue is drawn up each time the Festival is held, and may be obtained from the Ecovision Secretariat-General, which is based at the European Centre for Environmental Communication (CECE - 55, rue de Varenne, F-75341 PARIS Cedex 07 - Tel: 1/42.22.12.34 - Telex: FECPAR 201.220 F).

The Centre was set up in Paris in December 1985 with the initial support of the European Cultural Foundation (Amsterdam). Its aim is to promote exchanges and cooperation in Europe in the field of audio-visual environmental information.

Since autumn 1986 the CECE has published an information and contact bulletin, 'ACE-News', which appears in English and French five times a year. This bulletin was launched with the support of the Commission of the European Communities as part of European Environment Year.

The CECE and Ecovision have a vast network of contacts in Europe, and are in a position to help anyone looking for films on the environment. However, the CECE does not act as a film- or video-library and therefore cannot lend or hire out films. The following films deserve particular mention, having won the European Parliament Special Prize

1981: 'Frontier: People of the Barrio' (UK-Central Independent Television/ITV network, Brian Moser)

1983: 'Desperate Measures' (UK-BBC London, Tony Marriner)

1985: 'Der Untergang der AG-Weser' (D-Radio Bremen, Gunther Hormann, Thomas Mitscherlich, Detlef Saurien)

and the Special Prize awarded by the Commission of the European Communities

1981: 'Littoral devaste' (F-Universite des Sciences et Techniques, Lille, Maurice Guillon)

1983: 'Annu en Tyst Var'/Another silent spring (S-SVT, Bo Landin, Hans Ostbom)

1985: 'Schwarzwald, Ade?' (D-ZDF, Harmut Schoen).

Ecovision '87 (3-8 July in Birmingham) will be one of the central media events of European Environment Year. In addition to the Festival Prizes, European Environment Year Special Prizes will also be awarded.

## **2. INTERNAL AND EXTERNAL DATA BASES - ASMODEE**

The EP Library documentalists have access to the environmental data bases listed below.

It should be noted that there is a difference between 'data bases' and 'data banks'. The purpose of the former is to provide bibliographical references guiding the reader as to books and articles worth consulting. The data base can also provide either a summary of the text or the text in full. The data bank, however, merely provides factual information such as statistics, without mentioning documents which may be consulted. The service through which it is necessary to pass in order to access the data bank is known as the 'host'.

A new data base, ASMODEE, which is managed by the Commission, has recently become available to Parliament staff. It contains references to the national provisions through which Member States implement Community directives, and is only accessible to Community staff. By way of example, ASMODEE provided the reply to be found in Annex 9 in connection with the directive on bathing waters.

Internal documentation databases  
containing references to environmental information

HOST	DATA BASE	CONTENT
ECHO	Enrep	Inventory of research projects in progress in Member States
	Endoc	Related inventory of information sources and documentation on the environment in the Member States
	Enex	Inventory of experts on environmental research in the Member States
	Development stage: Enlex	Inventory of legislation, legal literature and case law on the environment
	Toxwast	Toxic and hazardous wastes in the Community
EPOQUE	Pegase	Library of the European Parliament
	Etudes	Reports, studies of the European Parliament (DG IV-Studies), also from national parliaments
	Midas (formerly, Pardoc Parcq)	Resolutions, reports, recommendations, from the European Parliament

External environmental databases  
Access to these  
through E.P. Library documentalists.

HOST	DATA BASE	CONTENT
DIALOG	Energyline	Energy and environment related records
	Enviroline	All aspects of the environment. Periodicals, reports, proceedings, newspaper articles, monographs.
	Environment bibliography	Covers the field of human ecology, energy, land and water resources. Periodicals.
	Oceanic abstracts	Marine pollution.
	Pollution abstracts	References to environmentally related literature on pollution.
ESA-TRS	Aqualine	Water and waste problems.
	Biosis	Biology -and environment- related subjects.
	Acid rain	Acid rain abstracts.
QUESTEL	Urbamet	Environment, ecology, landscapes, resources.
	Ecothek	Pollution, ecology. Technological reports.
DATA-STAR	Umweltbundesamt -Umplis (Ulit + Ufor)	Bibliographic and environment research databases about pollution, ecology, environmental policies.
FIZ-TECHNIK	VDI-NACHRICHTEN	Environmental protection.

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(b) Doc. A2-205/85

**RESOLUTION****on European Environment Year 1987***The European Parliament,*

- having regard to the decision of the European Council meeting on 30 March 1985 in Brussels to declare 1987 European Environment Year <sup>(1)</sup>,
- having regard to the European Community's previous action programmes on the environment of 1972, 1978 and 1982 <sup>(2)</sup>,
- having regard to the document 'Ten Years of European Environment Policy' published by the Commission of the European Communities in March 1984,
- having regard to the document 'European Parliament Resolutions on Environmental Protection (1979-1984)' <sup>(3)</sup>,
- having regard to the Commission's work programme for 1985,
- having regard to the document 'Community guidelines on environmental protection: the European Parliament's monitoring powers' <sup>(4)</sup>,
- having regard to the second annual report to the European Parliament on monitoring the application of Community law in 1984 <sup>(5)</sup>,
- having regard to its resolution of 21 October 1985 on monitoring the application of Community law <sup>(6)</sup>,
- having regard to the motion for a resolution by Mr Schmid and others on the embodiment of environmental protection in the EEC Treaty (Doc. 2-1273/84),
- having regard to the international agreements on environmental protection to which the European Community or its Member States have acceded,
- having regard to Oral Question with Answer No 0-54/81 by Mrs Weber on 'Global 2000' and 'Global 2000 — Time to Act' calling for practical measures in response to the reports findings,
- having regard to the resolution adopted on 18 April 1985 calling for the European Parliament to offer advice to the European Environment Summit in May 1985 and the OECD meeting in June 1985 <sup>(7)</sup>,
- having regard to the report by the Committee on the Environment, Public Health and Consumer Protection (Doc. A2-205/85),

A. deeply concerned at the worsening environment crisis, the growing threat to life through the over-exploitation of natural resources and the intolerable pollution of air, water and soils, the extinction of numerous species of animal and plant life and the inestimable damage to human health,

<sup>(1)</sup> EC Bulletin No 3/85, p. 11.

<sup>(2)</sup> OJ No C 112, 20. 12. 1973, p. 1; OJ No C 139, 13. 6. 1977, p. 1; OJ No C 46, 17. 2. 1983, p. 1.

<sup>(3)</sup> European Parliament, Research and Documentation, series on Environment, Public Health and Consumer Protection, No 6, 06-1984.

<sup>(4)</sup> Ibid. No 7, 09-1985.

<sup>(5)</sup> COM(85) 149 final — Doc. C2-40/85).

<sup>(6)</sup> OJ No C 343, 31. 12. 1985, p. 8.

<sup>(7)</sup> OJ No C 122, 20. 5. 1985, p. 128.

Tuesday, 18 February 1986

- B. having regard to the wealth of literature and information on these numerous forms of environmental destruction which already forms a substantial basis for debate and for possible decisions,
  - C. having regard to the European public's steadily growing awareness of the environment and the increasing willingness to make sacrifices for the sake of environmental protection,
  - D. whereas, given the present and immediately foreseeable unacceptably high level of unemployment in the European Community, the full potential of environment policy must be developed to create new secure jobs for the future,
  - E. whereas the Council and the Commission have declared that we should finally put our own house in order regarding the environment,
  - F. profoundly concerned that
    - although the problems are acknowledged — the political will is still lacking to take major preventive decisions in environment policy,
    - environmental interests are still not adequately taken into account when taking other policy decisions,
    - the present institutional situation will continue to dictate compromise decisions based on the lowest common denominator,
    - the directives adopted for the protection of the environment are belatedly and loosely incorporated into national law,
    - in many Member States, the structures for implementing environment policies are inadequate,
1. Welcomes the European Council's adoption of the Commission's proposal to declare 1987 Environment Year;
  2. Insists, however, that this year should not be allowed to turn into a 'year of declarations and pronouncements' or a year in which the respective governments enthusiastically celebrate the 'achievements' of their national environment policies, but should mark the beginning of a more serious approach by the competent institutions of the EEC and national governments to the most pressing problems in particular;
  3. Reiterates the need for environmental problems to continue to be tackled at European level and for environmental aspects to be integrated with other Community policies;
  4. Demands that the European public's hopes that the European Community finally demonstrate and use its powers in the field of environmental protection are not frustrated and that Environment Year will be a year of decision making and action to achieve a distinct improvement in the environment;
  5. Calls for the attainment of the following objectives by the end of 1987:
    - the *de facto* incorporation of environmental interests into the other Community policy-making areas, as decided by the Heads of Government, without provision of appropriate procedures,
    - an improvement in Community and national legislation,
    - a distinctly improved environment,
    - a well-informed and involved public;
  6. Calls for environmental protection to be finally embodied as a common Community policy in the EEC Treaty by the end of 1987 and for the institutional reforms to bring about a genuine involvement of the European Parliament in the decision-making process;

Tuesday, 18 February 1986

7. Calls on the Member States to accelerate the incorporation of Community directives into national law; considers it imperative, in this regard, that national penalties for breaches of environmental legislation be more uniformly and vigorously applied;

8. Expects the Council and the Commission to have created by the end of Environment Year the financial and technical arrangements to enable the public to receive up to date and comprehensive information on the environmental situation in general and on planned and implemented measures, in particular via audio-visual media;

9. Calls, in addition to environmental impact assessments, for the establishment in the European Community of a basic Directive on freedom of information for the public, similar to the US Freedom of Information Act, to ensure that decisions taken by the authorities which have repercussions on the environment are open to public scrutiny;

10. Calls on the Council, the Commission and the European Investment Bank henceforth to finance or support only those projects which have passed an environmental impact assessment even before the EEC Directive is enacted;

11. Calls on the Council and Commission to give high priority to environmental problems in all negotiations and agreements with Eastern European countries and Third World countries;

12. Suggests using the occasion of Environment Year to develop practical cooperation between Western and Eastern Europe on crossborder environmental protection projects. In this respect recommends investigating the potential for Eureka and other agencies to sponsor a project to clean up one of the rivers which cross from East to West, e.g. the Elbe;

13. Calls on the Council and the Commission to set up an environment fund (possibly with the EIB),

- to clear up existing pollution,
- to support pilot projects to eliminate severe pollution,
- to train environment experts,
- to finance information projects, particularly in the audio-visual field;

these measures should also serve to create secure jobs for the future in environmental protection;

14. Calls on the Council and the Commission, in each month of Environment Year to support a selected environmental project in a different Member State, to serve as a model, with the object of

- improving the environment in practical terms,
- increasing public awareness of environmental issues and giving the public opportunity for democratic participation in decision-making,
- giving practical expression to Environment Year in each Member State,
- improving cooperation with industry, trade unions, environmental groups, the public and the mass media,
- creating jobs in the context of environment policy,
- taking advantage of voluntary associations and their activities;

The following could serve as model projects (in particularly deprived areas): construction of a local sewage treatment plant, designation and establishment of a trans-frontier nature reserve, training schemes for staff employed by monitoring bodies, teaching of environment-conscious consumer behaviour, retraining schemes for workers with jobs involving environmental and health hazards, environment-conscious building;

15. Expects the Commission and the Council to draw up a survey by the end of 1986 on the achievements of Community environment policy to date measured in terms of the objectives of the third action programme and the decisions of the Council; this survey should clarify for the public what has been achieved and what remains to be done at a legislative and a practical level;

Tuesday, 18 February 1986

16. Calls on the Council and the Commission to draw up and adopt by the beginning of 1987:
- a plan of action to determine how and by what date the shortcomings in environment legislation and its implementation should be eliminated,
  - an emergency environment programme for 1987,
  - a fourth action programme for 1987-1991 with the following priorities: environmentally acceptable farming and soil conservation, decrease in air pollution; environmentally acceptable alternative energy sources, protection of groundwater, lakes, rivers and seas in the Community, rehabilitation of hill and mountain areas in a run-down state, environmentally acceptable waste management, conservation of flora and fauna, promotion of economical technologies and non-pollutant forms of production, targeted environmental research (e.g. climate research, energy saving);
17. Decides not to participate in Environment Year 1987 should the Council intend to use it merely as a cover for its failure to act and is not prepared to provide adequate financial resources or appropriate and practical measures to translate the above demands into practice;
18. Instructs its President to forward this resolution to the Council and the Commission.
-

## I

*(Information)***COUNCIL****COUNCIL RESOLUTION**

of 6 March 1986

on an action programme for the European year of the environment (1987)

(86/C 63/01)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the draft from the Commission,

Whereas environmental protection must become a more important aspect of the different policies of the Community and its Member States, in particular economic, industrial, agricultural and social policies; whereas it could thereby contribute to better economic growth and help to create jobs;

Whereas the European Council on 29 and 30 March 1985 called for the years to come to be marked by significant progress in Community action for the protection of the environment in Europe and throughout the world, whereas, with this aim in view, the European Council has designated 1987 as the 'European Year of the Environment';

Whereas such progress requires active support not only from Governments and Parliaments but from society as a whole and all its members;

Whereas it is appropriate, during the European Year of the Environment, to organize and promote a programme of events and activities aimed in particular at raising public awareness about protecting and improving the environment;

SUPPORTS the objectives and guidelines of the action programme for the European Year of the Environment (March 1987-March 1988), as described in the Annex;

NOTES the arrangements for financing the programme as described in the Annex;

NOTES that the Commission will take appropriate steps to implement the programme, in particular with regard to co-ordination;

CALLS ON the different bodies in the Member States to take appropriate steps to implement the programme;

REQUESTS the Commission to keep it regularly informed on progress and to submit a final report on the implementation of the programme both to it and to the European Parliament.

*ANNEX***ACTION PROGRAMME FOR THE EUROPEAN YEAR OF THE ENVIRONMENT**

(March 1987 to March 1988)

**I. OBJECTIVES**

The objectives of the European Year of the Environment are to:

- make all Community citizens aware of the importance of environmental protection and, with that aim in view, carry out specific model environmental protection projects;
- promote better incorporation and integration of environmental protection policy in the different policies of the Community and its Member States, in particular economic, industrial, agricultural and social policies;
- emphasize the European dimension of environment policy;
- demonstrate the progress already made and the achievements realized by Community environment policy since its inception.

## II. ACTIVITIES TO BE UNDERTAKEN

From a Community viewpoint, and in order to achieve the objectives referred to in part I, the following activities will be undertaken, in conjunction with the Member States' national committees:

### 1. General awareness campaigns

The Community will launch awareness campaigns, preferably centred on a limited number of key topics and directed at various sectors of society, notably the worlds of education, science and industry, and national, regional and local authorities.

These activities will include information campaigns in the different media (TV, radio, films press) and other networks (schools, arts centres for example), conferences, prizes, distribution of publicity material, etc.

### 2. Model environmental protection pilot projects

The Community will support the carrying out in the Member States of specific projects which can serve as examples and models in the field of environmental protection, the rational management of natural resources and the development of new technologies.

### 3. Pilot projects to improve monitoring of the quality of the environment

The Community will support model projects aimed at improving monitoring of the quality of the environment in the Member States and at determining whether the objectives of Community environment policy are being achieved. The projects will relate in particular to training and equipping staff to carry out the monitoring work.

## III. ORGANIZATION

The European Year of the Environment will be organized with the help of the following committees:

### 1. Committee of patrons

This Committee will consist of eminent public figures known in the Member States for their commitment to environmental protection.

### 2. Advisory Steering Committee

This Committee will be chaired by the Commission and will comprise the chairmen of the national Committees and representative public figures from the fields concerned.

The Steering Committee will be responsible for the general coordination of the programme and ensure coherence between all the various activities to be carried out, referred to in part II.

### 3. National Committees

A Committee will be set up in each Member State, composed of members representing the various fields concerned by environmental protection. Its chief task will be to promote, support and implement national projects organized for the European Year of the Environment in the State concerned.

It will also be able to collect and administer private or public funds made available to it by various groups and bodies.

In particular it will be required to identify projects as mentioned in part II that are suitable for Community financing and to suggest any appropriate event or activity within the framework of the European Year of the Environment.

## IV. FINANCING

The action programme, which will last until March 1988, will be financed at Community level out of appropriations from the General Budget of the European Communities.

In pursuance of this, recourse will be had:

- in respect of activities referred to under part II (1) to the appropriations provided for in Article 666 of the General Budget of the European Communities;
- in respect of the pilot projects referred to under part II (2) and II (3) to the various funds already available to the Community (e.g. European Regional Development Fund, European Social Fund, European Agricultural Guidance and Guarantee Fund, Guidance Section); the use of appropriations from these funds will be in accordance with the fund rules applicable.

List of the members of the Committee of Patronage  
for European Environment Year

<u>Belgique</u>	:	H.R.H. Prince Albert
<u>Denmark</u>	:	H.R.H. Prince Hendrik
<u>Deutschland</u>	:	Mr. Karl Carstens, former President of the Republic
<u>Hellas</u>	:	Mr. Giannis Alevras, President of the Greek Parliament
<u>España</u>	:	H.M. King Juan Carlos
<u>France</u>	:	Mr. Robert Poujade, former Minister of the Environment
<u>Ireland</u>	:	Dr. Patrick Hillery, President of Ireland
<u>Italia</u>	:	Amintore Fanfani, President of the Senate
<u>Luxembourg</u>	:	H.R.H. The Grand Duke Jean of Luxembourg
<u>Nederland</u>	:	Prince Claus
<u>Portugal</u>	:	Mr. Antonio Capucho, former Minister of the Environment
<u>United Kindom</u>	:	H.R.H. Prince Charles



CHAIRMEN OF THE NATIONAL COMMITTEES  
FOR THE EUROPEAN YEAR OF THE ENVIRONMENT

LISTE DES PRESIDENTS DES COMITES NATIONAUX  
POUR L'ANNEE EUROPEENNE DE L'ENVIRONNEMENT

BELGIQUE	Mr A. VAN DEN ABEELE	Secrétariat d'Etat à l'Environnement Rue de la Loi, 56 1040 Bruxelles Tél. 230.49.25
DANMARK	Mr Mogens BUNDGAARD-NIELSEN	c/o Miljøministeriet Slotholmsgade 12 DK -1216 Kobenhavn Tel. 01-127688
DEUTSCHLAND	Dr. Benno WEIMANN	Arbeitsgemeinschaft für Umweltfragen e.V. D -53 Bonn Matthias-Grünwald-Strasse 1-3 Tel. 0228-375005
HELLAS	Prof. George SKIADARETIS	c/o Grammatia gia to EEP Diefthinsi EOK Pouliou 8 GR - 11523 ATHINA Tel. 01-6411717
ESPAÑA	Dr. Concepcion SAENZ-LAIN	Directora del Museo Nacional de Ciencias Naturales Paseo Castellana, 67 E - 28071 Madrid Tel. 01-2531600 ext. 2407
FRANCE	Mme Simone VEIL	Présidente du Comité National pour l'Année Européenne de l'Environnement Boîte Postale 43 F - 92294 Neuilly s/Seine Cedex Tel. 01-47581212

IRELAND	Dr. Yvonne SCANNELL	Environmental Awareness Bureau St. Martins House Waterloo Road IRL - Dublin 4 Tel. 01-602022/602684
ITALIA	Prof. Fiorenzo MANCINI	Presidente del Comitato italiano per l'Anno Europeo dell'Ambiente 18, Via Gino Capponi I - 50121 Firenze Tél. 055-245911 352051
LUXEMBOURG	Mr René SCHMITT	c/o Ministère de l'Environnement 5A, rue de Prague L - 2348 Luxembourg Tel. 488002
NEDERLAND	Mr A.A.M van AGT	Secretariaat voor het Nationaal Comité voor het Europees Jaar van het Milieu Wassenaarseweg 25 NL - 2596 CE 's Gravenhage Tel. 70-264201
PORTUGAL	Dr. Tomás ESPIRITO-SANTO	Director-Geral da Qualidade do Ambiente Rua de "O Seculo", 51-2º P - 1200 Lisboa Tél. 01-362751 ext 12
UNITED KINGDOM	Sir Peter HARROP	Secretariat of the National Committee for EYE 20 Albert Embankment UK-London SE1 Tel. 01/2116006

Tuesday, 18 February 1986

**3. Environment****(a) Doc. A2-203/85****RESOLUTION****on the embodiment of the principle of environmental protection in the EEC Treaty***The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Schmid and others on the embodiment of the principle of environmental protection in the EEC Treaty (Doc. 2-1273/84),
  - having regard to the resolution adopted on 14 September 1983 <sup>(1)</sup> concerning the substance of the preliminary draft Treaty establishing the European Union, and in particular paragraphs 64 to 67 and 125 *et seq.* thereof, as well as to the draft Treaty establishing the European Union of 14 February 1984 <sup>(2)</sup>, and in particular Article 59 thereof,
  - whereas, in its draft Treaty establishing the European Union <sup>(3)</sup>, it allocated an important role to environmental protection,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and to the opinions of the Committee on Legal Affairs and Citizens' Rights (Doc. A2-203/85), and the Political Affairs Committee,
  - having regard to its resolution of 16 January 1986 on the Single Act approved by the Intergovernmental Conference <sup>(4)</sup>,
- A. whereas in its resolution of 18 April 1972 <sup>(5)</sup>, Parliament had already called for the inclusion of a separate chapter on the environment in the EEC Treaty,
  - B. having regard to the declaration, issued by the Heads of State or Government at the Stuttgart European Council meeting of 17-19 June 1983 <sup>(6)</sup>, on the stepping-up of cooperation at Community level in order to combat pollution,
  - C. having regard to the conclusions adopted by the Heads of State or Government at the European Council of 2 and 3 December 1985 in Luxembourg <sup>(7)</sup>, especially as regards the inclusion of environmental protection in the EEC Treaty,
  - D. whereas citing Articles 100 and 235 of the EEC Treaty as a basis for the implementation of a common environmental policy is only a makeshift solution,
  - E. whereas the unanimity requirement in respect of action pursuant to Articles 100 and 235 of the EEC Treaty will prevent a speedy and effective response — or permit, at most, an inadequate one — to the challenges presented by worsening pollution,
  - F. whereas the Community is endeavouring to extend the scope of the inter-governmental conference on the EEC Treaty convened by the Heads of State or Government pursuant to Article 236 of the EEC Treaty to include environmental protection <sup>(8)</sup>,
  - G. having regard to the statement made in the final version of the Single Act approved by the Intergovernmental Conference of 16 and 17 December 1985 with regard to the need for a specific, effective Community environmental policy,

<sup>(1)</sup> OJ No C 277, 17. 10. 1983, p. 95.<sup>(2)</sup> OJ No C 77, 13. 3. 1984, p. 33.<sup>(3)</sup> OJ No C 77, 13. 3. 1984, p. 33.<sup>(4)</sup> See minutes of the sitting of that date.<sup>(5)</sup> OJ No C 46, 9. 5. 1972, p. 113.<sup>(6)</sup> EC Bulletin No 6/83, p. 18.<sup>(7)</sup> EP Bulletin No 58 of 9 December 1985.<sup>(8)</sup> See letter from the Commission to the European Parliament published in EP Bulletins No 39, 26 September 1985 — PE 100.805 and No 39/Add.3 of 25 October 1985 — PE 100.805/Add.3.

Tuesday, 18 February 1986

1. Strongly criticizes the vagueness and inadequacy of the Single Act in defining Community environmental policy;
2. Considers that the amendments set out below are submitted without prejudice to any measures taken by the European Parliament to set up a genuine political and economic union, in accordance with the resolution adopted on 16 January 1986;
3. Demands that the EEC Treaty be amended as follows:

A. 'Article 2

The Community shall have as its task,

- (a) by establishing a common market and progressively approximating the economic policies of Member States, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it,
- (b) to ensure the creation of a habitable environment for the citizens of the Community, the protection of which is inseparably linked with economic and social development and the creation or maintenance of harmonious living conditions for those citizens.'

A. (Article 3, Activities of the Community)

A new subparagraph (f) to be inserted after Article 3 (e):

'(f) the adoption of a common policy in the sphere of environmental protection;'

Subparagraph (f) becomes (g), etc.

C. (Part Two — Foundations of the Community)

A new Title IVa to be inserted after Title IV:

'Title IVa  
Environmental Policy

*Article 84a*

1. The common environmental policy shall serve primarily
  - (a) to preserve, foster and restore the natural environment and to improve its quality,
  - (b) to protect human health, and
  - (c) to ensure the optimum utilization and re-utilization of natural resources.

Measures shall be taken pursuant to the common environment policy wherever action at the level of the Community is more appropriate than action at the level of the individual Member States;

2. The common environmental policy shall include, in particular, measures:
  - to reduce pollution of the air, water and soil, especially where it crosses national borders,
  - to protect human health,
  - for testing chemicals,
  - to preserve and restore the natural environment including fauna and flora,
  - to develop a policy on waste with particular emphasis on the recycling of waste,
  - to promote the development of environmentally acceptable sources of energy and technologies.
3. In preparing measures relating to the environment account shall be taken of:
  - available scientific and technical data,
  - ecological conditions in the various regions of the Community,
  - the costs and benefits of taking action or not taking action,
  - the economic and social development of the Community as a whole and the balanced development of its regions.

Tuesday, 18 February 1986

*Article 84b*

1. The common environmental policy shall be based on the following principles in particular:
  - prevention of environmental damage through a preventive environmental policy ('prevention' principle),
  - action against hazards to the environment at source ('source' principle),
  - the 'polluter pays' principle,
  - use of environmental impact assessment in the technical planning procedures and decision-making processes,
  - inclusion of environmental protection in other policies,
  - increased consideration of environmental aspects in structural planning and regional planning.
2. Particular value shall be attached to the improvement and development of education in environmental matters and awareness of the environment.

*Article 84c*

1. In order to ensure coordination of environmental policies, the Member States shall notify the Commission of any projected provisions to be laid down by law, regulation or administrative action and of any international measures planned in this field.
2. Provisions laid down by law, regulation or administrative action may only enter into force in the Member States and their regions which, pursuant to the relevant national constitution, are governed by their own legislative and executive bodies which have responsibility for the environment if, within five months of receiving notification of preparation of draft instruments, the Commission fails to communicate to the Council its intention to submit proposals for Community measures in the field of environmental policy. Such provisions may enter into force in the Member States and/or regions if, within five months of notification, the Commission has not submitted a proposal or if, within six months of submission of the proposal by the Commission, a decision has not been taken.
3. In order to take effective action against any regional and national environmental problems, individual Member States and their regions which, pursuant to the relevant national constitution, are governed by their own legislative and executive bodies which have responsibility for the environment, shall be free to apply stricter provisions than those adopted at Community level. The second sentence of Article 36 of the EEC Treaty shall apply *mutatis mutandis*.

*Article 84d*

The Community may establish special machinery in order to promote the realization of the objectives under Article 84a (1).

*Article 84e*

The European Community shall conclude, with one or more States or with international organizations, any agreements necessary to realize its objective in the field of environmental protection.

D. (Article 92, Aids)

A new subparagraph (c) to be inserted after Article 92 (3) (b):

'(c) aid to offset unacceptable burdens, which may result from environmental policy measures dictated by local conditions, or aid to offset burdens which may result from national environmental regulations, in so far as such regulations exceed Community requirements'.

Subparagraph (c) to become subparagraph (d) etc;

4. Instructs its Committee on Institutional Affairs to take account of this resolution when drawing up the European Parliament's new strategy for the creation of a genuine European economic and political union in accordance with the decision taken in the abovementioned resolution of 16 January 1986;
5. Instructs its President to forward this resolution to the Council and Commission.



## The European Parliament

COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH  
AND CONSUMER PROTECTIONPUBLIC MEETING

on Wednesday, 25 February 1987, 3 p.m. to 6.30 p.m.,  
Thursday, 26 February 1987, 9 a.m. to 12.30 p.m.  
and 3 p.m. to 6 p.m.,  
and Friday, 27 February 1987, 9 a.m. to 12.30 p.m.

BRUSSELSDRAFT AGENDA

1. Adoption of draft agenda (PE 112.017)<sup>1,2</sup>
2. Approval of minutes of meeting of 17-19 December 1986 (PE 111.278)
3. Announcements by the chairman

In the presence of the Commission of the European Communities

4. Action taken on Parliament opinions
5. Current work
  - Visit to contaminated Pintsch site in Berlin
6. Genetic engineering (Doc. 2-420/84)<sup>3</sup>
  - Draftsman: Mr SCHMID
  - Consideration of draft opinion (PE 111.270)
7. Public information and protection following the Chernobyl disaster (Doc. B 2-690/86)
  - Rapporteur: Mr ALBER
  - Consideration of draft report (PE 112.006)
8. The nuclear explosion and its repercussions for the environment (Doc. B 2-274/86)<sup>4</sup>
  - Rapporteur: Mr SCHMID
  - Consideration of draft report (PE 112.005)
9. Irradiation of foodstuffs after the Chernobyl disaster
  - Rapporteur: Mrs BLOCH von BLOTTNITZ
  - Consideration of draft report (PE 112.007)

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\* Friday, 27 February 1987, 9 a.m. \*  
\* Statement by Mrs DE MEESTER, President-in-Office of the \*  
\* Council of Ministers for Public Health \*  
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<sup>1</sup>Voting will take place at 10.30 a.m. on Thursday, 26 February

<sup>2</sup>The coordinators' meeting will be held at 6 p.m. on Thursday, 26 February

<sup>3</sup>Committee responsible: Legal Affairs

<sup>4</sup>Committee asked for an opinion: Agriculture

10. Mass poisoning in Spain (Doc. B 2-334/85)
  - Rapporteur: Mr DUARTE CENDAN
  - Adoption of draft report (PE 111.015)
11. Exposure to benzene at work  
(COM(85) 669 final - Doc. C 2-164/85)<sup>1</sup>
  - Rapporteur: Mrs SCHLEICHER
  - Adoption of draft report (PE 111.285)
12. Public access to environmental pollution information  
(Doc. B 2-736/85)<sup>2</sup>
  - Rapporteur: Mr Van der LEK
  - Adoption of draft report (PE 111.012/A+B+B/Corr.)
13. Adverse effects of the Riano reservoir in the province of Leon  
(Petition No. 226/85)
  - Draftsman: Mrs SQUARCIALUPI
  - Adoption of draft opinion (PE 111.027/Corr.)
14. Environmental action programme (1987-1992)  
(COM(86) 485 final - Doc. C 2-129/85)
  - Rapporteur: Mrs MARTIN
  - Consideration of draft report (PE 112.013)
15. Environmental impact assessment (Doc. B 2-356/85)
  - Rapporteur: Mrs WEBER
  - Consideration of draft interim report (PE 111.496)
16. Waste disposal and old waste dumps (Doc. B 2-1654/85)
  - Rapporteur: Mr ROELANTS du VIVIER
  - Consideration of draft report (PE 111.491/A)
17. Dumping of waste at sea (COM(85) 373 final - Doc. C 2-80/85)
  - Rapporteur: Mr MUNTINGH
  - Consideration of second draft report (PE 111.094)
18. Conservation of nature reserves (Doc. B 2-928/85)
  - Rapporteur: Mrs LENTZ-CORNETTE
  - Consideration of draft report (PE 112.009)
19. Soil erosion in Europe (Doc. B 2-478/86)<sup>4</sup>
  - Rapporteur: Mr GRAZIANI
  - Consideration of draft report (PE 111.470)
20. Pearl mussels (Doc. 2-719/84)
  - Rapporteur: Mr SHERLOCK
  - Consideration of draft report (PE 111.443)
21. Protection of the marine environment of the Eastern African  
Region  
(COM(86) 344 final - Doc. C 2-55/86)<sup>5</sup>
  - Rapporteur: Mrs LE ROUX
  - Consideration of draft report (PE 112.014)

<sup>1</sup>Committee asked for an opinion: Social Affairs

<sup>2</sup>Committee asked for an opinion: Youth

<sup>3</sup>Committees asked for opinions: Budgets, Energy, Development, REX

<sup>4</sup>Committee asked for an opinion: Energy

<sup>5</sup>Committees asked for opinions: Agriculture, Development

22. Appointment of rapporteurs and draftsmen
23. Community action of the environment  
(COM(86) 729 final - Doc. C 2-193/86)<sup>1</sup>
  - Rapporteur: Mrs LLORCA VILAPLANA
  - Possibly, exchange of views
24. Plan of action on cancer (COM(86) 717 final - Doc. C 2-192/86)<sup>1</sup>
  - Rapporteur: Mr VERNIER
  - Possibly, exchange of views
25. Farm prices<sup>2</sup>
  - Draftsman: Mrs JACKSON
  - Possibly, consideration of draft opinion (PE 112.015)
26. 1985 discharge<sup>3</sup>
  - Draftsman: Mrs LENTZ-CORNETTE
  - Possibly, adoption of draft opinion (PE 112.018)
27. Any other business
28. Date and place of next meeting<sup>4</sup>

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<sup>1</sup>Committee asked for an opinion: Budgets

<sup>2</sup>Committee responsible: Agriculture

<sup>3</sup>Committee responsible: Budgets

<sup>4</sup>Tuesday, 17 March 1987 to Thursday, 19 March 1987 in Brussels



COMPLAINT TO THE COMMISSION OF THE EUROPEAN COMMUNITIES  
against failure to comply with Community law

Name of complainant:\*

Nationality:

Address or registered office:

Field of activity:

Member State, organization or firm which has not complied  
with Community law:

Alleged infringement and loss incurred (if any):

Approaches or representations made to national or Community authorities:

- Administrative action:

- Legal action (if any):

Documents and evidence substantiating the complaint:

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\*The complainant may, if he wishes, remain anonymous. But the author of an anonymous complaint will not enjoy the procedural advantages or follow-up described overleaf.

(Note to appear on back of form)

Under the Treaties the Commission of the European Communities is responsible for ensuring that the provisions of the Treaties themselves and the other measures taken by the Community institutions are correctly applied.

Any person may file a complaint with the Commission in respect of a practice or measure which he or she considers to be in breach of a provision of Community law.

The complaint may be filed by means of this form. It may be addressed direct to Brussels (Commission of the European Communities, rue de la Loi 200, B-1049 Bruxelles), or be lodged with one of the Commission's Information Offices.

The complainant enjoys the following procedural advantages:

- an acknowledgement of receipt will be sent immediately upon receipt of the complaint;
- the complainant will be kept informed of action taken, and particularly of representations made to the national authorities and business firms concerned;
- the complainant will be informed of any infringement proceedings commenced by the Commission against a Member State and of any proceedings against a business firm. The complainant will also be informed of any proceedings that may already have been commenced if they have a bearing on the subject of the complaint.

## MEMBERS OF THE EUROPEAN ENVIRONMENTAL BUREAU

<u>BELGIQUE</u>	BOND BETER LEEFMILIEU VLAANDEREN 25 Aarlenstraat B-1040 Brussel tel: (02) 230 94 10	INTER ENVIRONNEMENT WALLONIE 25 rue d'Arlon B-1040 Bruxelles tel: (02) 230 66 25
	BRUSSELSE RAAD VOOR HET LEEFMILIEU Oude Graanmarkt 5 B-1000 Brussel tel: (02) 511 32 69	NATUUR 2000 33 Bervoetstraat B-2000 Antwerpen tel. (03) 231 26 04
	RESERVES NATURELLES ET ORNITHOLOGIQUES DE BELGIQUE 29 rue Vautier B-1040 Bruxelles tel: (02) 648 37 46	STICHTING LEEFMILIEU Keizerstraat 8 B-2000 Antwerpen tel: (03) 231 64 48
<u>DENMARK</u>	DANMARKS NATURFREDNINGSFORENING Nørregade 2 DK-1165 København K tel: (01) 32 20 21	DANSK ORNITHOLOGISK FORENING Vesterbrogade 140 DK-1620 København V tel. (01) 31 81 06
	GENDAN * Holbergsgade 26 DK-1057 København K tel: (01) 12 50 00	
<u>DEUTSCH- LAND</u>	BUND NATURSCHUTZ BAYERN Schönfeldstr. 8 D-8000 München 22 tel: (089) 28 43 71	BUND FÜR UMWELT- UND NATUR- SCHUTZ DEUTSCHLAND (BUND) Im Rheingarten 7 D-5300 Bonn 3 tel: (0228) 46 20 84
	BUNDESVERBAND BÜRGERINITIATIVEN UMWELTSCHUTZ (BBU) Friedrich Ebert Allee 120 D-5300 Bonn 1 tel: (0228) 23 30 99	DEUTSCHER NATURSCHUTZRING (DNR) Kalkuhlstr. 24 D-5300 Bonn 3 tel: (0228) 44 15 05 44 22 77
	GREENPEACE DEUTSCHLAND Hohe Brücke 1 D-2000 Hamburg 11 tel: (040) 373 344 373 359	ÖKO INSTITUT Hindenburgstr. 20 D-7800 Freiburg tel: (0761) 4 20 99

\* associated members

SCHUTZGEMEINSCHAFT DEUTSCHER  
WALD (SDW)  
Meckenheimerallee 79  
D-5300 Bonn 1  
tel: (0228) 658 462

FRANCE

LES AMIS DE LA TERRE - FRANCE  
15, rue Gambey  
F-75011 Paris  
tel: (01) 47 00 05 05

CREPAN \*  
17, Avenue de Tourville  
F-1400 Caen  
tel. (031) 95 11 89

FEDERATION FRANCAISE DES  
SOCIETES DE PROTECTION  
DE LA NATURE  
57 rue Cuvier  
F-75231 Paris Cédex 05  
tel: (01) 43 36 79 95

NATURE ET PROGRES  
53, rue Vaugirard  
F-75006 Paris  
tel: (01) 42 22 89 99

SOCIETE FRANCAISE POUR LE DROIT  
DE L'ENVIRONNEMENT  
Université III  
Place d'Athènes  
F-67804 Strasbourg Cédex  
tel: (088) 61 16 18 poste 279/280

GREECE

ELLINIKI ETAIRIA  
36 Voukourestiou Street  
GF-10673 Athens  
tel: (01) 3622 535  
3605 319

HELLENIC SOCIETY FOR THE  
PROTECTION OF NATURE  
Nikis Street 24  
GR-10557 Athens  
tel: (01) 32 24 944  
32 25 285

COLINE \*  
15, rue Monge  
F-75005 Paris  
tel. (01) 42 22 92 62

ENVIRONNEMENT ET SANTE \*  
89 rue de Chézy  
F-9220 Neuilly-sur-Seine  
tel: (01) 462 41 627

JEUNES ET NATURE  
129 Bd. St; Germain  
F-7529 Paris Cédex 06  
tel: (01) 43 31 12 62

SEPANSO \*  
Université de Bordeaux I  
Institut de Biologie Animale  
F-33405 Talence  
tel. (056) 80 68 00

EREYA  
Xenofontos 14  
GR-10557 Athens  
tel. (01) 32 43 534  
32 45 747

\* associated members

IRELAND

AN TAISCE  
The Tailors Hall  
Back Lane  
Dublin 8  
tel. (01) 783 940

IRISH WILDLIFE FEDERATION  
7 Mulgrave Street,  
Dun Laoghaire  
Co. Dublin  
tel: (01) 68 60 98

ITALY

ASSOCIAZ ITALIANA PER IL WWF  
Via Salaria 290  
I-00199 Roma  
tel. (06) 85 24 92  
85 48 92

FONDO PER L'AMBIENTE  
ITALIANO  
Viale Coni Zuvna 6  
I-20144 Milano  
tel. (04) 69 36 93

ITALIA NOSTRA  
Via Nicolo Porpora 22  
I-00198 Roma  
tel: (06) 856 765  
861 655  
844 4634

LEGA ITALIANA DI PROTEZIONE  
DI UCCELLI (LIPU)  
Vicolo S Tirburzio 5/A  
I-43100 Parma  
tel: (0521) 33 414

LUXEMBOURG

MOUVEMENT ECOLOGIQUE  
6 rue Vauban  
L-2663 Luxembourg-Pfaffenthal  
tel: 43 90 30

NATURA  
6 Bld. F.D. Roosevelt  
L-2450 Luxembourg  
tel: 47 23 12

NEDERLAND

GREENPEACE NEDERLAND  
Damrak 83  
NL-1012 LN Amsterdam  
tel: (020) 23 65 45

LANDELIJKE VERENIGING TOT  
BEHOUD VAN DE WADDENZEE  
Voorstraat 18  
Postbus 90  
NL-8860 AB Harlingen  
tel: (05178) 5541

NEDERLANDSE VERENIGING TOT  
BESCHERMING VAN VOGELS  
Driebergseweg 16 B  
NL-3708 JB Zeist  
tel: (3404) 254 06

STICHTING MONDIAAL  
ALTERNATIEF  
Postbus 168  
NL-2040 AD Zandvoort  
tel: (02507) 162 96

STICHTING KRITISCH FAUNABEHEER  
Postbus 76  
NL-1243 ZH 's-Graveland  
tel: (02945) 1319

STICHTING NATUUR EN MILIEU  
Donkerstraat 17  
NL-3511 KB Utrecht  
tel: (030) 33 13 28

STICHTING REINWATER \*  
Vossiustraat 20  
NL-1071 AD Amsterdam  
tel: (02975) 669 85

TRAFFIC NEDERLAND \*  
Muur 10  
NL-1422 Uithoorn  
tel: (020) 719 322

\* associated members

UNITED  
KINGDOM

CIVIC TRUST  
17 Carlton House Terrace  
London SW1 Y5AW  
tel: (01) 930 0914

CONSERVATION SOCIETY  
12a Guildford Street  
Chertsey  
Surrey KT16 9BQ  
tel: (093) 28 609 75

COUNCIL FOR ENVIRONMENTAL  
CONSERVATION (CoEnCo)  
80 Yorkway  
London N1 9AG  
tel: (01) 278 47 36

COUNCIL FOR THE PROTECTION  
OF RURAL ENGLAND (CPRE)  
4 Hobart Place  
London SW1W 0HY  
tel: (01) 235 9481

COUNCIL FOR THE PROTECTION  
OF RURAL WALES (CPRW)  
31 High Street, Welshpool  
Powys SY21 7JP  
Wales  
tel: (0938) 25 25

FAUNA AND FLORA PRESERVATION  
SOCIETY  
Zoological Gardens,  
Regent's Park  
London NW1 4RY  
tel: (01) 586 0872

FRIENDS OF THE EARTH  
377 City Road  
London EC1V 1NA  
tel: (01) 837 0731

GREEN ALLIANCE \*  
60 Chandos Place  
London W1V 3DG  
tel. (01) 836 0341

INTERNATIONAL INSTITUTE FOR  
ENVIRONMENT AND DEVELOPMENT (IIED)  
3 Endsleigh Street  
London WC1H 0DD  
tel: (01) 388 2117

ROYAL SOCIETY FOR THE  
PROTECTION OF BIRDS (RSPB)  
The Lodge  
Sandy  
Bedfordshire SG19 2DL  
tel: (0767) 80 551

ROYAL SOCIETY FOR NATURE  
CONSERVATION (RSNC)  
The Green  
Nettleham  
Lincoln LN2 2NR  
tel: (0522) 752 326

SCOTTISH CIVIC TRUST  
24 George Square  
Glasgow G2 1EF  
tel: (041) 221 14 66

THE SOIL ASSOCIATION \*  
Walnut Tree Manor  
Houghley  
Stowmarket  
Suffolk IP16 3RS  
tel: (0449) 673 235

TOWN AND COUNTRY PLANNING  
ASSOCIATION (TCPA)  
17 Carlton House Terrace  
London SW1Y 5AW  
tel: (01) 930 89 03

\* associated member

ASSOCIATED MEMBERS ON 1 JANUARY 1986

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GREENPEACE BELGIUM  
Chaussée de Wavre 335  
B-1040 Bruxelles  
tel: (02) 647 8765

FEDERACION COORDINADORA PARA LA  
DEFENSA DE LAS AVES (CODA)  
Avda. Menendez Pelayo 103  
E-28007 Madrid  
tel: (01) 273 88 12

AMICI DELLA TERRA  
Piazza Sforza Cesarini 28  
I-00186 Roma  
tel: (06) 655 308  
656 82 89

VERENIGING MILIEUDEFENSIE  
Postbus 20050  
NL-1000 HB Amsterdam  
tel: (020) 221 366

INTERNATIONAL FEDERATION OF  
ORGANIC AGRICULTURE MOVEMENTS  
(IFOAM) European Committee  
9, rue Cels  
F-75014 Paris  
tel. (1) 456 14 90

LIGA PARA A PROTECCAO  
DE NATUREZA (LPN)  
Estrado do Calhariz  
de Benfica, n° 187  
P-1500 Lisboa  
tel: (01) 78 00 97

CENTER FOR ECONOMIC AND  
ENVIRONMENTAL DEVELOPMENT (CEED)  
10 Belgrave Square  
GB-London SW1X 8PH  
tel: (01) 245 6640/1

WORLD WILDLIFE FUND U.K.  
(WWF)  
Panda House  
11-13 Ockford Road  
Godalming  
Surrey GU7 1QU  
tel: (04868) 20551

GREENPEACE DANMARK  
Nørre Voldgade 27  
DK-1358 København K  
tel: (01) 18 54 44

FEDERACION DE AMIGOS DE LA  
TIERRA (FAT)  
Betanzos, 55, II° I  
E-28029 Madrid  
tel: (01) 232 17 49

FEDERAZIONE NAZIONALE  
PRO NATURA c/o ISEA  
Via Marchesana 12  
I-40124 Bologna  
tel: (051) 23 19 99

AMIGOS DA TERRA  
Rua Pinheiro Chagas, 28  
2° dt°  
P-1000 Lisboa  
tel. (01) 54 05 76

GRUPO DE ESTUDOS DE ORDENA-  
MENTO TERRITORIO E AMBIENTE  
(GEOTA)  
Rua Ricardo Espirito Santo  
n° 1 R/C  
P-1200 Lisboa  
tel. (01) 60 63 00

LEGA PER L'AMBIENTE  
c/o ARCI  
Via Cesare Beccaria 84  
I-00196 Roma  
tel: (06) 3 57 91

WILDLIFE LINK  
The London Ecology Centre  
45 Shelton Street  
GB-London WC2H 9HJ  
tel: (01) 240 92 84/9

FRIENDS OF THE EARTH (FOE)  
SCOTLAND  
53 George IV Bridge  
Edinburgh EH1 1EJ  
tel: (031) 225 69 06



Extract from ASMDEE database concerning the  
Council Directive of 8 December 1975 on  
the quality of bathing waters

Doc. num. : title : sub.ref. : sub.mat. : nat. prov

DOC.NUM : 776L0160NL  
 TITLE : DUTCH PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

DOC.NUM : 776L0160L  
 TITLE : LUXEMBURGISH PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 : REGLEMENT GRAND-DUCAL DU 17/05/1979 . MEMORIAL A N . 53 P .  
 1080 DU 04/07/1979

DOC.NUM : 776L0160IRL  
 TITLE : IRISH PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 \*\*\*\*  
 - 02 \*\*\*\*  
 - 03 \*\*\*\*

DOC.NUM : 776L0160I  
 TITLE : ITALIAN PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 . DECRETO DEL PRESIDENTE DELLA REPUBBLICA N . 470 DEL 08/06/1982  
 . GAZZETTA UFFICIALE N . 203 DEL 26/07/1982

DOC.NUM : 776L0160GR  
 TITLE : GREEK PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

DOC.NUM : 776L0160GB  
 TITLE : ENGLISH PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT  
 PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 \*\*\*\*

DOC.NUM : 776L0160F  
 TITLE : FRENCH PROVISIONS RELATING TO :  
 76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
 QUALITY OF BATHING WATER  
 OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
 SUB.MAT : APPROXIMATION OF LAWS  
 ENVIRONMENT

PROVISIONS UNDER ARTICLE 235 EEC  
NAT.PROV : - 01 . LOI 1964 - 1245 DU 16/12/1964 . JOURNAL OFFICIEL DU 18/12/1964  
P . 11258  
- 02 . CIRCULAIRE DU 17/03/1980 . JOURNAL OFFICIEL NUMERO  
COMPLEMENTAIRE DU 20/03/1980 P . 2784

DOC.NUM : 776L0160DK  
TITLE : DANISH PROVISIONS RELATING TO :  
76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
QUALITY OF BATHING WATER  
OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
SUB.MAT : APPROXIMATION OF LAWS  
ENVIRONMENT  
PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 . LOV NR . 372 AF 13/06/1973 . LOVTIDENDE A 1973 S 1088 .  
- 02 . LOV NR . 288 AF 26/06/1975 . LOVTIDENDE A 1975 S 827  
- 03 . BEKENDTGOERELSE NR . 143 AF 30/03/1978 . LOVTIDENDE A 1978 S  
444

DOC.NUM : 776L0160D  
TITLE : GERMAN PROVISIONS RELATING TO :  
76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
QUALITY OF BATHING WATER  
OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
SUB.MAT : APPROXIMATION OF LAWS  
ENVIRONMENT  
PROVISIONS UNDER ARTICLE 235 EEC

NAT.PROV : - 01 \*\*\*\*  
- 02 \*\*\*\*  
- 03 \*\*\*\*  
- 04 \*\*\*\*  
- 05 \*\*\*\*  
- 06 \*\*\*\*  
- 07 \*\*\*\*  
- 08 \*\*\*\*  
- 09 \*\*\*\*  
- 10 \*\*\*\*

DOC.NUM : 776L0160B  
TITLE : BELGIAN PROVISIONS RELATING TO :  
76/160/EEC : COUNCIL DIRECTIVE OF 8 DECEMBER 1975 CONCERNING THE  
QUALITY OF BATHING WATER  
OFFICIAL JOURNAL NO L 031 . 05/02/1976 PAGE 0001  
SUB.MAT : APPROXIMATION OF LAWS  
ENVIRONMENT  
PROVISIONS UNDER ARTICLE 235 EEC

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