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R E P O R T

of the Committee on the Environment, Public Health and
Consumer Protection

on the Commission proposal for a Council regulation on
specific action to protect the environment in the coastal
areas and coastal waters of the Irish Sea, North Sea, Baltic
Sea and North-East Atlantic Ocean
(COM(90) 0498 final - C3-0048/91)

Rapporteur: Mrs R. OOMEN-RUIJTEN

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* = Consultation procedure requiring a single reading

**II = Cooperation procedure (second reading) which requires the votes of the majority of the Members of Parliament

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By letter of 25 January 1991 the Council consulted the European Parliament, pursuant to Article 130s of the EEC Treaty, on the Commission proposal for a Council regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, the North Sea, Baltic Sea and North-East Atlantic Ocean.

At the sitting of 18 February 1991 the President of Parliament announced that he had referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Energy, Research and Technology, the Committee on Regional Policy and Regional Planning and the Committee on Budgets for their opinions.

At its meeting of 8 February 1991 the Committee on the Environment, Public Health and Consumer Protection appointed Mrs Oomen-Ruijten rapporteur.

At its meeting of 26 April 1991 it decided to include in its report the following motion for a resolution which had been referred to it:

- B3-0167/91, by Mr Raffarin and others, on an environmental action programme for the Atlantic (referred on 13 March 1991).

At its meetings of 27 February, 2 May and 31 May 1991 it considered the Commission proposal and draft report.

At the last meeting it unanimously adopted the draft legislative resolution.

The following took part in the vote: Schleicher, acting chairman; Scott-Hopkins and Iversen, vice-chairmen; Oomen-Ruijten, rapporteur; Avgerinos, Banotti, Bertens, Bjornvig, Florenz, Green, Caroline Jackson, Jensen, Kuhn, Langenhagen (for Alber), Muntingh, Partsch, Pollack, Simmonds, Vittinghoff and Vohrer.

The opinion of the Committee on Regional Policy and Regional Planning is attached. The opinions of the Committee on Energy, Research and Technology and the Committee on Budgets will be published separately.

The report was tabled with Sessional Services on 5 June 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

Commission proposal for a Council Regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean

Commission text¹

Amendments

(Amendment No. 1)
Third recital

Whereas the resolution of 19 October 1987 of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992)², states that it is important for Community action to concentrate on combating fresh-water and marine pollution by means of a general improvement of the aquatic environment, in particular of the North Sea and the Mediterranean Sea;

Whereas the resolution of 19 October 1987 of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992)², states that it is important for Community action to concentrate on combating fresh-water and marine pollution, by means of a source-centred policy and a preventive approach and a general improvement of the aquatic environment, which in practice means combating pollution, primarily from factories, towns and agricultural chemicals, in particular in the North Sea and the Mediterranean Sea;

¹ For full text see: COM(90) 0498 final - OJ No. C 021, 29.1.1991, p.13

² OJ No. C 328, 7.12.1987, p. 1

² OJ No. C 328, 7.12.1987, p. 1

(Amendment No. 2)
Sixth recital

Whereas protection of the environment of the Irish Sea, the North Sea, the Baltic Sea and the North-East Atlantic Ocean requires a combined international effort by all the littoral States; whereas certain measures in this field can be carried out more effectively at Community level than at the level of the individual Member States;

Whereas protection of the environment of the Irish Sea, the North Sea, the Baltic Sea and the North-East Atlantic Ocean requires a combined international effort by all the littoral States or States polluting the rivers which flow into those seas; whereas certain measures in this field can be carried out more effectively at Community level than at the level of the individual Member States;

(Amendment No. 3)
Sixth recital a (new)

Whereas full use must be made of the Community Structural Funds and certain other financial instruments and Community programmes in order to assist in the implementation, in accordance with the relevant rules, regulations and objectives, of certain categories of measure covered by this Regulation;

(Amendment No. 4)
Ninth recital

Whereas an advisory committee should assist the Commission in implementing this Regulation; whereas, to this end, recourse should be had to the committee set up by the MEDSPA Regulation;

Whereas an advisory committee of independent experts should be set up to assist the Commission in implementing this Regulation;

(Amendment No. 5)
Ninth recital a (new)

Whereas maximum publicity should be given to this Regulation to foster an awareness of, and access to, the measures proposed by it on the part of small and medium-sized enterprises;

(Amendment No. 6)
Ninth recital b (new)

Whereas an optimum effect can be achieved from the measures if clean technology is used which responds to needs and circumstances;

(Amendment No. 7)
Article 1

Community action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (NORSPA) is hereby instituted.

1. Community action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (NORSPA) is hereby instituted.

2. 'Coastal areas' are deemed to be the areas covered by the littoral local authorities, or those areas covered by the lowest level of administration concerned with licensing policy or local environmental policy.

'Coastal waters' are deemed to be a strip 12 miles in width along the coast.

3. In order to prevent any overlap between or duplication of measures in the regions covered by this Regulation, steps shall be taken to coordinate all existing programmes and projects to protect the environment in the areas referred to in the first paragraph.

(Amendment No. 8)
Article 2

1. The objectives of the action to be taken under this Regulation shall be:

- (a) to intensify efforts to protect and improve the quality of the environment and to implement Community environment policy in the areas concerned;

1. The objectives of the action to be taken under this Regulation shall be:

- (a) to intensify efforts to protect, maintain, restore and improve the quality of the environment and to implement Community environment policy and Community legislation in the areas concerned;

(b) to maintain and increase the effectiveness of Community measures on the environment in the areas concerned pursuant to other Community policy;

(c) to increase cooperation on protection of the environment between the littoral states by integrating Community actions and the operations carried out at regional, national and international level;

(d) to promote the development and use of clean or low-emission technologies, as the transfer of these technologies and the exchange of experience would benefit the environment in the areas concerned.

(b) to maintain, coordinate and increase the effectiveness of Community measures on the environment in the areas concerned pursuant to other Community policy;

(c) to increase cooperation on protection of the environment between the littoral states by coordinating and integrating Community actions and the operations carried out at regional, national and international level;

(d) to encourage the development and use of innovative, clean or low-emission technologies, as the transfer of these technologies and the exchange of experience would foster such innovative measures and initiatives to protect the environment in the areas concerned.

(Amendment No. 9)
Article 2(2) (new)

The action for which funds are provided shall not conflict with the principle that the polluter pays.

(Amendment No. 10)
Article 3(1)

1. The amount of Community expenditure estimated necessary for the implementation of the action provided for in this Regulation is 10 MECU during the first two years.

1. The amount of Community expenditure estimated necessary for the implementation of the action provided for in this Regulation is 11 MECU during the first two years.

(Amendment No. 11)
Article 4(1)

1. The financial support provided for in this Regulation may be granted in respect of operations suited to give rise to a lasting improvement in the quality of the coastal areas and coastal waters referred to in Article 1 and which reflect the priorities listed in the annex.

1. The financial support provided for in this Regulation may be granted in respect of innovative operations suited to give rise to a lasting improvement in the quality of the coastal areas and coastal waters referred to in Article 1 and which reflect the objectives listed in Article 2.

Priority shall be given to the measures listed in the Annex, in particular in instances where they are intended to impose more stringent conditions than in the objectives of the Final Declaration of the Third North Sea Ministerial Conference, or where they go beyond Community environmental requirements or are intended to achieve speedier compliance with such requirements.

(Amendment No. 12)
Article 6(2)

2. The financial support shall take the form of:

- capital grants towards investment in projects other than infrastructure projects; or
- financial contributions towards pilot or demonstration projects and to measures providing incentive or creating awareness, and towards initiatives designed to acquire the information necessary for the implementation of the operations, improve supervision and monitoring of the environment concerned and promote the exchange of experience and technology transfer.

2. The financial support shall take the form of:

- (a) capital grants towards investment in projects other than in infrastructure projects
- (b) (co-)funding of programmes
- (c) (co-)funding of projects
- (d) interest subsidies
- (e) repayable subsidies
- (f) support for technical assistance for operations.

(Amendment No. 13)
Article 7

Community financial support for the operations referred to in Article 5 shall be subject to the following limits:

- a maximum of 50% of the total cost in the case of public investment projects;
- a maximum of 30% of the total cost in the case of private investment projects;

- a maximum of 100% of the total cost of measures designed to acquire the information necessary for implementation of the operations or of incentive and awareness measures taken at the initiative of the Commission.

(Amendment No. 14)
Article 8(1)

1. In order to guarantee the success of the operations carried out by the beneficiaries of Community financial support, the Commission shall take the necessary measures:

- to verify that actions financed by the Community have been properly carried out;
- to prevent and take action against irregularities;
- to recover any amounts wrongly paid as a result of an irregularity or negligence.

Community financial support for the operations referred to in Article 5 shall be subject to the following limits:

- a maximum of 50% of the total cost in the case of public or private investment projects;

Delete

- a maximum of 100% of the total cost in the case of projects implemented by non-profit-making organizations in the environmental protection sector;

- a maximum of 100% of the total cost of measures designed to acquire the information necessary for implementation of the operations or of incentive and awareness measures taken at the initiative of the Commission.

1. In order to guarantee the success of the operations carried out by the beneficiaries of Community financial support, the Commission shall take the necessary measures:

- to verify and check that actions financed by the Community have been properly carried out;
- to prevent and take action against irregularities;
- to halt all financing immediately where irregularities are discovered,
- to recover any amounts wrongly paid as a result of an irregularity or negligence, plus the interest which has accrued.

(Amendment No. 15)
Article 8(2)

2. Without prejudice to checks carried out by the Court of Auditors in conjunction with the competent national control institutions or services under Article 206a of the Treaty or to any inspection carried out on the basis of Article 209c of the Treaty, Commission officials or employees may carry out on-the-spot checks, including sample checks, in respect of operations financed by Community action.

Before carrying out an on-the-spot check, the Commission shall give notice to the beneficiary concerned with a view to obtaining all the assistance necessary.

2. Without prejudice to checks carried out by the Court of Auditors in conjunction with the competent national control institutions or services under Article 206a of the Treaty or to any inspection carried out on the basis of Article 209c of the Treaty, Commission officials or employees may carry out on-the-spot checks, including sample checks, in respect of operations financed by Community action.

Before carrying out an on-the-spot check, the Commission shall give notice to the beneficiary concerned with a view to obtaining all the assistance necessary, except in cases where fraud or improper use are suspected.

(Amendment No. 16)
Article 9(1)

1. The Commission may reduce or suspend payment of assistance in respect of a particular operation if it finds irregularities or a significant change affecting the nature or conditions of implementation of the action for which the Commission's approval has not been sought.

1. The Commission may reduce or suspend payment of assistance in respect of a particular operation, and demand that that assistance be reimbursed, if it finds irregularities or a significant change affecting the nature or conditions of implementation of the action for which the Commission's approval has not been sought.

(Amendment No. 17)
Article 9(2)

2. If the completion dates have not been respected or if a particular operation has been carried out in such a manner that payment of only part of the financial assistance allocated to it is justified, the Commission shall ask the beneficiary to submit his comments within a specified period. Unless adequate justification is produced, the Commission may cancel the remaining portion of the financial assistance concerned.

2. If the completion dates have not been respected or if a particular operation has been carried out in such a manner that payment of only part of the financial assistance allocated to it is justified, the Commission shall ask the beneficiary to submit his comments within a specified period. Unless adequate justification is produced, the Commission may cancel the remaining portion of the financial assistance concerned, and recover financial assistance already paid.

(Amendment No. 18)
Article 9(3)

3. Any sum which is unduly received by the beneficiary shall be repaid to the Commission. Interest may be charged on sums not repaid in due time. The Commission shall lay down the detailed rules for the implementation of this paragraph.

3. Any sum which is unduly received by the beneficiary shall be repaid to the Commission. Interest shall be charged on sums not repaid in due time. The Commission shall lay down the detailed rules for the implementation of this paragraph.

(Amendment No. 19)
Article 11

1. For the purposes of implementing the operations referred to in Article 4 the Commission shall be assisted by a committee of an advisory character created by ... (MEDSPA).

1. For the purposes of implementing the operations referred to in Article 4 the Commission shall be assisted by a committee of an advisory character made up of independent experts, on which representatives of non-governmental organizations which deal with environmental protection shall also sit.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on this draft within a time-limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

2. The representative of the Commission shall consult the committee on the measures to be taken. The committee shall deliver its opinion on this draft within a time-limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

3. The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to have its position recorded in the minutes.

3. The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to have its position recorded in the minutes.

4. The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

4. The Commission must take account of the opinion delivered by the committee and shall subsequently inform it of the decisions taken in this respect.

(Amendment No. 20)
Article 11a (new)

Any Member State may request that an inquiry be conducted into whether action taken, or not taken, by third countries is in conformity with international treaties and standards and into the effect such action or failure to take action has on the environment of the coastal areas and coastal waters in question.

(Amendment No.21)
Article 12

The list of measures which have received financial support shall be published for information purposes in the Official Journal of the European Communities.

The list of measures which have received financial support shall be published in the Official Journal of the European Communities.

(Amendment No. 22)
Article 13

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.

It shall apply for ten years, divided into two five-year phases. Before the end of the first phase, the Commission shall assess the result and report to the Council and to the European Parliament. If appropriate, the Commission shall propose amendments to this Regulation, in particular with regard to the priority measures to be taken for the implementation of the second phase.

It shall apply until the financial instrument 'LIFE'¹ comes into effect.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

¹ COM(91) 0028 final

(Amendment No. 23)
Annex, A.1. Nutrients

Measures to reduce nutrient input in coastal areas, including those due to agricultural activities.

Measures to reduce and, in particular, prevent nutrient input in coastal areas, including those due to agricultural activities.

(Amendment No. 24)
Annex A.2. Dangerous substances

All measures designed to reduce:

- input of persistent, toxic and potentially bioaccumulative substances entering the seas concerned from rivers, estuaries and the atmosphere;
- dumping and incineration at sea of sewage sludge, industrial waste and dredged materials;
- pollution from ships and offshore installations.

All measures designed to reduce and, in particular, prevent:

- input of persistent, toxic and potentially bioaccumulative substances entering the seas concerned from rivers, estuaries and the atmosphere;
- Delete
- Delete

(Amendment No. 25)
A.3. Industry

Identification of measures suited to speed up the application of emission standards and possible establishment of sectoral agreements for industries responsible for significant pollution from point sources, such as the paper and pulp industry, fertilizer industry, biocide manufacturing and formulation industry, pharmaceuticals industry.

Identification of measures suited to speed up the application of emission standards and possible establishment of sectoral agreements for industries responsible for significant pollution from point sources, such as the paper and pulp industry, fertilizer industry, biocide manufacturing and formulation industry, pharmaceuticals industry, and diffuse sources.

(Amendment No. 26)
Annex B (new)

Measures to restrict pollution of the coastal waters and areas listed in Article 1 as a result of:

- recreation activities
- military activities
- fish-farming
- fisheries
- land reclamation
- recovery of (surface) minerals
- urban development.

(Amendment No. 27)
Annex, C (new)

1. The creation of a Euro-coastguard.
2. Research into the creation of an integrated administrative structure for coastal regions.

Old Annex B. becomes Annex D

(Amendment No. 28)
Financial statement, Point 6.1. Type of expenditure

- capital grants towards investment in projects other than infrastructure projects;
- support to demonstration projects, pilot schemes, incentive or awareness-raising measures;
- financing of measures geared to acquiring the information required for implementing the scheme, improving supervision and monitoring of the environment concerned, promoting exchange of experience and technology transfer;

and any measures facilitating the technical and administrative management of the programme.

- (a) capital grants towards investment in projects other than infrastructure projects;
- (b) (co-)funding of programmes
- (c) (co-)funding of projects.
- (d) interest subsidies
- (e) repayable subsidies
- (f) support for technical assistance for operations;

and any measures facilitating the technical and administrative management of the programme.

(Amendment No. 29)
Financial statement, Point 7.1.

Total projected cost during the period 1991-1992: ECU 10 m.

Total projected cost during the period 1991-1992: ECU 11 m.

(Amendment No. 30)
Financial statement, Point. 7.3.1., Commitment appropriations (in ECU)

LEFT-HAND COLUMN

Type of expenditure	1991	1992	TOTAL
Projects	<u>3 600 000</u>	<u>5 400 000</u>	<u>9 000 000</u>
Management	<u>400 000</u>	<u>600 000</u>	<u>1 000 000</u>
TOTAL	<u>4 000 000</u>	<u>6 000 000</u>	<u>10 000 000</u>

RIGHT-HAND COLUMN

Type of expenditure	1991	1992	TOTAL
Projects	<u>2 700 000</u>	<u>7 200 000</u>	<u>9 900 000</u>
Management	<u>300 000</u>	<u>800 000</u>	<u>1 100 000</u>
TOTAL	<u>3 000 000</u>	<u>8 000 000</u>	<u>11 000 000</u>

(Amendment No. 31)
 Financial statement, Point 7.3.2., Payment appropriations (in ECU)

LEFT-HAND COLUMN

Type of expenditure	1991	1992	1993	1994	TOTAL
Projects	<u>1 440 000</u>	<u>3 600 000</u>	<u>2 880 000</u>	<u>1 080 000</u>	<u>9 000 000</u>
Management	<u>320 000</u>	<u>560 000</u>	<u>120 000</u>	-	<u>1 000 000</u>
TOTAL	<u>1 760 000</u>	<u>4 160 000</u>	<u>3 000 000</u>	<u>1 080 000</u>	<u>10 000 000</u>

RIGHT-HAND COLUMN

Type of expenditure	1991	1992	1993	1994	TOTAL
Projects	<u>900 000</u>	<u>4 000 000</u>	<u>4 000 000</u>	<u>1 100 000</u>	<u>10 000 000</u>
Management	<u>300 000</u>	<u>300 000</u>	<u>300 000</u>	<u>100 000</u>	<u>1 000 000</u>
TOTAL	<u>1 200 000</u>	<u>4 300 000</u>	<u>4 300 000</u>	<u>1 200 000</u>	<u>11 000 000</u>

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean

The European Parliament,

- having regard to the Commission proposal to the Council (COM(90) 0498 final)¹,
 - having been consulted by the Council pursuant to Article 130s of the EEC Treaty (C3-0048/91),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Energy, Research and Technology, the Committee on Regional Policy and Regional Planning and the Committee on Budgets (A3-0164/91),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Calls for the conciliation procedure to be opened if the Council should intend to depart from the text approved by Parliament;
 5. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 6. Instructs its President to forward this opinion to the Council and the Commission.

¹ OJ No. C

B

EXPLANATORY STATEMENT

I. BACKGROUND

In 1988 Parliament called for action for the North Sea and the 1989 budget included appropriations of ECU 2 m for demonstration and pilot projects. Despite the absence of a legal basis, this money was spent in full pursuant to the wishes expressed by the budgetary authority. Parliament called on the Commission to submit a proposal as soon as possible. The Commission called it the COZEA Programme. The 1990 budget also included ECU 2 m for the COZEA Programme. However, because of the absence of a legal basis (which, since the new financial perspective has come into effect, is the pre-condition for expenditure) the ECU 2 m have remained unused, much to the dissatisfaction of the European Parliament. A proposal has now been finally presented which relates not only to the North Sea but also to the Irish Sea, the Baltic Sea and the North-East part of the Atlantic Ocean. It is intended to parallel MEDSPA and it has been called NORSPA.

II. THE COMMISSION PROPOSAL

The proposal is concerned essentially with financing projects for the coastal areas and coastal waters of the seas in question. Money can be made available provided the projects cannot be financed pursuant to existing Community funds (structural funds, ENVIREG and PHARE). The objectives are extremely vague.

The priorities include the following:

- measures to restrict nutrients
- measures to restrict inputs of dangerous substances
- measures to restrict the dumping in, and incineration at sea, of sewage sludge, industrial waste and dredging materials
- encouraging new technologies to restrict the emission of polluting substances
- protection of species and habitats
- cooperation with non-Member States.

The life of the programme is ten years. The Commission proposes appropriations of ECU 4 m for 1991 and ECU 6 m for 1992. The Commission is prepared to contribute 50% of the costs of public sector investments but no more than 30% for private sector investments. Management costs can be funded to 100%. The proposal is to use the same advisory committee as is used for MEDSPA. The Commission's intention is to report back within five years.

III. COMMENTS

1. It is doubtful whether the programme as such has any point, since the Commission has stated that all long-term programmes (ACE, MEDSPA, NORSPA and CANAT) are to be included in the LIFE programme¹. Annex I of the LIFE proposal on the types of measures which LIFE may support includes 'the safeguarding of coastal areas and waters'. Your rapporteur believes that it is nevertheless desirable to maintain the NORSPA proposal because, even after inclusion in LIFE the different programmes will remain separate parts of LIFE, and it will therefore be possible to indicate in the NORSPA proposal how the funding can be used to benefit the seas and areas in question.
2. Nevertheless, inclusion in LIFE means that the financial stipulations of the NORSPA programme will have a fairly short life. It is interesting that the financial provisions of NORSPA are much more detailed than those of the LIFE proposal.
3. As is the intention with LIFE, the funding provided under NORSPA is no longer to be used for research or pilot projects. Principally this is because there are enough other programmes, but there is also the gradual realization that the main sources of pollution have been studied in sufficient depth, the main causes are sufficiently well known and the time has now come to get down to action. The main priority should be the practical application of technologies which prevent pollution. Preserving the biological variety of natural ecosystems is also of the utmost importance.
4. As is usually the case, the level of funding in Commission proposals on the environment bears absolutely no relation to needs. As a result, the long list of broad objectives for the programme comes across as rather bizarre. Nor does the proposed ECU 10 m reflect the wishes of the budgetary authority. The 1990 budget included appropriations of ECU 5.5 m, and not ECU 4 m as the Commission is now proposing. The figure for 1992 should be at least the same as the figure for 1991, giving a total of ECU 11 m. However, since it is unlikely that the Commission will comply with its initial obligations towards NORSPA before the autumn of 1991, it might be preferable to cut the appropriations for 1991 in favour of those for 1992.
5. The Commission's proposal does not define coastal areas and coastal waters. It would appear sensible to regard as coastal areas that area which, as far as activities connected with the sea are concerned, are the responsibility of the basic form of public authority. In many instances these will be the local authorities, since they have the power to issue most licences and they have competence for local environmental policy. In other instances it will be a higher level of authority, such as a province, district or 'Land'. As far as coastal waters are concerned, it seems obvious to adopt the 12 mile zone.

¹ See Article 17 of the proposal for a Council Regulation (EEC) establishing a Financial Instrument for the Environment (LIFE) (COM(91) 0028 final, 31.1.1991)

6. The activities which are funded should not conflict with the principle that the polluter pays, and a higher priority should be assigned to them if they are intended to go further than the Community environmental requirements or the objectives formulated in the Final Declaration of the Third North Sea Conference (The Hague, March 1990) or are intended to implement such requirements at an earlier date.
7. The role of the advisory committee is too restricted and too vague. For MEDSPA, Parliament wanted an advisory committee of independent experts. Hence the current amendment. The best procedure, however, is the one presented by Mr Muntingh in his report² on LIFE. He presents specific proposals for the concept of 'partnership', which is the best guarantee of democratic decision-making. Once the NORSPA regulation is withdrawn, the consultation procedures provided for in LIFE will automatically come into effect.
8. In the Annex (on priority forms of action) the Commission refers under point A.2 to measures to reduce the dumping and incineration of sewage sludge, industrial waste and dredging materials. However, these activities have already been banned for some time in the NORSPA area, and it is therefore hard to see why they should be eligible for aid. Measures to prevent pollution from ships and off-shore installations will, in any case, have to be taken by the industry, pursuant to the principle set out in Article 130r(2) of the EEC Treaty to the effect that 'the polluter pays', and it is hard to see why these, too, should be subsidized.
9. The causes listed by the Commission for the pollution of the seas in question are by no means exhaustive. There are numerous other causes such as: recreation, military activities, fish farming, fisheries, land reclamation, urban development and the recover of (surface) minerals. NORSPA should therefore be directed towards controlling pollution from these activities, too.
10. A Euro-coastguard is also needed. Its tasks should include the following:
 - monitoring the seas for oil pollution and chemical inputs; documentation of such activities, criminal investigation and providing proof
 - airborne technical teams to cope with oil incidents at sea
 - monitoring the legal dumping and incineration of chemicals at sea
 - monitoring fisheries
 - life-saving activities
 - early-warning service for algae and other biological supervisory tasks
 - assisting the customs authority in investigating international smuggling activities.

A Euro-coastguard could rapidly detect contraventions of national, Community or international regulations and report them to the competent authorities of the Member States who could then take direct action. Coast-guard reports would significantly alleviate the burden of proof. The coastguard should have placed at its disposal properly equipped aircraft and, perhaps, a number of smaller vessels and, of course, it would also have to be able to operate across borders. The small-scale use

² Not yet published

of observer aircraft provided by the Navy has proved very effective in the Netherlands. It can therefore be assumed that a well-organized coast-guard would have a deterrent, i.e. preventive effect.

11. Finally, there is a need for studies of the possibility of setting up an integrated administrative structure for coastal areas, since a fragmented licensing policy makes it extremely difficult to adopt a vigorous approach to the environmental problem of the coasts.

Motion for a resolution by Mr RAFFARIN and others, pursuant to Rule 63 of the Rules of Procedure, on an environmental action programme for the Atlantic (B3-0167/91)

The European Parliament,

- A. whereas the Council of Environment Ministers meeting on 20 and 21 December 1990 approved the MEDSPA programme on Community action to protect the environment in the 'Mediterranean region',
- B. whereas a proposal for a regulation on the protection of sensitive areas in the North Sea and Baltic Sea (NORSPA programme) was recently approved by the Commission and is now to be forwarded to the Council,
- C. whereas the setting-up of these programmes (MEDSPA and NORSPA) clearly indicates the Community's determination to deal with problems affecting the coastal environment,
 1. Calls on the Community to support Europe's Atlantic seaboard, especially at a time when, as Europe's centre of gravity shifts eastwards, the Community should be showing more concern for its western coast;
 2. Calls on the Commission to consider the possibility of setting up an environmental action programme for the Atlantic coastline from Glasgow to Seville, following on from its action to protect other coastlines;
 3. Proposes that the European Parliament draw up a proposal for an 'Atlantic Environment' programme specifying what measures should be taken to ensure that environmental protection becomes a driving force in future developments on the Atlantic seaboard.

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Regional Policy and Regional Planning
for the Committee on the Environment, Public Health and Consumer Protection
Draftsman: Mrs Leyla ONUR

At its meeting of 13 May 1991 the Committee on Regional Policy and Regional Planning appointed Mrs Leyla Onur draftsman.

At its meeting of 30 May 1991 the committee considered the draft opinion and adopted the conclusions as a whole by 18 votes to 1.

The following were present for the vote: Waechter, chairman; Alexandre, vice-chairman; Onur, draftsman; Anger (for Staes), Contu, Cushnahan, da Cunha Oliveira, David, Duarte Cendan, Escuder Croft, Fitzgerald, Garcia Rias (for Izquierdo Rojo), Happart (for Hume), Harrison, Köhler, Lambrias, Lauga (for Raffarin), Maibaum, Pack, Peter (for Smith) and Vandemeulebroucke.

The Committee on Regional Policy and Regional Planning requests the Committee on the Environment, Public Health and Consumer Protection, as the committee responsible, to incorporate the following amendments into its report:

Proposal for a Council regulation (EEC) (NORSPA)
COM(90) 0498 final - C3-0048/91

Commission text

Amendments

(Amendment No. 1)
Third recital

Whereas the resolution of 19 October 1987 of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992) states that it is important for Community action to concentrate on combating fresh-water and marine pollution by means of a general improvement of the aquatic environment, in particular of the North Sea and the Mediterranean Sea;

Whereas the resolution of 19 October 1987 of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992) states that it is important for Community action to concentrate on combating fresh-water and marine pollution by means of a general improvement of the aquatic environment, which in practice means combating pollution, primarily from factories, towns and agricultural chemicals, in particular in the North Sea and the Mediterranean Sea.

(Amendment No. 2)
Sixth recital

Whereas protection of the environment of the Irish Sea, the North Sea, the Baltic Sea and the North-East Atlantic Ocean requires a combined international effort by all the littoral States; whereas certain measures in this field can be carried out more effectively at Community level than at the level of the individual Member States;

Whereas protection of the environment of the Irish Sea, the North Sea, the Baltic Sea and the North-East Atlantic Ocean requires a combined international effort by all the littoral States or States polluting the rivers which flow into those seas; whereas certain measures in this field can be carried out more effectively at Community level than at the level of the individual Member States;

(Amendment No. 3)
Article 2(d)

(d) to promote the development and use of clean or low-emission technologies, as the transfer of these technologies and the exchange of experience would benefit the environment in the areas concerned.

(d) to promote the development and use of clean technologies, as the transfer of these technologies and the exchange of experience would benefit the environment in the areas concerned.

General remarks

Following the creation of the EEA, the Community is obliged to redouble its efforts to protect the environment, and in particular the marine environment because the EC has an extremely long coastline in relation to its surface area. The MEDSPA and ENVIREG programmes and other Community financial instruments do not cover all the marine and coastal regions at risk.

Reasons for the NORSPA action programme

There is a very high degree of pollution of the Irish Sea, the North Sea, the Baltic and the North-East Atlantic from inputs of harmful substances. For example, according to COM(90) 498, 1.2 million t of nitrates, 180 000 t of phosphates, 5 million t of sewage sludge, 55 million t of dredged material and 1.7 million t of liquid industrial waste are dumped annually in the North Sea.

These figures will suffice to show that the marine environment and, of course, humans living in these regions are severely at risk. The socio-economic effects of such disruption to the environment have been discussed at length by the Committee on Regional Policy and Regional Planning in connection with the MEDSPA and ENVIREG programmes.

The regions covered by NORSPA have had recourse to a number of existing financial instruments, such as the STEP and Mast programmes, the Structural Funds and the Phare programme. The regional fund (ERDF) has helped finance a number of environmental projects - even though this is not its real *raison d'être* - because there is as yet no separate environmental fund with adequate financial resources.

The regional funds and the Phare programme are confined to specific regions and operations. It is intended that such constraints should not apply to NORSPA; instead it is designed to complement other, existing initiatives.

Objectives of NORSPA

The objectives of NORSPA are virtually the same as those of the MEDSPA programme. Briefly, they consist of measures to

- increase awareness of damage to the environment
- reduce inputs of harmful substances,
- encourage specific industries to introduce emission standards as soon as possible,
- maintain and protect species and habitats,
- encourage cooperation with non-Community littoral states.

Funding

NORSPA is intended to run for a period of ten years, divided into two five-year phases. The appropriations for 1991 and 1992 are ECU 10 million.

The Committee on Regional Policy and Regional Planning

1. Welcomes the Commission proposal for a specific programme to protect the environment in the coastal areas and coastal waters of the Irish Sea, the

North Sea, the Baltic Sea and the North-East Atlantic, since this proposal reflects the wishes expressed by the Committee in its opinions on the ENVIREG and MEDSPA programmes;

2. Supports the Commission's intention that this programme should complement existing initiatives, thereby covering regions which are not classified as objective 1, 2 or 5b regions or which are not covered by other programmes, but stresses the need for a clearly defined approach to avoid programmes overlapping or, at worst, proving mutually obstructive;
3. Repeats its call, in this connection, for an overview of Community initiatives aimed at protecting the marine environment;
4. Supports the objectives, which are in line with MEDSPA and have been approved by Parliament, and stresses the particular importance of cooperating with non-Community littoral states.

The states of Central and Eastern Europe are in particular need of assistance to enable them, as they undergo the difficult phase of restructuring, to cope with the demands of environmental protection. Only a coordinated environmental policy can reduce the total extent of the damage so that regional development - tourism, for example - is not placed at risk;

5. Believes, however - given the need for speedy and effective action to protect the area covered by NORSPA and the variety of measures proposed - that the appropriations of ECU 10 million for 1991 and 1992 are inadequate, particularly when compared with the appropriations for MEDSPA (1991: payments ECU 9 million, commitments ECU 11.8 million) and calls therefore for an increase for 1992.

If, as is to be feared, NORSPA does not get under way until the latter half of 1991, it will be difficult to release funds and experience shows that it will be hard to justify an increase for 1992;

6. Calls therefore for an interim report to be submitted as soon as possible on the release of funds and, of course, the efficiency of the programme, as a means of demonstrating that more funds are needed;
7. Points out that in other action programmes far too large a proportion of the funds have been absorbed by 'bureaucracy' and stresses the priority need for funding for tangible measures;
8. Repeats its calls for a separate environmental fund, regardless of any programmes and financial instruments now or in the past.

