

EUROPEAN PARLIAMENT

Working Documents

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MOTION FOR A RESOLUTION

tabled by Mr DEKKER, Mr MUNTINGH, Mrs von ALEMANN,
Mr MART, Mr ALBER, Mrs MAIJ-WEGGEN, Mrs LIZIN,
Mrs GASPARD, Mr JOHNSON, Mrs SQUARCIALUPI,
Mr PESMAZOGLOU, Mr CAPANA

pursuant to Rule 25 of the Rules of Procedure

on Community rules on transfrontier environmental
pollution

The European Parliament,

- whereas:
 - transfrontier pollution problems regularly occur in the Community - including transfrontier industrial hazards - for which no satisfactory solution has yet been found,
 - such transfrontier environmental problems are not confined to border areas,
 - the present environmental policy of the Community provides only a partial solution to these transfrontier problems and there is equally little in the way of general Community rules for a much-needed approach to tackling them,
 - an approach involving sectoral approaches to environmental problems has not provided a satisfactory solution to transfrontier issues,
- having regard to the work carried out by other international organizations in this field, in particular the arrangements concerning transfrontier environmental pollution already adopted in the framework of the OECD,
- 1. Considers that binding general Community rules are required now in order to adequately tackle the problems of transfrontier pollution and transfrontier industrial hazards;
- 2. Requests that such rules should contain at least the following provisions:
 - an obligation on the Member States to ensure that no activities take place on their territory which would represent a hazard to or have harmful effects on the environment of other Member States;
 - a general rule that the Member States ensure that they do not pay any less attention to the environment in other countries than to their own environment in comparable conditions. Where standards differ on either side of the border the stricter standards should in principle be applied;
 - where activities or decisions may have transfrontier environmental effects, the Member State concerned shall ensure that the (neighbouring) countries concerned are given the fullest information as soon as possible and consultation shall be held on the proposed activity

if one of the parties deems this to be desirable;

- during the consultation stage nothing should be done that might irrevocably prejudice the outcome of the consultation;
 - information and consultation procedures should be introduced between local and regional authorities in the areas concerned as well as at national level;
 - the population on both sides of the frontier should also be informed and involved in the decision-making process;
 - the country in which the pollution or risk of pollution originates should initiate consultation and appeal procedures for interested parties from the regions where the impact would be felt;
 - the Member States should treat transfrontier environmental effects in the same way as environmental effects on their own territory;
 - the Commission should be informed about activities which may have transfrontier environmental effects (in the same way as pursuant to the procedure provided for in Article 37 of the Euratom Treaty) and should be involved in the consultation if one of the parties concerned so requests. In any case, the Commission may inform the parties of its independent assessment;
 - binding rules to cover cases where Member States fail to reach agreement after completion of the consultation procedure;
3. Hereby decides to request the Commission to present proposals to Parliament for Community rules including the above-mentioned provisions within one year.