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Report

on behalf of the Committee on Public Health and the Environment

on the proposals from the Commission of the European Communities to the Council (Doc. 62/73) on the programme of environmental action of the European Communities together with proposed measures to be taken in this field

Rapporteur: Mr Hans Edgar JAHN

By letter of 15 May 1973 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 235 of the EEC Treaty, to deliver an opinion on the proposed Council decision on the introduction of an information procedure in the field of environmental protection and, although consultation was not mandatory, on the draft Council resolution on a Community environmental action programme.

On 4 June 1973 the European Parliament referred these proposals to the Committee on Public Health and the Environment as the committee responsible, and to the Committee on Economic and Monetary Affairs and the Committee on Agriculture for an opinion.

The Committee on Public Health and the Environment appointed Mr Jahn rapporteur on 16 April 1973.

It discussed the proposals at its meetings of 16 April, 14/15 May and 24 May 1973.

On 18 June 1973 the committee unanimously adopted the motion for a resolution and explanatory statement.

The following were present: Mr Della Briotta, chairman; Mr Jahn, vice-chairman and rapporteur; Mr Baas (deputizing for Mr Durieux), Mr Brégégère, Mr Christensen, Mr Delmotte (deputizing for Mrs Orth), Mr Eisma, Sir Anthony Esmonde, Mr Liogier, Mr McElgunn, Mr Martens, Mr Petersen, Mr Rosati, Mr Springorum, Mr Walkhoff and Mrs Walz.

The opinions of the Committee on Economic and Monetary Affairs and the Committee on Agriculture are attached.

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The Committee on Public Health and the Environment hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement :

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council on the programme of environmental action of the European Communities together with proposed measures to be taken in this field

The European Parliament,

- having regard to its resolution of 19 November 1970 on the protection of inland waterways with special reference to the pollution of the Rhine¹ and of 10 February 1972 on the need for Community action against air pollution²;
 - having regard to its resolutions of 18 April 1972 on the first memorandum from the Commission on a Community environmental policy³ and of 3 July 1972 and the memorandum from the Commission to the Council on a European Communities' environmental programme⁴;
 - having regard to the proposals from the Commission of the European Communities to the Council (COM(73)530/fin.);
 - having been consulted by the Council (Doc.62/73);
 - having noted the report of the Committee on Public Health and the Environment and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Agriculture (Doc.106/73);
1. Stresses once again the urgent need for increased knowledge or environmental problems and effective measures to protect the environment at Community level;
 2. Welcomes, therefore, the fact that, in implementation of the decisions taken at the Paris Summit Conference of October 1972, the Commission has submitted a draft programme of environmental action of the European Communities;
 3. Notes that this action programme is simply a continuation of the Commission memorandum to the Council of March 1972 on a European Communities' environmental action programme⁵;

¹ OJ No. C143, 3 December 1970, p.30

² OJ No. C 19, 28 February 1972, p.29

³ OJ No. C 46, 9 May 1972, p.10

⁴ OJ No. C 82, 26 July 1972, p.42

⁵ OJ No. C 52, 26 May 1972, p.1

4. Insists that the Council should comply with the demands of the Paris Summit Conference of October 1972 and adopt this action programme before 31 July 1973, having regard to the opinion of the European Parliament;
5. Protests most strongly against the fact that the Council, which in this urgent matter took more than one month to decide whether to give the European Parliament a hearing at all, only consulted the European Parliament on an optional basis about the action programme based on Article 235 of the EEC Treaty (COM(73) 530 fin., B and C), and - in agreement with the Commission of the European Communities - bases its opinion on the belief that this is a gross contravention of Article 235 of the EEC Treaty and of the demands of the Paris Summit Conference and that in fact it was consulted on an obligatory basis about the whole action programme;
6. Also stresses that it is not enough simply to adopt the action programme and that the decisive requirement is the implementation of this programme by the Council by establishing priorities and taking effective legislative action on environmental protection within the set time;
7. Explicitly reserves its final opinion on the implementing provisions and expects the Council to consult it on time in each case in order to avoid having to deliver its opinion under pressure of time;
8. Points out that priority must be given to the elimination of at least rapid reduction of existing environmental pollution and nuisances and that at the same time effective preventive action must be taken against environmental risks;
9. Urges the Commission to submit practical proposals to the Council in the first half of 1974 at the latest concerning pollutants requiring priority investigation (lead and compounds thereof, sulphur compounds, nitrogen oxides, etc.);
10. Stresses the need for Community surveillance of environmental pollution and effective supervision of compliance with Community legal acts in the field of environmental protection, and therefore urges the Commission to submit a regulation laying down the appropriate controlling powers;
11. Takes the view that preliminary work to establish methods of defining the quality objectives for the soil, the urban environment, the atmosphere, ground waters and lakes must begin immediately and that a method of defining the quality objectives for the atmosphere at least must be worked out by the end of 1974 at the latest;
12. Considers that merely to study the problems connected with the use of dangerous substances and preparations, with the chemical properties of packaging materials and the technological possibilities of reducing nuisances due to motor vehicles is not sufficient and therefore urges

- the Commission to submit practical proposals for harmonization as soon as possible, taking account of the results of the investigations;
13. Repeats its demand for an 'environment seal of quality' to be introduced in the Community for durable products which can easily be reprocessed and cause little contamination of the environment during the production and consumption stages, and for the sale of products which do not comply with the requirements for the award of this seal of quality to be allowed only on condition that they are marked with an appropriate warning;
 14. Emphasizes that the necessary measures for the protection of the environment will not only place burdens on industry, but will also lead to the growth of specialised industries, which develop non-pollutant products and technologies to preserve and restore a natural and healthy environment;
 15. Insists once again that in the interests of effective environmental protection the Council must at last bring about a Community solution to the problem of limiting the presence of residues of pesticides in and on fruit and vegetables;
 16. Urges the Commission to present appropriate proposals to the Council immediately on the most urgent cases of pollution in frontier areas;
 17. Points out the urgent need for effective Community measures for the handling and storage of radioactive wastes and calls upon the Commission to set binding deadlines for these measures at once;
 18. Urges the Council, in awareness of its responsibilities as regards the environment, to adopt the Commission's proposal for a directive on agriculture in mountain areas and in certain other poorer farming areas at an early date in spite of the difficulties encountered;
 19. Again points out that, to preserve the natural environment, early measures are needed as part of Community regional programmes, based on increased afforestation and the establishment of recreation areas, in particular the creation of nature parks on the French pattern;
 20. Urgently appeals to the Commission to take action, pursuant to Article 235 of the EEC Treaty, to forbid the killing of songbirds and migratory birds throughout the Community;
 21. Attaches great importance to the proposed projects aimed at improving the working environment and requests the Commission to submit proposals for harmonizing legislation in this field as soon as possible;
 22. Welcomes the creation of a European foundation to improve living and working conditions, but insists that the Commission must draw up a practical programme of work for this foundation in the proposal it is to submit to the Council and charges it with coordinating environmental research and studies at Community level;

23. Recalls its earlier request to the Commission to publish its memoranda on protection of the environment in an easily comprehensible summary form, and urges the Commission to make good this shortcoming and provide the public with comprehensive information on the hazards of environmental pollution and the means of combating it;
24. Again points to the need for the Commission to use the mass media in a wide-ranging and ambitious publicity and educational campaign designed to develop a greater awareness of the environment in the Community's population;
25. Invites the Commission to take the initiative in providing basic teaching material for school use in all Member States, so that the young will take an active interest in the problems of the European Communities in general and of a Community and world-wide environmental policy in particular;
26. Supports the projected Community environmental action in international organizations but insists that the European Parliament, as a Community institution, should be given at least observer status during the various preliminary negotiations and consultations;
27. Points out that, since environmental problems are not confined to the Member States, early contact must be made with the appropriate institutions and organizations in third countries with a view to permanent cooperation so as to ensure a large measure of coordination of measures to protect the environment;
28. Urges the Commission also to make contact with research establishments in third countries in order to study the possibility of effective measures for maintaining or restoring a balanced oxygen supply on our planet;
29. Points out that the European Parliament's terminology office has done particularly useful work in the environmental field and urges the other Community institutions to make use of this work so that it will not be duplicated and in order to facilitate negotiations at Community and international level and to establish a standard environmental protection terminology in the official languages of the Community;
30. Agrees in principle with the projected introduction of a Community information procedure in the field of protection of the environment, but repeats its earlier request that Member States should be obliged to give the Commission the reasons for laying down their own rules - i.e., serious safety or health reasons;
31. Deplores the fact that pioneering and progressive measures to protect the environment taken by individual Member States are hampered by the Community; therefore urges the Commission and the Council to endorse

these progressive achievements and if possible to disseminate them throughout the Community;

32. Stresses, however, that, whenever measures are taken to protect the environment, a proper balance of interests must be struck so as to achieve the best possible long-term results in regard to the quality of life of the Community's population;
33. Approves the Council resolution on a Community environmental programme and in particular urges the Council to meet its obligation to rule on the practical proposals from the Commission within nine months of their submission;
34. Requests the Commission to adopt the desired amendments and additions in its proposal, pursuant to Article 149 (2) of the EEC Treaty;
35. Requests its Committee on Public Health and the Environment to check carefully whether the Commission and Council have complied with its requests and proposals and to report to it at a suitable time;
36. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

EXPLANATORY STATEMENTI. General remarks

1. The Communiqué issued by the Heads of State or Government in Paris in October 1972 confirmed the importance of an environmental policy at Community level and urged the Community institutions to establish a programme of action, with an exact timetable, by 31 July 1973. The Commission for its part has responded to the demands of the Paris Conference by submitting proposals for the programme of action.

Now it is up to the European Parliament to examine these proposals and to make its contribution to the finalization of the programme of action by delivering an opinion.

The European Parliament's task derives directly from the invitation extended by the Paris Summit Conference to the Community institutions. The Commission submitted its action programme at the beginning of April 1973. However, it took the Council more than a month to decide to consult the European Parliament on this action programme. This unnecessary delay has unfortunately yet again forced the European Parliament to work to a tight schedule.

Furthermore, there is one aspect of the consultation by the Council which your committee finds unacceptable. The formal consultation extends only to the proposed Council decision on the introduction of an information procedure in the field of protection of the environment (Doc. COM(73) 530/fin. D), pursuant to Article 235 of the EEC Treaty. On the other hand, the Council considered that it could consult the European Parliament on the programme of action itself (Doc. COM(73) 530/fin. B and C) and on the relevant draft Council resolution (Doc. COM(73) 530/fin. A) merely on a discretionary basis. Quite plainly, however, the action programme itself is based, according to the express instructions given by the Paris Summit Conference, on Article 235 of the EEC Treaty, except for those parts which come under Article 100 of the Treaty. Both of these articles stipulate that consultation of the European Parliament shall be obligatory. Even if this had not been so, the European Parliament, as a Community institution, has a duty, in the light of the aforementioned instructions given by the Paris Summit Conference, to collaborate in the preparation of the action programme by delivering its opinion.

Your committee therefore considers that the legal advisors in the Council Secretariat have erred in this matter, and has drafted its report as if the European Parliament had been consulted on the entire programme of action on a compulsory basis.

2. The Parliament is not breaking new ground here. Its Committee on Public Health and the Environment recalls that in 1970 and 1971 Parliament already adopted, on its own initiative, the two following reports on protection of the environment:

- Report by Mr BOERSMA on the protection of inland waterways with special reference to the Rhine (Doc.161/70),
- Report by Mr JAHN on the need for Community action against atmospheric pollution (Doc.181/71).

In the two resolutions accompanying these reports the European Parliament stressed the need for joint and energetic environmental action in order to achieve real success and pointed out that legislative difficulties were hardly likely to arise since national laws in this field had, in general, not yet evolved very far. Furthermore, it requested the Commission to carry out the task entrusted to it by Parliament and submit suitable proposals as soon as possible on the basis of the most recent scientific advances.

3. To some extent as a direct result of these two reports, the Commission submitted the 'First memorandum on a Community environmental policy' in 1971. The European Parliament delivered its opinion on the basis of Mr Jahn's report (Doc. 9/72) and welcomed the first memorandum as a proposal for a provisional medium-term programme that could serve as a basis of discussion. Moreover, it again stressed the urgent need for Community environmental action and requested the Commission to submit the practical proposals referred to in the first memorandum in the near future.

4. The Commission responded to this request by submitting a 'Memorandum to the Council on a European Communities' environmental programme' in March 1972¹. The European Parliament delivered its considered opinion on this memorandum in a report by Mr Jahn (Doc. 74/72) in July 1972. In the accompanying resolution it supported the Commission's efforts to obtain a binding Council decision on observance of a programme of action concerning the reduction of environmental pollution and nuisances and protection of the natural environment at Community level.

5. In these circumstances Parliament would have preferred the Council to examine the Commission's environmental action programme of March 1972 immediately and to adopt it rapidly, having regard to the European Parliament's opinion. Unfortunately, it was not until the Paris Summit of October 1972 that the Community environmental policy Parliament had always advocated gained new impetus. The Council's hesitation has meant another year's delay, which is very serious in view of the urgency of the matter.

¹ OJ No. C52, 26 May 1972, p.1

6. Your committee finds that the programme of action submitted to it for examination now does no more than follow the environmental programme of March 1972. So it is deliberately avoiding giving its opinion on all the details of the new programme. Instead it refers back to the Parliament's earlier opinions concerning protection of the environment, and in particular to the two reports by Mr Jahn mentioned above (Doc. 9/72 and Doc. 74/72).

7. In this connection, your committee stresses that it is not enough simply to adopt a Community environmental programme. Of more decisive importance is the implementation of this programme by establishing priorities and by prompt and effective environmental legislation. And of far greater importance than the programme as such will be the substance and scope of the practical proposals for implementing the programme of action which the Commission will submit in the near future.

8. Your committee expects the European Parliament to be consulted on these implementing proposals in time to be able to examine them thoroughly without pressure of time. The European Parliament's present opinion on the programme in no way anticipates its later remarks on the implementing provisions.

Your committee reserves the right to deliver a detailed opinion on the Commission's proposals for practical measures to implement this programme at the appropriate time.

II. Comments on the programme

(a) Principles and objectives of a Community environmental policy

9. The Commission puts forward a series of principles on which a Community environmental policy should be based (see p.I.2 to p.I.5 of Part I of the programme). These principles largely coincide with the position the European Parliament has hitherto taken on these matters. Your committee therefore welcomes them.

10. Worth noting in particular are the following findings, with which your committee agrees:

- The best protection of the environment consists in preventing at source the creation of pollution or nuisances, rather than subsequently trying to counteract their effects.
- The effects on the environment should be taken into account as early as possible in all the technical processes of planning and decision-making.
- Environmental protection is a matter for all Community citizens, who should be made aware of its importance.
- For each different class of pollution, the level of action (local, regional, national, Community, international) best suited to the type of pollution and to the geographical zone to be protected should be sought.
- Such coordinated and harmonized progress of the national policies should not result in the hampering of progress already accomplished or which might be accomplished at national level.

11. The programme of action on the environment provides for three types of project:

- Projects aimed at reducing and preventing pollution and nuisances;
- Projects intended to improve the environment and the quality of life;
- Community action or, where appropriate, joint action by Member States in international organizations.

This differentiation appears logical and your committee welcomes it.

12. However, the need to fix certain priorities must be noted. In the opinion of your committee, the first priority is the elimination, or at least rapid reduction of existing environmental pollution and nuisances. At the same time effective action must be taken to prevent risks to the environment. Prompt preventive action is far less costly than eliminating pollution and nuisances once they have come into being. Your committee first said this some years ago, when it stressed that 'prevention is always cheaper than removing damage that has already occurred to restoring the disturbed natural balance'¹ and pointed out that 'the financial expenditure on recovery measures will be all the greater, the later Community regulations are put into effect'.²

¹ See Doc. 181/71, Explanatory Statement, sec. 82

² See ibid., Resolution, para. 11

b) Action designed to reduce pollution and nuisances

13. The Commission rightly assumes that pollution and nuisances can best be combatted by objective evaluation of the hazards to human health and to the environment resulting from pollution. Consequently it intends to set objective limits to the presence of pollutants in the environment and in products. This implies standardization or harmonization of the methods and instruments used to monitor the various pollutants so as to render comparable the data obtained from measurements of these pollutants and of their effects.

In this context, the Commission found - and the committee agrees without reservations - that for certain pollutants, when urgency so dictates, it will be necessary to lay down common health standards before the criteria have been determined or the methods of measurement standardized at Community level.

14. Moreover it is intended that this action should reveal the gaps in the knowledge of pollutants and their effects, as well as indicate certain research subjects to be undertaken in the Community research and development programme.

The pollutants to be investigated are divided into two categories according to urgency (cf. Part II, pp. II. 3 and II. 4). Priority is to be given to investigation of

- lead and compounds thereof,
- organic halogens,
- sulphur compounds and suspended particles,
- nitrogen oxides,
- carbon monoxide,
- mercury¹,
- cadmium¹,
- phenols,
- hydrocarbons.

¹Your committee notes with great interest that a European colloquy, organized by the Commission, on the effects of mercury and cadmium poisoning on man and the environment, will be held in Luxembourg on 3 - 5 July 1973.

Your committee welcomes the fact that special attention will be paid to the necessity of harmonizing the determination of the pollution burden and, in particular, the quantity of organic substances in effluents by measuring the bio-chemical and the chemical oxygen demand.

15. The Commission intends, after studying and utilizing this information, and that obtained from its advisors and experts, to submit to the Council by 31 December 1974 the results of its work together with useful proposals.

Your committee considers this date too late, particularly for the pollutants requiring priority investigation. Accordingly it urges the Commission to submit practical proposals for this type of pollutant, listed in section 14, to the Council in the first half of 1974. It must be noted here that the Council still has another nine months to give a ruling on these proposals (cf. last sentence of the draft Council resolution on a Community environmental programme - Doc. COM (73) 530 fin./A).

16. The above-mentioned projects to objectively assess risks presuppose understanding of the effects on health and the environment of exposure to pollutants and nuisances. This is why the Commission intends to lay down health standards at Community level.

In general this project aims at fixing the pollution or nuisance levels that must not be exceeded in the target (man). The Commission rightly considers that stricter standards can be laid down to protect the environment, notably to ensure the protection of flora and fauna and to maintain the ecological balance, or to improve the quality of life.

As a general rule, the standards will be laid down in the light of both health and ecological requirements after the criteria have been established.

Your committee agrees with the Commission that in certain cases urgent health reasons require common standards to be laid down before the criteria have been established. This applies in particular to the following pollutants:

- lead,
- mercury,
- cadmium,
- organic halogen compounds,
- chemical substances and germs which are harmful to health and are present in water intended for human consumption.

The Commission wants the health standards relating to the above-

mentioned highly dangerous pollutants to be laid down as soon as possible and certainly before 31 December 1974 on a proposal from the Commission.

Your committee agrees with this timetable, particularly since the World Health Organization (WHO) has done considerable preliminary work on the matter, but points out that the Commission must then submit its proposals in the first half of 1974 at the latest.

17. As your committee has repeated several times, the best and most effective environmental regulations are not much use without adequate means of control. In section 5 of the resolution on the Community's environment programme of March 1972, the European Parliament attached 'great value to the provisions for the supervision of environmental regulations and sanctions against possible infringements being not only coordinated but even made more stringent in order to ensure strict compliance with environmental regulations'.¹

Under the heading 'Exchange of information between the surveillance and monitoring networks' (cf. Part II, pp. II.8 and II.9) the Commission speaks of the need for 'surveillance of environmental pollution at the regional, national and international levels'.

Your committee points out the essential need for Community surveillance. Accordingly it urges the Commission to submit as soon as possible a regulation providing for appropriate control powers. It urgently appeals to the Council to provide the requisite funds in good time.

18. Your committee agrees with the Commission that priority must be given to the organization of an exchange of information with national experts on situations which require rapid action, such as accumulations of smog layers. It is, therefore, very surprised that the Commission does not intend to submit the necessary proposals on an exchange of information between surveillance and monitoring networks until 31 December 1974. It urges the Commission to submit its proposals, for priority projects at least (e.g. smog warnings) in the first half of 1974, so that the Council can rule on them by the end of 1974 at the latest.

19. Under the heading 'Methods for defining quality objectives for the environment and for establishing rules to enable the objectives to be achieved' (cf. Part II, pp. II. 10 to II. 15) the Commission urges the Council to consider 'the advisability of establishing minimum ecological standards to be applied throughout the Community, especially for international waters and for the atmosphere'. In the view of your committee, the decision here must be positive. For, as the Commission itself notes, it is necessary to work out common methods for defining quality objectives since they have a strong impact on conditions of competition.

In this context your committee stresses that quality objectives and the conditions of competition must be made standard and binding. Of course the Commission's demand for common methods for defining quality objectives and

¹ See. Doc. 74/72, p.6

for adopting the requisite measures to ensure that they are achieved and upheld in each region is also justified.

20. The Commission would like to see this done in two phases. In the first phase, up to 31 December 1974, quality objectives should be established for fresh surface waters and sea water.

Your committee welcomes the fact that the Commission can draw on the work already carried out by Member States in this field. For instance the United Kingdom, Belgium, Italy and France have already agreed to supply the information they possess on the rivers Trent, Sambre, Tiber and Vilaine so that the quality objectives can be defined and established. Germany will supply information on typical rivers which have been studied for the purpose of defining the quality objectives of the Federal Republic. France, Italy and the United Kingdom will also provide data on sea water as ground water for bathing and on quality objectives for beaches. Finally the United Kingdom will provide the Commission with information about beach pollution by hydrocarbons.

21. The Commission intends to establish methods for defining quality objectives for the soil, the urban environment, the atmosphere, ground water and lakes 'in a subsequent stage, but as soon as possible', i.e., in 1975 at the earliest.

Your committee considers that the preliminary work in this field should be undertaken at once. Furthermore it believes that methods of defining quality objectives for the atmosphere at least should be worked out by the end of 1974 at the latest.

22. Your committee welcomes the Commission's intention to pay special attention to products whose use may have consequences harmful to man or the environment. The first concern here is to harmonize the specifications relating to the products listed in the 1969 general programme for the elimination of technical barriers to trade which are liable to affect the environment, more rapidly than hitherto with a view to laying down Community standards for these products in order to ensure effective protection of the environment. Moreover, as the Commission realized, directives laid down under the general programme must be regularly revised and adapted to scientific and technical progress.

23. The Commission has undertaken to submit by 31 December 1974, proposals for directives on, e.g., the maximum permissible content of lead and additives in fuel and crockery, the maximum sulphur content of domestic heating oils, the toxicity of detergents and the permissible sound level for mopeds, motorcycles and civil engineering machines.

It also intends to investigate the type-approval of :

- solvents, corrosive products, explosives, household products and pesticides;
- the chemical properties of packaging materials;
- the technological possibilities of reducing nuisances due to motor vehicles.

Your committee urges the Commission not to content itself with studies but also to submit practical harmonization proposals in these fields as soon as possible, taking account of the results of its studies.

Moreover it once again points out that since 1968 the Council has had before it a proposed Commission regulation on residues of pesticides in and on fruit and vegetables. It has already regretted the fact that the Council clearly lacked the political resolve to reach agreement and that special national interests were prevailing over Community requirements.¹ It therefore insists that in the interests of effective environmental protection the Council should finally bring about a Community solution to this problem.

In this connection your committee again refers to an earlier request, incorporated in its report on the Commission's environmental protection programme of March 1972² at the suggestion of the Economic Affairs Committee, which had been asked for its opinion. This concerns the introduction of an environment seal of quality for durable products which can easily be re-processed and which give rise only to limited pollution of the environment during the production and consumption stages. It was originally even demanded that products which failed to meet these requirements should be banned. Your committee proposes that the requirements should be less stringent in that the products in question would be permitted for a transitional period, subject to their bearing a suitable identification.

Your committee considers it pertinent to recall that environmental policy not only imposes burdens on industry but also opens up new markets. Increasing amounts are being spent by the chemical industry on investment overheads, research, development and reorganization of production processes with a view to protecting the environment. This has already led to the emergence of specialized industries which are developing technologies to preserve and restore a healthy environment.³

¹ Doc. 9/72, Explanatory Statement, sec. 33

² Doc. 74/72, Resolution, para. 24, and Explanatory Statement, sec. 75

³ Doc. 9/72, Explanatory Statement, sec. 22(2)

24. Furthermore, the Commission's programme of action provides that before 31 December 1976 the Commission will bring the following measures relating to particularly active polluting agents into effect. These investigations mainly concern:

- cleaning and conditioning agents
- products for the treatment of plants and animals
- products containing heavy metals
- chemical reagents used in industry.

Your committee cannot understand why the problem of particularly active polluting agents is to be dealt with so late. It considers that this requires priority investigation and that the results should be reflected as soon as possible in practical harmonization proposals from the Commission.

25. The Commission intends to submit to the Council by 31 December 1974 the results of its investigations - accompanied where appropriate by proposals - into industrial activities in which the manufacturing processes entail the introduction of pollutants or nuisances into the environment. Your committee approves this timetable.

Your committee also approves the proposed action relating to energy production (cf. Part II, p. II.24 to II.26). The main concern here is combatting

- atmospheric pollution caused by motor vehicles, refineries, domestic heating systems and internal combustion engines;

- water pollution due to the discharge of cooling water, pollutants, etc.

by suitable action at Community level. The Commission will submit appropriate proposals for this before 31 December 1974.

26. Your committee agrees with the Commission that marine pollution is probably one of the most dangerous kinds of pollution because of the effects it has on the fundamental biological and ecological balances governing life on our planet. The Commission also rightly notes that marine pollution has already reached the level of degradation: certain pollutants in plankton, marine animals and sediments have accumulated to a disturbing degree, and a not inconsiderable danger of eutrophication is already becoming evident in certain estuaries.

Therefore the Commission urges that the Community should take joint initiatives in the international organizations dealing with marine questions. Furthermore, as part of its own programme, the Community should carry out a number of projects to prepare for joint initiatives and harmonization on a Community scale of the regulations for the application of international agreements.

27. In its action programme (Part II, p. II.29), the Commission refers to a number of existing international agreements on the prevention of marine pollution. Yet there are still no effective means of control to ensure implementation of most of these agreements.

Your committee therefore asks the Commission to urge the signatories of the international agreements to set up systems of continuous control.

Moreover the Commission should urge strict observance of the Oslo Convention, concluded in February 1972, concerning the control of the deliberate discharge of particularly dangerous waste in the areas of the North-East Atlantic and the North Sea and their secondary seas and part of the Baltic.

28. Your committee attaches great importance to the problem of marine pollution resulting from exploitation of the sea bed. It must be noted that the continental shelf and islands contain more than half the world's resources of hydrocarbons. Modern technological developments entail such a demand for mineral resources that it is likely that it will soon pay to extract them from the sea bed.

The Commission wonders whether the provisions now applicable, particularly those relating to exploitation of the sea bed, guarantee sufficient protection of the marine environment against the pollution likely to result from the various operations this exploitation involves. Your committee shares these doubts and therefore welcomes the comparative study of these provisions undertaken by the Commission and its intention if need be of jointly working out preventive rules which could be proposed to the relevant international bodies.

29. Measures to abate marine pollution from the shore appear of priority importance. The Commission therefore intends to take the following action:

- study of the measures to be taken with a view to controlling the discharge of industrial or other waste into estuaries, and if necessary preparing Community action;
- study of the special problems posed by the handling of toxic substances on coastlines and the measures which can be taken in the event of accidents.

The Commission will present any proposals arising from its investigations before 31 December 1974.

30. The Commission's programme of action also includes protection of the waters of the Rhine Basin against pollution (Part II, p.II.35 to II.38)

In this connection your committee must refer back to Mr Boersma's report on the protection of inland waterways with special reference to pollution of the Rhine (Doc.161/70). In 1970 it already clearly indicated the urgency of this problem, stressing that the riparian states must combat the pollution of the Rhine jointly if any real success was to be achieved. In section 14 of its resolution¹ on the environmental programme of March 1972 the European Parliament regretted that 'the Commission has not complied with the request made in its resolution of 19 November 1970, namely to present at an early date appropriate proposals, under the terms of reference conferred on it by the European treaties for the harmonization of regulations on protection of the Rhine, with special reference to the most recent

¹ Doc. 74/72, p.7

scientific advances'. Your committee finds, therefore, that much valuable time has been lost. In the meantime, pollution of the Rhine and its tributaries has increased greatly, as shown by a preliminary study by the Commission on anti-pollution measures in the Rhine Basin. This study also showed that existing anti-pollution measures are inadequate, thus fully endorsing the European Parliament's opinion.

31. Your committee therefore stresses that preliminary or further studies are not sufficient. The Community must at last embark on immediate practical measures. Nor is your committee content with the statement that 'the Council and the Commission, concerned by the alarming state of pollution in the Rhine, intend to keep a close watch on the development of the situation'.¹ It is not enough for the Commission to take part as an observer in the work of the International Commission for the Protection of the Waters of the Rhine against pollution. Although the Ministerial Conference of 25 and 26 October 1972 at The Hague took a number of decisions, they are still far from being implemented.

Your committee is therefore convinced that the Community must finally act on its own initiative. It therefore notes with satisfaction the Commission's promise to submit appropriate proposals for the Protection of the Rhine against pollution if the International Commission for the Protection of the Waters of the Rhine against Pollution fails to produce any definite results by the end of October 1973. It reserves the right to revert to this matter at that time.

32. The same observations apply to pollution in frontier areas as to pollution of coastal waters.

The Member States' ministers of the environment who met in Bonn on 30 October 1972 described 'consultation on environmental aspects in frontier areas' as one of the measures to be taken under the European environmental policy.

The Committee calls upon the Commission to submit suitable proposals on the most urgent cases to the Council immediately.

33. The Commission assumes that the elimination of industrial and consumer wastes is largely a problem of a purely local nature, and that solutions must be found at that level. In several cases, however, particularly in that of wastes which are harmful to the environment because of their toxicity, their non-degradability or their bulk, the problems may affect

¹ See Part II p.II 38 of the programme of action

the economy as a whole and require action at Community level whether they concern international trade or whether the solutions which need to be adopted influence the production or distribution costs of certain goods and therefore have repercussions on the conditions of competition.

To solve the problems of waste elimination, the Commission intends to undertake various studies and actions which are listed on p.II40 and II41. Most of these studies concern the collection, transport, storage, recycling or final treatment of wastes or residues, priority being given to the study of technical processes for eliminating or recycling these wastes. The Commission intends to carry out these studies before 31 July 1974 and will submit the conclusions from them, together with appropriate proposals, to the Council by 31 December 1974.

Your committee is satisfied with this timetable; however it does not consider that this precludes the Community from discussing priority measures in this field in 1973 and implementing them before 1974.

34. The Commission's programme points out the negative aspect of developing nuclear energy to satisfy an increasing part of the electricity demand in the Community, namely the production of industrial radioactive waste in quantities that are proportional to the size of the electronuclear programmes. So the Commission rightly envisages action for the handling and storage of radioactive wastes (cf.p. II,43 and II,44). Note must be taken here of the opinion given in Mr Ballardini's report on behalf of the Committee on Energy, Research and Technology on the creation of a Community network of storage depots for radioactive wastes (Doc.217/72). Note should also be taken of the opinion annexed to Mr Ballardini's report which Mr Vandewiele drafted on behalf of your committee and which expressly calls upon the Commission to present practical proposals for establishing a Community network of storage depots for radioactive wastes as soon as possible.

Your committee finds that the Commission's programme of action does not answer this demand. At any rate the committee doubts whether the projected timetable will allow the Community to act in time. The preliminary studies are not in fact due to be completed until 31 December 1974 although - as the Commission itself concedes - 'a number of partial solutions are already under study in certain member countries; the efforts undertaken, however, vary somewhat in intensity'.

Priority must be given to the following measures:

- Definition of responsibility for products stored, both for temporary storage on production sites as well as for intermediate storage and ultimate disposal.

- Selection of the principles which should govern the handling and storage of radioactive waste and which could become the primary elements of a Community policy in this matter.

According to the Commission's timetable, these measures will be applied when sufficient progress has been made on the preliminary studies.

In view of the urgency of the matter your committee calls on the Commission to set binding deadlines for the projected Community measures to handle and store radioactive wastes.

35. It is obvious that all appropriate steps must be taken to ensure that Community measures are applied in all the Member States satisfactorily. The Commission points out the danger that appreciable differences in the checks carried out and the measures taken by each Member State to ensure effective compliance with the limits imposed for the protection of the environment could give rise to distortions of competition which would be incompatible with the functioning of the common market. It therefore considers it essential that compliance with both Community and national regulations should be effectively supervised and any violations penalized with appropriate severity.

Your committee agrees entirely with the Commission and refers in this connection to its statements in Section 17 of the explanatory statement. However, it does not agree with the Commission's intention to 'continue its work on the comparison of national laws and their practical application so as to create the prerequisites for such approximations of laws as may prove necessary'. The Commission adds that in view of the differences between the constitutional, legislative and juridical systems of the various countries, these measures for the approximation of laws will require a great deal of time and effort. This is precisely why the committee insists on the demand it already made in section 17, namely for the earliest possible establishment of a Community surveillance agency, by the Commission's submitting an appropriate regulation to the Council, which would endow the Community with sufficiently wide powers of supervision over compliance with environmental provisions and if necessary of sanctions so as to eliminate the need for the cumbersome procedure of approximation of laws. Naturally this Community surveillance agency will not be able to act arbitrarily but must be subject to the supervision of the European Court of Justice. In any case your committee repeats its basic demand that all controls should be carried out within a Community framework.

36. In connection with the projected action to ensure compliance with pollution and nuisance control regulations, the Commission refers to its annual report on the state of the environment in the Community. In this

report it intends to publish details supplied by each Member State of the measures taken by them to ensure compliance with the rules concerning environmental protection as well as details of existing case law and information on the improvements achieved and practical experience acquired in the Community.

Firstly the committee finds that the Commission has not yet presented such a report. Until the requisite Community surveillance agency has been created there can be no objection to the publication of such a report. Experience has shown, however, that the Commission's reports on its activities in nearly every field have been considerably delayed because several Member States do not provide it with the necessary information in time or at all. This problem would also disappear with the creation of a Community surveillance agency. The Commission would then be able to confine itself to drawing up an annual report on the activities of the surveillance agency. Such a report would naturally be examined particularly carefully by the European Parliament in its capacity as the supervisory body of the Community.

37. In this programme of action the Commission again considers the allocation of the costs of anti-pollution measures, having already discussed the entire question at length in its two previous memoranda on a Community environmental protection policy. The European Parliament's position on this matter is clear. It has

- advocated the far-reaching application of the 'polluter pays' principle, with the proviso that a different method of apportioning costs is unavoidable in certain cases and that public funds must be used to solve special problems (see Doc. 9/72, Resolution, sec. 16),
- called for an extension of the 'polluter pays' principle, whereby the polluter would not only have to bear the costs of the damage caused by him but would also have to make good such damage and eliminate the causes of the pollution (see Doc. 74/72, Resolution, sec. 18).

Although the Commission does not refer to these recommendations from the European Parliament, it does state that the Member States and the Commission have advocated the adoption of the 'polluter pays' principle recommended by the OECD. It adds that the nature and scope of the principle will have to be specified jointly and permissible exceptions defined.

Your committee is particularly gratified by the fact that the Commission has stipulated in its programme of action that a proposal concerning the allocation of the costs of the fight against pollution and the principles of common regulations on the methods for applying the 'polluter pays' principle will be forwarded by the Commission to the Council before 31 December 1973. Your committee will consider this proposal when the time comes, but suggests at this early stage that the 'polluter pays' principle should be construed and interpreted in the broadest possible terms. This principle affects not only industrial polluters but also more or less every citizen as a polluter of the environment. Finally - as has already been pointed out by your committee¹ - it must be borne in mind that all expenditure on anti-pollution measures and environmental protection will in the final analysis have to be borne by the consumer through higher taxes or higher prices.

38. The committee also notes and welcomes the action aimed at the development of methods for evaluating the social costs arising from harm done to the environment, with a view in particular to including these costs in national accounting and calculation of the GNP. This action basically meets a wish expressed by the European Parliament which suggested to the Commission last year that 'the costs of environmental policy should be calculated and allowed for in the medium-term economic policy' (see Doc. 9/72, Resolution, sec. 15). The relevant study is to begin this year and preliminary results are expected

¹ See Doc. 181/71, Explanatory Statement, sec. 80

during the second half of 1974. Your committee looks forward with interest to the results.

Your committee notes with satisfaction that the Commission proposed to arrange for joint consideration of the application of economic instruments to promote initiatives for environmental protection. With this in view, a study of the effectiveness of economic instruments in the fight against pollution is to be carried out before 1 July 1974. This study, too, is to begin this year.

39. Your committee agrees with the Commission's view that the scientific and technical knowledge required to implement the Community's programme of action is in many cases inadequate. Attempts must therefore be made to extend and supplement the available knowledge by means of research and development projects at Community level. It will be necessary to ensure effective cooperation between the various laboratories and institutes concerned in the Member States and the Joint Research Centre.

Your committee calls attention to the European Parliament's standpoint on this question, set out last year as follows:

- 'considers the establishment of a European Institute of the Environment to be essential, since the functions envisaged for this body, in particular the coordination of research and studies on the environment at Community level, fall into the urgent category; furthermore, this Institute must assume responsibility for specific research that can only be undertaken at Community level' (see Doc. 9/72, Resolution, sec. 21),
- 'supports the Commission's intention to submit detailed proposals on the coordination of environmental research to the Council and to call upon the latter to provide the necessary funds' (see Doc. 74/72, Resolution, sec. 23).

Your committee notes the absence in the chapter on 'Research Projects Concerning Protection of the Environment' (pp. II.50 to II.52 of the programme of action) of any reference to the incorporation in the programme of the European Institute of the Environment recommended by the European Parliament. However, it assumes that the Commission, following its earlier plan, proposes that this research and coordination work should be undertaken by the 'European Foundation to Improve Living and Working Conditions' (see p. II.89), also envisaged in the programme of action. Apart from this specific reservation, the committee endorses the Commission's programme of action in this area, where it is stated that the research and development activities at Community level may cover anything from simple coordination of national activities to the implementation of Community action financed in whole or in part from the

Community budget with the participation of the laboratories and institutes of the Member States and, in certain cases, of the Joint Research Centre.

40. Dissemination of knowledge relating to environmental protection is closely related to environmental research. Your committee is impressed by the literature explosion in this area: hundreds of thousands of new scientific documents on the subject are being published each year, including some 20,000 patents. The Commission deplores the fact that most of the information on environmental quality is scattered in publications concerning numerous other fields such as chemistry, biology, energy, instrumentation, meteorology, hydrology, sociology and economics. In order to meet the wide-ranging need for information on the quality and protection of the environment, the Commission proposes a series of measures which are to be given priority (see pp. II.54 to II.61 of the programme of action). A primary objective is to locate and evaluate technical publications on

- the technical and technological aspects of the reduction of pollution and nuisances,
- methods and instruments used to measure pollution and nuisances,
- the effects of polluting agents and nuisances on human health and environmental quality,
- existing standards and regulations and also the analysis of the health implications of their application in differing types of environment.

Your committee stresses the need for selective evaluation of the voluminous and wide-ranging information available. It considers that this calls for an existing Community Institution (e.g. the nuclear research centre) to employ experts to undertake the necessary work. A similar, though long-term, information acquisition programme is proposed by the United Nations, which is to set up an 'International Referral Service on Environmental Quality Information Sources'. The Community should set up a corresponding body which would obviously have to collaborate closely with the International Referral Service.

41. The Commission goes on to say that experience in other fields has shown that the services of the large documentation organizations, which are mostly American, do not always give adequate coverage to non-American literature. Your committee is convinced that the Community must step in here. The Commission proposes to organize a critical evaluation of the available services and, if necessary, to put forward a project for a documentation system on environmental protection.

Your committee notes with satisfaction the timetable of Community action in this field, the details of which are as follows:

- setting up of an inventory of documentation sources on the environment by the end of 1973;
- collection of papers read at conferences on the environment by mid-1974;
- Commission's final proposal based on the results obtained to be submitted to the Council by 31 December 1974.

Your committee attaches great importance to the Commission's final proposal and hopes that when the time comes the Council will decide quickly in order to ensure dissemination of knowledge on the environment at Community level on the largest and most comprehensive scale possible.

(c) Projects aimed at improving the environment

42. In sec. 24 of its Resolution on the Commission's first memorandum on a Community environmental protection policy¹, the European Parliament pointed out 'that agriculture, which is keenly interested in the preservation of the biological balance which forms a vital basis for its activities,

- has, through its production activities, a decisive effect on the biological balance
- is in a position to create or maintain an environment in which an increasing proportion of the urban population can find rest and relaxation'.

Your committee therefore welcomes the fact that in the present programme of action the Commission expresses its intention to intensify its campaign for the protection of the natural environment. In February 1973 it forwarded to the Council a Proposal for a Directive on hill farming and farming in other poorer areas. Unfortunately, serious difficulties stand in the way of acceptance of this proposal by the Council.

Your committee calls upon the Council to overcome these difficulties and take a decision on environmental policy in the near future.

The Commission also intends to forward to the Council by 1 July 1973 a proposal for a directive on the promotion of measures in the forestry sector aimed at structural improvement in agriculture. It should be pointed out that, according to the environmental programme of March 1972, this Proposal for a Directive should have been submitted by 1 July 1972. The Committee on Agriculture emphasized the importance of this point at the time and your committee lent its vigorous support stating 'that under no circumstances should any further delay occur in the submission of this Proposal for a Directive by the Commission or in its endorsement by the Council, whose decision should be given not later than 31 December 1972'². Despite this, a delay of one year has now occurred, a fact that is greatly deplored by your committee.

In this connection your committee wishes to draw attention to the following comments made in its report³ on the Commission's first memorandum: 'In order to revitalize rural areas it is in the first place essential to promote all forms of vegetation. To achieve this aim it appears expedient to reforest woodlands, distribute crop types according to the technical and economic potential of individual regions and maintain stockbreeding in areas of low productivity, especially in mountain regions'.

In addition, it is not enough merely to preserve existing recreational areas; it is essential to create new ones, with special emphasis on national parks. France has already done commendable work in this field.

¹ See Doc. 9/72, p.8

² See Doc. 74/72, Explanatory Statement, sec. 68

³ Doc. 9/72, Explanatory Statement, sec. 84(2)

43. By the end of 1973 the Commission plans to complete a series of investigations on the ecological effects of the use in agriculture of modern production techniques. The investigations embrace, inter alia,

- intensive use of certain fertilizers,
- excessive use of pesticides,
- intensive cattle-breeding involving the danger of organic pollution and microbial contamination.

Your committee looks forward with particular interest to the results of the study on pesticides. These studies are connected with efforts to improve the quality of foodstuffs, to which consumers rightly attach great importance. Your committee therefore also welcomes the Commission's proposed studies on

- conditions and possibilities for developing integrated and biological anti-pollution methods in agriculture,
- possibilities for developing the marketing of typical quality agricultural produce and 'biological' products.

Your committee endorses the Commission's intention, following the completion of these studies (by the end of 1973), which it agrees should have priority, to take measures to encourage farmers who make a special effort to improve the quality of their produce. These measures must be accompanied by steps to increase consumer safeguards, in particular uniform descriptions for products obtained with the aid of biological or integrated production methods.

44. The Commission rightly points out that the annual killing of millions of migratory birds and songbirds has provoked worldwide protest against the countries which allow the trapping of birds. It is quite plain that the biological balance in Europe is being seriously impaired by this destruction. As the Commission rightly observes, the proliferation of plant parasites as a result of the destruction of birds is leading to the large-scale use of insecticides that are sometimes harmful to man and to the natural environment.

In the light of this acute problem, your committee regrets that the Commission should be content with promoting joint action by the Member States in the Council of Europe and other international organizations and to carry out this action by 31 December 1974 at the latest. Experience has shown, that, despite all its good intentions, the Council of Europe in practice moves very slowly and must in any case confine itself to the formulation of recommendations.

Your committee therefore calls upon the Commission to take an immediate measure pursuant to Article 235 of the EEC Treaty, by putting forward a proposal for the prohibition of bird destruction throughout the Community.

This prohibition concerns Italy, which, despite all protests, continues to be the only Member State allowing mass annihilation of birds.

45. The problems raised by the depletion of certain natural resources continue to claim the Commission's attention (see pp. II.69 to II.75). A large number of studies planned in this context are due to be completed by the end of 1974 and by the end of 1975, respectively. The subjects dealt with are

- an examination of the existing supplies and future demands for certain non-regenerating mineral resources, the depletion and rate of consumption of which could have repercussions on industrial development and environmental policy,
- an analysis of the potential medium and long-term effects of the increasing depletion and use of these resources on environmental policies and on the Community's industrial development,
- an examination of the steps to be taken in order to conserve these resources (recycling, substitution, etc.),
- a study on a Community scale of the medium and long-term availability of water supplies as a function of increases in consumption and use.

Your committee attaches vital importance to the earliest possible evaluation of the results of the above-mentioned studies and similar investigations in this area and submission of concrete proposals to the Council.

46. The Commission stresses the need for an active policy for protecting and improving the environment both in densely populated areas and in areas used for activities connected with agriculture or the tourist trade. It therefore attaches great importance to the problem of urban development and improvement of amenities. In its view, efforts to improve living conditions in densely populated areas would be in vain, unless the very process of concentration were brought under control and reversed. It therefore proposes to concentrate its efforts in this area on the following four points:

- environmental problems relating to the development of urbanised areas,
- environmental problems relating specifically to town centres,
- environmental problems specifically linked with open spaces and landscape,
- specific environmental problems in coastal areas.

The Commission plans to carry out studies on the above-mentioned problems with the assistance of experts.

While your committee does not deny the need for such studies, it is convinced that the ambitious goal of bringing the process of concentration under control, or indeed, reversing it, ought to be pursued on a long-term basis and can certainly be achieved only gradually.

47. Your committee attaches great importance to the Commission's proposed actions on the improvement of the working environment, to meet the justified aspirations of the working population. In particular, it is sought to improve the working environment and to make safe and acceptable working conditions technically feasible for the largest possible number of firms. Exploratory studies were begun in 1972, and are to be completed in 1973. In the light of the findings, a work programme is to be drawn up which will then be implemented and keyed into the social programme.

With reference to the wide-ranging work programme (see pp. II 86 to II 88), your committee proposes to highlight only those items which it feels are especially interesting and important:

- human and sociological aspects of the organization of work, methods of reducing dissatisfaction caused by working conditions and encouraging effective participation,
- preparation of proposals for general outline measures and reference values for checking specific risks, so that all firms have the same obligations and all workers the same guarantees of protection,
- organization of a comprehensive information campaign,
- assistance in mapping out a policy, under the social programme, for the protection of workers and the improvement of working conditions.

Your committee requests the Commission to put forward practical proposals for the improvement of the working environment in the Community at the earliest possible date. Particular attention should be given in this context to the reduction of noise at work.

Finally, your committee wishes to point out that, in elaborating its proposals, the Commission can draw upon the valuable preliminary work done by the High Authority of the ECSC in the area of industrial medicine, industrial hygiene and industrial safety.

48. In its earlier memoranda on the environment, the Commission recommended the setting-up of a European Institute of the Environment, the chief task of which was to carry out an extensive and detailed study of basic thinking on ways of improving living conditions in the society of the future. The - in principle positive - standpoint of the European Parliament on this recommendation has already been outlined in sec. 39 of this report. Furthermore, at the Paris Summit Conference in October 1972, France proposed the setting-up

of a 'European Foundation to Improve Living and Working Conditions'. The Commission states that its original idea and the French proposal can be given practical form in a single project which should simultaneously meet the requirements of a social policy and an environmental policy. According to the Commission, the proposed 'European Foundation' must be able to 'scan the combined factors affecting the working and living environments and carry out a long-term forward study of those factors which are likely to threaten the conditions of life and those which are capable of improving these conditions'.

Subject to the incorporation of the European Foundation in the environmental research programme as recommended in sec. 39 of the Explanatory Statement (pp. II.50 to II.52 of the programme of action), your committee endorses this objective.

49. The Commission mentions a series of problems which would lend themselves to investigation by the European Foundation, including

- changes in industrial practices with a view to eliminating tasks of a physically or psychologically strenuous nature (assembly line work, industrial or tertiary services work of a repetitive nature);
- working hours;
- flexible timetables, part-time work,
- retirement age, period of transition between full-time working activity and retirement,
- duration and allocation of holidays;
- development of transport (motor vehicle and group transport, new means of transport);
- social integration of immigrants, notably those from non-Member States.

Your committee agrees with the Commission's view that strict terms of reference must be laid down for the Foundation, based on priorities and considerations regarding the potential effectiveness of proposed measures. Moreover, it is necessary to avoid the creation of a centralized research agency competing with centres or institutes already in existence.

Your committee welcomes the Commission's intention to submit to the Council, before 31 December 1973, proposals for setting-up a European Foundation for the Improvement of Living and Working conditions. However, it urges the Commission to incorporate in its proposal a concrete plan of work for this Foundation to make sure that the scope of its activities and responsibilities is clearly defined and that it can embark on its work immediately.

50. In its general definition of a Community environmental policy, the Commission starts from the following principles, evolved by the Ministers of the Environment of the Member States meeting in Bonn in October 1972:

- 'Environmental protection is a matter for all Community citizens, who should be made aware of its importance,
- The success of an environmental policy presupposes that all categories

of the population and all the social forces of the Community help to protect and improve the environment.

- This means that at all levels permanent and detailed educational activity should go on in order that the entire Community may become aware of the problem and assume its responsibilities in full towards the generations to come'.

Your committee calls attention to the following statement made by the European Parliament in its resolution on the Commission's first memorandum on a Community environmental protection policy¹:

'The European Parliament considers it essential that the Commission should develop a stronger awareness of the environment in the general public through a comprehensive and ambitious information and educational programme, and therefore requests it to publish a readily understandable summary of its memoranda on the environment'.

Although the Commission endorsed this request, it has unfortunately so far published no summaries of its initiatives relating to the environment. It is therefore reminded of its undertaking and requested once again to publish a summary of the present programme of Community action, in order to provide the public with full information on the menace of environmental pollution and on the means available to fight it.

51. The Commission's failure to respond to the European Parliament's request is all the more incomprehensible in view of its own call for education and information of the individual in order to induce him to face up to his full responsibilities vis-à-vis environmental problems. The Commission considers the following measures to be particularly desirable:

- school and university education based on the introduction of concrete examples in the various disciplines,
- information on the state of affairs in certain areas and the consequences of selecting certain courses of action,
- training of teachers and other responsible persons.

The Commission goes on to say that the universities should be assisted in carrying out the following work:

- improving knowledge on problems of environmental hygiene,
- provision of training in this area through appropriate education,
- dissemination of knowledge relating to the environment through the spoken and written work.

The Commission states that environmental studies and research in the universities represent a new departure in education. Since efforts to promote these studies frequently lack coordination, the Commission proposes Community action in environmental hygiene, designed to supplement regional and national measures (see pp. II 95-96).

¹ See Doc. 9/72, p.5

Your committee endorses the Commission's views but requests it to take the initiative in submitting practical proposals in this area to the Council.

Furthermore, your committee suggests that basic teaching material for schools should be produced in all Member States. This could be a valuable aid to instilling in young people an active interest in the European Community's problems in general and a Community and world-wide environmental policy in particular. Obviously, here again, the initiative must come from the Commission.

Your committee also welcomes the Commission's intention to publish regular reports on the state of work on the environment. It urges the Commission to produce its first report in the near future.

52. In Annex I to Part II, the Commission provides a list of definitions of terms used in the field of environmental protection. Your committee welcomes this initiative, in view of the great importance of clear and uniform terminology in this new branch of science.

In this context it is worth noting that the Terminology Section of the European Parliament has already performed valuable work in this area by publishing two large glossaries in five languages (French, Italian, English, German and Dutch); a revised edition of these glossaries is in preparation. Since a considerable number of national and international organizations are also active in this area, it would be desirable to take steps to coordinate the work currently being done by the various organizations, at least within the Community, in order to avoid duplication of effort.

This point was also taken up in Written Question No. 551/72 concerning uniform terminology in the area of environmental protection. Unfortunately, the Commission has so far failed to reply to this question, which was put to it on 18 January 1973.

(d) Action by the Community or joint action by the Member States in international organizations

53. Your Committee endorses the proposed action by the Communities or joint action by the Member States in international organizations. It recalls that the European Parliament has drawn attention to the possibility of 'concluding environmental agreements with third countries and international organizations, pursuant to Article 228 of the EEC Treaty', and has requested the Commission 'to base its actions as far as possible on existing Community regulations, and to extend them as widely as possible over our planet'.¹ The Commission is right to point out that the Community must take steps to avoid duplication in its own and the international organizations' work. Your committee adds that, in order to ensure close coordination of environmental measures dealing with problems extending beyond the boundaries of the Community, the Commission will have to take steps in good time to establish contacts leading to permanent collaboration with the appropriate institutions and organizations in their countries.

The note of the principal activities of international agencies concerned with the environment (see Annex III to Part II of the programme of action) clearly shows that important work has already been done on an international scale. According to this note, the following international agencies have already undertaken detailed studies of environmental problems: the United Nations, the Economic Commission for Europe, the Intergovernmental Maritime Consultative Organization (IMCO), UNESCO, the World Health Organization (WHO)², FAO², the World Meteorological Organization (WMO), OECD, NATO, the Council of Europe and GATT.

54. It is certainly in the Community's interest to pursue the existing very active cooperation with international agencies. The OECD, UNESCO, and the Council of Europe are especially suitable partners in such work. Where the Community as such is unable to bring its influence to bear within international organizations, the Member States must at least present a common front.

¹ See para. 8 of the Resolution on the first memorandum, Doc. 9/72, p.6.

² The activities of WHO and FAO include a joint programme on standards for foodstuffs (Codex Alimentarius)

Your committee considers it particularly urgent for the Commission to extend cooperation to research establishments in third countries. In this context, it is especially desirable to investigate the possibility of effective measures to maintain or restore a balanced oxygen supply on our planet.

It will be sufficient to refer to para. 10 of the European Parliament's resolution of 10 February 1972 on the need for Community action to maintain the purity of the atmosphere¹:

'The European Parliament warns insistently against any further delay in measures to improve the environment because of the risk that many processes which pollute the atmosphere could lead to irreversible changes or at least to new states of environmental equilibrium, presenting a danger to life, which might be difficult or impossible to remedy with the means available, in view of the progressively diminishing self-purifying capacity of the atmosphere as a result of the rapid increase in the world population and gradual deforestation.

Your committee regrets that the European Parliament has so far not been allowed to participate in international conferences on the environment. Invitations from international organizations are as a rule addressed to the European Communities. However, the Commission and Council do not pass these invitations on to the European Parliament, despite its importance as the body responsible for parliamentary control in the Community.

This practice, which was adopted on the occasion of the UNO Conference on man and his environment in Stockholm in June 1972 and the European Ministerial Conference on the Environment in Vienna in March 1973², led to the exclusion of the European Parliament which was undoubtedly not the intention of the host international organizations.

Your committee therefore calls upon the Commission and Council to contact the European Parliament without delay in all cases where the European Communities are invited by international organizations to participate in discussions on environmental questions to ensure that Parliament participates, at least through the presence of observers.

¹ OJ No. C19, 28 February 1972, p. 29

² The fact that your committee was nevertheless represented by its chairman Mr Della Briotta on one of the three days of the Vienna European Ministerial Conference on the Environment is due to the President of the European Parliament, who had at the last minute taken up direct contact with the Council of Europe which had organized the Conference. The importance of the Vienna conference is evident from the conclusions reached by it, as reported in the 'Notice to Members' (PE 33.004).

III. Draft Council Resolution on a Community environmental programme

55. This draft resolution refers back to the Paris Summit Conference which requested the Community institutions to draw up a programme of action with a precise schedule before 31 July 1973.

It also notes that the Commission will implement these projects using the resources and in accordance with the timescale mentioned in the programme, and that it will subsequently put forward, if necessary, suitable proposals for their execution. This means that the Commission expressly reserves the right to put forward further proposals even if these are not specifically mentioned in the programme of action. Your committee welcomes this procedure because it will enable the Community to act quickly, and with considerable flexibility when urgent, unexpected environmental problems arise.

56. It is particularly noteworthy that the draft resolution commits the Council to giving a ruling on all the proposals within a period of nine months from the date of their submission by the Commission.

Your committee insists on the need for the Council to respect this commitment both now and in the future. This is the only possible way to make good, in part at least, the current shortcomings in the field of environmental protection and to prevent serious harm being done to the peoples of the Community.

IV. Proposal for a Council Decision on an environmental information procedure

57. The Commission had already put forward this proposal for an environmental information procedure in slightly different form in the March 1972 environmental programme. The European Parliament had delivered an opinion in favour of the proposal in the previous year when it 'stressed, in agreement with the Commission, the need to be informed promptly of Member States' proposals for environmental provisions so that, in the content of its coordinating activities, it could examine whether the proposed national regulations should be extended to the Community as a whole or implemented by other means'.¹

However, the European Parliament regretted that the 'draft agreement is not based on the Community treaties' but was more in the nature of an agree-

¹ See para. 8 of the Resolution of 3 July 1972, Doc. 74/72, p.6

ment under international law and therefore doubted whether 'it can be legally enforced in the event of violations'.¹ In spite of these doubts, on 5 March 1973 agreement was reached 'among the representatives of Member States' governments, meeting in the Council, on providing the Commission and the Member States with information with a view to the possible harmonization of urgent environmental measures for the entire Community area'.²

Your committee welcomes the fact that a Community decision is now to be taken pursuant to Article 235 of the EEC Treaty.

58. Of special note is the provision of Article 2 of the Council Decision that Member States may only lay down provisions by law, regulation or administrative action for protection or improvement of the environment if, within two months of receiving notification of such provisions, the Commission does not inform the Member States concerned of its intention to put proposals to the Council for the adoption of Community measures in the area concerned. If, however, the Commission has not put any proposal to the Council within five months of receiving the abovementioned information, the Member States concerned may forthwith take the measures envisaged. The same provision applies if the Council, having before it a proposal from the Commission, has taken no action on this proposal within five months of receiving it.

Your committee considers these provisions logical and coherent and therefore approves them.

59. Article 3 of the Council Decision provides for an exception: Member States may, in exceptional cases, lay down provisions by law, regulation or administrative action if they prove urgently necessary for serious health or safety reasons. Last year the European Parliament declared itself fundamentally in agreement with this too but 'requested that Member States should then be obliged to give the Commission the reasons for which they have made their own provisions'.³

Your committee emphatically repeats this request and asks the Commission to complete sentence 2 of Article 3 of the proposed Council Decision as follows: 'The Member States shall immediately communicate

¹ See para. 10, of the Resolution of 3 July 1972, Doc. 74/72, p.6

² OJ No. C9, 15 March 1973, p.1

³ See para. 11 of the Resolution of 3 July 1972, Doc. 74/72, p.7

the texts concerning these provisions to the Commission and give it the reasons for which they have made these provisions'.

60. Under Article 4 of the Council Decision, Member States agree to confer together on all international measures relating to the protection or improvement of the environment.

Your committee hopes that this case will be an exception from the general rule that the Community, as laid down in Chapter III, Part II of the programme of action, shall take joint action within the international organizations or that Member States should at least act in common.

61. Your committee also considers the proposed information procedure very useful because it enables the Commission to keep itself informed on environmental measures of a very progressive or even pioneering nature taken by individual Member States. Your committee attaches great importance to such cases. The Commission must take the lead in efforts of this kind and if possible extend the projected measures to the Community as a whole. It must under no circumstances act as a brake or hamper the Member States in question in the implementation of their progressive measures. In the environmental field more than in any other the principle applies that the approximation of national provisions laid down by law, regulation or administrative action must follow the road of progress.

Whenever measures are taken to protect the environment, a balance must be struck between the interests involved in order to ensure, in the long term, that the quality of life enjoyed by the peoples of the Community is second to none.

V. Consideration of the opinions of the committees consulted

62. The Committee on Public Health and the Environment has taken the opinions of the committees consulted into consideration.

These were drafted by:

- Mr Baas on behalf of the Committee on Agriculture (PE 33.168/fin.)
and
- Mr Harmegnies on behalf of the Committee on Economic and Monetary Affairs (PE 33.311/fin.).

The full text of the two opinions is attached.

63. The Committee on Agriculture doubts whether the Commission will be able to meet the deadlines stipulated in the programme of environmental protection. Your committee is convinced, however, that the deadlines can be met if the Council shows the necessary political determination. This is why paragraph 6 of the resolution stresses that it is vital for the Council to implement the programme by establishing priorities and taking effective legislative action on environmental protection within the set time.

64. The Committee on Agriculture asks that the measures to be taken should be essentially aimed at striking a balance between public health requirements, consumer interests and those of agriculture. In this context the following directives already provided for in the environmental protection programme of March 1972 assume special importance:

- agriculture in mountain areas and in certain other poorer farming areas,
- the encouragement of afforestation to improve agricultural structures.

In connection with the proposed Commission directive on farming in mountain areas the Committee on Agriculture draws attention to Mr Cifarelli's report (Doc. PE 11/73) where, in paragraph 11 of the resolution, the Commission is requested to enquire into the problems that may arise with regard to national parks or nature conservancy areas as a result of specific handicaps to agricultural production stemming from regulations issued in the context of environmental policy.

Your committee points out that on 15 May 1973 the Council adopted a resolution on agriculture in certain poorer farming areas¹ in which it undertook to issue a directive by 1 October 1973. The Commission is therefore requested to submit in due course to the Council, pursuant to Article 149 (2) of the EEC Treaty, an amended proposal reflecting the conclusions of the enquiry called for in the Cifarelli report.

¹ OJ No. C 33, 23 May 1973. p.1

65. The Committee on Agriculture, in agreement with your committee, points out that the proposed directive on afforestation should have been submitted by 1 July 1972 and wonders whether at least the environmental action programme, which calls for submission of this proposed directive by 1 July 1973, i.e. one year late, will be observed.

Your committee has already discussed this point in paragraph 42 (4) of the explanatory statement and would now add that the Commission did nothing to enhance the credibility of its own action programme by stating in its answer of 30 March 1973 to written question No. 574/72 by your rapporteur¹ that 'the proposal for a Directive aimed at promoting afforestation in order to improve agricultural structures will be laid before the Council at a later date'. It therefore calls once again on the Commission to abide by the action programme it has established, thereby setting the Council a good example.

66. Like your committee, the Committee on Agriculture welcomes the provision in the action programme for an investigation into the ecological implications of using modern production techniques in agriculture, to be completed by the end of 1973. In this sector it is indeed extremely important to employ chemical with the slightest possible effect on soil and ground water. Your committee goes a step further and attaches great importance to the Commission's carrying out its intention of encouraging those farmers who make a special effort to improve the quality of their produce with the aid of 'biological' or integrated production methods (see paragraph 43 of explanatory statement).

Here your committee agrees with the Committee on Agriculture on the need for an intensive campaign to inform farmers on the use and effects of chemical pesticides. It also agrees that the investigation announced by the Commission should cover the economic, agricultural and biological implications of restricting and possibly prohibiting the use of pesticides applied hitherto.

67. The Committee on Agriculture likewise welcomes the Commission's intention to investigate the problem of waste generated by intensive breeding methods, especially in the field of pig and poultry farming and calf-fattening. It requests the Commission to examine to what extent financial support would help to encourage experimental schemes to combat environmental nuisances and pollution in these areas. Your committee supports this request.

¹ OJ No. C 29, 12 May 1973, p.14

68. The Committee on Agriculture has no objections to the planned international bird-protection campaign but feels that prohibitions alone are not enough. It therefore considers that provision should be made for encouraging the establishment of breeding grounds for birds under the environmental policy.

Your committee has serious reservations about this proposal. Environmental protection measures are costly enough as it is and the first requirement is to establish priorities to avoid too great a strain on public and private resources. Establishing breeding grounds for birds should scarcely rank as a priority environmental protection measure, besides which it is quite senseless as long as millions of birds continue to be killed in Italy every year. Here lies the justification for the urgent appeal to the Commission, in paragraph 20 of the resolution, to take action, pursuant to Article 235 of the EEC Treaty, to forbid the killing of songbirds and migratory birds throughout the Community.

69. Finally, the Committee on Agriculture requests the Commission to consider commissioning a study with a view to evolving Community or international legislation on environmental protection. The purpose here would be to prevent any distortion of competition resulting from the application of environmental protection measures. The Committee on Agriculture feels that this study cannot ignore the difficulties which the application of the 'polluter pays' principle creates as far as farm profitability is concerned.

Your committee objects to reopening discussion on the 'polluter pays' principle, on which the responsible national, Community and international bodies laboured to reach agreement. It maintains its request that the 'polluter pays' principle should be construed in the broadest possible terms (see paragraph 37 of explanatory statement). It is now for the Commission to submit to the Council by 31 December 1973, as announced, its proposal on the allocation of the costs of anti-pollution measures and basic common rules for implementing the 'polluter pays' principle.

70. In its opinion, the Committee on Economic and Monetary Affairs rightly postulates that economic progress is not an end in itself but should be placed at the service of mankind. The need is to improve not only the standard of living but also living conditions and the quality of life.

The Economic Committee considers it necessary to devise practical solutions as a matter of urgency. It recommends that these should be sought at Community level and that a world-wide environment policy should be pursued through more comprehensive international agreements.

The Economic Affairs Committee then recalls its earlier opinions on the environment problem and requests the implementation of a bold and realistic action programme.

71. It goes on to make a series of requests which are summarized below, complete with the opinion of the Committee on Public Health and the Environment.

72. The environment policy provided for in the action programme requires considerable financial resources. The costs involved at regional, national, Community or world level in setting up the environmental protection regulations may affect cost prices and thus interfere with free competition. To avoid this, the Economic Committee recommends an equitable division of responsibilities, together with the necessary harmonization measures. Furthermore the Economic Affairs Committee confirms the 'polluter pays' principle. But that does not mean that the payment of all or part of such costs confers a right to pollute the environment.

Your committee endorses these findings and points out in this connection that in paragraph 18 of the resolution of 3 July 1972 on the environmental programme of March 1972 the European Parliament called for 'an extension of the 'polluter pays' principle, whereby the polluter would not only have to bear the costs of the damage caused by him but would also have to make good such damage and eliminate the causes of the pollution'¹.

73. In agreement with your committee, the Committee on Economic and Monetary Affairs notes that, besides its social objectives, the fight against pollution and nuisance presents considerable advantages in other spheres. Healthier living conditions will improve public health and thus reduce the financial burden on health and invalidity insurance funds. Here your committee refers to paragraph 14 of its resolution which stresses 'that the necessary measures for the protection of the environment will not only place burdens on industry, but will also lead to the growth of specialized industries, which develop non-pollutant products and technologies to preserve and restore a natural and healthy environment'.

74. Your committee also agrees entirely with the Economic Affairs Committee's call to create awareness of ecological problems by every means available in the education and information sectors. In paragraph 24 of its resolution it once again pointed to 'the need for the Commission to use the mass media in a wide-ranging and ambitious publicity and educational campaign designed to develop a greater awareness of the environment in the Community's population'.

75. The interests of the consumer must be protected as regards both the quality and price of goods. The Economic Affairs Committee quite rightly points out that the campaign against pollution must not be used as a pretext for an arbitrary increase in the cost of living.

76. The Economic Affairs Committee also calls for the organization and encouragement of research to develop suitable packaging materials that can be destroyed without causing pollution. Your committee also gives its unqualified approval to this request.

77. Finally, the Committee on Economic and Monetary Affairs also agrees with your committee on the need for strict surveillance of the implementation of the agreed environmental regulations, with severe penalties in the event of infringements.

¹ OJ No. C82, 26 July 1972, p.42

This is why your committee stressed, in paragraph 10 of the resolution, 'the need for Community surveillance of environmental pollution and effective supervision of compliance with Community legal acts in the field of environmental protection, and therefore urges the Commission to submit a regulation laying down the appropriate controlling powers.

The Economic and Monetary Committee's final opinion is not yet available and will be forwarded later.

Opinion of the Committee on Economic and Monetary Affairs

Draftsman of the opinion : Mr L Harmegnies

On 25 May 1973 the Committee on Economic and Monetary Affairs appointed Mr Harmegnies rapporteur.

At its meeting of 14 June 1973 it considered and unanimously adopted the draft opinion.

The following were present: Mr Lange, chairman; Mr Harmegnies, rapporteur; Mr Artzinger, Mr Burgbacher, Mr Johnson, Mr Leonardi, Mr Mitterdorfer, Mr Normanton, Mr Notenboom (deputizing for Mr Starke), Lord Reay, Mr Thornley and Mr Yeats.

1. The committee attaches special importance to the problem of the environment. It believes that economic progress is not an end in itself but should be placed at the service of mankind. It is necessary to improve not only the standard of living but also living conditions and the quality of life.
2. The committee believes that practical solutions should be urgently sought. It recommends that such solutions should be studied and adopted at Community level and that, by means of broader international agreements, an environment policy should be implemented at world level.
3. The programme submitted by the Commission is in response to the invitation extended to Community institutions at the meeting of Heads of State or Government held in Paris on 19 and 20 October 1972. The committee expresses its satisfaction that this programme has been drawn up within the stipulated time (31 July 1973).
4. The Committee on Economic and Monetary Affairs has already had occasion to examine the environment problem and has delivered several opinions drawing attention to the necessity of formulating and putting into effect a definite and realistic policy¹.
5. An environment policy of the kind envisaged makes great financial demands. The costs involved in setting up control machinery at regional, national, Community and world level may distort cost prices and thus affect the conditions of free competition.
6. To meet this preoccupation, the committee actively recommends the harmonization of tax and other laws affecting the financing of the environment policy, and an equitable distribution of costs taking account of respective responsibilities.
7. The costs of the anti-pollution and anti-nuisance campaign must be borne in mind in calculating the Gross National Product and must clearly be shown as a component of GNP.
8. The principle of 'the polluter pays' is confirmed. The committee shares the opinion that the payment of all or part of such costs does not confer a right to pollute or cause nuisance.
9. It is noted, however, that it is not always possible to determine with the necessary certainty and precision where full or partial responsibility for

¹ Opinions by Mr A. OELE: PE 28.341/fin. - PE 30.019/fin. - PE 30.188/fin.

pollution or nuisance lies. The committee therefore believes that it is necessary to provide for joint responsibility both at Community level and by sector, country, and geographic or economic region. Logically, joint responsibility of this kind should be extended, by negotiation, to third countries.

10. It is clear that, both in the fight against pollution and nuisance and in the protection of mankind's natural heritage, the requisite conditions of such joint responsibility should take into account the special character of each of the regions concerned, having regard to their different economic, social, financial and, last but not least, ecological situations. This consideration is particularly relevant to the developing countries.

11. The committee is of the opinion that, besides its social objectives, the fight against pollution and nuisance presents considerable advantages in other spheres. All is not negative, even at the financial level. A more wholesome environment will help to improve public health and thus reduce the financial burden on health and invalidity insurance funds. The monies that thus become available can usefully be employed for other, especially preventive, purposes.

12. An awareness of ecological problems must be created by every means available in the education and information sectors - schools, press, broadcasting, etc... People must be made to feel involved from their very infancy: the survival of mankind is at stake.

13. Consumer interests must be protected, both where the quality and where the price of goods are concerned. The fight against pollution and nuisance must not be used as a pretext for arbitrarily raising the cost of living.

14. The preparation of goods for sale, especially their packaging, forms part of the overall problem. Research to develop usable materials that can be recycled or destroyed without causing nuisance should be organized and encouraged by all appropriate means, including financial aid.

15. The committee once again stresses the need for introducing an 'environmental seal of approval'¹ which would only be awarded to durable products, certified as having properties allowing them to be remarketed and of a non-existent or low pollutant value both at production and consumption level.

16. The regulations agreed upon at all the levels referred to above should be strictly enforced and any infringements severely penalized.

¹ cf. footnote p.52

Opinion of the Committee on Agriculture

Draftsman of the opinion: Mr J. Baas

The Committee on Agriculture appointed Mr J. Baas rapporteur on 17 May 1971.

It discussed the draft opinion at its meeting of 17 May and 22 May 1973. At the second of these meetings the committee unanimously adopted the draft opinion, with one abstention.

The following were present: Mr Houdet, chairman; Mr Vetrone, vice-chairman; Mr Baas, rapporteur; Mr Aigner (deputizing for Mr Früh), Mr Bourdellès (deputizing for Mr Lefèbvre), Mr Briot, Mr Cifarelli, Mr Cipolla, Mr Durieux, Mr Frehsee, Mr Héger, Mr Hilliard, Mr Hunault, Mr Jakobsen, Mr Ligios, Mr Liogier, Miss Lulling, Mr Martens, Mr McDonald, Mr Scott-Hopkins and Lord St. Oswald.

1. At its plenary sitting of 7 May 1973, Parliament, pursuant to Rule 38 of its Rules of Procedure, authorized the Committee on Public Health and the Environment to draw up a report 'on the European Communities action programme in the field of the environment'. The matter was also referred to the Committee on Agriculture and the Committee on Economic and Monetary Affairs for their opinions.

Although the texts submitted by the Commission are in response to the invitation to the Community institutions contained in the Declaration of the Heads of State or Government meeting in Paris in October 1972 to establish before 31 July 1973 'a programme of action accompanied by a precise timetable', they are the result of work undertaken earlier in this field by the Commission.

2. Reference is made to the first Communication on the Community's policy in the field of environmental protection (submitted to Parliament in July 1971) and to the Communication on a European Communities' programme concerning the environment, on which the European Parliament was consulted in April 1972.

These texts were the subject of two opinions by the Committee on Agriculture (presented by Mr Scardaccone) which were referred to the Committee on Public Health and the Environment as the committee responsible and annexed to the reports drawn up by that committee (Mr Jahn's first report, Doc. 9/72; Mr JAHN's second report, Doc. 74/72).

3. In both cases, the Committee on Agriculture clearly specified the factors it felt should be considered when selecting measures that would make it possible to achieve the objectives of an environmental policy; the committee is now able to note with satisfaction that these factors have, by and large, been embodied in the Commission's action programme.

The action programme, which has to be approved by a Council resolution, defines in the first place the objectives and principles of an environment policy. It then outlines the specific policies and guiding principles underlying the activities it considers should be promoted over the next two years, in accordance with an already established timetable, and for which suitable proposals will, where necessary, be submitted.

4. The Council's draft resolution contains a final paragraph in which it undertakes to give a ruling within nine months from the submission of the proposals which the Commission sees fit to draw up to this end.

Part I of the programme of action defines the objectives and principles of the environmental policy as well as the steps to be taken.

Part II describes in detail the action to be taken and presents an impressive timetable for their implementation. In Part II it is mainly

Chapter I that is of interest to the Committee on Agriculture. The committee does wonder, however, and not without certain reservations, whether the Commission will manage to meet the stipulated deadlines.

5. Agricultural aspects of the programme

The Committee on Agriculture would like to stress that agriculture and forestry play a vital role in the preservation of the soil and landscape. It shares the Commission's view that, having regard to the public interest, it is important that efforts be made to maintain and extend this role by means of suitable supporting measures. These measures should be directed at creating conditions under which a balance is struck between public health requirements, the interests of the consumer and those of agriculture.

6. The Commission's proposal for a directive on farming in mountain areas and in certain other poorer farming areas,¹ on which the European Parliament has given a favourable opinion,² has been included in the programme. The Committee on Agriculture notes that the Council has undertaken to lay down a directive before 1 October 1973.

7. In the opinion of the Committee on Agriculture, the natural handicap under which farmers in mountain areas operate should be compensated by the payment of suitable grants. Such grants can be justified in as much as they make it possible to continue farming in areas which, without aid, would hardly be viable and could not therefore guarantee the farmer a reasonable income.

The Committee also wishes to draw particular attention to the aforementioned resolution on a directive concerning farming in mountain areas and in certain other poorer farming areas² in which an enquiry is called for into the problems that may arise in respect of national parks or protected natural areas in consequence of specific impediments to the development of agricultural production due to regulations issued in the context of environmental policy. This handicap too, which farmers have to suffer because of environmental policy measures, must be compensated for by suitable grants.

8. The second means of action which concerns agriculture is a directive on the afforestation of less fertile ground withdrawn from agricultural use. A grant of two-thirds of the expenditure incurred by the farmer for this purpose is now being considered. The Commission is also contemplating the possibility of paying farmers an annual sum for a limited number of years within the framework of the directive for furthering the closure of farms³ and the use of cultivated land for structural improvement. The Committee on Agriculture

¹ Doc. PE 333/72.

² CIFARELLI Report, Doc. 11/73

³ Directive of 17 April 1972, OJ No. L 96, 23 April 1972

wonders whether this draft directive which ought to have been submitted long ago, can still be laid before the Council by the Commission by 1 July 1973.

9. The action programme also provides for research into the ecological consequences of using modern production techniques in agriculture; it should be concluded by the end of 1973. Agricultural circles are naturally interested in the results of this investigation, since it is in their interests to use chemical substances whose negative effect on soil and ground water is as slight as possible. It may also then be possible to find out what truth there is in the contention frequently heard that agriculture no less than industry, is one of the biggest polluters of the environment. At all events, an intensive information drive must be conducted for the benefit of farmers and the general public on the use and effects of chemical pesticides.

The Committee on Agriculture considers it desirable that the research projected by the Commission should cover the economic, agricultural and biological implications of restricting and possibly prohibiting the use of pesticides applied hitherto.

10. It is also in the interest of agriculture to carry out research into the problem of waste generated by intensive breeding methods, especially in the field of pig and poultry farming and calf-fattening. Systems and methods that combat water and air pollution and do not affect unduly the profitability of farms must surely be acceptable to the agricultural sector. However, waste-processing plants have so far proved to be very costly.

11. The programme also provides for an international bird protection campaign. There is a need for such a campaign because of the dangers attaching to the increasing use of insecticides, seeing that birds play a very considerable role in maintaining the biological equilibrium of nature. Large-scale catching and killing of migratory birds have led to a disquieting increase in the number of insects harmful to plant life, and these have in turn to be combatted by stepping up the amount of insecticide used. As prohibitions alone are not enough, environmental policy should also include provision for encouraging the establishment of breeding grounds for the birds.

12. The Commission's programme also comprises a number of measures to combat pollution of the sea and inland waterways. Clean water is indispensable both for agriculture and the fishing industry. The Committee on Agriculture awaits with interest the Commission's proposals, which have to be submitted to the Council by 31 December 1974.

13. Finally, the Committee on Agriculture requests the Commission to consider initiating a study with a view to evolving Community or international legislation on environmental protection so as to prevent any distortion of competition resulting from the application of environmental protection measures.

CONCLUSION

14. On the whole, the programme of action meets the requirements set out on several occasions by the Committee on Agriculture in the matter of environmental policy.

Subject to the arguments put forward in this opinion, and in particular those relating to the effects of the proposed measures on the profitability of farms, the Committee on Agriculture approves the programme. It urges that the timetable be adhered to, and that the specific implementing directives be issued in good time.