

European Communities

628

EUROPEAN PARLIAMENT

Working Documents

1977 - 1978

10 January 1978

DOCUMENT 468/77

Report

drawn up on behalf of the Committee on the Environment, Public Health and
Consumer Protection

on the ~~First~~ Report by the Commission of the European Communities on the
State of the Environment

Rapporteur: Mr J. BAAS

PE 50.291/fin.

1.2.1

English Edition

In May 1977 the Committee on the Environment, Public Health and Consumer Protection requested authorization to draw up a report on the First Report by the Commission of the European Communities on the State of the Environment.

By letter of 21 June 1977 the President of the European Parliament authorized the committee to draw up a report on this matter.

On 26 September 1977 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Baas rapporteur.

At its meetings of 19 October and 24 November 1977 the committee examined the draft report and, at its meeting of 20 December 1977, unanimously adopted the motion for a resolution and the explanatory statement.

Present: Mr Ajello, chairman; Mr Baas, rapporteur; Mr Andersen, Mr Brown, Mrs Cassanmagnago Cerretti, Mr Delmotte (deputizing for Mr Didier), Mr Edwards, Mr Lamberts, Mr Lezzi (deputizing for Mr Brégégère), Mr Noè, Mr Nyborg (deputizing for Mr Inchauspé), Mr Ryan (deputizing for Mr van Aerssen), Mr Schwabe, Mr Schyns, Mrs Squarcialupi, Mr Vernaschi, Mr Veronesi and Mr Wawrzik.

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

MOTION FOR A RESOLUTION

on the First Report by the Commission of the European Communities on the State of the Environment.

The European Parliament,

- recalling its resolutions of

- (a) 18 April 1972 on the Commission's first communication on Community environment policy¹,
- (b) 6 July 1972 on the communication from the Commission to the Council on a European Community programme for protecting the environment and on proposals for environmental protection measures²,
- (c) 3 July 1973 on the proposals from the Commission to the Council on the programme of environmental action of the European Communities together with proposed measures to be taken in this field³,
- (d) 8 July 1976 on the continuation and implementation of a European Community policy and action programme on the environment⁴,

- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 468/77);

1. Has noted with satisfaction this first report on implementation of the Programme of Action of the European Communities on the Environment;
2. Notes that, because of the relatively short period during which the directives have actually been in application, the report has largely had to be confined to a description of Community activities between 1974 and 1976;
3. Nonetheless regrets that this report was produced only after some delay;

¹ OJ No. C 46, 9.5.1972, p. 10

² OJ No. C 82, 26.7.1972, p. 42

³ OJ No. C 62, 31.7.1973, p. 16

⁴ OJ No. C. 178, 2.8.1976, p. 44

4. Requests, however, that the Commission should strengthen its next annual report by including, in particular, a uniform and detailed country-by-country assessment of the implementation of Community measures for environmental protection;
5. Urges the Commission, therefore, to urge Member States to supply their information on environmental protection regularly and punctually;
6. Notes with regret that the delays in the Community's environmental policy are attributable not least to the procrastination of the Council, which in many cases has not acted in keeping with its 'Declaration of 22 November 1973 on the Programme of Action of the European Communities on the Environment', in which it undertook 'to decide on the Commission's proposals within a period of nine months from the date of despatch thereof'¹;
7. Agrees with the Commission that it is now of decisive importance to build on the successes of the Programme of Action of the European Communities on the Environment, to complete it where it needs to be completed and to pursue this work over the next several years with determination;
8. Approves the Commission's efforts to combat water pollution by laying down maximum admissible concentrations for pollutants and setting standards for discharges, particularly with regard to the production of drinking water;
9. Expresses its concern to maintain the purity of usable groundwater resources and hopes that the Commission will draw up concrete proposals in this area;
10. Urges the Commission to pursue more actively the policy of reducing emissions of and exposure to substances which are dangerous to man, flora and fauna;
11. Insists that the Council should finally approve the directive concerning the lead content of petrol;
12. Draws attention to the great potential impact on the environment of the use of new chemicals;
13. Considers it essential, therefore, for the Council to take a decision without delay on the sixth modification of the Council Directive of 27 June 1967 on the approximation of the laws on the classification, packaging and labelling of dangerous substances;

¹ OJ No. C 112, 20.12.1973, p. 2

14. Expects the Commission to step up its efforts to ensure that waste products that cannot be recycled are disposed of in a responsible manner;
15. Reiterates its request to the Commission to adopt as a matter of urgency the overall plan it has announced for measures to reduce noise;
16. Reminds the Commission of its undertaking, pursuant to point 8 of the Annex to the Council Recommendation of 3 March 1975 concerning cost allocation and action by public authorities on environmental matters¹, to submit to the Council at an early date all the necessary proposals regarding the harmonization of instruments for administering the 'polluter pays' principle;
17. Urges the Commission to conduct an inquiry into the demarcation of geographical areas in which a solution may be found to the main ecological problems and where the essential technical structures can be set up for this purpose;
18. Notes that the concept of environmental management needs increasingly to be considered in a more general context in view of the unavoidable environmental repercussions of sectoral measures;
19. Encourages the Commission to pursue its activities for the preservation of the natural environment and the ecological balance;
20. Takes the view that the Commission should also draw up economy measures for the use of non-renewable natural water sources;
21. Requests the Commission to take action both to limit the use of pesticides and to encourage biological or integrated farming methods;
22. Considers it vital that the Commission should press the Council to adopt the directive concerning forestry measures as soon as possible;
23. Asks the Commission to examine whether it would be appropriate to suggest immediate action with the aim of introducing without delay afforestation measures and measures to manage water resources which are urgently needed, particularly in Italy and the Mediterranean regions of France and encouraging these measures with an EAGGF contribution of up to 50% of the repayable national aid;
24. Requests the Commission to press the Member States for proper and speedy implementation of the Council Directive of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas²;

¹ OJ No. L 194, 25.7.1975, p. 1

² OJ No. L 128, 19.5.1975, p. 1

25. Calls on the Commission to urge the speedy adoption by the Council of the Community programme for safety, hygiene and health protection at work, taking into account the opinion on the guidelines delivered by the European Parliament on 24 September 1975¹, so that a start may be made as quickly as possible on its implementation;
26. Insists that the Commission should itself assume the short-term tasks in the field of the reform of the organization of work in order to concentrate the work of the European Foundation for the Improvement of Living and Working Conditions on the solution of long-term problems;
27. Stresses the high social, human and economic value of preventive environmental protection, as the job opportunities created thereby can make a useful contribution to the fight against unemployment;
28. Stresses that the public at large has a legitimate right to be informed at least in broad outline of Community action in the field of environmental protection and therefore insists once again on the need for the Commission to publish each year a readily-understandable summary of Community activity in the field of environmental protection;
29. Considers it an important task for the Commission in future to provide transparent statistical material for Members of the European Parliament so that they can make their views known on proposals for environmental protection measures in full knowledge of the facts;
30. Supports the Commission fully in its endeavours to maintain regular contact with, and where possible actually take part in, environmental campaigns under the auspices of international organizations, conferences and conventions;
31. Instructs its President to forward this resolution and the committee's report to the Council and Commission of the European Communities.

¹ OJ No. C 239, 20.10.1975, p. 36

EXPLANATORY STATEMENTI. General observations

1. The publication of the First Report on the State of the Environment marks the first occasion on which the Commission has fulfilled its obligation under Part II, Title I, Chapter 8, point 2 of the programme of action of the European Communities on the environment of 22 November 1973 to publish 'in the annual report on the state of the environment in the Community, details supplied by each Member State on the measures taken to ensure compliance with the pollution and nuisance control regulations, existing case law, and information on the improvements made and the practical experiments carried out in this connection within the Community'¹.

In paragraph 28 of its resolution of 8 July 1976 on the continuation and implementation of a European Community policy and action programme on the environment², the European Parliament reminded the Commission of this obligation and requested it to honour it at an early date.

2. Criticism is warranted in that the Commission has been unable to fulfil this obligation. The first shortcoming is the long delay in presenting this report.

In the programme of action of 22 November 1973 the Council rightly requested the Commission to submit an annual report in order to ensure constant monitoring of the implementation of the environmental programme and compliance by Member States with Community legislation. The Commission's First Report covers a period of three years however (1974-1976). The Committee on the Environment, Public Health and Consumer Protection therefore urges the Commission to make its future reports on the state of the environment once a year as soon as possible after the end of the calendar year.

3. The First Report is again dissimilar to the annual report provided for in the programme of action as regards its content. The Commission's report pays greater attention to the implementation of the Community action programme over the past three years than to the detailed situation in each Member State. In accordance with the programme of action on the environment the Commission should in the first place have published the details supplied by the Member States on the measures taken, improvements made and practical experiments carried out by them.

Your committee urges the Commission to concentrate in its next report on the state of the environment on the uniform presentation and critical evaluation of the Member States' information. It also calls on the Commission to make strong representations to the Member States to have them supply the information

¹ OJ No. C 112, 20.12.1973, p.31

² OJ No. C 178, 2.8.1976, p.44

regularly and punctually. This ought to pose no problems to the Member States since generally they have a number of qualified officials ready to complete the tasks assigned to them punctually and efficiently.

II. Summary of the content of the First Report

4. As the foreword states, the first report is intended to give an overall view. It is selective rather than exhaustive. There are many studies and working groups from which results and conclusions have still to be drawn. The report therefore concentrates primarily on activities which have already led or are about to lead to concrete proposals from the Commission to the Council in the form of draft directives, decisions or recommendations.

The report begins with a summary of the programme of action of the European Communities on the environment. It then deals with the implementation of the programme in each of the main areas namely

- (a) prevention of pollution and nuisances,
- (b) actions to improve the environment,
- (c) international actions.

Finally, Part IV contains a summary of the results obtained by the measures carried out in each sector of the environment.

5. The emphasis of this first report is on the problems of pollution and nuisances. In his foreword Mr Roy Jenkins states that this emphasis will certainly change in subsequent reports as the numerous proposals which are now in preparation dealing with the wider aspects of the environment programme are adopted by the Commission and transmitted to the Council.

6. He further concedes that the Community has not been able to achieve all that was hoped when the Council approved the action programme on the environment in November 1973. In some cases the Commission has failed to respect deadlines, while in others the Council itself has been tardy in adopting those proposals. There are many documents which still lie on the table of the Council, awaiting approval. Yet, taking this report as a whole, Mr Jenkins feels that something has indeed been achieved and the dimensions of the new policy are emerging more clearly. Your committee agrees with the President of the Commission that the important thing now is to build on the successes of the programme, to complete it where it needs to be completed and to pursue this work over the next several years with determination.

III. Some special aspects of the Community's environment policy

7. The objections which the Member States undoubtedly have to the Commission's proposals regarding environmental protection are probably due to their fear that they will be put at a competitive disadvantage vis-à-vis third countries.

This is because the Community's regulations on environmental protection usually involve financial burdens which form part of production costs and which are therefore added to the selling price. Third countries having no legislation on environmental protection are able to produce at lower cost.

In addition, some Member States are afraid that distortion of competition will occur within the Community. They point to the fact - which has been amply demonstrated over the years - that Community provisions are observed less strictly in some Member States than others and sometimes not at all. The Commission has rarely made use of its power under Article 169 of the EEC Treaty to proceed against violations of Member States' Treaty obligations. Even when the procedure for dealing with Treaty violations is invoked, it usually takes months and sometimes years before the European Court of Justice can formally identify the Treaty violation. Meanwhile, the industry of the Member State or Member States concerned is able to secure a considerable competitive advantage, which the Member States that have observed the Treaty find impossible to eliminate in the short term.

8. The Member States seem to have particular difficulties in accepting the Commission's proposal (Doc. 472/74), submitted to the Council as long ago as 20 January 1975, concerning the reduction of water pollution caused by wood pulp mills in the Member States. The Council of Environment Ministers again failed to reach agreement at its last meeting on 14 June 1977.

9. In its resolution of 8 July 1976 the European Parliament noted that the regrettable delays in environment policy are attributable not least to the procrastination of the Council, which has so far approved only 15 of the 35 proposals submitted by the Commission. Unfortunately, a further backlog has accumulated in the Council since then. The Council has therefore clearly not acted in keeping with its 'Declaration of 22 November 1973 on the Programme of Action of the European Communities on the Environment', in which it undertook 'to decide on the Commission proposals within a period of nine months from the date of despatch thereof'¹. The following Commission proposals which have still not yet been adopted are examples of the Council exceeding this nine-month period:

- directive on the lead content of petrol (5.12.1973)²,
- European Convention on the protection of international watercourses against pollution (11.12.1974),
- reduction of water pollution caused by wood pulp mills in the Member States (20.1.1975),

¹ OJ No. C 112, 20.12.1973, p. 2

² The date in brackets is that on which the Commission transmitted its proposal to the Council

- air quality standards for lead (24.4.1975) ,
- waste from the titanium dioxide industry (18.7.1975) ,
- the use of fuel oils with the aim of decreasing sulphurous emissions (30.12.1975) ,
- the dumping of wastes at sea (12.1.1976) ,
- health protection standards for sulphur dioxide and suspended particulate matter in urban atmospheres (25.2.1976) ,
- the limitation of noise emission from subsonic aircraft (26.4.1976) ,
- toxic and dangerous wastes (28.7.1976) ,
- quality requirements for waters capable of supporting freshwater fish (2.8.1976) .

10. Your committee would refer once again to an aspect of environmental protection measures which it has previously discussed: the possibility of creating new jobs. In its reports on the Commission's first consumer protection programme¹ it had already emphasized that environmental protection measures could open up new markets of almost unprecedented size. Industry's expenditure on investment, operating costs, research, development and above all a change to 'clean' production processes can be considerably increased if suitable stimuli are given. There are already waste disposal and reprocessing industries that are developing techniques to maintain and restore a natural and healthy environment. Included here are undertakings involved in measuring and control technology, mechanical engineering, civil engineering (public and industrial sewage plant), the chemical industry (recycling of waste, treatment of drinking water, water for industrial purposes and waste water) and the manufacturers of filtration equipment, furnaces, air-conditioning, gas washing, dust removal and drying equipment. It is clear that these new job opportunities can make an effective contribution to the struggle against unemployment.

11. Your committee would also stress the need for the Commission's proposed environmental protection measures to cover the most suitable geographical area. The Member States must also have the necessary technical structures to produce interdisciplinary solutions to environmental protection problems. Very often there is no administrative body to collect and pass on information. An example of this type of technical structure would be the French river basin agencies (agences de bassin). Since 1964 France has had six such agencies, with correctly demarcated territories and the technical staff required to produce interdisciplinary solutions.

¹ Reports by Mr Jahn, Doc. 9/72 and Doc. 106/73

12. On page 225 of the First Report the Commission describes the Council Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment as 'very important'. The directive introduces a system of prior authorizations for the discharge of a number of dangerous substances into the aquatic environment. It also provides for the laying down of limit values and quality objectives for the substances on a 'black list', and for the establishment of programmes designed to reduce pollution caused by the discharge of substances on a 'grey list'.

The Commission is asked whether the Member States are in practice already working with a system of black and grey lists, i.e. whether the directive has already proved effective in improving the quality of the aquatic environment.

13. Page 228 of the First Report refers to a proposal for a directive on the quality requirements for waters favourable to shellfish growth, on which the European Parliament has meanwhile delivered its opinion. Your committee wonders whether this proposal should be given priority or whether there are not more important areas requiring legislation at Community level. The Commission is asked to state what the economic importance is of legislation on waters favourable to shellfish growth.

14. It is stated on page 229 that the Commission is continuing its work on the development of methods of measurement for nitrogen oxides. This suggests that there are at present no reliable or at least no standardized measuring methods. Can the Commission state the grounds for this deficiency and particularly what difficulties are involved? When may the application of Community measuring methods in this area be expected?

15. Part IV, Chapter VIII of the First Report deals with the economic aspects of environmental protection. This chapter is extremely short in comparison with chapters on other environmental protection activities, even if account is taken of Chapter VII of Part I, which is entitled 'Economic Aspects of Pollution Control'. What so far have been the practical results of the Recommendation of 3 March 1975 regarding cost allocation and action by public authorities on environmental matters? Has this recommendation already been applied successfully? If so, to what extent and in which Member States? Is the recommendation not being interpreted in different ways by the various Member States?

16. This chapter on the economic aspects makes mention both of 'state aids' and of 'systems of charges imposed' in connection with discharges of effluents into watercourses. The Commission is asked which system is considered more effective and when it is applied in practice. Can it give more details?

17. The final paragraph of the chapter on economic aspects is incomprehensible. It states: 'Some aspects of the application of the 'polluter pays' principle have also been discussed, and in particular the incorporation of ecological considerations in other policies and the problem of pollution chains.' What does this mean exactly?

18. The beginning of Part III (page 203) is not clear. Paragraph 3 reads as follows: 'In the spirit of the Declaration of the Heads of State or Government at Paris the Community and the Member States must make their voices heard in the international organizations dealing with aspects of the environment and must make an original contribution in these organizations, with the authority which a common point of view confers on them.' What does this mean?

19. It is remarkable that there is no chapter on raw materials in this First Report, although sparing use of raw materials forms an important part of a common environmental policy. The Commission is asked to explain why it has failed to describe its policy on this matter.

20. Also omitted is any reference to the United Nations Environment Programme (UNEP). The Commission is asked to state whether there is any coordination in the implementation of UNEP and the Community's Action Programme on the Environment and, if so, what form it takes.

21. In the rapporteur's opinion the Community's environment policy wrongly fails to mention at least in the long term the aspect of the survival of a healthy human race. Have the Community's leaders given any thought to ways of diminishing the danger inherent in interference with genes and the consequent effect on evolution? Have talks at international level been held on this subject?

22. Part III, Chapter 4, 'Protection of the Waters of the Rhine Basin against Pollution', deals particularly with the planned signing of a Convention for the protection of the Rhine against chemical pollution and an Agreement on concrete measures for a progressive reduction of the discharge of salt into the Rhine. Meanwhile the Council Decision of 25 July 1977¹ ensures that the 'chemicals convention' will be concluded within the framework of the Community.

Early ratification of the agreements is necessary if pollution of the Rhine Basin is to be reduced as provided for in both agreements. The urgent need for the cleansing of the Rhine stems from the fact that the Rhine Basin is being integrated into a European network by the Rhine-Rhône Canal and the planned Rhine-Danube Canal and the transfer of pollutants to other river basins must naturally be prevented.

¹ OJ No. L 240, 19.9.1977, p. 51

23. The need for Community environmental protection measures is often demonstrated by the statistics, which show that pollution of the environment is continuing to increase. Unfortunately, these statistics are frequently so complicated that they are difficult to understand for the layman. One of the Commission's future tasks will therefore be to provide transparent statistics for Members of Parliament, so that they can make their views known on the Commission's proposals on environmental protection in full knowledge of the facts.

24. The committee also draws attention to its repeated requests that the decision-making procedure agreed by the Council (nine months with effect from submission of the Commission proposal and/or receipt of the opinion of Parliament and the Economic and Social Committee) should be kept to.

Furthermore, the committee reiterates its earlier requests for measures to be drawn up at an early date on:

- limiting the use of chemical pesticides,
- the application of biological or integrated farming methods,
- maintaining the purity of usable groundwater,
- recycling waste materials,
- economizing on the use of non-renewable natural water sources,
- noise abatement,
- limiting the use of toxic propellant gases in sprays,
- the introduction of environmental selection for long-life products,
- harmonizing application of the 'polluter pays' principle

IV. Broadening the concept of environmental management

25. In addition to the above-mentioned direct-action projects to combat water, air and environmental pollution so as to restore, protect and improve the quality of human life, attention must be drawn to the need for broader interpretation of what constitutes good environmental management. Policies pursued in the fields of industry, energy, building, agricultural structure, transport and leisure should increasingly take account of impact on the environment.

26. Thus the promotion of environmental protection means watching and examining developments in a number of related sectors. Where necessary, care should be taken to ensure, by taking suitable measures in good time, that human health, the natural environment and the ecological balance are maintained.

A. Reafforestation measures

27. Part II, Title II, Chapter 1, Subsection b, 'Promotion of measures in the forestry sector aimed at structural improvement in agriculture' of the 1973 action programme contains the following statement¹:

'The aim of these measures is to promote the afforestation of areas hitherto used only for farming which are uneconomic, to make virtually unproductive areas of forest productive, and to set up protective plantations, chiefly for the purpose of protecting the soil from erosion. The essential task of promoting afforestation should form part of the general development programme for each region as regards the use of the soil and the maintenance of the landscape'.

The programme on the environment also lays down that the Commission should present a proposal for a directive on the promotion of measures in the forestry sector aimed at structural improvement in agriculture by 31 December 1973. This proposal (Doc. 6/74) was sent to the Council and the European Parliament at the end of February 1974.

28. In the preamble to the proposal for a directive, the Commission correctly points out that forestry makes valuable contributions

- to the production of timber and thus to a reduction in the Community's dependence on timber imports,
- to the beauty of the landscape and its enjoyment by those seeking recreation,
- to the conservation of soil (protection against erosion),
- to the protection of flora and fauna,
- to the quality of the air,
- in the form of windbreaks and shelter belts, to the productivity of adjacent agricultural land.

Primarily, however, forestry serves to improve agricultural structures in the Community in two ways:

- (a) It provides employment both in the forest and subsequently in wood-processing industries in rural areas where the opportunities for agricultural employment are decreasing;
- (b) It puts to good use land that is no longer suitable for or required for agriculture.

¹ OJ No. C 112, 20.12.1973, p. 38

The system of encouragement referred to in the draft directive related to the following measures:

- the afforestation of areas under agriculture and of uncultivated areas;
- the conversion of unproductive or low-production woodlands into productive woodlands;
- the establishment and improvement of shelter belts in the interests of agriculture and the environment;
- the creation of recreational facilities in the forest (e.g. picnic sites and paths for pedestrians, cyclists or horseriders).

The level of aids to be granted under this system is to be prescribed by the Member States. According to the Commission's proposal 25% of Member States expenditure will be refunded (within certain limits) by the Guidance Section of the EAGGF.

29. The European Parliament delivered an opinion on the proposal for a directive on the basis of a report drawn up by Mr Ligios on behalf of the Committee on Agriculture (Doc. 169/74). In its resolution of 24 September 1974¹ the European Parliament noted that

- an increase in forest land on the territory of the Community would contribute to the protection and growth of the productivity of the soil and bring with it ecological advantages in the interests of the entire population,
- measures providing incentives to forestry activity will promote economic development and employment and further the growth of the Community's forestry resources, which are at present insufficient to meet the ever-growing demand for wood.

The European Parliament therefore welcomed the Commission's proposal to provide for the financial participation by the EAGGF in the specific actions to be carried out by the Member States and hoped that the Council would take a decision on this directive without delay since the measures contained in it would only be felt in the medium term.

On 7 March 1975 the Commission presented to the Council, pursuant to the second paragraph of Article 149 of the EEC Treaty, a revised proposal for a directive concerning forestry measures (COM(75) 88 final).

30. The Commission examines this question in Part II, Chapter II, Section 3 'Forestry' of the First Report. It concludes this section with the terse statement that this proposal is still under discussion in the Council. It fails to point out, however, that the measures proposed are urgent.

¹ OJ No. C 127, 18.10.1974, p. 5

Your Committee on the Environment calls upon the Commission to press the Council to adopt the directive in the immediate future.

It further insists that the Council fulfil its obligation to take a decision on this problem for a directive without delay.

Your committee considers it appropriate to initiate immediate measures with the aim of introducing without delay the afforestation measures that are urgently needed particularly in Italy and the Mediterranean regions of France and to encourage these measures with an EAGGF contribution of up to 50% of the repayable national aid. The same applies to measures to manage water resources in certain areas of southern Italy and Sicily.

B. Improvement of working conditions - Humanization of work

31. The committee must deplore the fact that no concrete measures have yet been taken at Community level on the improvement of working conditions. This topic is dealt with in Part II (Actions to improve the environment), Chapter III, 'European Foundation for the Improvement of Living and Working Conditions', of the First Report. Here among the tasks of the Foundation are listed:

- Upgrading of man at work (participation, joint management, employer-labour relations, job enrichment, further education, etc.);
- Organization of work (team work, adjusting machines to the worker, working hours, etc.);
- Problems outside the undertaking (transport to the place of work, leisure time, accommodation, etc.).

At the same time the Commission does point out that basically the Foundation should concentrate on the study of long-term problems to prevent any overlapping with the deliberations and studies of the Commission itself.

32. It is logical that action must be taken as quickly as possible in this area which is so important for the quality of life and the Commission itself must therefore submit the necessary proposals. So far it has merely sent a communication to the Council in June 1976 on the reform of the organization of work (humanization of work) (COM(76) 253 final). The European Parliament delivered an opinion on this communication on 13 June 1977 on the basis of the report by Mr Meintz (Doc. 116/77). It rightly regretted in paragraph 3 of the resolution that the Commission had opted for a simple communication in view of the fact that the Social Action Programme, the basis of the Commission's document, mentions the need to establish an action programme for workers aimed at the humanization of their living and working conditions with particular reference to a reform of the organization of work. Regret was also

expressed in the explanatory statement that the contents of the communication were extremely vague and had no binding force. The purpose of this communication was to inform the Council of action taken by the Commission and of its proposals for future action.

33. In its communication on the reform of the organization of work the Commission points out that in 1975 it submitted the guidelines for a Community programme on safety, hygiene and health protection at work (COM(75) 138 final) to the Council. Among the objectives and actions set out in these guidelines were:

- preparation of Community measures to adapt to progress regulations and monitoring procedures governing safety, hygiene and industrial medicine at the workplace;
- coordination or joint organization of future research into preventive measures with a view to increasing the efficiency of available resources and the formulation of methods to improve information for those particularly involved, including the practitioners;
- to utilize audio-visual information methods to improve the provision of information for those sectors of the population especially affected;
- to work out a Community concept for safety services and medical services and as regards the essential requirements for jobs and work places including concrete measures to be proposed in these areas.

In addition, the guidelines contain an initial list of specific themes already suggested by certain Member Governments, solutions for which should be found at Community level, e.g.

- isolated work (carried out alone or away from others),
- preventive measures in the event of fire,
- noise and vibrations in the work environment,
- control of dust, gases and vapours,
- silicosis,
- monitoring of asbestos in the work environment.

34. The European Parliament delivered an opinion on the guidelines proposed by the Commission on the basis of the report by Mr Meintz (Doc. 211/75) on 24 September 1975. The resolution expressed the hope that the proposals would not deal mainly with theoretical and administrative aspects, but that emphasis would be placed on the ultimate objective of introducing practical measures in individual undertakings. Parliament agreed with the Commission that the EEC Treaty clearly provided a legal basis for efforts to improve living and working conditions, seeing that greater safety, hygiene and health

protection at work contributed significantly to the improvement of workers' standards of living and working conditions, which the Treaty explicitly refers to as being among the European Community's main tasks. It further recommended to the Commission that, when putting its initiatives into practical terms, it should always seek to achieve harmonization at an ever higher level and to use new research, new technical methods and materials in a continuous campaign to prevent industrial accidents as far as possible. Parliament urgently requested that safety and health protection training should not be subject to narrow economic considerations but that everything should be done to ensure that employees were able to receive the most thorough training possible. Finally it noted with satisfaction that the Commission was anxious to institute consultation at Community level at the earliest possible stage when measures were being considered to combat new hazards or review existing statutory or administrative provisions or other protective measures.

It is particularly interesting that even at this early juncture Parliament took up a positive position on the humanization of work in its resolution. It welcomed the fact that the Commission also referred to the 'humanization of work' and included better organization of work in one of the objectives, but asked that action should not be limited to 'comparative studies' and 'working out a Community position', but that practical proposals would be submitted for more dignified working and living conditions, compatible with the ideals of social progress.

35. The Committee on the Environment must regret the fact that these guidelines have so far remained a dead letter. The Community programme has still not been drawn up, let alone put into operation.

The only exception is the drawing up of the Community instrument for industrial warning signs announced in the guidelines. The Commission submitted a proposal for a directive in April 1976 on the provision of safety information at the workplace on which the European Parliament delivered an opinion on the basis of a report by Mr Walkhoff (Doc. 217/76). This directive was adopted by the Council at the end of June 1977.

The Committee on the Environment therefore requests the Commission to urge the speedy adoption by the Council of the Community programme for safety, hygiene and health protection at work taking into account the suggestions and comments which the European Parliament made in its opinion on the guidelines so that a start may be made as quickly as possible on its implementation.

36. The Commission's communication on the reform of the organization of work shows that its initiatives are limited to seminars and conferences, the results of which are set out in a background paper annexed to the communication. This background paper shows clearly that the aim must be to give more practical advice on the improvement of working conditions. This is in contrast to the Commission's own communication which in general deals with the subject of the humanization of work in an academic fashion and unfortunately contains very few concrete proposals.

Once again the Commission merely draws up 'guidelines', for example:

- support for reorganizing workplaces and structures by the Community in order to give all workers the opportunity to perform a satisfying and responsible job,
- the incorporation of new experience in training courses for managers, engineers and trade union representatives.

37. The Commission devotes a chapter of its communication to the role of the European Foundation for the Improvement of Living and Working Conditions which is described as the most important element of the Community's contribution to the humanization of work. The Foundation is to stimulate research and facilitate contact between the institutions of the Community and organizations active in this field. Furthermore, the Council regulation of 26 May 1975 on the creation of a European Foundation for the Improvement of Living and Working Conditions¹ states that the situation of man at work, and organization of work and particularly job design are areas to which the Foundation will attach priority.

38. The Committee on the Environment regards the role intended for the Foundation in the field of improving working conditions with great scepticism. Pursuant to Article 23 of the Regulation of 26 May 1975, this regulation entered into force on 2 June 1975. It appears, however, that the Foundation is still tackling initial organizational difficulties, and in particular the recruitment method has not been determined. Consequently it has not been able to start on its own work. In addition, the Foundation's staff seems very limited, consisting of one director, one deputy director² and five experts.

The suspicion that the Foundation has not yet begun the tasks assigned to it is based on the fact that it has so far not submitted any report on its activities. Pursuant to Article 13 of the regulation of 26 May 1975 the director shall prepare not later than 31 March of each year a general report

¹ OJ No. L 139, 30.5.1975, p. 1

² The Commission recently proposed to enlarge this staff by a further deputy-director

on the activities, financial situation and future guidelines of the Foundation and shall submit it to the Administrative Board. After its adoption by the Administrative Board, the director is to forward the general report to the Community Institutions and to the Economic and Social Committee. Certainly the European Parliament has not yet received the first general report.

39. Under these conditions the committee insists that the Commission should itself assume the short-term tasks in the field of the reform of the organization of work. This in any case is in line with the Commission's own conception set out in Chapter VI of the communication, namely that 'it is the task of the Commission to respond to immediate needs, to make use of opportunities already present and to prepare proposals for Community legislation'.

Your committee can only agree with this. It should therefore call upon the Commission to concentrate the work of the Foundation on the solution of long-term problems. In this way, as the Commission itself points out, duplication and overlapping can be avoided between the Commission and the Foundation.

40. In any case, your committee points out that enough theoretical experience is already available regarding the humanization of work. There is therefore no necessity or, in view of the urgency of the situation, justification for new research, investigations and studies to underpin knowledge already acquired, or for conferences and other consultations. The aim must be at last to translate into practice the experience gained in theory and in exchanges of views. Research in this field must, of course, continue, so that the best methods of humanizing work may be established as technology advances.

Moreover, the present levels of unemployment should not present any obstacle to concrete measures for the humanization of work, especially since the two problems are closely linked. A reform of the organization of work requires better and more comprehensive vocational training. This in turn is one of the most important means of countering the structural unemployment which the Community has been facing in recent years.

C. Transfrontier measures to protect the environment

41. In the case of pollution in frontier areas, the problem is one of preserving common resources which form part of a single geographical and economic area, but are subject to regulations which are different and sometimes contradictory.

The joint determination of methods for defining quality objectives in these frontier areas will have to be supplemented by consultation between

the Member States concerned in order to define and undertake common projects for the protection of the environment. There is otherwise the danger that industries in these areas, where the natural and geographical conditions are identical, might be subject to measures of constraint of varying degrees of severity and faced with different conditions of competition. These measures are also necessary to ensure the protection of Member States' frontier areas where pollution is low but which border on highly-polluted areas of another State.

This welcome statement is to be found in the programme of action of the European Communities on the environment of 22 November 1973, Part II, Title I, Chapter 6, Section 3, 'Action for the protection of the environment in frontier zones'¹. Paragraph 34 of the resolution of the Council of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment² (below called simply 'second programme on the environment') states that the Community will continue to implement the measures of the 1973 action programme including action for the protection of the environment in frontier zones.

42. The European Parliament, in its resolution of 3 July 1973 on the proposals on the programme of environmental action of the European Communities (paragraph 16), urged the Commission to present appropriate proposals to the Council immediately on the most urgent cases of pollution in frontier areas. This resolution was based on the report which Mr Jahn drew up on behalf of the then Committee on Public Health and the Environment (Doc. 106/73).

In paragraph 11 of the resolution of 8 July 1976 on the second programme on the environment, the European Parliament considered it desirable for the Commission to concentrate its efforts aimed at solving the problems of water availability, distribution and purity, primarily on concrete proposals for transfrontier areas, where there is an urgent need for the rational coordination of measures³.

43. The Commission has complied with this request in an unsatisfactory manner if at all. The First Report on the State of the Environment unfortunately does not contain a chapter on transfrontier measures to protect the environment. Parliament is also unaware of any concrete Commission proposals for directives in this area, apart from general directives applying to the Community as a whole.

¹ OJ No. C 112, 20.12.1973, p. 28

² OJ No. C 139, 13.6.1977, p. 10

³ See report by Mr Jahn, Doc. 215/76, p. 7

Clearly, Community measures are particularly to be recommended in frontier areas which, experience has shown, are not always at the heart of a Member State's interests and indeed tend to be neglected. Hence the Member States' Ministers of the Environment, at their conference in Bonn on 30 October 1972, named consultations on the question of environmental protection in frontier areas as one of the initiatives which should be taken within the framework of European policy on the environment. Community measures are urgently required to counter air and water pollution which, of course, do not respect international frontiers. This involves not only the fixing of single quality objectives, as laid down in the first programme on the environment, but also coordination in industrial siting.

Your Committee on the Environment therefore urges the Commission, in line with the two programmes on the environment and in accordance with the European Parliament's requests in this field, finally to propose concrete measures or at least to promote the coordination of Member States' projects. The Commission must take the initiative here, and not rely on the conclusion of bilateral agreement.