

RESOLUTION

OF THE COUNCIL OF THE EUROPEAN COMMUNITIES AND OF THE REPRESENTATIVES
OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 19 October 1987

on the continuation and implementation of a European Community policy and action
programme on the environment (1987-1992)

(87/C 289/03)

THE COUNCIL OF THE EUROPEAN COMMUNITIES
AND THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES, MEETING WITHIN
THE COUNCIL,

Note that the projects to which the appended programme will give rise should in some cases be carried out at Community level and in others be carried out by the Member States;

With regard to the projects to be carried out by the Member States, the latter will supervise their proper execution, it being understood that for these projects the Council will exercise the coordinating powers laid down in the Treaties;

With regard to the projects in the programme to be carried out by the institutions of the European Communities:

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Community,

Having regard to the draft from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the Treaty establishing the European Economic Community, as amended by the Single European Act, provides for the development and implementation of a Community policy on the environment, and lays down the objectives and principles which should govern such policy;

Whereas the Declaration of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, of 22 November 1973 ⁽³⁾ calls for the implementation of a European Communities programme of action on the environment; whereas the action programme was extended and supplemented for the period 1977 to 1986 by the resolutions of the Council and the Representatives of the Governments of the Member States, meeting within the Council, of 17 May 1977 ⁽⁴⁾ and of 7 February 1983 ⁽⁵⁾; whereas the programme of action is still valid and whereas it should be updated, further implemented and supplemented for the period 1987 to 1992 by new tasks which prove to be necessary;

Whereas it is necessary, in accordance with the Treaty as amended by the Single European Act, to avoid the adoption by the Member States of divergent measures likely to bring about economic and competition distortions in the common market;

Whereas the European Year of the Environment, which begins on 21 March 1987, offers a welcome opportunity of initiating the changes of attitude and promoting the action necessary to give practical effect to these perceptions;

RECALLS that the Single European Act, which constitutes a new legal basis for Community policy on the environment, lays down that action by the Community relating to the environment shall have the following objectives:

- to preserve, protect and improve the quality of the environment,
- to contribute towards protecting human health,
- to ensure a prudent and rational utilization of natural resources;

RECALLS that the Single European Act lays down that:

- action by the Community relating to the environment shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source, and that the polluter should pay,

⁽¹⁾ Opinion delivered on 14 May 1987 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 14 May 1987 (not yet published in the Official Journal).

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁴⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁵⁾ OJ No C 46, 17. 2. 1983, p. 1.

- environmental protection requirements shall be a component of the Community's other policies,
- within their respective spheres of competence, the Community and the Member States shall cooperate with third countries and with the relevant international organizations;

RECALLS, in conclusion, that the Single European Act also provides that in preparing its action relating to the environment, the Community will take account of:

- available scientific and technical data,
- environmental conditions in the various regions of the Community,
- the potential benefits and costs of action or of lack of action,
- the economic and social development of the Community as a whole and the balanced development of its regions;

RECALLS, moreover, that the Single European Act provides that the Community shall take action relating to the environment to the extent to which the above objectives can be attained better at Community level than at the level of the individual Member States; that, without prejudice to certain Community measures, Member States shall be responsible for financing and implementing other measures;

RECALLS, finally, that the Commission, in its proposals on health and environmental protection, takes as a basis a high level of protection as laid down in the relevant provisions of the Single European Act;

RECOGNIZES that the protection of the environment can help to improve economic growth and facilitate job creation;

WELCOMES the Commission's intention of working closely with industry, trade unions and interested non-governmental organizations in the drawing-up and implementation of environmental policy and programmes;

UNDERLINES the particular importance it attaches to the implementation of the Community legislation and INVITES the Commission to review systematically the application and the practical effects of existing Community policy and to provide regular reports on this to the Council and the European Parliament so that an assessment of the effectiveness of such a policy can be made and, *inter alia*, useful guidelines for future proposals determined;

DECLARES that, in view of the foregoing, and on the basis of past achievements, it is important for Community action to concentrate on the following priority areas while observing the respective powers of the Community and the Member States:

Pollution prevention

- (a) reduction at source of pollution and nuisance in various areas:
 - combating air pollution, *inter alia* by effective implementation of existing Council Directives on air quality and air pollution from industrial plants, and by adopting and implementing measures concerning emissions from large combustion plants and motor vehicles,
 - combating fresh-water and marine pollution from specific or diffused sources, *inter alia*, by the implementation of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community⁽¹⁾, and by the general improvement of the Community's aquatic environment in particular the North Sea and the Mediterranean,
 - combating soil pollution, among others caused by agro-chemical products and toxic wastes,
 - harmonized implementation of the existing Directives on toxic and dangerous wastes, in particular the transfrontier transport thereof.

In this context, Community action shall take particular account of the need to:

- prevent the transfer of pollution from one part of the environment to another,
- combat transfrontier pollution;

- (b) control of chemical substances and preparations:
 - evaluation, in particular through greater use of multi-environment studies, of risks to the environment and human health caused by chemical substances and preparations,
 - identification and implementation of the most efficient and economical control measures for these substances which are a potential hazard for the environment and consumers' health;

⁽¹⁾ OJ No L 129, 18. 5. 1976, p. 23.

(c) prevention of industrial accidents:

Measures for the general prevention of industrial accidents and an effective response and restriction of the consequences of accidents which might nevertheless occur, by:

- more effective implementation of Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities ⁽¹⁾,
- review of this Directive, if necessary, to include, *inter alia*, a possible widening of its scope,
- greater exchange of information on the matter between Member States;

(d) combating noise pollution at source;

(e) measures concerning the evaluation and best use of biotechnology with regard to the environment;

(f) effective action to protect the health of the population and the environment from harm through nuclear radiation both as a result of normal operations and in the circumstances of an accident;

Improvement in management of resources

(g) measures to protect and enhance Europe's natural heritage, in particular:

- implementation of Council acts in force such as Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora ⁽²⁾ and Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ⁽³⁾,
- the protection, as laid down in the Treaty, of areas of importance in the Community, *inter alia*, in the framework of Directive 79/409/EEC, or of areas which are particularly sensitive environmentally, and encouragement of the revival of areas which are environmentally impaired,
- protection of forests against atmospheric pollution and forest fires, including the implementation of the measures laid down in Council Regulation (EEC) No 3528/86 of 17 November 1986 on the protection of the Community's forests against atmospheric pollution ⁽⁴⁾ and (EEC) No 3529/86 of 17 November 1986 on the protection of the Community's forests against fire ⁽⁵⁾;

(h) measures relating to natural or man-made hazards or disasters affecting public health and the environment, including both evaluation of risk and adequate response;

(i) encouragement of agricultural practices which are environmentally beneficial;

(j) protection of the soil, in particular by combating erosion, by conserving plant cover, by the prevention of damage caused by certain industrial and agricultural activities and by combating such damage while bearing in mind the various geomorphological characteristics of the different areas;

(k) improving water resources and the management of water, in particular by reducing water pollution, protecting catchment areas and encouraging the re-use of waste water;

(l) the development of improved waste management in relation to reduction of quantities, treatment, recycling and re-use;

(m) overall and integrated environmental protection of the Mediterranean region, taking particular account of all the specific aspects of that region when giving practical application to the action programme;

International activities

(n) support and, where appropriate, active participation by the Community and the Member States in the activities of international organizations concerned with environmental protection within the framework of their respective powers;

(o) cooperation with developing countries on environmental matters and on protection of natural resources, having particular regard to questions of desertification and water supply, tropical forests and the production and use of dangerous substances or products and technological cooperation;

Development of appropriate instruments(p) improving the scientific bases of environment policy, *inter alia*, through appropriate research programmes;(q) effective implementation of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment ⁽⁶⁾ and the integration of the environmental dimension in other Community policies;

(r) implementation of appropriate standards in order to ensure a high level of public health and environmental protection;

⁽¹⁾ OJ No L 230, 5. 8. 1982, p. 1.

⁽²⁾ OJ No L 384, 31. 12. 1982, p. 1.

⁽³⁾ OJ No L 103, 25. 4. 1979, p. 1.

⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 2.

⁽⁵⁾ OJ No L 326, 21. 11. 1986, p. 5.

⁽⁶⁾ OJ No L 175, 5. 7. 1985, p. 40.

- (s) development of efficient economic instruments such as taxes, levies, State aid, authorization of negotiable rebates with a view to implementing the principle that the polluter pays, in accordance with the Council Recommendation 75/436/Euratom, ECSC, EEC of 3 March 1975 regarding cost allocation and action by public authorities on environmental matters ⁽¹⁾ (the 'polluter pays' principle);
- (t) encouraging the development, dissemination and distribution of clean technology, notably in the case of heavily polluting industries;
- (u) improved access to information on the environment;
- (v) increased effort to promote environmental education and training at appropriate levels, and greater public awareness;

NOTES the action programme set out in the Annex to this resolution ⁽²⁾ and approves in general the guidelines;

UNDERTAKES to act on the Commission proposals wherever possible within nine months of the date on which they are submitted or, as the case may be, of the date on which the opinions of the European Parliament and of the Economic and Social Committee are submitted;

STATES that the decision to make available the financial resources necessary for implementing this resolution and the action programme attached thereto will be taken in accordance with the usual procedures, in compliance with Article 130 R of the Single European Act, and in particular paragraph 4 thereof.

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 1.

⁽²⁾ See 9785/86 ENV 172.