

Mid-term review of the Sixth Community Environment Action Programme

European Parliament resolution of the 10 April 2008 on the mid-term review of the Sixth Community Environment Action Programme (2007/2204(INI))

The European Parliament,

- having regard to Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme¹,
- having regard to its resolution of 14 November 2006 on a Thematic Strategy on the Protection and Conservation of the Marine Environment²,
- having regard to its position at first reading of 14 November 2006 on the proposal for a directive of the European Parliament and of the Council establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Directive)³,
- having regard to its resolution of 25 April 2007 on the Thematic Strategy for the Sustainable Use of Natural Resources⁴,
- having regard to its resolution of 26 September 2006 on the thematic strategy on the urban environment⁵,
- having regard to its resolution of 13 November 2007 on the thematic strategy for soil protection⁶,
- having regard to its position of 14 November 2007 on the proposal for a directive of the European Parliament and of the Council establishing a framework for the protection of soil and amending Directive 2004/35/EC⁷,
- having regard to its resolution of 26 September 2006 on the thematic strategy on air pollution⁸,
- having regard to its position of 26 September 2006 on the proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe⁹,

¹ OJ L 242, 10.9.2002, p. 1.

² OJ C 314 E, 21.12.2006, p. 131.

³ OJ C 314 E, 21.12.2006, p. 86.

⁴ OJ C 74 E, 20.3.2008, p. 660.

⁵ OJ C 306 E, 15.12.2006, p. 182.

⁶ Texts adopted, P6_TA(2007)0504.

⁷ Texts adopted, P6_TA(2007)0509.

⁸ OJ C 306 E, 15.12.2006 p. 176.

⁹ OJ C 306 E, 15.12.2006 p. 102.

- having regard to its resolution of 13 February 2007 on a thematic strategy on the recycling of waste¹,
 - having regard to its position of 13 February 2007 on the proposal for a directive of the European Parliament and of the Council on waste²,
 - having regard to its position of 23 October 2007 on the proposal for a directive of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides³,
 - having regard to its resolution of 24 October 2007 on a Thematic Strategy on the Sustainable Use of Pesticides⁴,
 - having regard to its position of 23 October 2007 on the proposal for a regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market⁵,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on International Trade, the Committee on Regional Development and the Committee on Agriculture and Rural Development (A6-0074/2008),
- A. whereas Europe is not yet on the path towards genuinely sustainable development,
- B. whereas the Commission recognises that there has been only limited progress on the fundamental issues of integrating environmental concerns into other policy areas and improving the enforcement of Community legislation,
- C. whereas the Commission points to the fact that many environmental pressures are actually increasing: global emissions of greenhouse gases are rising, the loss of biodiversity is accelerating, pollution still has a major effect on public health, the amount of waste produced within the EU continues to increase, and our ecological footprint is steadily growing; whereas this raises serious questions about the environmentally counterproductive effects of other major EU policies,
- D. whereas it is unlikely that sustainable development will ever be achieved as long as environmental concerns are not fully integrated into all major policy areas,
- E. whereas a clean and healthy environment is essential for human well-being and good social conditions,
- F. whereas well designed environmental policies can also contribute to other objectives such as increasing competitiveness, stimulating economic growth, enhancing job creation and

¹ OJ C 287 E, 29.11.2007, p. 168.

² OJ C 287 E, 29.11.2007, p. 135.

³ Texts adopted, P6_TA(2007)0444.

⁴ Texts adopted, P6_TA(2007)0467.

⁵ Texts adopted, P6_TA(2007)0445.

innovation and fostering scientific progress through the development of new, safe technologies,

1. Considers it regrettable that the mid-term review of the Sixth Community Environment Action Programme (Sixth EAP) has been delayed by *almost a year* and deplores the fact that, on the whole, the European Union is not on schedule with the implementation of the measures planned in the Action Programme, contrary to what the Commission claims in its own mid-term review; recalls that, unlike its predecessor, the Sixth EAP was adopted under the codecision procedure, pursuant to Article 251 of the EC Treaty; calls for the EU to do everything in its power to attain the objectives agreed in the Sixth EAP, as failure to attain them would damage the EU's credibility, *inter alia* in the eyes of members of the public who are concerned about the state of the environment;
2. Notes that the use of thematic strategies as a new procedural tool has increased the importance of the pre-legislative processes and created additional opportunities for stakeholder involvement and a more strategic approach to EU legislative policy; however, regrets that thematic strategies have also lengthened the duration of the environmental policy-making process by delaying the formulation of concrete policy proposals and the adoption of resulting measures;
3. Considers, in view of the importance of environmental policy to industry and the fact that it is, in general, implemented by local authorities, that it should be taken into account when legislation is drafted and that the views of industry, small business and local authorities should be represented in and listened to by the relevant consultative bodies;
4. Considers it essential to strengthen the position of the Sixth EAP as the environmental dimension of the EU's sustainable development strategy;
5. Believes that, within the EU, competences must be clearly allocated and defined and points out that the Commission's mid-term review shows confusion and internal ambiguity with regard to the competences of the Commission and of the Member States; points out that both the limits of their respective competences and their specific responsibilities must be clearly established and set down in order to ensure that those responsibilities continue to be met;
6. Points out that thematic strategies are not useful if they coincide in timing with large legislative dossiers, they are useful either before the appearance of the relevant legislative document or on their own;
7. Stresses the direct connection between the state of the human environment and human health; calls on the Commission, with the aim of implementing the 'health in all policies' approach, to draft studies indicating the causal relationship between change in the quality of the environment and change in the state of people's health;

Thematic Strategies

8. Considers that the EU has acted consistently to attain the climate diplomacy objectives set in the Sixth EAP; recalls, however, that, as far as the objectives and priority actions to halt climate change are concerned, the EU has not succeeded in fulfilling all the commitments;

is extremely concerned about the increase in transport emissions and the slow effect of the measures which have been used in an attempt to improve energy efficiency; reminds the Commission to publish a communication on quantified environmental objectives for a sustainable transport system; expects Member States to attain the greenhouse gas emission reduction targets for individual countries laid down in the Kyoto Protocol by 2012;

9. Deplores the fact that the objective of halting the decline of biodiversity by 2010 will probably not be attained and that the proposed strategies for protecting the marine environment and soil will not produce concrete environmental results by 2012; notes that greater effort is needed to assist the integration of biodiversity policy into other policy areas; draws attention to the need for appropriate funding of Natura 2000 and other closely related priority objectives;
10. Considers that, as far as chemicals are concerned, Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and establishing a European Chemicals Agency¹ represents progress in reducing risks to human beings and the environment, but that it has yet to prove that it will effectively do so in a significant manner, and regrets that the regulation does not in all respects accord with the objectives agreed in the Sixth EAP; considers it regrettable that the thematic strategy concerning the sustainable use of pesticides has been substantially delayed, and that the measures taken to improve air quality and the urban environment and to reduce noise fall far short of the objectives of the Environment Action Programme; calls on the Commission to present a proposal for a revised National Emission Ceilings Directive² as soon as possible; believes that it is necessary to ensure full enforcement of the Environmental Noise Directive³;
11. Given that indoor air quality affects health, urges the Commission and the Member States to support the World Health Organisation's work on indoor air quality and calls on the Commission to propose concrete legislative measures on indoor air quality as soon as possible;
12. Notes no major gaps in the specific objectives for water protection set out in the Sixth EAP; however, calls on the Commission to ensure full implementation of the Water Framework Directive⁴ and to re-evaluate the integration of EU water protection commitments into other policies; in addition, urges the Commission to put forward as soon as possible a proposal for a directive on cutting the phosphorus load in agriculture as well as in detergents pursuant to Article 16 of Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents⁵;
13. Emphasises the need for a new water policy that focuses on the saving of water and on the sustainable management of water resources;

¹ OJ L 396, 30.12.2006, p. 1, Regulation as amended by Council Regulation (EC) No 1354/2007 (OJ L 304, 22.11.2007, p. 1).

² Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

³ OJ L 189, 18.7.2002, p. 12.

⁴ OJ L 327, 22.12.2000, p.1. Directive as last amended by Directive 2008/32/EC (OJ L 81, 20.3.2008, p. 60).

⁵ OJ L 104, 8.4.2004, p. 1.

14. Considers it regrettable that the thematic strategies on natural resources and waste have watered down the objectives of the Sixth EAP; regrets that no concrete targets have been formulated at EU level to decouple economic growth from resource use by turning towards a sustainable model of production and consumption; agrees that further action is needed on bio-waste to encourage further diversion from landfill and ensure that the best treatment options, such as those based on mitigating climate change, are followed; further encourages support for environmentally friendly forms of waste management and measures to render more severe the consequences of land-filling of waste, which pollutes the environment;
15. Calls on the Commission and the Member States to take all appropriate action in order to ensure that natural resources are used rationally and efficiently and in a way which does not jeopardise biodiversity;

Implementation and enforcement of existing legislation

16. Recalls that full and correct implementation of the existing legislation is a *top* priority and considers that binding legislation remains central to meeting environmental challenges; calls on the Commission to strengthen its activities as guardian of the Treaty; therefore also calls on the EU budgetary authority to provide the Commission with all the necessary financial and human resources to ensure that the most efficient monitoring of the implementation and enforcement of existing legislation is carried out in all Member States;
17. Emphasises the need for effective and accurate implementation of Community environmental legislation and recommends that special support measures be adopted for the benefit of regions which face difficulties in implementing that aspect of the Community *acquis*; encourages Member State authorities to draw up transposition strategies in order to define clearly the roles and responsibilities of national, regional and local authorities in correctly transposing and implementing Community environmental law;
18. Is nonetheless concerned at the various proponents' suggestions that common regulations should be reduced and weakened, or even replaced with voluntary agreements or other non-binding measures; therefore reiterates that better regulation should concentrate on unambiguous and transparent rules and standards based on legislation linked to agreed objectives, and on better enforcement thereof;
19. Commends the Commission's proposals to strengthen enforcement of environmental legislation at the national level through improved access to justice and harmonised use of punitive law; notes that the preventive aspects of punitive law contribute to better enforcement and protection of the environment;
20. Calls, furthermore, for EU environmental policies to be designed, and reviewed, so as to focus more on goal prescriptions rather than means descriptions, leaving Member States and farmers free to find the most effective and efficient means for reaching the desired goals;

Nature, biodiversity and climate change

21. Considers that the Commission should ensure full implementation of the Birds and Habitats Directives; recommends, with due regard for the principle of subsidiarity, that taxation measures be taken to promote best practice and deter people from engaging in activities that generate pollution;
22. Draws the Commission's attention, however, to the fact that holding out the prospect of

consequences under criminal law is not sufficient in every case to prevent illegal and at the same time environmentally polluting behaviour; stresses therefore the importance of penalties after the fact under criminal law, particularly for the illegal dumping of hazardous waste in the territory of other countries;

Environment incentives and reform of environmentally harmful subsidies

23. Welcomes the Commission's green paper on market-based instruments for environment and related policy purposes; believes that wider use of market-based instruments, taking the environmental impact of all production and distribution processes and consumption patterns into consideration, is needed;
24. Is of the opinion that the EU Emissions Trading Scheme (ETS) has so far not led to reductions in CO₂ emissions because of the overly generous allocation of emission allowances; points out that the EU has committed itself to reducing its greenhouse gas emissions from 1990 levels by at least 20% by 2020; insists that the EU ETS for the post-2012 period should include a sufficiently stringent cap, full auctioning and a quantitative and qualitative limit of the use of certified emission reductions (CERs) and emission reduction units (ERUs);
25. Nevertheless, notes that the role of eco-taxation remains modest and does not show an increasing trend; calls on the Commission and the Member States to devote more effort to ecological tax reform including a gradual shift of the tax burden from welfare-negative taxes (e.g. on labour) towards welfare-positive taxes, (e.g. on environmentally damaging activities, such as resource use or pollution); points out that, despite the unanimity requirement in the area of taxation, the treaties offer the possibility of enhanced cooperation, and draws attention to the existence of the open coordination method;
26. Notes the impetus that has been given to removing environmentally harmful subsidies; however, finds it unacceptable that no concrete steps towards the reform of environmentally harmful subsidies are expected in the near future, and therefore calls on the Commission to put forward concrete proposals by the end of 2008 to phase out gradually all environmentally harmful subsidies over the next five years;

Environmental policy integration, international cooperation and incentives for innovation

27. Urges the Commission and the Member States to promote stronger and more coherent environmental policy integration in all EU policy-making; with the aim of implementing the 'health in all policies' approach which has been proclaimed in the European Union, calls for integration of environmental protection and health protection aspects into all policies and also to involve regions and towns in this; regrets both the lack of integration of these aspects in various environmental legal frameworks and the preparations for new legislation and the lack of their integration into legislation which has primary objectives other than environmental protection;
28. Considers that, in order to achieve concrete results in the integration of environmental considerations in other economic sectors, there is a need to draw up binding sectoral targets and timetables; at the same time, stresses the responsibility of economic actors in individual sectors of industry for achieving long-term results in terms of climate and energy policy;
29. Emphasises the fundamental link between an efficient environmental policy and improved

quality of life and, in this connection, highlights the importance of the regional dimension in the implementation of the Sixth EAP, especially in actions concerning the mitigation of and adaptation to climate change; highlights the importance of campaigns to raise public awareness of the objectives of the Sixth EAP and its implementation process;

30. Points to the need for regional development plans to take into account the Natura 2000 programme, so as to reconcile the principle of protecting Europe's biodiversity with the development and improvement of quality of life; with this in view, believes that a wide-ranging information campaign is needed, together with the promotion of good practice, to demonstrate how these two apparently contradictory goals can be reconciled;
31. Emphasises the need for better coordinated networks of regional and local actors in order to disseminate best practices to less developed regions and implement them; supports the promotion of cross-border environmental cooperation, both among Member States and with countries and regions neighbouring the EU, such as the regions of the Black Sea and Baltic Sea as well as the Mediterranean, particularly with the aim of preventing cross-border pollution;
32. Is concerned by the findings of various independent studies¹²³⁴ that the Commission guidelines on impact assessments are not fully respected by Commission DGs, that the assessment and quantification of economic impacts has been emphasised at the expense of environmental, social and international impacts, that the costs of legislation are assessed far more than the benefits, and that short-term considerations overshadow the long-term; considers that such unbalanced impact assessments are counterproductive with regard to environment policy itself and its integration into other EU policies; calls on the Commission to take action to rectify these persistent deficiencies;
33. Commends the Commission for its strong commitment to enhancing the international dimension of environment policy; believes it is necessary to ensure environmental policy integration into all the EU's external actions and to improve international environmental governance; encourages the Commission and the Member States to continue promoting ambitious environmental policies and requirements, for example by promoting technology transfer and the exchange of best practice with developing countries;
34. Stresses that 'climate diplomacy' should be promoted with greater intensity and consistency in the EU's trade relations with states which are not bound by multilateral environmental protection agreements, such as the United States, China and India, which, for various reasons, are not implementing the Kyoto Protocol; also calls on the Commission to assist developing countries in the deployment of sustainable and efficient technologies through all mechanisms available;

¹ Impact Assessment of European Commission Policies: Achievements and Prospects, European Environment and Sustainable Development Advisory Councils, April 2006.

² Getting Proportions Right - How far should EU impact assessments go? Institut for Miljøvurdering, April 2006.

³ For Better or for Worse? The EU's 'Better Regulation' Agenda and the Environment, Institute for European Environmental Policy, November 2005.

⁴ Sustainable Development in the European Commission's integrated impact assessments for 2003, Institute for European Environmental Policy, April 2004.

35. Recommends that a sustainability clause be added to the WTO, setting out principles of environmental policy, such as the precautionary principle and the polluter pays principle, against which trade measures can be judged, in order to ensure that trade rules do not undermine environmental protection and that environmental regulation is not used for the purposes of protectionism;
36. Calls on the Council and the Commission to use bilateral and regional trade negotiations to address trade commitments that have direct environmental benefits; considers that the EU, together with the Member States, needs to intensify dialogue with emerging economies in order to turn the dialogue in areas of mutual concern, such as climate change, waste management and illegal logging, into the implementation of joint programmes; supports the Commission's proposal to establish a Sustainable Development Forum, open to the participation of civil society, with a strong climate component, in each trade agreement and calls for this to be implemented in the current negotiations;
37. Calls on the Commission and the Member States to promote a more pragmatic and horizontal exploitation of innovation and new technologies in all EU policies, so that those elements play a pivotal role in strengthening the preservation of the environment; stresses the need to introduce without delay an EU 'top runner' approach, a more ambitious ongoing improvement instrument for production and consumption patterns, to ensure that, in future, all EU market products are conceived, produced and used in accordance with sustainability criteria;
38. Recalls that investing in innovative, environmentally friendly technologies and in eco-design, energy end-use efficiency and energy performance of buildings is very beneficial in the long term, despite possible high short-term costs, and emphasises the need for regions to encourage companies to take full advantage of such investments;
39. Encourages the Commission and Member States to adopt genuinely 'green' public procurement rules in order to promote innovation and sustainable consumption and production patterns;
40. Calls on the Commission to assist national, regional and local authorities to engage in joint sustainable procurements by providing a clear framework to facilitate the definition of measurable objectives and quality criteria;
41. Calls on the Commission to intensify its efforts to achieve the 20% target for renewables and the 10% target for biofuel consumption keeping in mind that energy crops must not jeopardise food supplies in Europe and elsewhere; stresses that the sustainability mechanism, which is at the development stage, should apply the most stringent sustainability criteria to biofuels;
42. Points out that agriculture in the EU is increasingly geared to the production of safe, high-quality foods which will protect the health of Union citizens;
43. Encourages the Member States and their regional and local authorities to make optimal use of the new investment opportunities provided by the Structural Funds and the New European Neighbourhood Policy Programmes and to ensure that their Operational Programmes and projects supported by Structural Funds contribute to improved implementation of Community environmental legislation and the long-term goal of EU-wide sustainable development in a way consistent with the other thematic priorities;

44. Considers it essential to improve the application of the substitution principle, which takes into account the availability, accessibility, benefits and costs of substitute products; points out that account must also be taken of the design, production and use processes, which enable the use of products that do not represent a risk for human health and the environment, or present a lesser such risk;

Better regulation principles in environmental policy

45. Points out that, if better regulation is indeed an aim, there should be a revision of the overlap in legislation that generates a bureaucratic burden and undermines competitiveness;
46. Considers that the philosophical approach applied to the revision process is devoid of critical reasoning and does not involve analysis of the reasons and grounds for the delays; believes that only by analysing and reflecting on the causes of these delays can the right moves be made in the future;
47. Points out that if there genuinely is a wish to improve legislative methodology and to produce practicable rules that will be easy for the competent authorities, enterprises and citizens to apply, it is imperative to widen interaction between Community institutions and bodies and civil society so as to respond to their queries and to take into account the decisions and opinion of the regions, town halls, affected industries and related associations; stresses also that short-term costs for transformation of existing equipment must be taken into account;

Paving the way for behavioural change

48. Points out that new ways to measure welfare based on realistic values for ecological services are needed; considers that GDP, as it cannot alone reflect all facets and needs of a modern society, is no longer an adequate tool to measure well-being and development; encourages the EU to further develop and make political use of a new indicator that integrates the negative impact of economic progress on our environment and health and that contributes to the effort of decoupling economic growth from the exertion of pressure on the environment; considers that this new indicator should promote the development of an integrated society and give the impetus for better integration of environmental considerations in other policies;
49. Calls on the Commission to treat the protection of human health as an issue of the first importance among environmental protection priorities;
50. Considers that the European Union should play a leading role in the development of policy options that would pave the way for radical behavioural changes in consumption and production patterns;
51. Stresses the importance of helping consumers to become more aware in their behaviour, which – going beyond the State legal framework – may have a positive influence on the extent and intensity of the environmental commitments of market actors;
52. Considers that the provision of proper information to citizens should be considered a priority; strongly supports the development of a clear and comprehensive labelling system as it would greatly contribute to helping consumers to "make the right choice";

53. Insists that an overall assessment be made of the results of the Sixth EAP before the proposal for the Seventh EAP is finalised;
54. Takes the view that the final review of the Sixth EAP should be performed by an outside body independent of the Commission;

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55. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.