

EUROPEAN PARLIAMENT HEARINGS
ANSWERS TO QUESTIONNAIRE FOR COMMISSIONER
DESIGNATE

Mr Stavros DIMAS

(Environment)

Part B – Specific questions

1. According to the Treaty, "Environmental protection requirements must be integrated into the definition and implementation of Community policies and activities ". What are in your view the areas where progress in this respect is mostly needed? How would you ensure that the integration principle is properly translated into practice?

In your view what will be the biggest challenges for European environmental policy over the next five years? What would you do, as Commissioner, to ensure visible results by the end of your mandate?

Integration is important, because environmental protection cannot be seen in isolation from other policy areas. It is also important in terms of meeting our Lisbon goals: growth and competitiveness can go hand in hand with environmental protection. The challenge is to bring policies together to produce win-win solutions to the problems the EU is facing. The benefits of environmental integration in agriculture and fisheries policies can already be seen, but we must address the worrying trends in areas such as energy, transport, industry and external policies.

Translating this principle into practice will, of course, require close co-operation between different policy areas. This can be supported by wider use of the tools available, such as the Commission's Impact Assessment for EU policy measures, the use of Community funds to achieve environmental objectives, and the effective implementation of the Environmental Impact Assessment and Strategic Environmental Assessment Directives.

The main priorities for environmental policy over the next five years are to find ways of addressing the major long-term challenges facing the EU and the world. These are combating climate change, protecting biodiversity, dealing with the environmental factors which are harming human health, especially in the urban environment where the problems are more acute, and finding more sustainable patterns of production and consumption.

In order to deliver results we should focus on the following:

1. Improve the implementation of existing legislation through determined enforcement, but also by building a new partnership with Member States.
2. Develop the right policies for the enlarged Union so that the full benefits of environmental policy are available to all 25 countries and their people.
3. Strengthen the links between environmental protection and competitiveness, by reinforcing the economic and scientific basis of our policies, promoting the use of environmental technologies, “greening” public procurement and Community funds.
4. Develop the EU’s international activities in key areas such as climate change, biodiversity and water.
5. Reinforce public awareness and support for EU environmental policy, by providing clear and concise information to the citizen and by involving stakeholders in the policy formation process.

2. Do you think that Union activities in the area of environment policy are adequately financed and staffed in general, and in particular with regard to ensuring full implementation and application of EU environmental law, given the Commission's task as guardian of the Treaty?

Environmental policy has received significant funding through the Structural and Cohesion Funds, the agriculture and rural development programmes, research programmes, and the pre-accession programmes – and from the specific environment programmes such as LIFE and Forest Focus. Within all structural funding, for the current programming period 2000-2006, some €44 billion has been devoted to environment projects and policy. Similar funding levels can be expected for the next programming period. If these funds are well targeted, they should be sufficient to support financially our main environmental objectives.

The level of staffing needs to be viewed in the light of priorities in both environmental policy and other policy areas. In the short term, it will be necessary to ensure that staff are allocated to priority areas, and implementation is certainly one of these. Efforts have been made recently to identify the areas where most of the implementation difficulties are encountered (nature, waste, water and environmental impact assessment) so a clear priority should be given to resolving problems in these areas. This kind of focused effort can be very effective in addressing the implementation workload and can reduce the need for staff increases.

With regard to implementation, the Commission must continue to seek ways to resolve the problems that are brought to its attention. This can be done upstream, through proactive initiatives, such as sharing of best practices that give incentives to Member States to ensure full respect of legislation, and downstream, through the infringement procedure. Regular meetings with national authorities will be useful not only for discussing open complaint files, but also for trying to head off future problems. Interpretive guides for our more complex directives can help national authorities to transpose Community legislation and to answer key

implementation questions that may arise. Where breaches of environmental law are identified and are not resolved, action will be taken under Articles 226 and 228 of the EC Treaty.

3. In recent years the trend to establish specialised Agencies, including in sectors related to environment, has increased. How do you judge this development and what should be the nature of the relationship between the Commission and such Agencies?

Agencies should provide added value to the work of the Community institutions. If there is a clear division of responsibility, Agencies can have a useful, complementary role to policy-makers and legislators. All Agencies should operate on the basis of clear rules and transparency, and Parliament should be fully involved in their creation.

In December 2002, the Commission adopted a Communication on a possible framework for the creation, functioning and supervision of future Regulatory Agencies. Following the positive response of the European Parliament to the Communication, the Commission should now take the next step and submit a concrete proposal for such a framework.

As regards the environment field, the EU has benefited over the years from the help of the main specialised Agency, the European Environment Agency (EEA), in improving significantly the availability of environmental data and information. In performing its tasks, the Agency has also reinforced networks of environmental experts throughout Europe.

The nature of the relationship between the Commission and the Agencies depends on the tasks and objectives of the Agency in question. For the EEA, its independence from the Institutions is appropriate. The EEA and other information providing Agencies must be able to supply all Institutions and the general public with data and analysis free from external influence, while remaining accountable for their actions.

4. What is your view of current legislation on environmental impact studies or environmental responsibility? What initiatives do you consider necessary to reinforce the concept of environmental responsibility?

It is important that decisions should be taken with as full a knowledge as possible of both their immediate and their long-term effects on the environment and on people.

The Directives on Environmental Impact Assessment and Strategic Environmental Assessment have a crucial role to play in making sure that the necessary information is made available both to decision-makers and to the public. They also ensure that the views of all interested parties are taken into account in decisions, on projects and on plans. The key challenge is to make sure that the assessments are of sufficient quality for these purposes.

While the responsibility for implementing the Directives lies with the Member States, the Commission can offer guidance to ensure the quality of the assessments made. The Strategic Environmental Assessment Directive came into operation this year, and the focus should now be on full and proper implementation. As regards the Environmental Impact Assessment Directive, we need to act in the light of its recent review, with the aim of improving the

quality of the assessment.

On environmental liability, the Directive has only recently been adopted and does not have to be transposed into national legislation until 2007. When it does apply, it will be a significant further step towards the protection of the environment by ensuring that damage is remedied and that the cost is met by the polluter. In the meantime, the Commission should work proactively with the insurance industry to encourage the market to provide adequate insurance cover for operators.

5. As part of the "Better law-making", the Commission has engaged to carry out "extended impact assessments" on major legislative proposals. According to a recent study by the Institute for European Environment Policy of all extended impact assessments conducted by the Commission in 2003, most attention is paid to economic impacts, while the treatment of environmental and social impacts is limited. Moreover, when quantification was attempted, the study found that most attention was given to short-term economic costs. How will you ensure that "price tags" are attached to any future proposal? What will you do to ensure that ongoing and future impact assessments, in particular extended impact assessments, will firstly be balanced with regard to their assessment of economic, social and environmental impacts, and secondly not limited to short-term considerations? How will you develop effective and independent environmental impact assessments?

The agreement on "Better law-making" also provides for the possibility of making use of instruments other than the traditional legally binding ones. How do you judge this development? Are there any specific sectors or issues in the environment field where you would consider the use of these instruments more appropriate/effective than legislation, or vice versa, sectors or issues where you would consider these instruments to be less appropriate/effective?

The extended impact assessment should identify the likely positive and negative economic, social and environmental impacts of major proposals. It should contain not only quantitative, but also qualitative elements.

Almost all impacts can be discussed in qualitative terms, but not all can be aggregated and quantified, and some of these cannot then be expressed in monetary terms. It is important that we go as far as we can with all impacts, economic, social and environmental: short-term financial costs are often the easiest to quantify, but we need to view them in the wider context of longer-term benefits to society as a whole. The rationale behind impact assessment is not to reduce decisions to a simple yes or no on the basis of short term costs, but to equip decision-makers with an understanding of the consequences of different options. The Commission must be totally transparent in the way it carries out impact assessments, for example always indicating the sources of data used and respecting the principles of subsidiarity and proportionality. Assessments should be made from the beginning of policy formulation, and not just to justify policy choices that have already been made. We can usefully rely on in-

house expertise to integrate the experience of other parts of the Commission.

Non-legislative instruments can be used selectively, in cases where they are the most appropriate means in relation to the goal to be attained. A 2002 Commission Communication on environmental agreements at Community level identified some policy fields where non-traditional, commitment-based solutions complementing legally binding regulatory instruments are likely to be effective and appropriate: Integrated product policy, waste management and climate change. This list still looks reasonable to me, even if it is not necessarily exhaustive.

6. How do you envisage the integration of the environmental criteria in the Lisbon process? Will you be ready to support a balanced approach between the economic, social and environmental pillars?

How will you promote an integrated approach within the Commission? In your view, what are the organisational changes needed in the Commission in order to make sure that the sustainable development priority would be better reflected?

The Lisbon Strategy should be a balanced strategy for economic, social *and* environmental renewal. We do not have to choose between economic growth *or* high environmental standards, but we can and must have both. Improvements in the environment can also stimulate economic growth and competitiveness. In the current global context of pressure on resources and rising energy prices, this is particularly appropriate in areas such as resource efficiency, waste reduction and energy efficiency.

The eco-industry sector is a fast growing sector and its market is expanding world-wide. It is already as big as the aerospace and pharmaceutical sectors and provides over 2 million jobs in the EU. It can be promoted further through the greening of investment and using public procurement to create markets for eco-innovations and environmental technologies.

The Commission has taken steps to promote an integrated approach to its work. All proposals are subjected to thorough internal consultation mechanisms. This is one of the strengths of the collegial system. We will also have dedicated groups of Commissioners to ensure policy coherence and the integration of the different dimensions of sustainable development. As a member of the group on the Lisbon Strategy, I will work to ensure that the environmental dimension is well integrated into the Lisbon process.

The Extended Impact Assessment (ExIA) instrument has been introduced to reinforce an integrated approach for major policy proposals. It must be ensured that then ExIA looks at all three dimensions of the Lisbon Strategy in order to have a balanced and comprehensive assessment of a Commission legislative proposal.

7. How will you work to ensure that the objectives of the EU Sustainable Development Strategy (SDS) are fulfilled, and how will you ensure that economic competitiveness goes hand in hand and contributes to environmental sustainability?

A review of the EU Sustainable Development Strategy is foreseen in the near future. How do you want to involve Parliament in the public consultation process on the review of the Sustainable Development Strategy? Will you undertake to give Parliament formal consultative role on the Review? Are you ready to make serious efforts to integrate the external dimensions of sustainable development into the EU Strategy?

Economic growth is important for improving welfare, but we need to have a balanced approach that takes account of the wider demands of EU citizens for a higher quality of life. Environment and competitiveness can go hand in hand, for example, in the case of waste reduction and resource efficiency. While improved environmental performance can boost competitiveness, poor environmental performance comes at a cost to the economy, and this cost will increase in the future.

Structural reforms and innovation policy are at the heart of the Lisbon Agenda, so increased priority should be given to boosting the eco-efficiency of the economy, for example by increased use of environmental technologies.

Sustainable development requires policy coherence through the integration of environment concerns into other policy areas and the use of appropriate instruments, such as economic instruments, to ensure that environmental external costs are reflected in prices. It also means better coordination between environment and sustainable development actions at Community, Member State and regional level. There are limits to what can be achieved at Community level alone.

The first review of the Sustainable Development Strategy is now being prepared. An internet consultation has been launched and will run until October. As to the European Parliament's role in this review, its contribution will be essential. For my part, I will certainly want to have discussions with the Committee on the Environment, Public Health and Food Safety and get its input on this important issue.

The EU's Sustainable Development Strategy cannot succeed in Europe alone. We need strong multilateral responses to global challenges. We should find ways to make globalisation sustainable, strengthen international environmental governance, and make international institutions more effective.

8. By signing the Aarhus Convention in 1998 the Community recognised that it should aim to strengthen rights of the public to participate in environmental decision-making.

How will you ensure that the Parliament and the stakeholder communities such as NGOs are fully consulted in the development of Commission policy and action? What will you do to strengthen the involvement of civil society in international environmental policy design and implementation? Will you ensure that the classification of discussion documents and agenda papers as "sensitive documents", thereby making them unavailable for public scrutiny, is kept to an absolute minimum?

The active involvement of civil society in environmental policy-making is necessary and beneficial, both at the time policy is made and later to ensure effective enforcement. The Commission is committed to pursuing the objectives of the Aarhus Convention on access to information, public participation in decision-making and access to justice on environmental matters, including in international negotiations.

We must work to ensure that the voice of civil society is heard and taken into account in international environmental policy, for example through consultations in advance of international negotiations, and through regular contacts during the negotiations.

There should be regular dialogue with the Parliament on all main policy issues, including those outside the co-decision process. In developing the forthcoming Thematic Strategies which will set the future policy framework in a number of key areas, the Commission has issued consultation documents which have all been discussed with the Parliament. I will of course have regular meetings with the Committee on the Environment, Public Health and Food Safety and am looking forward to a fruitful and successful cooperation.

Sensitive documents are defined in Parliament and Council Regulation No 1049 of 2001, which provides for the protection of the essential interests of the EU and of the Member States mainly in the areas of public security, defence and military matters. We should not classify documents as sensitive unless this is necessary under the provisions of this Regulation. Under the Aarhus Convention, when agreement is reached in the Council on the implementing legislation, we can look forward to the public being given access to environmental information held by Community Institutions and bodies.

9. What do you envisage will be the place and the specific role of the European Union on the international stage on environmental questions? In this respect, what relations do you envisage the EU will have with its main partners, the United States, Russia, and also with emerging countries and developing countries?

Will you make a commitment to continue the European Union's voluntarist policy on climate change? What steps should be taken, in your view, to make sure that the EU Member States fulfil their commitments made under the Kyoto Protocol? What are your ambitions for future negotiations on securing reductions in global warming emissions? How should the EU prepare for greenhouse gas reduction targets for the post-Kyoto first commitment period, i.e. for the period after 2012?

We need to work with the wider international community if our environment policy is to meet its goals. Environmental degradation constitutes a security threat in many parts of the world and is therefore becoming a key foreign policy issue. European co-operation has already brought about convergence on environmental standards for 25 countries, and many countries round the world use EU standards as a basis for their policies.

Working with major partners such as the United States and Russia - but also developing countries such as China, India, Brazil and South Africa - is crucial. We must maintain and develop a dialogue with the US to seek together solutions to global environmental problems, including climate change.

Russia is another major partner, and not only in relation to the Kyoto Protocol. Our dialogue with Russia is important in several other areas, such as clean technology in energy and industrial production, the fight against illegal logging, and cooperation on water policy and protection of the marine environment.

The Commission has a strategic partnership with China in the area of environment. If we can help China to move towards sustainable policies in the areas of energy, transport, forestry, or water management, we will have contributed significantly to the environmental health of our planet.

Climate change will be one of the priorities of my mandate as Commissioner responsible for environment. It is one of the biggest and most important challenges that we have to face this century. The European Union has always been at the forefront of the global fight against climate change. I intend to continue this.

Member States have indicated their determination to meet their Kyoto targets. In this context, we need to put emphasis on monitoring and reporting so that everyone can see where we are making progress and where we are falling behind. It is essential to ensure that, within the EU, there is a smooth start and an effective functioning of the emissions trading system for the first stage starting January 2005. The European Climate Change Programme will help us to work with Member States to find additional ways of tackling emissions and thus ensure that we meet our 8% reduction target on time.

With regard to the post 2012 period, the Spring 2005 European Council is planning a discussion on future strategies. Preparing for this debate will be a high priority for me.

10. The new chemicals policy called REACH is largely considered being "the biggest challenge the Commission has faced in meeting sustainable development goals". The implementation date foreseen in the interim strategy is spring 2006. Your predecessor has been firmly committed to REACH - she considered REACH to be a "groundbreaking proposal" that will "create a win-win situation for industry, workers and citizens, and our ecosystem". Do you share that view? How firmly are you committed to REACH? Will you keep up the Commission's commitment to the new chemicals legislation and will you continue the work so that the target of its implementation in spring 2006 can be met? Do you think that there is further scope for non-animal test strategies in REACH?

A reform of the current regulatory system is necessary. Adoption and successful implementation of a modern, workable regulatory framework will make an important contribution to sustainable development, and this will be a high priority for me. I am well aware that a proposal as important as REACH will need a lot of discussion during the co-decision procedure. While it is important to establish the new system as speedily as possible, not least so as to give legal certainty to EU industry, it is even more important to get the system right from the start. The implementation date of 2006 remains the target date and, together with the European Parliament and the Council, I hope we can keep it.

Animal testing is clearly of concern to the public and should be used only when other alternatives are not available. Regarding animal testing in REACH, the legal text is designed to minimise it. The Commission has explored various avenues to avoid duplicate and wasteful testing and to accept all scientifically sound existing data. The provisions concerning data sharing will mean that industry will have less need for animal testing, while the requirement to seek approval for new animal tests provides the opportunity for alternative methods to be considered. However, I am convinced that more can be done. For example, by actively using alternative methods, and by supporting the development and validation of non-animal tests, industry can make an important contribution in this regard.

11. What measures do you think are needed to ensure that the EU meets the objective to halt biodiversity decline by 2010 agreed by Heads of State at the Gothenburg European Council in 2001? Will you ensure the continuity of the LIFE Nature Programme beyond 2006, and propose adequate funding for its work across the 25 Member States?

During the implementation of the Natura 2000 Network of Protected Areas in the EU-15 countries, a considerable amount of resistance and suspicion was found among landowners and users to the designation of their land. This confusion and resistance seems to be spreading to the new member states as they prepare lists of possible Natura 2000 sites for submission to the Commission. What mechanisms do you envisage to put in place to ensure that there is no repeat of the long and drawn process of site designation that occurred in the EU-15?

Protecting biodiversity in the enlarged Union should be a high priority, particularly in view of the EU's goal of halting its decline by 2010. The Irish Presidency's 'Message from Malahide' shows that there is a broad degree of consensus on what needs to be done. The Environment Council recognised the importance of this Message and called upon the Commission to come forward with a Biodiversity Communication in 2005. This will be one of my priorities.

LIFE Nature has supported the designation of Natura 2000 sites and demonstrated how some of these sites could be managed. We now need to move to more mainstream funding for nature protection – this is the approach taken in the proposals put forward by the Commission earlier this year. The next step in the realisation of the Natura 2000 network will be the completion and subsequently the active management of the sites across all 25 Member States. This will require increased funding of a strategic, longer term and structural nature from both the Community and national sources including investment support for the sites and for their owners. A new financing instrument for the environment, LIFE +, will be proposed and will complete the capital funding possibilities under the main EU funding instruments.

It is very important that farmers and landowners see that Natura designation is an opportunity, not a threat. The debate is changing and recent changes in the Common Agricultural Policy are persuading farmers that their future will be secured through a more environmentally friendly approach. Similar efforts should be made to demonstrate to farmers and landowners in the new Member States the benefits of protecting their very rich biodiversity heritage. Further efforts should be made at improving public understanding of Natura 2000, sharing experience and good practices, developing partnerships, and supporting the sustainable use and management of Natura 2000 areas for educational and recreational purposes.

To date, six of the 10 new Member States have already proposed or notified sites under the Habitats and Birds Directives. We expect the remaining information to be transmitted soon so that by 2005 the site designation process is well advanced. The experience gained so far will help us speed up the process.

12. In June, the World Health Organisation published a major study showing that children's health in the European Region is being significantly damaged by the environment. European Health and Environment Ministers adopted an action plan to reduce these threats. The Commission presented an Action Plan at the WHO meeting, which focuses entirely on research, instead of presenting clear legislative measures. It seems that a major cause for this lack of action is lack of political will in the Commission and inappropriate coordination between different DGs. Will you prioritise reviewing current EU legislation and its implementation to ensure that standards become adequate to protect the health of children and other vulnerable groups? How will you tackle the particular problems of areas of industrial and post-industrial character with high overall pollution levels, which have major implications for the health of the local population?

Research is indeed an important component of the Action Plan, but it is not the only one. The Action Plan also aims at improving the information chain by integrating environment and health, identifying emerging issues, reviewing policies and improving communication through, for instance, awareness raising, training and education.

The Action Plan adopted in June was a joint initiative by three Commissioners and four Directorates-General, in recognition of the need to address the question in a co-ordinated way. The issues at stake are indeed complex and involve many different actors.

There is no doubt that the standards for protecting children and other vulnerable groups should take priority when reviewing current EU legislation and its implementation. The Action Plan stresses the need to protect vulnerable groups and should allow us to prioritise our actions in the areas which bring the greatest health benefits. We need to know which policies must be revised most urgently so as to protect children and vulnerable groups.

Several pieces of existing legislation, such as on integrated pollution prevention and control, address the issue of areas of industrial and post-industrial character with high overall pollution levels. Adequate implementation of the Large Combustions Plant Directive and of existing legislation concerning air quality will also help to address part of this problem. Nevertheless, this matter needs further attention. Whenever evidence comes to light concerning implications for health in these areas, we will need to be ready to take appropriate action.

13. According to current comitology procedures, in the absence of a qualified majority within the Council, the Commission can make a decision on the approval of a marketing licence for a new GMO variety. Would you be in favour of revising the comitology procedures in order to provide for the European Parliament to have a role in circumstances where there are clear and recurring political divisions within the Council of Ministers regarding such an approval?

In order to ensure co-existence between GM and GM-free crops, the Parliament called for labelling thresholds to be set at the detection level (Resolution A5-465/2003 from 18.12.03). Will you respect the opinion of the Parliament if the Standing Committee and the Council fail to reach qualified majorities with regard to the Commission proposal?

Standard comitology procedures have been established for all fields of Community legislation. However, in 2002 the Commission proposed to amend these rules to put the European Parliament on a more equal footing with the Council in controlling the Commission's implementing powers under legal acts adopted in co-decision. This proposal was favourably received by the Parliament, and the Commission is now awaiting the Council's examination of the amended proposal which takes into account the amendments adopted by the European Parliament. If this is approved by Council, it will substantially meet the concerns of Parliament while respecting the Commission's executive responsibility.

In the meantime, the current comitology procedures for the approval of GMOs were agreed by Parliament and Council in co-decision and are laid down by Directive 2001/18/EC on the deliberate release into the environment of GMOs. These rules already give the Parliament the right of scrutiny before adoption of any Decision on approval of GMOs.

It is important to establish labelling thresholds for the adventitious or technically unavoidable presence of GMOs, in particular to ensure practical co-existence between genetically modified, conventional and organic crops. As you will know, the Commission has not yet adopted a decision, and it is not possible to tell, at this stage, what this proposal will be.

14. Will you support your colleague, the Transport Commissioner, in the negotiations for the Euro-vignette directive with special attention to sustainable environmentally friendly transport policies? As various enquiries of the Commission have shown, as yet there is no full internalisation of the external costs, especially of the environmental costs of heavy duty transport. This leads to grave problems in sensitive zones, such as mountainous areas (i.e.: the Brenner route). Do you plan to introduce the possibility of cross-subsidisation in these sensible zones?

It is important to ensure that the price of transport better reflects the real costs to society, in particular the environmental costs. The proposal for the amendment of the Eurovignette directive put forward by the Commission in 2003 is a first step along this road, but even after its adoption much remains to be done, not least in terms of implementing pricing reform in the Member States.

In the original proposal the Commission had envisaged the possibility of applying "mark-ups" to charges in sensitive areas. A political compromise has yet to be reached in the Council, and it is therefore too early to say anything about the final outcome. If this aspect of the Commission's proposal is accepted it will allow the cross-subsidisation of more environmentally friendly projects, for instance alternative railway routes in sensitive areas. This is a concept that I support.