



Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1995/0161(SYN)	Procedure completed
Environmental measures in developing countries in the context of sustainable development		
Subject		
3.70.18 International and regional environment protection measures and agreements		
3.70.20 Sustainable development		
6.30.02 Financial and technical cooperation and assistance		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	DEVE Development and Cooperation		19/07/1995
		ARE TAUBIRA-DELANNON Christiane	
	Former committee responsible		19/07/1995
	DEVE Development and Cooperation		19/07/1995
		ARE TAUBIRA-DELANNON Christiane	
	Former committee for opinion		18/07/1995
	BUDG Budgets		18/07/1995
		ELDR BRINKHORST Laurens Jan	
	ENVI Environment, Public Health and Consumer Protection		18/10/1995
		ELDR PIMENTA Carlos	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2000	22/04/1997
	Telecommunications	1941	27/06/1996
	Development	1928	28/05/1996

Key events			
27/06/1995	Legislative proposal published	COM(1995)0294	Summary
18/09/1995	Committee referral announced in Parliament		
15/04/1996	Vote in committee		Summary
15/04/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0112/1996	

08/05/1996	Debate in Parliament		Summary
09/05/1996	Decision by Parliament	T4-0219/1996	Summary
27/06/1996	Council position published	07283/2/1996	Summary
18/07/1996	Committee referral announced in Parliament, 2nd reading		
29/10/1996	Vote in committee, 2nd reading		Summary
29/10/1996	Committee recommendation tabled for plenary, 2nd reading	A4-0340/1996	
11/11/1996	Debate in Parliament		Summary
12/11/1996	Decision by Parliament, 2nd reading	T4-0576/1996	Summary
17/01/1997	Modified legislative proposal published	COM(1997)0003	Summary
22/04/1997	Act adopted by Council after consultation of Parliament		
22/04/1997	End of procedure in Parliament		
25/04/1997	Final act published in Official Journal		

Technical information

Procedure reference	1995/0161(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 130S; EC before Amsterdam E 130W
Stage reached in procedure	Procedure completed
Committee dossier	DEVE/4/07999

Documentation gateway

Legislative proposal	COM(1995)0294 OJ C 020 24.01.1996, p. 0004	27/06/1995	EC	Summary
Economic and Social Committee: opinion, report	CES1451/1995 OJ C 082 19.03.1996, p. 0018	20/12/1995	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0112/1996 OJ C 152 27.05.1996, p. 0003	15/04/1996	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0219/1996 OJ C 152 27.05.1996, p. 0014-0048	09/05/1996	EP	Summary
Council position	07283/2/1996 OJ C 264 11.09.1996, p. 0028	27/06/1996	CSL	Summary
Commission communication on Council's position	SEC(1996)0000	15/07/1996	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0340/1996 OJ C 362 02.12.1996, p. 0006	29/10/1996	EP	
Text adopted by Parliament, 2nd reading	T4-0576/1996 OJ C 362 02.12.1996, p. 0021-0033	12/11/1996	EP	Summary

Modified legislative proposal	COM(1997)0003	17/01/1997	EC	Summary
Additional information				
European Commission	EUR-Lex			
Final act				
Regulation 1997/722 OJ L 108 25.04.1997, p. 0001 Summary				

Environmental measures in developing countries in the context of sustainable development

OBJECTIVE: to establish administration procedures and rules applicable to cooperation projects to facilitate the integration of the environmental dimension into the sustainable development process of developing countries. **CONTENT:** the purpose of the operations covered by this regulation is to: . preserve biological diversity by conserving ecosystems and the natural habitats of species in danger of extinction, . improve the environment (especially the urban environment): refuse and waste water management, air pollution, . preserve coastal zones, . transfer clean energy technologies, . improve soil conservation and management in livestock farming, forestry and the fight against desertification, . adapt production processes in developing countries and increase the awareness of all economic agents of environmental constraints. - Recipients and cooperation partners: states, regions, decentralized departments, regional bodies, public agencies, traditional and local communities, private operators, including cooperatives, and NGOs representing the local people. - Operations to be implemented: within the framework of the general objectives of this programme, Community funding may cover investment expenditure (except for real estate) and operational expenditure in foreign or local currency, but only during the launch stage. They include studies, technical assistance, training and other services. Particular attention will be paid to operations to develop the institutional capacities of developing countries and involve the local people when operations are being planned. Joint funding will be actively sought from Member States, multilateral or regional organizations and local partners. Provision is made for coordination and complementarity with similar Community operations in this sector. - Form of aid: grants. - Decision-making procedure: the Commission will administer operations covered by the regulation. It will be assisted by three advisory committees (EDF, ALA and MED committees). Participation in invitations to tender and the award of contracts is open to the recipient country and the Member States and other third developing countries. In exceptional cases supplies may originate elsewhere. - Exchanges of view: the Commission will hold an exchange of views once a year with the three committees concerned on future operations to be conducted within the framework of this cooperation. - Information: an annual report will be submitted to the European Parliament and the Council summarizing and evaluating the operations financed in the course of the financial year (any contracts concluded, independent evaluations etc.). - Budget: the financial statement makes provision for the sum of ECU 15 million in 1996 (this cooperation does not include any provision as to its duration and it is therefore renewable annually).?

Environmental measures in developing countries in the context of sustainable development

The ESC welcomes this Commission proposal and notes that it is in line with the proposals contained in the 5th Environmental Action Programme. The Committee also endorses the two-fold legal basis (environment and development) of the proposal. As the budget for these measures is limited, the Committee would like to see priorities fixed annually and a contribution, in principle obligatory, by the beneficiary to financing. A co-financing arrangement should be sought for the majority of measures. As the Committee is particularly interested in this matter, it would like to receive the relevant reports and evaluations so that it can see what progress has been made. The Committee also makes some specific comments on the legal text, mainly to bring it into line with the Rio Convention and the revised Lomé Convention.?

Environmental measures in developing countries in the context of sustainable development

The rapporteur called for priority to be given to: - pilot initiatives at local, regional and national level in the field of environmental protection and conservation of resources; - improving the environment and regional planning through town and traffic planning and by supporting local regional planners and town administrators; - promoting local initiatives aimed at preserving coastal areas by avoiding pollution and reducing sources of pollution; - initiatives to apply and transfer technologies, particularly in the field of energy and renewable sources of energy; - measures aimed at avoiding pollution which contributes to climatic change; - soil conservation and grazing management and pastoral farming, improvement of livestock farming methods, optimization of rearing techniques for wild animals, arable farming, tourism and the fight against desertification; - local initiatives to encourage compliance with environmental standards, such as labels and certification; - providing information on and making local people aware of problems associated with population growth, non-viable production methods, use of hazardous chemical products and the dispersal of toxic waste in the environment; - information campaigns on hazardous substances; - the protection of ecosystems and habitats and the conservation of species diversity; - development cooperation projects containing an environmental component which distinguishes, identifies and assesses the sustainable dimensions in these projects; - the establishment of national green accounting systems. The rapporteur also called for particular reference to be made to: - building up the institutional and operational capacities of developing countries, measures relating to climate protection objectives (promotion of renewable sources of energy, greater energy efficiency, energy savings); - the provision of information to the local people and their involvement in projects; - regional projects. Finally, the rapporteur called for pilot schemes in the field to be the subject of prior reports on the environmental, social, economic and cultural impact. Where such schemes had an impact on the traditional territories and ways of life of indigenous peoples, their informed consent was essential.?

Environmental measures in developing countries in the context of sustainable development

Underlining the fact that by the year 2000 fifteen of the world's cities would have a population of more than 11 million, and that 13 of these would be in developing countries, the rapporteur referred to the heavy responsibility weighing on Europe when it came to sources of global pollution. As indicators of this phenomenon, Mrs Taubira-Delannon mentioned the decline in forest areas, the fragility of inshore ecosystems, the threat to biodiversity and the over-exploitation of the urban environment. In view of this, she called for the budget heading for sustainable development in emerging countries to be increased over the period to the year 2000 on the basis of the criteria and priorities outlined in the report. Commissioner Pinheiro declared that he could take over more than two-thirds of the amendments tabled (33 out of 39): he accepted Nos 1, 2, 4 to 6, 8 to 18, 21 to 23, 25, 26, 31, 32, 34, 37 and 43 in full, and Nos 7, 19, 30, 41, 42, 44 and 48 in part. However, he could not accept a further 16 amendments, rejecting No 3 for strictly formal and technical reasons, along with Nos 20, 24, 27 to 29, 33, 35, 36, 38 to 40, 45 to 47 and 49. Amendments Nos 20 and 27 were particularly unacceptable because they would have introduced a certain rigidity that was incompatible with the pilot actions being proposed on the environment. Amendments Nos 29, 41, 42 and 44 were rejected for procedural reasons to do with the transfer of information between the institutions. Finally, Amendments Nos 38, 39 and 40 were being rejected because they did not comply with the *modus vivendi* in respect of comitology or were incompatible (as was the case with Amendment No 36) with the very organisation of the Commission.

Environmental measures in developing countries in the context of sustainable development

Adopting the report by Mrs Christine TAUBIRA-DELANNON (ARE, F), the European Parliament approved the proposal for a Council regulation seeking to provide a legal basis for budget heading B7-5040 (Environmental measures in the developing countries), which contains a total of ECU 15 million in commitment appropriations and ECU 13 million in payment appropriations for the 1996 budget. This budget heading was created in 1982, at Parliament's initiative, following the widespread damage caused by desertification in Africa. Parliament called for priority to be given to: - pilot initiatives at local, regional and national level in the field of environmental protection and conservation of resources; - improving the environment and regional planning through building and traffic planning and by supporting local regional planners and town administrators; - promoting local initiatives aimed at preserving coastal areas by preventing pollution and reducing sources of pollution; - promoting local initiatives aimed at applying and transferring technologies, particularly in respect of energy and renewable energy sources; - measures aimed at avoiding pollution which contributes to climate changes; - soil conservation and grazing management and pastoral farming, the optimization of rearing techniques for wild animals, arable farming, tourism and the fight against desertification; - local initiatives to encourage compliance with specific environmental standards (e.g. labels, certification); - providing information on and making local people aware of the problems associated with population increase, non-viable production methods, the use of hazardous chemical products and the dispersal of toxic waste in the environment; - information campaigns on hazardous substances such as toxic waste and pesticides; - the protection of ecosystems and habitats, and the conservation of species diversity; - the inclusion in development cooperation projects of an environmental component which distinguishes, identifies and assesses the sustainable dimension in these projects; - the development of national green accounting systems. Parliament also called for special attention to be paid to: - building up the institutional capacities of developing countries and measures relating to climate protection (promotion of renewable energy sources, increased energy efficiency and energy savings); - the provision of information to local people and their involvement in operations, with due account being taken of the special role and situation of women; - regional projects. Lastly, Parliament called for pilot schemes in the field to be the subject of reports on the environmental, social, economic and cultural impact. Furthermore, where such schemes have an impact on the traditional territories and ways of life of indigenous peoples, their informed consent is essential. The guidelines to and criteria for project selection should be published in the Official Journal and distributed among interested parties by the Commission offices in the countries authorized to submit applications. ?

Environmental measures in developing countries in the context of sustainable development

In its common position the Council made certain changes to the Commission's proposal, in particular: - the scope of the regulation: the Council underlined the complementary nature of assistance granted under the regulation and that provided through other cooperation instruments. It also widened the scope of environmental activities. - the nature of the committee required to give an opinion on proposed measures: the Council agreed that the committee would be the relevant geographical committee (MED, ALA and EDF committees) acting in accordance with the type-III(a) procedure (regulatory committee). In addition, once a year there will be an exchange of views in a joint meeting of geographical committees; - duration and reference amount: owing to the nature of eligible measures (pilot projects, preparation of guidelines, environmental impact assessments, compilation and statistical work), the Council believes that it would be preferable in future to implement such measures within the framework of geographical development programmes. It has therefore laid down a limited duration for the regulation (1997-1999) and a financial reference amount for that period (ECU 45 million); - the Council has also added several provisions on the evaluation of operations financed (to be forwarded to the Member States on request) and keeping the committee informed about projects at different stages of financing (Articles 7 and 10). The Council incorporated a very small number of Parliament amendments (3 out of 44 adopted at first reading). These concerned the provision of information and the role of women in implementing projects and clarifications concerning recipient countries (the addition of base communities, etc.). No other Parliament amendments were adopted. ?

Environmental measures in developing countries in the context of sustainable development

In its opinion on the Council's common position, the Commission stated that it did not agree with the text adopted by the Council for several reasons: - as regards the scope of the regulation: if it approved the extension of the scope of the regulation, adequate funding would have to be provided for in order to fulfill the various objectives proposed, - as regards the limited duration of the regulation and the inclusion of a financial reference amount, which, in its view, involved the Council alone (rather than the entire budgetary authority), - as regards the information to be provided to the Council: the Commission believed that it was being called upon to complete an unacceptable number of procedures (information to the committee for projects totalling over ECU 2 million, exchanges of views on the general guidelines, the submission of an annual report, ex-ante information for projects totalling less than ECU 2 million and ex-post information for all projects one month after the decision is taken on financing). It pointed out that when it has powers without committee intervention, it exercises them in accordance with the appropriate rules on transparency. As a result, it could not approve additional conditions that went beyond the framework

established by Council Decision 87/373/EEC, - the Commission did not agree with the decision to opt for a regulatory committee procedure rather than an advisory committee, - finally, given that the Council had adopted very few of the European Parliament's amendments, the Commission stressed that in its amended proposal it would take over as many amendments as possible that would be adopted by the European Parliament at second reading. ?

Environmental measures in developing countries in the context of sustainable development

The regulation submitted for Parliament's approval was aimed at allowing the Community to provide aid to developing countries (ACP, Latin American and Mediterranean countries), enabling the people there to integrate into their daily lives the protection of the environment and the concepts of sustainable development (in other words, improving the quality of human life within the limits of the ecosystems involved). In adopting the report by Mrs TAUBIRA-DELANNON, the Committee on Development and Cooperation decided to retable at second reading (cooperation procedure) the amendments that the Council did not include in its common position. It asked that priority be given to: - pilot initiatives at local, regional or national level in the field of environmental protection and the conservation of resources; - improving the environment and regional planning through building and traffic planning and by supporting local planners and town administrators; - promoting local initiatives aimed at preserving coastal areas by preventing pollution and reducing sources of pollution; - initiatives aimed at applying and transferring technologies, particularly in respect of energy and renewable energy sources; - measures aimed at preventing emissions that are damaging to the climate; - soil conservation, grazing management and pastoral farming, the improvement of farming methods, the optimisation of rearing techniques for wild animals, arable farming, tourism and the fight against desertification; - local initiatives to encourage compliance with specific environmental standards (e.g. labels, certification); - providing information on and making local people aware of the problems associated with population increase, non-viable production methods, the use of hazardous chemical products and the dispersal of toxic waste in the environment; - information campaigns on hazardous substances, particularly toxic waste and pesticides; - the protection of ecosystems and habitats and the conservation of species diversity. ?

Environmental measures in developing countries in the context of sustainable development

Standing-in for the rapporteur, the chairman of the Committee on Development, Mr Kouchner, stated that the Regulation that had been submitted for approval by Parliament was aimed at implementing sustainable development and at promoting an awareness of environmental issues. He then provided various data to support his argument: water supplies in developing countries had declined by two-thirds since 1970; 1.7 billion people had no access to a sewage system, desertification cost 9 billion in Africa, 20 million hectares of tropical forest had been destroyed. Noting that the Community was not only the main donor but also a major polluter, the rapporteur pointed out that the regulation in question sought to give a stronger regional dimension to the programmes. This was why it was in need of an appropriate level of funding and effective coordination between the different programmes. Mr Kouchner then went on to refer to the 43 amendments that had been tabled again in spite of the Council's refusal to extend the scope of the regulation. For example, the Committee on Development supported an unspecified period for the application of the regulation, whereas the Council had set a three-year deadline; the committee also wanted to see the withdrawal of the financial reference amount that the Council had set at a maximum limit of ECU 15 million for a period of three years. Finally, it proposed a type I committee instead of a type IIIa committee, as preferred by the Council. Commissioner Papoutsis said that the work of the Commission was inspired by the principles of the Rio Conference and by Article 130u of the Treaty. He also declared that the Commission was prepared to incorporate issues such as health, dangerous waste and environmental impact into the scope of the regulation.

Environmental measures in developing countries in the context of sustainable development

In adopting the recommendation for second reading by Mrs Christiane TAUBIRA-DELANNON (ARE, F), Parliament adopted again the amendments not incorporated by the Council in its common position. It proposed that the financial reference amount (ECU 15 million) should be deleted for a period of three years, and called for priority to be given to: - pilot initiatives at local, regional and national level in the field of environmental protection and conservation of resources; - improving the environment and regional planning through town and traffic planning and by supporting local regional planners and town administrators; - promoting local initiatives aimed at preserving coastal areas by avoiding pollution and reducing sources of pollution; - initiatives to apply and transfer technologies, particularly in the field of energy and renewable sources of energy; - measures aimed at avoiding pollution which contributes to climatic change; - soil conservation and grazing management and pastoral farming, improvement of livestock farming methods, optimization of rearing techniques for wild animals, arable farming, tourism and the fight against desertification; - local initiatives to encourage compliance with environmental standards, such as labels and certification; - providing information on and making local people aware of problems associated with population growth, non-viable production methods, use of hazardous chemical products and the dispersal of toxic waste in the environment; - information campaigns on hazardous substances such as toxic waste and pesticides; - the protection of ecosystems and habitats, and the conservation of species diversity; - development cooperation projects containing an environmental component which distinguishes, identifies and assesses the sustainable dimensions in these projects; - the establishment of national green accounting systems. The EP also called for particular reference to be made: - to building up the institutional and operational capacities of developing countries; - measures relating to climate protection objectives; - the provision of information to the local people and their involvement in projects; - regional projects. Finally, the EP called for pilot schemes in the field to be the subject of prior reports on the environmental, social, economic and cultural impact. ?

Environmental measures in developing countries in the context of sustainable development

In its amended proposal, the Commission took over, in full or in part, 31 of the 43 amendments approved by Parliament at second reading. These included amendments aimed at clarifying or extending the scope of the regulation and amendments underlining the importance of the actions to be implemented in the field of the environment and sustainable development. Finally, several amendments aimed to reassert the Commission's initial position concerning certain horizontal questions with regard to the unlimited duration of the regulation and the financial reference amount. The Commission accepted, in particular, the amendments relating to: - budgetary amendments, - pilot initiatives combining information campaigns and an improvement in environmental management, - aid for local initiatives, - the additional objectives of regional

planning and projects on transport and drinking water, - information campaigns on hazardous substances. However, the Commission rejected the amendments relating to: - the increase in appropriations to ECU 50 million until 2000, - the plan to do away with the possibility of financing impact and evaluation studies, - the exclusion of cofinancing, - the 'participation of indigenous peoples', - the introduction of an 'eco-watch unit'. ?

Environmental measures in developing countries in the context of sustainable development

OBJECTIVE: the provision of financial assistance and technical expertise for activities conducted in developing countries which enable the people in those countries to integrate environmental protection and sustainable development concepts more easily into their daily life

COMMUNITY MEASURE: Council Regulation No 722/97 on environmental measures in developing countries in the context of sustainable development

SUBSTANCE: Assistance under the regulation complements and reinforces assistance provided under other instruments of development cooperation and centres on: . designing and implementing national strategies for sustainable and equitable development, . improving policies and practices for management and conservation of ecosystems, sustainable use of renewable natural resources and environmentally sensitive use of non-renewable natural resources, . preserving biological diversity, . preserving areas of high environmental pressure and/or transregional ecosystems, . improving practices for soil conservation and management in agriculture, livestock farming, forestry and the fight against desertification, . improving the environment and regional planning through urban development planning and the implementation of technologically adapted plans and pilot projects for transport, waste water, the provision of drinking water and air pollution, . applying and transferring technologies adapted to local environmental constraints and needs, . activities aimed at avoiding emissions harmful to the climate, . facilitating the adaptation of production processes in developing countries and increasing awareness of environmental constraints that may have an impact on trade, . making local populations more aware of the notion of sustainable development, . initiatives aimed at protecting ecosystems and habitats and maintaining biological diversity. - Projects eligible for financing under the general objectives include: . pilot schemes in the field likely to contribute to sustainable development, environmental protection and long-term management of natural resources, . establishment of guidelines and operational instruments aimed at promoting sustainable development and environmental integration, . environmental impact studies on sustainable development projects, programmes, strategies and policies, and assessment of their repercussions on social and economic development, . inventory, accounting and statistical work, in order to improve environmental data and indicators. Particular attention will be given to projects arising from local initiatives, schemes to build up the operational and institutional capacities, prior consultation of the local populations and regional activities. - Aid recipients and cooperation partners: States, regions, decentralized departments, regional bodies, public agencies, traditional and local communities, private operators and industries, including cooperatives and NGOs and associations representing local people. - Eligible expenditure: Community financing may cover investment, with the exception of the purchase of buildings, and recurring expenditure (including administrative, maintenance and operating expenditure). It also includes expenditure relating to research, technical assistance, education, training or other services, supplies and works, audits, and evaluation and monitoring missions. Opportunities may be sought for cofinancing with Member States and the international organizations concerned, according to the nature of the operation and the means of the cooperation partners. - Form of the aid: grants. - Profile: measures will be taken to emphasize the Community character of the aid provided. - Consistency and complementarity: the Commission may take all necessary coordination measures to guarantee optimum efficiency for operations with all partners, including the Member States (establishment of a system for the exchange of information and on-the-spot coordination). There will also be coordination with the activities of other international organizations in this area. - Decision-making procedure: the Commission will administer and implement operations covered by the regulation. It will be assisted by the geographically-determined Committee (ALA, MED, EDF) acting under the regulatory committee procedure (III a). The Commission shall inform the Committee succinctly of any financing decisions it intends to take with regard to projects of less than ECU 2 million in value. Decisions relating to grants higher than this amount are taken with the agreement of the committee. Participation in invitations to tender and the award of contracts is open on equal terms to the recipient country and the Member States and may be extended to other developing countries. In exceptional cases supplies may originate elsewhere. - Information: the Commission will submit an annual report to Parliament and the Council summarizing the operations financed in the course of that year and evaluating them (contracts, external assessments, etc.). It will also inform the Member States, one month after the decision, of the operations and projects that have been approved. An exchange of views shall take place once a year between the Commission and the various committees concerned on the general guidelines for the operations to be carried out in the year ahead. - Assessment: the Commission will regularly assess operations financed with a view to establishing whether the regulation's objectives have been achieved. The assessment reports will be submitted to the various committees, and to the Member States that so wish. - Budget: ECU 45 million for the period 1997 to 1999. Annual appropriations will be authorized by the budgetary authority within the limits of the financial perspective. **ENTRY INTO FORCE:** the regulation entered into force on 28 April 1997. It is applicable until 31 December 1999. ?