


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	1996/0027(COD) Procedure completed
Environment and sustainable development: Community programme 1992-2000	
Subject 3.70 Environmental policy 3.70.20 Sustainable development	

Key players			
European Parliament			
Former committee responsible			
ENVI	Environment, Public Health and Consumer Protection	ELDR DYBKJÆR Lone	22/02/1995
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Former committee for opinion			
AGRI	Agriculture and Rural Development	ARE MAYER Christine	16/04/1996
ECON	Economic and Monetary Affairs, Industrial Policy	The committee decided not to give an opinion.	
ENER	Research, Technological Development and Energy	V AHERN Nuala	23/04/1996
TRAN	Transport and Tourism	PSE MILLER Bill	25/04/1996
Council of the European Union			
Council configuration		Meeting	Date
Agriculture and Fisheries		2115	20/07/1998
Environment		2033	16/10/1997
Social Affairs		1999	17/04/1997
Agriculture and Fisheries		1980	17/12/1996
Environment		1978	09/12/1996
Environment		1956	15/10/1996
Environment		1939	26/06/1996
Environment		1905	04/03/1996

Key events			

24/01/1996	Legislative proposal published	COM(1995)0647	Summary
04/03/1996	Debate in Council	1905	
27/03/1996	Committee referral announced in Parliament, 1st reading		
26/06/1996	Debate in Council	1939	
25/09/1996	Vote in committee, 1st reading		Summary
25/09/1996	Committee report tabled for plenary, 1st reading	A4-0300/1996	
15/10/1996	Debate in Council	1956	
12/11/1996	Debate in Parliament		Summary
13/11/1996	Decision by Parliament, 1st reading	T4-0587/1996	Summary
04/12/1996	Modified legislative proposal published	COM(1996)0648	Summary
17/12/1996	Debate in Council	1980	
17/04/1997	Council position published	06544/1/1997	Summary
24/04/1997	Committee referral announced in Parliament, 2nd reading		
02/07/1997	Vote in committee, 2nd reading		
02/07/1997	Committee recommendation tabled for plenary, 2nd reading	A4-0235/1997	
16/07/1997	Debate in Parliament		Summary
17/07/1997	Decision by Parliament, 2nd reading	T4-0385/1997	Summary
16/10/1997	Parliament's amendments rejected by Council		
02/06/1998	Formal meeting of Conciliation Committee		
02/06/1998	Final decision by Conciliation Committee		Summary
29/06/1998	Joint text approved by Conciliation Committee co-chairs	3614/1998	
09/07/1998	Report tabled for plenary, 3rd reading	A4-0275/1998	
14/07/1998	Debate in Parliament		Summary
15/07/1998	Decision by Parliament, 3rd reading	T4-0423/1998	Summary
20/07/1998	Decision by Council, 3rd reading		
24/09/1998	Final act signed		
24/09/1998	End of procedure in Parliament		
10/10/1998	Final act published in Official Journal		

Technical information

Procedure reference

1996/0027(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codicedision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC before Amsterdam E 130S-p3
Stage reached in procedure	Procedure completed
Committee dossier	CODE/4/09432

Documentation gateway

Legislative proposal	COM(1995)0647 OJ C 140 11.05.1996, p. 0005	24/01/1996	EC	Summary
Economic and Social Committee: opinion, report	CES0689/1996 OJ C 212 22.07.1996, p. 0001	29/05/1996	ESC	Summary
Committee of the Regions: opinion	CDR0142/1996 OJ C 034 03.02.1997, p. 0012	18/09/1996	CofR	
Committee report tabled for plenary, 1st reading/single reading	A4-0300/1996 OJ C 347 18.11.1996, p. 0005	25/09/1996	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0587/1996 OJ C 362 02.12.1996, p. 0091-0112	13/11/1996	EP	Summary
Modified legislative proposal	COM(1996)0648 OJ C 028 29.01.1997, p. 0018	04/12/1996	EC	Summary
Council position	06544/1/1997 OJ C 157 24.05.1997, p. 0012	17/04/1997	CSL	Summary
Commission communication on Council's position	SEC(1997)0723	22/04/1997	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0235/1997 OJ C 286 22.09.1997, p. 0008	02/07/1997	EP	
Text adopted by Parliament, 2nd reading	T4-0385/1997 OJ C 286 22.09.1997, p. 0178-0208	17/07/1997	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1997)0471	01/10/1997	EC	Summary
Joint text approved by Conciliation Committee co-chairs	3614/1998	29/06/1998	CSL/EP	
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading	A4-0275/1998 OJ C 292 21.09.1998, p. 0005	09/07/1998	EP	
Text adopted by Parliament, 3rd reading	T4-0423/1998 OJ C 292 21.09.1998, p. 0053-0063	15/07/1998	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 1998/2179 OJ L 275 10.10.1998, p. 0001 Summary
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Environment and sustainable development: Community programme 1992-2000

OBJECTIVE: review the strategy of the Community programme of policy and action in relation to the environment and sustainable development 'Towards sustainability', adopted by the Commission in 1992. **SUBSTANCE:** the proposal for a European Parliament and Council decision is the result of an overall assessment of the progress made with the programme after three years' implementation. It takes the form of an action plan which is designed to ensure a more effective approach for the period to the year 2000. It identifies five key priority areas in which Community action must be stepped up: (1) the devising of better methods of integrating environmental considerations into other policies, such as agriculture, transport, energy, industry and tourism; (2) broadening the range of instruments with a view to bringing about a shift towards sustainable development, focusing on market-based instruments, other horizontal instruments and the use of Community financial support mechanisms; (3) enhancing the effectiveness of Community environmental legislation (enforcement, implementation, simplification); (4) the launch of further communication, information, education and training measures; (5) stepping up the Community's role in international action in the sphere of sustainable development (cooperation with the CEECs, broadening the framework for action, trade and environmental guidelines). In addition to these five priorities, five other areas warrant particular attention: - strengthening the basis for the framing of environmental policy through the compilation of reliable and comparable statistics, valid scientific information and cost-benefit analyses of measures; - devising measures to increase public awareness and encouraging changes in behaviour on the part of industry and consumers; - fleshing out the concepts of shared responsibility and partnership; - encouraging local and regional initiatives, particularly involving regional planning; - developing further topics such as climate change and the depletion of the ozone layer, acidification and air quality, water resource management, waste management, noise, the protection of nature and biodiversity and the management of chemicals. ?

Environment and sustainable development: Community programme 1992-2000

The Commission's Action Plan represents a comprehensive set of EU level measures. From this point of view, the ESC endorses the Commission's proposal. The Committee likewise endorses the selection of priority measures. Despite the ESC's basically positive attitude to the draft decision, it does however, wish to make the additional points and criticisms set out below. The co-decision procedure which the Commission has invoked in this case may make the draft decision more binding and is therefore welcomed by the ESC. It is, however, doubtful whether measures contained in the Commission's action plan are sufficiently concrete to be dealt with under the co-decision procedure. One of the main concerns to the ESC is that the proposed action plan should be made more specific. Specific timetables and objectives should be set out in respect of the proposed action. The ESC takes the view that it is essential to make the proposal more specific in order to assure all the parties involved about where they stand when drawing up their plans and in view of the political dimension involved. The Action Plan skates over the link with the "Citizens' Europe" advocated in the Treaty of Maastricht. The Action Plan treats citizens merely as the target group for campaigns to publicize issues relating to sustainable development and as potential guinea pigs for changes in behaviour patterns. ?

Environment and sustainable development: Community programme 1992-2000

The report on the Community's programme on the environment and sustainable development drafted by Mrs Lone DYBKJAER was adopted. Key amendments adopted included: * radical reform of the CAP must be implemented at the latest by the time the countries of Central and Eastern Europe (CEE) accede to the Union; * In order to coordinate the Community's efforts to achieve sustainable development, the Commission should submit a proposal for guidelines before the end of 1997 ensuring that national plans are coordinated; * establishing environmental centres in CEE countries; * proposals by the end of 1997 on enhancing the effectiveness of cooperation with Member States' authorities in implementing EU legislation; * carbon dioxide reductions of 20% in 2005, 30% in 2010 and 50% in 2030 compared with 1990 levels; * promoting environment-friendly farming and giving a key role to the European Environment Agency. ?

Environment and sustainable development: Community programme 1992-2000

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Environment and sustainable development: Community programme 1992-2000

In adopting the report by Mrs Lone DYBKJAER (ELDR, DK), Parliament substantially amended the proposal for the review of the Fifth Environmental Action Programme by calling for specific measures with regard to the stabilization of carbon dioxide emissions, control of waste, control of pesticides in groundwater and, more importantly, a precise timetable for specific actions. The principal amendments adopted by Parliament call for: - Commission proposals, by 1997, concerning aims which risk not being attained in the year 2000; - integration of environmental considerations into agricultural policy making; - radical reform of the common agricultural policy, to be implemented before the accession of the countries of Central and Eastern Europe, which will ensure that aid will in future primarily be tied to the use of sustainable methods of farming; - a Commission proposal before the end of 1997 to coordinate the Community's efforts towards sustainable development and to draw up guidelines for the coordination of national projects; - the reinforcement of existing measures under the SAVE, Altener, Thermie and JOULE programmes by setting targets for 3% per annum reduction in primary energy consumption per unit of GDP and for a 1% per annum increase in sustainable and renewable energy sources' share of energy consumption; - the submission, by the end of 1997, of a proposal for the reform of environmental charges which provides for taxes on pollution and energy sources rather than on the labour force; - the amendment of existing legislation on public procurement with a view to giving preference to environment-friendly tenders; - the submission, before the end of 1997, of a proposal for the correct application of Community legislation which would involve cooperation with the national authorities; - the establishment of ecological centres in the various countries and assistance to the countries of Central and Eastern Europe enabling them to reach the present levels of environmental protection achieved in the EU; - the reduction of carbon dioxide emissions by 20%

in 2005, by 30% in 2010 and by 50% in 2030, compared with 1990 levels; - the regular tightening-up of the EC Regulation on ozone-depleting substances with a view to their elimination more or less totally by the year 2005; - a decisive role for the European Environment Agency. ?

Environment and sustainable development: Community programme 1992-2000

The modified Commission proposal incorporates a number of EP amendments, including: - the reference to the commitments entered into and the conclusions adopted as part of various international processes; - the protection of human health as one of the objectives to be pursued by Community policy on the environment; - the promotion of sustainable fishing practices by discouraging overfishing and catching below the legal minimum landing size; - the reinforcement of existing measures under the SAVE, Altener, Thermie and JOULE programmes; - openness and transparency, which the Commission should seek to ensure; - the collection and wide dissemination of information concerning the link between the state of the environment and human health; - concerning the international dimension, the reference to improving nuclear safety on the basis of technical and administrative cooperation and financial support; - the need to cooperate on improving the safety of nuclear reactors in the associated countries of Central and Eastern Europe; - the reference to the work of the European Environment Agency and its key role in monitoring developments in the environment; - the need to promote the phasing out and prohibition of persistent organic pollutants (pops), where alternatives exist. It should be noted that the Commission did not accept inter alia the following amendments: inclusion of an obligation to reach the highest possible level of environmental protection in the EU by 1 January 1999; suggested time limits and targets; an explicit invitation to the Commission to put forward proposals by a specified date; insertion of a reference to the 'Green GNP'. ?

Environment and sustainable development: Community programme 1992-2000

The common position follows the Commission's approach, albeit making substantial changes in the following areas: (1) Preamble: the common position introduces two new clauses, which had been requested by the European Parliament, concerning the need to reflect, in the review, commitments deriving from international processes and the importance of the protection of human health. (2) Integration of environmental considerations into agricultural, transport, energy and tourism policies: - as regards agricultural policy, the common position sets out clear guidelines on the future development of the CAP, while respecting the ongoing reform process; in addition, the protection of biodiversity is explicitly referred to as a matter deserving special attention; - as regards energy, the Council has included the promotion of co-generation among the priorities, as requested by Parliament; - as regards industry, a paragraph was added on the development of sustainable policies, involving the concept of eco-efficiency and of partnership between governments and industry, through appropriate stimuli to innovation; - as regards tourism, the need to incorporate the tourism/environment dimension into international agreements was emphasized. (3) Broadening the range of instruments: the emphasis is placed on the need to improve the conditions for the development of effective economic instruments, in particular through the identification of subsidy schemes which have an adverse effect on sustainable practices with a view to their reform. (4) Implementation and enforcement of legislation: the Council strengthened the priorities proposed by the Commission, stressing the need to improve both the quality and the feed-back value of reports on implementation; it also made explicit reference to the role of the network of environment inspectors. In addition, it emphasizes that the need for improved access to justice should be assessed, in accordance with the subsidiarity principle and taking into account the different legal traditions in the Member States. The clause providing for consideration of the possible imposition of penalties for non-compliance was deleted. (5) Awareness-raising: the common position strengthens this feature, setting additional priorities which consist of encouraging education and training, fostering cooperation among the Member States, facilitating the provision to consumers of environmental information concerning products and encouraging providers of financial services to take environmental considerations into account. (6) International cooperation: this section is strengthened by the addition of a paragraph on the Baltic Sea region and specific references to the importance of active Community participation in the ongoing negotiations under the conventions on climate change, biological diversity and the fight against desertification. (7) Improving the basis for environmental policy: the Council stressed the need for cooperation with the relevant bodies at international level and coordination among the Community institutions. It emphasized the role of the European Environment Agency in monitoring and reporting on environmental developments (as requested by Parliament). (8) Promotion of local and regional initiatives: the Community should also encourage measures in line with the Convention on combating desertification. (9) Environmental matters: the Council modified the Commission proposals, which had become obsolete in the light of trends in the relevant sectors (e.g. policy on climate change; waste management; critical loads; noise; chemicals; compliance with undertakings given in the framework of accession). ?

Environment and sustainable development: Community programme 1992-2000

The Commission accepted the common position as a starting point for examining the proposal at second reading but regretted that the Council had not studied its amended proposal in depth. It noted that the Council intended to take the time needed to examine the amendments proposed by the European Parliament. The Commission also regretted that the common position had weakened the proposal in relation to the interface between the environment and agriculture/forestry and transport. In addition, the Commission felt that the Council's bid to limit the Community's right to broaden the range of instruments within the framework of the present decision before it had had the chance to study possible proposals was ill-judged. For example, with specific reference to environmental responsibility, the common position limited Community intervention to encouraging the application of the notion of environmental responsibility at Member State level. Finally, the Commission felt that the common position had not addressed the need to strengthen and facilitate the participation of the public in the implementation and application of environmental legislation to any satisfactory degree. The Council had undermined the provisions which aimed to improve access to justice and had deleted the clause proposing that the possibility of introducing penalties for non-compliance with the new legislation be examined. ?

Environment and sustainable development: Community programme 1992-2000

The rapporteur regretted that the environment had deteriorated further since 1992 given that the political objectives of the Fifth Environmental Action Programme had been delayed and there was no longer a binding timetable for concrete action. While regretting the common position, Commissioner Bjerregaard wanted the conciliation procedure to be completed before the end of 1997. She stated that the Commission had

started work on new environmental proposals but warned Parliament against assigning too many priorities at the same time. The Commissioner said that 16 amendments could be accepted. However, she rejected, for institutional reasons, Amendments Nos 1 to 6, 8 to 10, 16, 19 to 22, 24, 26 to 28, 30, 31 and 36 to 40. She could, however, accept the key Amendment No 34 which called for the current Community waste strategy to be modernised.

Environment and sustainable development: Community programme 1992-2000

In adopting the recommendation for second reading by Mrs Lone DYBKJAER (ELDR, DK), the European Parliament expressed its dissatisfaction with regard to the Council's common position on the review of the Fifth Environmental Action Programme. However, it did not endorse the call from its Environment Committee to reinstate all the amendments (52 in total) adopted at first reading. Parliament nonetheless upheld its position on the following points: - the need for more binding Community measures, with timetables for their achievement, to ensure that priorities are genuinely implemented; - presentation by the Commission, before the expiry of the Fifth Environmental Action Programme, of proposals for additional measures for those aims which risk not being attained in the year 2000; - integration of environmental considerations into agricultural policy-making and introduction of new incentive schemes to secure specific environmental objectives; - requiring the Commission to start the groundwork for a fresh and radical reform of the common agricultural policy, to be implemented at the latest at the time of accession by the countries of Central and Eastern Europe; - drawing-up of an EU action plan to ensure implementation and sanctioning of all regulatory measures aimed at reducing industrial emissions and pollution, - ensuring improved integration of the polluter pays principle into EU legislation, including the introduction of EU-wide legislation on liability for making good environmental damage; - ensuring the phasing-out and prohibition of persistent organic pollutants (POPs) where environment-friendly alternatives exist; - promoting the implementation of innovative good practices to develop sustainable tourism by applying the 'polluter pays' and 'user of natural resources pays' principles; - ensuring that the Structural Funds are used to support sustainable forms of tourism and that the projects financed by these funds are made the subject of Environmental Impact Assessments; - reaffirming the need for environmental accounting. Parliament also called on the Commission to submit, before the expiry of the Fifth Action Programme: - a proposal for a reform of environmental charges so as to effect a shift from taxes on employment to taxes on resources and pollution; - a proposal for a Directive on the environmental impact of policies, plans and programmes in the Community; - proposals aimed at enhancing the effectiveness of cooperation with the authorities in the Member States responsible for implementation and enforcement of Community environmental legislation (improving transparency, setting-up of a European environmental inspectorate and publication by the Commission of an annual report on the environment); - provisions requiring Member States to lay down national provisions on the enforcement of environmental rules and the penalties to be imposed if such rules are breached. It is also necessary to ensure that the rules, provisions and procedures of the World Trade Organization (WTO) take account of the need to maintain a high level of environmental protection. Another series of amendments stresses the special attention which must be devoted to certain measures regarding climate change and depletion of the ozone layer, acidification and air quality, management of water resources, waste management, noise nuisance, nature conservation and biodiversity, and controlling risks and accidents. ?

Environment and sustainable development: Community programme 1992-2000

Of the 28 amendments adopted by the European Parliament in second reading, the Commission accepts 13, either in total or in part, and rejects 15. The amendments accepted by the Commission mainly relate to: - the gradual reform of the Common Agricultural Policy, which is to be implemented at the latest by the time the new Member States accede to the Union, and which is designed to ensure that aid will primarily be granted within the framework of sustainable farming methods; - the guarantee that the Structural Funds and the Cohesion Fund support sustainable forms of tourism and that the projects financed in this way undergo an environmental impact assessment, in accordance with the regulations governing these funds; - the definition by the Commission of the groundwork for plans and programmes under the environmental impact assessment. ?

Environment and sustainable development: Community programme 1992-2000

The Conciliation Committee adopted a decision on revision of the Community's Fifth Environmental Action Programme "Towards Sustainability" (1992-2000). The decision was adopted without debate following extensive negotiations on the text between parliamentary and council representatives in the run-up to the meeting. The text adopted incorporates much of the essence of the 37 amendments approved by Parliament in its second reading on the Council's common position in July 1997. In particular, it includes a commitment to still more progressive priority objectives beyond the year 2000 together with Commission proposals where appropriate. Other provisions secured by Parliament include the integration of environmental considerations into agricultural policy-making in conjunction with the reform of the Common Agricultural Policy and, in the industrial field, improved integration of the polluter-pays principle into Community legislation. The text also raises the possibility of legislative initiatives (favoured by Parliament) to use taxation to achieve environmental objectives. It also incorporates Parliament's demands for "green" (ie environmental) accounting. Other desirable provisions cover environmental impact assessment and the enforcement of environmental legislation. Parliament also succeeded in focusing attention on the need to preserve the current high environmental standards in Austria, Finland and Sweden when the transitional period introduced at the time they joined the Union in 1995 comes to an end. Parliament's rapporteur was Mrs Lone DYBKJAER (ELDR, DK).¿

Environment and sustainable development: Community programme 1992-2000

Welcoming the outcome of the conciliation procedure, Commissioner Bjerregaard was in favour of integrating environmental considerations into other sectors of policy. In her opinion, the Commission should have been more active on the common agricultural policy but could make up for the delay in Agenda 2000.

Environment and sustainable development: Community programme 1992-2000

Parliament adopted the report by Mrs Lone DYBKJÆR (ELDR, DK). The text adopted integrated the spirit of the 37 amendments adopted by Parliament at second reading. It took over the undertaking for priority objectives going beyond the year 2000. Other provisions sought, with the reform of the CAP, to integrate environmental concerns into any decision to be taken in the agricultural sector and, in the industrial sector, to improve integration of the polluter pays principle into Community legislation. Parliament's demands on the use of fiscal measures to achieve environmental objectives and on 'green compatibility' (integrating the environmental dimension) were also incorporated. Lastly, Parliament drew attention to the need to maintain the high levels of environmental protection currently in force in Austria, Finland and Sweden when the transitional period dating from their accession to the EU came to an end. ?

Environment and sustainable development: Community programme 1992-2000

OBJECTIVE: to review the Community programme of policy and action in relation to the environment and sustainable development 'Towards sustainability', adopted by the Commission in 1992. **COMMUNITY MEASURE:** Decision 2179/98/EC of the European Parliament and the Council. **SUBSTANCE:** This decision is the result of a general evaluation of progress of the programme after three years of implementation. It takes the form of an action plan for a more effective approach during the period up to 2000, identifying five key areas in which Community activity should be stepped up: (1) developing better approaches to the integration of environmental protection requirements into other policy areas such as agriculture, transport, energy, industry and tourism; (2) broadening the range of instruments to bring about changes in sustainable development concentrating on market-based instruments (e.g. environmental accounting, the use of environmental charges, applying the concept of environmental liability at Member State level, voluntary agreements which pursue environmental objectives), other horizontal instruments and the use of Community financial support mechanisms; (3) ensuring better implementation of Community environmental legislation (effective application, implementation and simplification of laws); (4) activities to stimulate awareness (communication, information, education and training); (5) strengthening the Community's role in international action on sustainable development (cooperation with CEECs, Mediterranean countries and the Baltic Sea region, the Rio process, objectives with regard to trade and the environment). In addition to these five key areas, five other areas require particular attention: - improving the basis for environmental policy formulation through reliable and comparable data, sound scientific information and assessment of the costs and benefits of action; - developing efforts to promote innovation in industry in relation to sustainable development and to promote awareness and changes in behaviour by industry and consumers; - improving shared action and partnership approaches; - promoting local and regional initiatives, particularly with regard to the use of spatial planning; - developing themes such as climate change and ozone depletion, acidification and air quality, management of water resources, waste management, noise, nature protection and biodiversity and the management of chemical substances. ?