

The European Community and environmental protection



European File

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March 1987 to March 1988: European Year of the Environment. The European Community aims to increase awareness of what has become one of the great challenges of our time and to mobilize individuals and authorities in the search for solutions: it intends to sponsor information campaigns, support major projects and exemplary action on the ground and adopt new measures including legislation. The decision to organize this Year of the Environment was taken in 1985 by the European Council, which at the same time emphasized the contribution that environmental policy could make to economic growth and job creation. The Council also underlined the need to consider environmental policy as an essential component of the economic, industrial, agricultural and social policies pursued by the Community and by its Member States. This approach is the basis of the Community's fourth environmental action programme, which covers the period 1987-92 and thus comes into effect as the European Year of the Environment begins.¹

The environmental problems we know today have their origins in urban, industrial and agricultural development that has been over-intensive and often anarchic. Scarce resources have been wasted and there has been an accumulation of pollution, nuisances and technological risks which threaten our health and natural surroundings. Since the late 1960s all European countries have had environmental protection policies. It soon became clear, however, that action at national level would not be enough, so in October 1972 the Community Heads of State or Government proclaimed the need to establish a Community environmental policy. Nearly 15 years later, this policy has produced a considerable number of achievements, but the European environment continues to deteriorate: new efforts are essential.

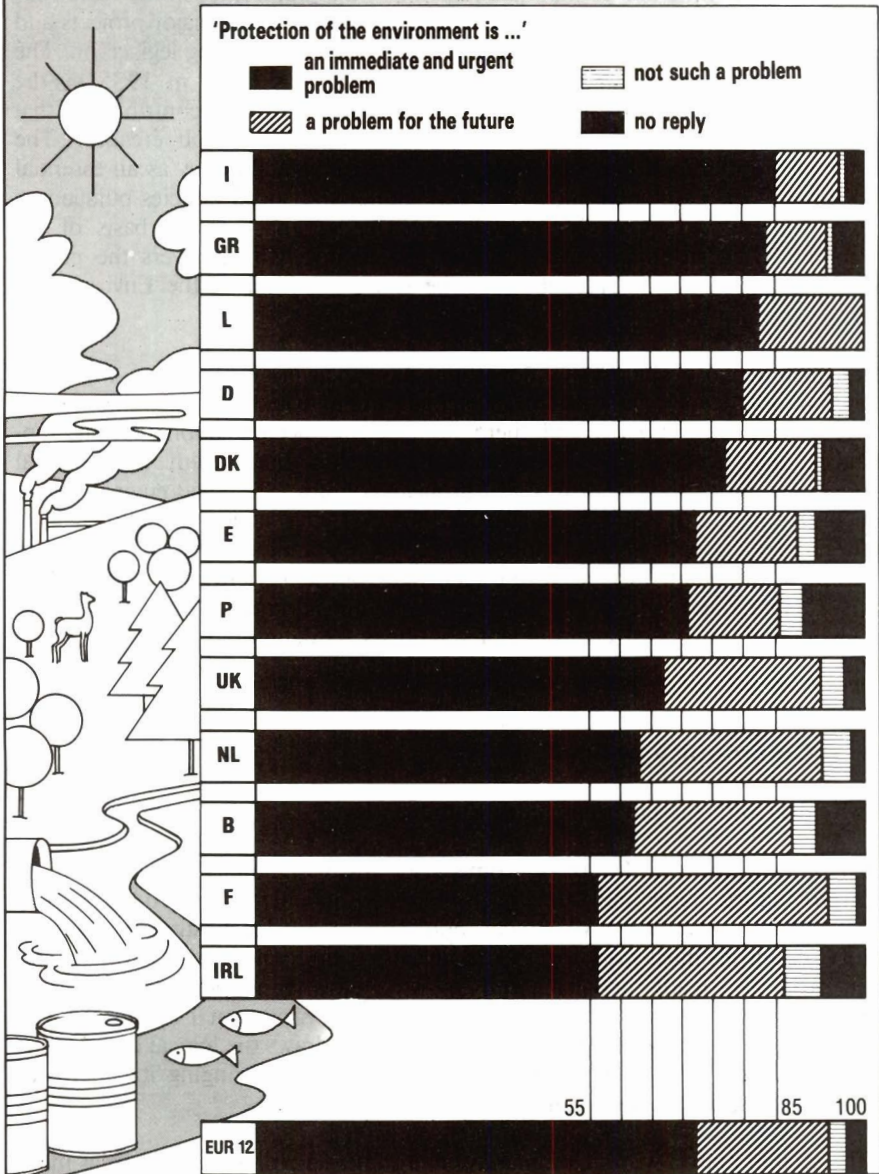
Why a Community policy?

But why deal with the environment at European level?

- Firstly, because the Treaty of Rome gives the Community the objective of improving the living and working conditions of its citizens, which particularly entails improving their environment. Furthermore, the Treaty stipulates that the EEC countries must work together to develop their economies in harmony and to promote steady and balanced growth. How can such a mission be accomplished without rational management of environmental resources? The new 'Single Act' amending the European Treaties draws the logical conclusions by devoting a whole chapter to environmental policy, bringing it henceforth explicitly within the Community's competence.
- The second reason why a Community environmental policy is necessary is more an economic one. If the Member States adopted differing national policies the resulting disparities could affect the functioning of the common market.

¹ This file replaces our No 5/85.

Environmental protection and public opinion (as %) ¹



¹ Replies to a survey organized for the European Commission by 'European Omnibus Survey' (11 840 people questioned throughout the Community in March-April 1986).

Differing standards for certain products would hinder the free movement of goods; varying financial burdens on firms, depending on the country in which they were established, would distort competition. A Europe-wide policy, on the other hand, helps to create a market on a continental scale; moreover, it equips firms to cope more effectively with international competition.

- Finally, pollution recognizes no frontiers. Toxic waste and masses of polluted air travel across Europe; many lakes and watercourses are shared by several States. In this context, the Community is seen as the most appropriate forum for resolving many problems. National action is often too limited and action at international level is frequently difficult to enforce, but joint action by the 12 Community States, with a common approach to the key questions, can strengthen their position at international level. Also, exchanges between national experts and administrators of all levels and the pooling or coordination of (often expensive) scientific research speed up progress and make for quicker and better results, to everyone's benefit.

The thrust of the Community programme

The first two Community environmental action programmes, launched in 1973 and 1977, were concerned essentially with looking for immediate responses to the serious problems posed by pollution: the prime task was to dress the wounds of industrial society. However, while remedial action remained indispensable, it was soon recognized that prevention was better than cure. The third action programme, adopted in 1983, represented an overall preventive strategy for safeguarding the environment and natural resources. The fact is that pollution and damage to scarce resources can be combated more effectively, at lower cost and with greater benefit in terms of healthy economic development, if environmental considerations are taken into account from the start in the planning of any economic activity, whether it involves agriculture, energy, industry, transport or tourism. The key legislative measure in this new preventive approach is a Community directive, adopted in 1985, under which approval for the construction of major industrial and infrastructural developments is subject to a prior study of their effect on the environment.

The fourth action programme confirms this preventive strategy, but goes further and makes environmental protection an essential element of all economic and social policies. This new conception of the role and importance of environmental policy entails:

- More effective integration of environmental policy with other Community policies: agriculture, industry, competition, energy, internal market, transport, tourism, social policy, consumer protection, regional policy, development cooperation, etc. This means, for example, that before investment aid is given under the Community's financial procedures, even more attention will be paid to how the investment projects take account of environmental considerations. Another example: the common agricultural policy will have to do more to

ensure a fair balance between the development of farming and the sometimes conflicting need to safeguard the natural environment.

- The setting of stricter environmental standards in the context of the completion of the internal market. Apart from the clear advantages this would hold for environmental protection, the European Commission believes that the most successful manufacturers will be those who can best adapt to the growing demand, in Europe and worldwide, for higher standards and non-polluting products. Strict standards are therefore necessary for economic reasons and will make Community industry more competitive. Furthermore, strengthening environmental policy will generate new investment in infrastructure and in the manufacture of new quality-oriented products, which should in turn have favourable consequences for employment.
- The promotion of investment to improve the environment. The Community already plays a significant role in this respect: since 1975 the European Investment Bank has loaned nearly 1 300 million ECU¹ for environmental improvement projects such as purification plants and sanitation systems, improvement of water quality, incineration of industrial or domestic waste, reduction of air pollution and noise pollution, etc. Lending by the Bank for advanced technology, regional development and energy projects has also had beneficial effects for the environment. Between 1975 and 1986 the European Regional Development Fund gave aid totalling more than 300 million ECU for investments in environmental protection, including several waste treatment plants and the cleaning-up of the river Mersey in England and of the Bay of Naples. The European Commission has also allowed public authorities, within limits, to give financial aid to firms for anti-pollution investment. The principle that 'the polluter pays' must, however, remain the basis for financing environmental protection policies.
- Better information. The European Commission is looking at ways of improving public access to information held by the authorities responsible for the environment, so that citizens may better know and defend their rights and interests. In general, the fourth programme provides for wider dissemination of information on the environment. The Commission believes that if public opinion were better informed it would give more support to the drive for more rigorous measures. It was in this spirit that the Commission organized the European Year of the Environment and will continue to support educational activities such as those that have been under way for some years in primary and secondary schools. A parallel measure is the development of 'Corine', a Community information system on the environment, intended to provide economic operators and decision-makers with a solid data base and to facilitate the publication of three-yearly reports on the state of the environment.

¹ 1 ECU (European currency unit) = about £ 0.75, Ir£ 0.77 or US\$ 1.15 (at exchange rates current on 4 February 1987).

- Effective implementation of Community legislation on the protection of the environment. The European Commission will intensify its efforts to see that Member States properly translate Community directives into their national legislation and fully apply them. To that end the Commission will organize seminars to allow more exchange of information among those responsible at national level and will examine the possibility of appointing Community environment inspectors. Community policy will also be published more, to urge individuals and non-governmental organizations to report cases where the rules are not properly observed. Finally, whenever necessary, Member States in default will be brought by the Commission before the European Court of Justice.
- Use of a wide range of approaches to prevent and control pollution. Because of the diversity and complexity of the problems, the means of dealing with them have to be extremely varied. The methods can be focused on the source of the pollution, on the polluting substances or on the medium; countermeasures may consist of standards for a product, emission limits or environmental quality objectives. Such diversity should not obscure the need for coordination of activity in different sectors: this is essential in order to avoid the transfer of pollution that can sometimes result from narrowly 'targeted' measures.

The Community environmental policy is concentrated around two principal themes: on the one hand, the fight against pollution and nuisances; on the other, improved management of land, of the environment and of natural resources. Considerable importance is also attached to scientific research and to international action.

The fight against pollution and nuisances

- *Cleaner water.* A number of Community directives deal with the protection of water, surface and underground, fresh and salt. Quality standards have been set for bathing water, drinking water, fresh water suitable for fish life and water used for rearing shellfish. A regime for the discharge of dangerous substances, listed as 'black' or 'grey' according to their toxicity, provides for prior notification and the setting of quantitative limits and quality objectives; limits on discharges and water quality objectives have already been set for mercury, cadmium, lindane, DDT, pentachlorophenol and carbon tetrachloride. There are also specific rules for the control and gradual reduction of dumping of titanium dioxide, which causes the notorious 'red sludge'. The European Commission will go on making proposals to control other dangerous discharges. As well as the legislative measures there are Community procedures for exchanging information on the results of fresh-water pollution measures and on the control and reduction of pollution caused by discharges into the sea of oil and other dangerous substances. The Commission believes further action is necessary to protect water from pollution, particularly in the most sensitive areas, many of which are covered by international conventions in which the Commission itself participates: the Rhine, the North Atlantic, the North Sea and the Mediterranean.

Finally, the fourth programme provides for a reduction of the water pollution resulting from the spreading or discharge of livestock effluents and the excessive use of fertilizers and pesticides.

- *Pure air.* Community directives set quality objectives and limit pollution by lead, sulphur dioxide and particulates. In the last case, national monitoring systems are linked by an information-exchanging procedure. An international convention on cross-frontier pollution has also been ratified. Other directives limit air pollution by motor vehicles and the maximum sulphur content of heating oil; these texts are being strengthened in the context of the fight against acid rain, which threatens human health, forests and our architectural heritage. With the same end in view, the Community has adopted a directive on dealing with atmospheric pollution from large industrial plant, as well as air quality standards for nitrogen dioxide. The Community's Council of Ministers has also come out in favour of the general introduction of lead-free petrol from 1989 and will consider how to curb pollution from large combustion plants. Faced with problems on such a huge scale, the fourth programme sets out an overall strategy to reduce atmospheric pollution by defining the most appropriate preventive measures for the pollutants that present the greatest risks. Specific measures are also foreseen to reduce pollution caused by certain means of transport and by substances such as photochemical oxidants.

- *Less noise.* Community directives lay down methods for measuring noise and fix maximum levels for noise from cars, lorries, motorcycles, tractors, subsonic aircraft, lawnmowers and building-site machinery. A recent measure provides for stipulation of the noise level of household equipment and proposals have been put before the Council of Ministers to cover helicopters and rail vehicles. In the future the European Commission will work to develop a more global anti-noise policy, not simply focusing on sound levels from products.

- *Better control of chemical products.* A Community directive has established a general procedure for notification, evaluation and control of chemical substances put on the market after 18 September 1981. Rules have also been made for the classification and labelling of dangerous substances. Since 1986 there is also the *European inventory of existing commercial chemical substances* (EINECS), which lists all the chemical products put on the market before the 1981 directive and should enable the scope of that measure to be widened. A range of Community legislation already sets biodegradability standards for detergents and classification, packaging and labelling standards for pesticides, solvents and paints. The Community has also restricted the use of several dangerous substances, including PCBs, asbestos, certain phytopharmaceutical preparations, and the fluorocarbons that are used in aerosols and reduce the ozone layer which protects us from ultraviolet radiation. Other measures, drawn up following the Seveso accident and reinforced in 1986, are intended to forestall the risk of major accidents associated with certain industrial activities and to limit their effect by laying down safety measures and contingency plans.

- *Safety from the risks involved in biotechnology.* Recent years have seen spectacular advances in live-organism technology. The fourth programme provides for the definition of an overall approach to protecting the environment from possible dangers in the use of genetically modified organisms. As there is so far scant national legislation in this area, the human and environmental risks involved in the production, use and disposal of new organisms should be classified and controlled at European level. All deliberate use of such organisms in the environment should also be subject to notification and consultation procedures.

- *Greater nuclear safety.* The Community has worked out basic standards to protect population and workers from the dangers of radioactivity. It is carrying out a good deal of research, particularly on reactor safety and on the transport and storage of radioactive material. Following the Chernobyl disaster, the European Commission is studying the possibility of setting emission standards for nuclear installations and of taking new measures on harmonizing reactor safety criteria, on the transportation of radioactive material and on the handling of nuclear waste.

Conserving nature and natural resources

- *More rational management of land.* Land is one of the most limited and sought-after of natural resources; the way it is used very largely determines the quality of the environment. More than 80% of the Community consists of land under cultivation and of forests. The Community has undertaken studies on such varied topics as integrated protection of crops and farmland, the ecological aspects of large drainage and irrigation projects, the spreading of livestock effluents, the use in farming of sludge from sewage treatment plants and the use of pesticides. As a result several pesticides have been banned and there has been a recent directive on sludge. In 1987 the Community is launching a first programme (on a modest scale: 30 million ECU over five years) to protect forests from fire and air pollution. Another major priority in the conservation of resources is protection of the soil. The fourth programme includes measures to deal with the main causes of soil degradation: contamination by dangerous substances, physical degradation (particularly erosion) and soil misuse. The Community will also continue its efforts, involving its agricultural and regional policies, to help coastal and mountainous zones where the environment is threatened by the great changes of the times (rural depopulation, tourism, etc.). It will also look at ways of reversing the decline of certain urban areas.

- *Conservation of fauna and flora.* Nature's genetic variety is threatened by the growing scarcity and even the disappearance of certain species. The Community as such observes the International Convention on Trade in Endangered Species: its rules in this respect often go further than the Convention itself does. It has also put an end to the importation of products made from the skins of baby seals and has just adopted a directive curbing the use of animals in scientific

experiments. Another Community directive, on the conservation of wild birds, is designed to protect their habitats and limit hunting and sale, particularly by banning non-selective methods of killing and capturing. Finally, the Community gives financial support to some projects for conserving natural habitats and intends to broaden the scope of its efforts and draw up new measures to protect all species of fauna and flora.

- *Management of waste and promotion of clean technologies.* Every year the Community produces more than 2 000 million tonnes of waste, much of it a source of pollution or toxic. About 80% of this waste is capable of being reused or recycled in the form of raw materials or energy. Community rules are in force to control the disposal and reclamation of waste, of used oil and toxic and dangerous products in particular. Transportation of dangerous substances from one country to another is subject to control procedures and rules for prior notification. There are also joint research programmes to reduce the amount of waste that cannot be reclaimed and to develop the recycling of urban and industrial waste as well as its use in agriculture and energy production. Specific recommendations have been made on the reuse of old paper, cardboard and drinks containers. To go on from there, the European Commission will submit a communication to the Council of Ministers on more rational management of waste and on maximizing reuse and recycling. Since prevention is better than cure, the Commission intends to increase the support it gives to innovatory projects in technologies that are 'clean' (causing less pollution, producing less waste and using less energy and raw materials).

Scientific research

To provide the scientific data needed to implement its environmental policy, the Community has developed a dynamic research policy. Much joint work is carried out in the laboratories of Member States as well as in the Community's own. Some of the research undertaken to date has been concerned with protection of the environment as such: the effects of pollutants on health and ecology, the effect of chemical products, quality of air, water and soil, recycling of waste, clean technologies, etc. Other research projects deal with nuclear safety, climatology and natural hazards, major technological risks and the remote sensing from space of pollution and agricultural resources. These are expected to be the central research themes until the end of the decade.

International action

Environmental problems often go beyond the borders of the Community, which is a signatory to several international conventions on the protection of fauna, flora, the atmosphere, fresh water and sea water. The positions of Member States in various international bodies are coordinated; the Community exchanges information with countries throughout the world and carries on joint research work with non-member

European countries. As pollution problems are intensifying all over the planet, the Community must intensify its international action. Great attention is given by the Community to the environmental problems of the Third World, so the European Commission and the EIB are sensitive to the possible effects on the environment of projects financed by Community aid or loans. The Community is also giving increasing technical and financial support to the struggle against such great scourges as desertification, tropical deforestation and degradation of soil and water; it is studying at the moment how best to control exports from Europe of certain dangerous chemical products.

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On the occasion of the European Year of the Environment, the European Community reiterates its appeal to all its citizens: in order to improve protection of the environment, the Community needs their support and their initiative. The achievement of more harmonious and balanced development, created on a real improvement in the quality of life, depends on the choices made every day by each one of us ■

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