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R E P O R T

of the Committee on the Environment, Public Health and
Consumer Protection

on the results of the North Sea Conferences

Rapporteur: Mr Paul STAES

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A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

* = Consultation procedure requiring a single reading

**II = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

**I = Cooperation procedure (first reading)

*** = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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On 2 April 1990 the President of the European Parliament announced that the motion for a resolution by Mr Collins and others on ending industrial waste dumping in the North Sea had been referred to the Committee on the Environment, Public Health and Consumer Protection, pursuant to Rule 63 of the Rules of Procedure.

At its meeting of 26 April 1990 the committee decided to draw up a report and appointed Mr Staes rapporteur.

It considered the draft report at its meetings of 26 April 1991 and 31 May 1991.

At the latter meeting it adopted the motion for a resolution by 14 votes to nil, with 3 abstentions.

The following took part in the vote: Schleicher, acting chairman; Scott-Hopkins and Iversen, vice-chairmen; Partsch, acting rapporteur; Avgerinos, Banotti, Bertens, Green, Caroline Jackson, Jensen, Langenhagen (for Alber), Muntingh, Oomen-Ruijten, Pollack, Simmonds, Vittinghoff and Vohrer.

The report was tabled on 4 June 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

MOTION FOR A RESOLUTION

on the results of the North Sea Conferences

The European Parliament,

- having regard to the motion for a resolution by Mr Collins and others on ending industrial waste dumping in the North Sea (B3-0453/90),
 - having regard to its previous resolutions on protection of the North Sea and the measures required to achieve this,
 - having regard to the positions and resolutions adopted in this respect by the Council and the Commission,
 - having regard to the motions for resolutions on the results of the North Sea Conferences,
 - having regard to the decisions of the recent North Sea Conference in The Hague,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (A3-0163/91),
- A. points to the urgent need to take drastic action to clean up the North Sea,
 - B. notes the efforts already made by some Member States and the many initiatives which still have to be taken to make the North Sea once again a viable environment in the interests of ecology, recreation, fisheries, shipping, tourism and the inhabitants of the coastal regions,
 - C. notes that some progress has been achieved at the North Sea Conferences, believes that the decisions taken at the recent conference in The Hague suggest that this process is slowing down, but that this problem can be solved through a more liberal interpretation of the 1990 agreements,
 - D. refers to the forthcoming conference in Denmark in 1995 and to the interim conference planned for 1993 which will be concerned with the problem of pesticides in particular and agriculture in general,
 - E. resolves to call on the countries participating in the North Sea Conferences and the Commission, as contracting partners, to take the action set out below;

Legal

1. Recommends that they include arbitration procedures in their joint agreements, in order to make the legal proceedings provided for in the Treaty more effective;

2. Recommends that they ensure that their agreements will take precedence over the legislation of the Community, the Member States and the regions, so that they will in future be genuine international treaties;

With regard to the policy principles

3. Recommends that the precautionary principle, as defined in the explanatory statement to this report, be explicitly recognized as a fundamental principle of all proposals for EC legislation on protection of the marine environment;
4. Recommends including in their undertakings commitments on results together with a definite time scale;
5. Recommends a commitment to the need for tackling pollution at source (emission) and not as it affects the environment (emission), using as a basis the clean production principle, which is a logical consequence of the precautionary principle;
6. Recommends systematically replacing the principle of best available technology with that of clean production methods and technology, with priority for alternatives to the use of dangerous substances and processes; in cases where ministerial agreements have accepted the principle of best available technology this technology should be carefully defined and identified, with detailed reasons why a given technology is the best available and how it can be brought in line with the precautionary principles;
7. Recommends that these principles for North Sea policy should also be applied in full to other European seas such as the Baltic, the Irish Sea, the Atlantic and the Mediterranean;

With regard to implementation of the resolutions

8. Recommends taking legal action against cosignatories which fail to implement the decisions; calls in particular on the Commission, as cosignatory of the Treaty and in line with its working programme for 1991, to institute legal proceedings against Belgium because of the continuing high level of pollution of the Scheldt and the Maas, with the adverse affect on supplies of drinking water;
9. Recommends establishing a uniform measuring method so that recorded values are comparable; the lack of uniform measuring methods, conclusive scientific proof of damage to the marine environment or generally accepted data on current levels of pollution must not be used as an excuse for failing to take legislative action;
10. Recommends, with regard to the interim conference of 1993, calling for appropriate measures to be taken so that data can be gathered in respect of each Member State on the production, import and use of the various chemical substances which are used as pesticides;
11. Recommends, with regard to drafting proposals for EEC legislation
 - that this work should not be confined to the 36 priority dangerous substances included in Annex 1A of the Ministerial Declaration of 7 and 8 March 1990,

- formulating proposals for a reduction in the use of all substances which are regarded as dangerous to health and the environment, as evidenced by the fact that they occur on the black and grey lists of international conventions, with a view to the eventual phasing out of their use and replacement with clean production methods; the Member States and EC bodies should enter into the same commitments in respect of any international agreements in which they are involved as partners;
- 12. Recommends, as a approach to sectoral problems of pollution, drawing up proposals for EC legislation for at least those sectors specified in Annexes IB and IC of the Ministerial Declaration, together with the setting of specific timetables for the phasing out of these activities;
- 13. Recommends focusing more attention on the emission of dangerous substances with absolute priority for organic chlorine and phosphorus compounds, not least as a means of avoiding the astronomically high costs of environmental pollution and damage to public health;
- 14. Recommends a review of agricultural policy as a matter of urgency to solve the unacceptable problems of nutrients and nitrogen; nutrients regarded as less harmful, such as liquid manure surpluses, should be included in view of the very substantial volume involved;
- 15. Recommends that the proposal for a directive on dumping and incineration at sea should be resubmitted and adopted forthwith and that it should also include a total ban on the storage of dangerous and radioactive waste on the seabed;
- 16. Recommends scrapping once and for all any plans for the construction of waste islands and recommends focusing on dredger spoils since dumping of spoils at sea is equivalent to waste dumping at sea which is banned by international treaties;
- 17. Recommends a ban on the discharge of radioactive waste in the marine environment and the construction and/or expansion of nuclear facilities;
- 18. Recommends that the North Sea as a whole be declared a special area pursuant to the Marpol Convention;

With regard to the future

- 19. Recommends strict compliance with the commitments entered into in respect of the North Sea Action Plans;
- 20. Recommends, as far as the territory of the EC is concerned, that supervision of compliance with commitments should be entrusted to EC controllers who are independent of the national industrial interests of the Member States, pursuant to the proposals contained in the Commission's fourth Environment Action Programme;
- 21. Recommends that the participants address themselves to the best available authorities within the Member States to ensure that the decisions of the conference are implemented as effectively and as rapidly as possible, taking into account the statutory or constitutional process of regionalization and decentralization in a number of Member States, and

to avoid a situation in which the reorganization of States, which can drag on for a long time, acts as a brake on progress;

22. Recommends drafting proposals for an EEC regulation on environmental auditing which includes the following requirements:
- identifying and classifying all types of use of dangerous substances and processes,
 - creating an operational plan for reducing and ultimately phasing out dangerous substances and processes and for gradually introducing clean production technology and processes instead;
- recommends that an appropriate timetable be drawn up and that this information be freely available to the public;
23. Instructs its President to forward this resolution to the Council, the Commission, the countries taking part in the North Sea Conferences and all countries, including those outside the EEC, bordering the European seas mentioned in this report.

B.

EXPLANATORY STATEMENT

1. THE SITUATION TODAY

Introduction

- 1.1. North Sea Conferences have been held in Bremen, London and The Hague. The fourth conference will take place in Denmark in 1995, preceded by an interim conference in 1993 which will be concerned with the problem of pesticides in particular and agriculture in general.
- 1.2. The North Sea Conferences have resulted in agreements whereby the participating countries have undertaken to take a number of measures and to accept policy principles.
- 1.3. In the event of non-compliance with these agreements, only the signatories to the agreement can take legal action; this has not occurred hitherto. It appears that this is possible only via what is known as 'exceptio non adimpleti contractus' because there is no arbitration procedure for the North Sea Conferences.
- 1.4. The agreements have been signed not only by a number of Member States of the EC (mainly North Sea riparian states) and the European Commission through its Commissioner for Environmental Affairs, but also non-Community countries (Norway, Sweden and Switzerland).
- 1.5. If the international agreements of the North Sea Conferences are incompatible with decrees, laws or directives/regulations of the regions, Member States or the Community, the former do not necessarily take precedence over the latter. Only if the participating countries and the Community ensure that they become international treaties in the strict sense of the word (cf. the Vienna Convention on the Law of Treaties, 1969) will they have precedence over other legal decisions.

Evaluation

A. Principles

- 1.6. The three North Sea Conference that have taken place so far have brought about a major rethink on pollution of the environment and ways of tackling it. For example, major policy principles have been formulated as the basis for political action.
- 1.7. In the Third North Sea Conference Ministerial Declaration the signatories agreed to 'continue to apply the precautionary principle' as a basis for future policy-making.

The precautionary action approach to environmental protection is based upon pollution prevention, rather than pollution control.

Historically, production and waste management systems have proliferated with far too little consideration for environmental and human health consequences. In its initial stages, environmental policy has followed

an approach based on 'allowable' emissions, or discharges. This approach is often termed the 'assimilative capacity' or 'dilute and disperse' approach to pollution because it is based on the assumption that the environment has a capacity to receive, and render harmless, the vast quantity, variety and complexity of industrial inputs.

The widespread acceptance of the precautionary action approach by international forums and national governments reflects the fact that the traditional 'permissive' approach does not represent a sound scientific approach to the protection of the environment. The existing body of scientific literature makes it clear that even the most sophisticated environmental impact assessment models contain substantial inherent uncertainty due to the overwhelming diversity and complexity of biological species, ecosystems and chemical compounds entering the environment. What were once considered perfectly safe levels of particular inputs into the environment have subsequently been deemed unsafe. The legacy of environmental degradation attests to this fact.

The essence of precautionary action is that, if further environmental degradation is to be minimised, precaution and prevention should be the overriding principles. Its application would imply the significant reduction and, ultimately, elimination of contaminants, especially persistent toxic substances.

The precautionary action approach requires giving the benefit of the doubt to the environment and human health rather than to the contaminant; it does not therefore require waiting for scientific proof of often irreversible ecological damage. The burden of proof of conclusive harm to ecosystems and human health should not be on those concerned with environmental protection. If the pattern of environmental degradation is to be reversed, the burden of proof of no likelihood of harm should be on the prospective polluter.

The precautionary action approach implies a shift from giving the contaminant the benefit of the doubt to giving the benefit of the doubt to the environment and human health.

- 1.8. Another important principle is that of the obligation to take effective action. However, there is little unanimity as to implementation of this principle. Some countries, such as the Netherlands, have accepted the obligation. Others, such as Belgium, have not. There is a distinction here between the obligation to take effective action, the obligation to arbitrate and the obligation to achieve results. Legal studies have suggested that what is at issue is the obligation to achieve results, which is in fact easier to monitor.

What is quite unambiguous is the fact that the signatory countries have no choice in respect of implementation. They are obliged to comply with an international agreement which they have signed.

- 1.9. The signatories of the Third North Sea Ministerial Declaration have agreed to take as a basis for further action towards the reduction of pollution in the North Sea the further development and use of non- and low waste processes and environmentally non-hazardous products. In fact, the precautionary action approach can and should be implemented through

the introduction of low- and non-waste processes, and above all, of clean production methods.

Clean production can be defined as production systems, including agricultural production, which avoid or eliminate hazardous waste and hazardous products. Inputs of water, air, soil, energy and all other raw materials are renewable and reusable and conserved. Goods produced in clean production systems are compatible with biological processes and ecosystems throughout their entire product life-cycle including:

- raw material selection, extraction and processing
- product conceptualization, design, manufacture and assembly
- all phases of materials transport
- industrial and household usage
- reintroduction of the products into industrial systems or nature when they no longer serve a useful function.

Clean production does not include end-of-pipe pollution controls such as filters and scrubbers, or chemical, physical or biological treatment. Measures which reduce the volume of waste by incineration or concentration mask the hazard by dilution or transfer pollutants from one environmental medium to another, and they are also excluded.

1.10. Finally, the principle of best available technology has been accepted. However, interpretation of this principle has been too restrictive. Here, too, there is a difference in approach between combatting pollution at source (emission) or pollution as it affects the environment (emission). The United Kingdom tends towards the latter interpretation, the other countries towards the former. The European Court of Justice in Luxembourg will have to rule on this matter, but good environmental management can only involve the emission approach. All proposals for EEC legislation should be based on the clean production principle instead of the principle of best available technology. A precise definition of what 'best available technology' means and a continuous process of evaluation are of fundamental importance to the implementation of this principle.

1.11 The acceptance, albeit in too restrictive a sense in some respects, of major policy principles which will benefit the fight against pollution affords a prospect of a cascade effect. If a principle is accepted at an international level it is all the easier to defend it at a subordinate level, whether that is the level of the EC, the Member States or the constitutionally recognized regions. There are therefore significant ways of influencing policy.

B. Application

1.12. The agreements resulting from the North Sea Conferences therefore involve obligations; in the event of non-compliance legal action maybe taken, if only by the co-signatories of the agreements. As mentioned above, this has not happened so far. It would be desirable - and from Parliaments point of view advisable - if one of the Member States were to be requested to take such legal action against another Member State. One example is the pollution of the rivers Scheldt and Maas in Belgium, which both play a major role in pollution of the North Sea. Despite all the possible efforts and blandishments by the Netherlands - which has to put up with the very serious effects of pollution of the two rivers - even

today, after some 20 to 30 years, there has been no appreciable improvement. The situation has reached a point where the Netherlands has deferred its consultations with Belgium following a proposal by the Walloon regional government to supply the Netherlands with drinking water by pipeline instead of from the Maas.

The Commission could officially request the Dutch Government to take such legal action. As a co-signatory of the North Sea Agreement it could also take independent proceedings against Belgium, particularly as in its 1991 programme of work it proposes (with regard to the environment) '... adopting a more vigorous approach towards monitoring implementation in the Member States of Community directives ...'. Community directives on the protection of surface waters are crystal clear.

- 1.13. Implementation of such agreements is not always simple. Mention need only be made of recent comments by the Commission that the feasibility of implementing the latest North Sea Conference decisions is quite illusory. Only a few of the decisions can be implemented, it says, referring in particular to reducing dioxins and heavy metals.

Moreover, the measuring methods are not uniform and the results are therefore not comparable within the EEC. For example, the decision that a given substance should be reduced by 70%. 70% of what? What about laying down a European measuring method? An agreement to this effect is an extremely wearisome process. The Commission believes that it would take years for directives to enforce a reduction in pollution.

Given the CORINE-programme, set up by Council Decision 85/338/EEC, which amongst others was meant to 'facilitate the assessment of the impact of environmental measures by improving the comparability of data and providing a methodological framework for gathering and processing information about the environment in the Community'; and given the various working groups set up by PARCOM¹ to establish agreed monitoring and measuring methods, e.g. on calculating nutrient inputs; and given the fact that the Joint Monitoring Group of PARCOM and NSTF² is to establish a Working Group on Quality Assurance which aims to 'develop, implement and maintain a system to achieve and maintain comparability of environmental data', the implementation of the common actions on hazardous substances as agreed by the signatories of the Third North Sea Ministerial Declaration should proceed according to the proposed timetable.

Given the acceptance of the precautionary action approach, the lack of conclusive scientific evidence, the lack of agreement on measuring methods or the lack of generally accepted data on existing levels of pollution cannot serve as an excuse for inaction.

With a special view to the interim North Sea Conference in 1993, which is to focus on agriculture, adequate measures must be taken to collect baseline quantitative data on pesticides, including production, import and consumption data of specific chemicals on a country-by-country basis.

¹ Paris Commission

² North Sea Task Force

- 1.14. The fact that the text of the declaration following the third conference in The Hague includes the words '... if necessary ...' in connection with incorporation of the decisions in national and European legislation, does not alter the fact that the agreements of the North Sea Conferences have been reached, that they are binding and that they can be enforced. None of the signatories can get round this, given the supra-national nature of international agreements.

C. Escape routes

- 1.15. Adopting decisions does not mean that, once they are put into practice, there are no back doors and escape routes. This is particularly true of the BAPS substances. The decisions of the third North Sea Conference reduce the number of BAPS substances to 36. This is far too little, even though the 36 are very important substances. There is a suspicion that these substances are not the priority choice from a much greater range but that so far only 36 BAPS substances have been properly investigated and that they have been selected for this reason; not because they cause the greatest and most pressing problems.

In fact these 36 substances should be removed from the environment altogether. The intention is that they should no longer be used in production by about the year 2000. That would also put an end to all the fuss about standards and measurements, since there can never be a water-tight approach to this problem. A far better approach is to concentrate on groups of products and not substances, the most important priority group being the organic chlorine and organic phosphorus compounds. An appropriate strategy would be to phase out the use of these substances while applying the clean production principle. Once again, the starting point is the precautionary principle.

According to the Third North Sea Ministerial Declaration the precautionary action approach should apply, as a priority starting point, to all substances that are persistent, toxic and liable to bioaccumulate. The Declaration also states that the signatories will apply 'the precautionary principle to coordinate initiatives to reduce nutrients inputs'. This suggests that the application of the precautionary action approach is not limited to substances which are persistent, toxic and liable to bioaccumulate.

As early as the Second North Sea Ministerial Declaration the signatories had committed themselves to the precautionary approach for hazardous substances in general by stating that 'in order to protect the North Sea from possibly damaging effects of the most dangerous substances, a precautionary approach is necessary'.

- 1.16. Another escape route is the approach by industrial sectors where again there is a problem of limitation. The five or six sectors which are now being tackled following the decisions of the North Sea Conferences are not enough. In Belgium alone there are 56 industrial sectors, each organized in its own federation. Moreover, the principle adopted has been that of best available technology. It would be better to use the principle of clean production.

2. IMPLEMENTATION OF DECISIONS

2.1. Reduction and phase-out of inputs of hazardous substances

Clean production is not a science fiction which can only be implemented years from now. It is available now and applicable now. As early as 1986, for example, the United States Office of Technology Assessment has, as early as 1986, issued a report which stated that the generation of hazardous wastes in the US could be halved within five years using clean production methods then available.

It is therefore essential for the reduction and phasing-out of hazardous substances to be part of an overall strategy based on a mandatory system of environmental auditing involving clean production audits (see 3.6.1).

2.2 Emission of dangerous substances

The Commission says that there is nothing it can do here. Clean production is not something out of science fiction: it can be put into practice. As early as 1986 the US Office of Technology Assessment decided in a report that half of all problem waste could be eliminated within the space of five years. All industrial processes would have to be involved, sector by sector. A phase out, linked to a strict timetable, is the appropriate approach for clean production. The enormous costs involved in all waste treatment and dumping and the astronomical costs of clearing up anything that goes wrong are very cogent financial and economic arguments. Then there are the social costs of a polluted environment, with all that this implies for health. For this reason alone, clean production has advantages for industry even when viewed in the light of traditional economic criteria. The substances mentioned in section 1.15. should be tackled immediately both in industry and in agriculture. Organic chlorine and organic phosphorus compounds have absolute priority. As far as pesticides are concerned, Annex 1B lists the priority substances, lindane and DDT.

2.3. PCB's

The Commission proposes incineration; this is not the right approach. It is an environmentally-incompatible method of disposal, as the conference decisions say in as many words. For the time being, the solution appears to lie only in temporary storage, pending the availability of acceptable detoxification systems. Thorough research is currently being carried out into such systems both within and outside the EC. Guaranteed safe storage, with regular inspections and reports, is the appropriate approach.

2.4. Nutrients

Nothing appears to be happening in this respect. Given the opposition of several Member States which are unwilling to reorganize their agricultural policy, this means that the Commission is blocking initiatives. The same is true of the policy on nitrogen. Here, too, no action appears to be taken by the EC as such to implement the North Sea Conference decisions, even though the Commission has subscribed to them. A number of nutrients that are not regarded as dangerous are being

discharged in such enormous quantities that an unacceptable level of damage is being caused.

Manure, an essential agricultural nutrient, is currently discharged from intensive animal production farms or leached from on-field application in such excessive quantities that the recipient freshwater and marine ecosystems cannot assimilate it. These products must be addressed through EC legislation and redirected farm support under the revision of the EC Common Agricultural Policy.

2.5. Dumping and incineration at sea

There is a Commission proposal dating from 1985 but the directive has been blocked by the United Kingdom. The situation is fairly surreal. The United Kingdom has now, through the London Dumping Convention, abandoned its resistance and now shares the Commission's view. The issue has been completely overtaken by events because the international community has now stopped the incineration of waste at sea. The proposal should therefore be resubmitted and adopted forthwith in line with what is happening in practice. It may be assumed that the Commission will no longer have any objection to it. As far as dumping of waste is concerned, the decisions could be circumvented in that various proposals and more or less vague plans have been developed, not least by the United Kingdom, to bury waste (possibly nuclear waste) in the seabed regardless of whether the facilities are accessible from the coast or not. The North Sea is not a graveyard or a waste tip, either above or below the sea bed. Dumping under the seabed - like building waste islands - is something that must be rejected.

In this context special attention must be paid to dredging spoils. In all too many instances this is just one variant on dumping waste at sea given the rather dubious composition of most river beds in the Community. This is a particularly effective way of scattering waste matter in the marine environment and it should be rejected out of hand.

2.6. Pollution by ships

The annexes to the Marpol Convention talk of setting up 'special areas' such as the Waddenzee. Given the degree of pollution, the vulnerability of the region, the large quantities discharged and the great volume of traffic and the interests of the coastal areas around the North Sea in respect of conservation of nature and recreation, it seems advisable to propose the North Sea as a 'special area' within the meaning of the Marpol Convention. The Commission is also working on disaster plans for shipping. It remains to be seen what these proposals involve.

2.7. Radioactive waste

To prevent further radioactive pollution of the North Sea environment, it will not be sufficient to continue to apply the Best Available Technology to reduce radioactive discharges. To safeguard the marine environment the principle of precautionary action should be implemented to the fullest extent possible.

EC legislation on protecting the marine environment from radioactive waste should therefore prohibit the construction or licensing of new

nuclear reprocessing plants, as well as the expansion of nuclear activities at existing plants. In addition, a general prohibition of the discharge of radioactive waste into the marine environment is required.

2.8. Protection of natural habitats

The Commission proposal for a directive on the protection of natural and semi-natural habitats and of wild fauna and flora³, on which Parliament delivered an opinion on 19 November 1990, is currently under discussion by the Council.

3. THE FUTURE

- 3.1. If the agreements pursuant to the North Sea Conferences, to which the Commission is a signatory, are subsequently included in Community policy as such, other European Seas will also benefit because the same principles and criteria will then apply to the Atlantic coast, the Irish Sea and part of the Baltic. All the regulations applicable to the North Sea will then also apply to all the other European Seas.
- 3.2. Every country which is a signatory to the North Sea Conference must draw up a North Sea action plan by the end of 1991: an action plan which is operational in nature. Parliament can only urge the Commission itself and the Member States concerned to adhere faithfully to this commitment. Member States should also strictly adhere to what has been agreed.
- 3.3. Parliament calls on the Commission to adopt a far more liberal interpretation of the decisions of the North Sea Conference. Parliament, for its part, has already undertaken to go beyond those decisions on the basis of the principles described in the foregoing.
- 3.4. The 'spirit of London' (the second North Sea Conference which stimulated action to tackle the problem) was not present at The Hague. The third North Sea Conference was confined to measures for implementing the decisions. Declarations of intent such as clean production and the aim of reducing pollution to zero by the year 2000 (Zero-200) are not reflected in the decisions taken at The Hague. Instead of talking simply about agriculture and pesticides in 1993 it would be better to use the occasion to take up the opportunities missed at The Hague so that a start can be made with the same drive in 1995. Action should also be taken to resolve the issues in points 1.15 and 1.16.
- 3.5. Within the Community supervision of practical compliance with the decisions can be entrusted to EC inspectors who, by analogy with the IAEA⁴ nuclear safety inspectors - would not carry out inspections in the country of which they are citizens. Creating a network of EC inspectors above national interests is a proposal which the Commission has already launched in respect of its Environmental Action Programmes.

³ Cf. COM(88) 0381 final, COM(90) 0059 final and doc. A3-0254/90 - the MUNTINGH report

⁴ International Atomic Energy Agency

3.6. With the 1993 interim conference and the fourth North Sea Conference in 1995 in mind, Parliament proposes that the new policy principles which have already been adopted should be expanded to include the following:

3.6.1. Clean production audits

Clean production audits identify the sources of and the means to eliminate persistent and toxic substances, processes and wastes.

They should apply to all industrial activities, and include:

- the quantitative and qualitative identification of all uses of toxic substances, toxic processes and toxic wastes
- the identification of applicable clean production substitutes in industrial production processes - on an industrial sector basis
- the development of a plan, tied to a specific time-scale, for a reduction in the use of toxic substances and processes, and their substitution by clean production methods
- verification of these data by competent authorities.

The findings of environmental audits, and of their verification, should be accessible to workers, local communities, shareholders and the general public, and not be subject to any industrial confidentiality clause.

An approach such as this which addresses itself to the problem of waste through the application of clean production methods makes sound economic sense. The tremendous costs associated with waste treatment and disposal would be greatly reduced, as would the astronomical costs associated with clean-up and other remedial activities.

More importantly, the social costs of a degraded environment and resulting pollution induced health problems, would be greatly reduced. Not only do economic benefits often accrue to the waste generator immediately, but in the longer term the economic benefits will become apparent, particularly if the social costs of environmental degradation traditionally excluded from economic analysis are included as part of the real costs of a particular activity.

3.6.2. Reduction and phase-out of priority substances

The hazardous substances defined in 1.15 should be immediately targeted for significant reduction with a view to their phase-out by eliminating the processes and products in which they are used and by replacing them with clean production methods and clean production systems, in industry as well as in agriculture.

Phase-outs should concern groups of products or, in the case of an industrial sector approach, should include at least the industries mentioned in Annexes IB and IC on the basis of explicit deadlines. Phase-outs should also include processes that give rise to the discharge of the substances defined as hazardous. Immediate emphasis should be given to organic-chlorine and organic-phosphorous compounds which constitute about 60% of the substances identified in the priority list of Annex IA.

EC legislation to facilitate the phase-out of hazardous pesticides must not be restricted to pesticides listed in Annex IB, but special attention must be given at least to all pesticides which have been

detected in the North Sea, especially lindane and DDT. All pesticides are 'very toxic' according to the classification of dangerous substances in EC Council Directive 67/548/EEC.

At the same time priority should be given to promoting non-chemical means of pest control through financial and technical support in the framework of the forthcoming revision of the EC Common Agricultural Policy.

Renewals for discharge and emission permits should only be granted when the application to release pollutants into the environment is accompanied by a detailed phase-out plan tied to a specific timeline, and adherence thereto.

3.6.3. The principle of best-available authorities. This principle is directed towards those regions which are recognized constitutionally or statutorily by their states. In quite a number of cases environmental policy is centralized in the countries in question. The regional authorities should also be able to monitor implementation of the agreements pursuant to the North Sea Conferences. They should be encouraged, pursuant to the powers they enjoy, to take over the decisions of the North Sea conferences direct, in the form of regional decrees and in their licensing in policy, particular in instances where national environmental policy proves defective. There is no reason whatsoever why they, as regional authorities, should wait for national legislations to be introduced. Should this create a legal hiatus, this should be made good at EC level. The purpose of this principle is that practical implementation of the decisions of the North Sea conference should be the responsibility of the most appropriate authority.

3.6.4. Public authorities and governments tend to trumpet on at great length about decisions which, for example, reduce a major form of discharge by half. The fact that half the level of pollution is still left is something which tends not to be highlighted; the bottle is neither half full nor half empty. Given the enormous degree of pollution that has already been caused and the deplorable state of the North Sea, even a spectacular and (almost unimaginable) reduction in pollution to the level of the self-cleaning capacity of rivers and seas is still not enough. This will be a feasible option only if we were talking about a normal cleaning up operation. The level of pollution is so great and the 'watering-down' approach (slowing down toxic discharges and consolidating the level of pollution for the future) so hypocritical, that the environment must be given the opportunity of recovering by adopting levels which are far below the self-cleaning capacity. What this means is the target of 'Zero-2000'.

Motion for a resolution pursuant to Rule 63 of the Rules of Procedure by Mr Collins and others on ending industrial waste dumping in the North Sea (B3-0453/90)

The European Parliament,

- recognizing the North Sea as a vital ecosystem surrounded by highly industrialised areas,
- and that for many years the North Sea has been the dumping ground for industrial and domestic wastes and there is international recognition that the North Sea needs protection and that Nations share this responsibility,

whereas the last North Sea Ministerial Conference agreed to 'phase-out dumping in the North Sea of industrial wastes by 31 December 1989, except for inert materials of natural origin or other materials which can be shown in the competent international organisations to cause no harm to the marine environment;' (section XIV; article 22a),

- whereas all North Sea states except the UK have ended the practice of dumping industrial waste at sea,
 - whereas the UK has 22 current industrial waste dumping licences scheduled for renewal in 1990,
 - whereas several countries have objected to recent industrial waste dumping licences made by the UK pointing out the available alternatives and that the materials pose a risk to the marine environment,
 - whereas the Governments of Norway, Sweden and Denmark supported by the Federal Republic of Germany have called for an extraordinary meeting of the Ad Hoc Working Group on Dumping under the terms of the prior justification procedure of the Oslo Commission,
1. Calls upon the Commission to request the UK government to end industrial waste dumping in line with the written declaration of the North Sea Conference;
 2. Calls upon the Oslo Commission to reject the UK licence applications.