



COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT

pursuant to the second subparagraph of Article 189 b (2) of the EC-Treaty

CONCERNING THE COMMON POSITION OF THE COUNCIL
WITH A VIEW TO ADOPTING THE EUROPEAN PARLIAMENT
AND COUNCIL DECISION ADOPTING A PROGRAMME OF
COMMUNITY ACTION ON POLLUTION-RELATED DISEASES
IN THE CONTEXT OF THE FRAMEWORK FOR ACTION IN
THE FIELD OF PUBLIC HEALTH

The entry into force of the Treaty of the European Union conferred upon the Community particular competence with regard to public health. In order to attain the objectives set out in Articles 3(o) and 129 of the Treaty establishing the European Community, the Commission, in its Communication COM (93)559 final on a framework for action in the field of public health, laid down pollution-related diseases as a priority area for Community action.

In 1997 the Commission proposed a programme of Community action on pollution-related diseases¹ with the aim of improving information on and prevention of diseases linked to environmental pollution, and increasing of the level of knowledge and understanding about perception, assessment and management of risks related to them. In addition, the Commission proposed to support activities aimed at preventing and reducing respiratory diseases and allergies. These diseases have significantly increased throughout the Community, representing a growing socio-economic burden. They can be prevented by means of improving the public's knowledge of the factors that play a role in them or by adapting the affected individual's lifestyle.

The rationale of the proposed action programme on pollution-related diseases is to complement Community environmental policy targeted at the reduction of pollutants at source, and efforts to limit their concentrations in the various environmental settings or people's exposure to such concentrations. It might not always be technically or economically feasible to reduce emissions or limit exposure, and public health action is targeted at adverse health effects linked to such conditions. The prevention of pollution-related diseases draws upon knowledge of relationships between pollutants and diseases. The proposed programme would therefore also review relevant information gained from Community research projects.

The programme aims to bring about a Community wide understanding of key issues concerning pollution-related diseases and their prevention, and intends to increase

¹ COM (97) 266 final, OJ N° C 214 16.7.97, p. 7-10

cooperation so as to avoid unnecessary duplication and speed up the adoption of the best solutions to problems common to Member States.

The Economic and Social Committee (ECOSOC) adopted its opinion on 29 October 1997².

The opinion is favorable towards the proposed programme on pollution-related diseases. The ECOSOC warmly welcomes and endorses it, emphasizing the importance of compiling scientific data on the causal relationship between pollution and disease, and of collating and evaluating existing data. In this respect, the ECOSOC urges the Commission to ensure that the proposed measures are consistent with and complementary to other Community action relevant to pollution-related diseases. Finally, it requests an indicative outline of the funding requirements for the years 2000-2003, and it urges the budgetary authorities to ensure that these are subsequently met.

The Committee of the Regions (COR) adopted its opinion on 20 November 1997³.

The COR points to the proliferation of pollution-related diseases and the need for action in the Community. It recommends that the proposed programme should pay special attention to environmental health risks for children. In the opinion of the COR, expenditure under the proposed programme should increase by a sizeable amount after 1999 in order to make a telling contribution in the fight against pollution-related diseases.

The European Parliament adopted its opinion on 11 March 1998⁴, which contains 12 amendments to the original Commission proposal. Four amendments were to clarify actions covered by the original proposal and have been taken up in the modified Commission proposal⁵. The others aimed to broaden the scope of action to an unacceptable degree, were not consistent with previous decisions on public health action programmes, or proposed a budget beyond the financial perspectives as they currently stand.

The Council, acting by qualified majority, adopted a common position on 30 April 1998 with a view to adopting a programme of Community action on pollution-related diseases.

With the Netherlands voting against the common position, the Commission accepted a text put forward by the Presidency of the Council in order to allow adoption of a common position by the Council. However, in doing so, the Commission entered the following statement in the minutes of the Council meeting of 30 April 1998:

“The Commission, whilst accepting the text of the common position of the Council, wishes nevertheless to state that limitation of the duration and scope of the programme is regrettable, and that reference to Article 228 of the EC Treaty in Article 6(1) is not appropriate. Moreover, reference in recital N° 17 to the programme being of

² OJ N° C 19 21.1.98, p. 6-8

³ OJ N° C 64 27.2.98, p. 91-95

⁴ ON N° C

⁵ COM (98) 231 final

developmental nature is not appropriate and should be replaced by the words 'the fact that it constitutes the first set of actions in the field'".

The reserve of the Commission reflects the following concerns:

- **Article 1 and Annex (Duration and scope of the programme):** The common position of the Council has limited the proposed programme to three years of action (1999-2001) and to work of a developmental nature only. At a stroke the focus on training initiatives, information campaigns and assistance to self-help groups which the Commission proposed to direct towards the prevention of respiratory diseases and allergies has disappeared from the programme. In view of the millions of Europeans who suffer from respiratory diseases and/or allergic symptoms, the Commission considers it important to start without delay Community action on the prevention of these diseases, for which policies, measures, and best practice already exist. It is for this reason that the Commission suggested that this programme constitutes the first set of actions in this field.
- **Article 6 (1) (International cooperation):** In the Commission's view the reference to Article 228 of the EC Treaty is not appropriate since this article is used only in relation to the conclusion of international agreements and not for technical cooperation within the context of an agreed programme.
- **Article 7 (2) (Monitoring and evaluation):** It is not feasible to present an evaluation report in the third year of action, which would, on the basis of the common position of the Council, be the last year of operation. Most actions, if they are to have an effect, take more than a year to implement; a proper evaluation can therefore be conducted only well after the end of the programme.

The Commission notes that the Council accepted an advisory type committee to assist it in the implementation of the programme.

The Commission points out that, if the European Parliament approves this common position within the next three months, as laid down in Article 189b (2a) of the Treaty, the Council 'shall definitely adopt the act in question in accordance with that common position'.