

Resolution of the 14. German Bundestag adopted at its 243rd Session on June 14th, 2002

concerning the

Communication from the EU Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the Sixth Action Programme of the European Community for the Environment: “Environment 2010: Our Future, Our Choice” and on the Proposal for a Decision of the European Parliament and of the Council Laying down the Environmental Action Programme 2001 – 2010

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I. The German Bundestag states:

Following the Communication from the European Commission on the assessment of the Fifth Action Programme (Europe’s environment: what directions for the future? – Global assessment of the European Community programme of policy and action in relation to the environment and sustainable development, “Towards sustainability”), the Commission has now submitted the proposal for the Sixth Action Programme.

In response to the Earth Summit on Environment and Development, the Fifth Environmental Action Programme drafted an ambitious vision for sustainable development in Europe. This vision culminated in the incorporation of sustainable development as a Community objective in the Treaty of Amsterdam. It also gave rise to the principle of integration, the aim of which is to integrate protection of the environment into all other areas of policy. A further important element of the Fifth Action Programme was its emphasis on working in partnership with the business community on the basis of shared responsibility.

The Programme helped to bring the guiding principle of sustainable development to notice throughout Europe. But despite a number of ecological improvements and despite the enactment of integrative environmental protection legislation in various areas (IPPC directive, framework directive on air quality), the Commission notes that in practice the Programme has led to only limited progress with regard to sustainable development and the integration of environmental protection into other policy areas. The Commission also states, however, that there has been significant progress in a few sectors (e.g. reduction of emissions from individual plants into the air and surface waters, improvements in air quality).

This Sixth Action Programme 2001 – 2010 lays down the “key environmental objectives and priorities of the current and a future enlarged Community that will contribute to the Community’s sustainable development strategy.” The Sixth Programme seeks to establish itself as an ambitious and essential pillar of the European sustainable development strategy, which the Commission was requested by the Council at Helsinki to prepare by June 2001. The intention therefore is to anchor and explain the ecological dimension underpinning the sustainability strategy. The Programme is also directed at sustainable development in the Candidate Countries, particularly since they will become members of the Community during the lifetime of this Programme.

The Commission identified the strategic areas of action listed in the Sixth Action Programme against the background of its fear that “the quality of the environment would continue to deteriorate unless:

- more progress was made in the implementation of environmental legislation in Member States;
- integration of environment into the economic and social policies driving the pressures on the environment was improved and deepened;
- stakeholders and citizens took more ownership of efforts to protect the environment;
- new impetus (was) aimed at addressing a number of serious and persistent environmental problems as well as a number of emerging concerns.

In its Communication the Commission outlines “strategic approaches” applying across the spectrum of environmental issues that are designed to assist the Community to achieve its environmental objectives. These are:

- to “improve the implementation of existing legislation” on the environment,
- to step up integration of “environmental concerns into other policies”,
- to encourage “the market to work for the environment”,
- to help citizens and consumers make more informed choices and empower them,
- to provide assistance in land-use planning decisions.

All measures are to be based on “sound scientific data and information.”

The Commission states, however, that it wishes to focus special attention on four priority areas for action: “tackling climate change”, “nature and bio-diversity – protecting a unique resource”, “environment and health”, and the “sustainable use of natural resources and management of wastes”. For these areas the Commission lays down specific objectives and “priority actions” that are to be pursued in the Programme.

However, both the qualitative and the quantitative objectives, as well as the actions proposed to pursue these objectives, are formulated in very general terms. The German Bundestag is therefore of the opinion that the Communication of the Commission fails to satisfy the requirements. One of the demands that emerged from the assessment of the Fifth Action Programme was that from the outset, the programme and strategy should contain concrete quality targets, timetables and monitoring plans. With the exception of climate change policy, these are largely absent from the present Communication.

In the environmental areas selected, many useful considerations are discussed and sound strategic actions proposed, including taxing energy products, introducing economic incentives for environmentally friendly products, factoring in actual environmental costs, using certifications and eco-label schemes, taxing the consumption of raw materials and removing subsidies that encourage the over-use of resources.

There is, however, an almost total lack of precise figures on how which quality targets are to be met, using what means, and on what timescale, as well as on how they are to be monitored.

If this Action Programme is to be successful, it will need to apply reliable monitoring and performance comparison systems, with any such systems also extended to cover voluntary agreements. For this purpose the Commission must, with the agreement of the Member States, submit in the foreseeable future (at the latest by the Rio+10 Conference in 2002) a scoreboard developed in conjunction with the European Environment Agency and EUROSTAT, which will facilitate a realistic assessment of the overall environmental situation. Using this as a benchmark, it will then be possible to measure progress and make it comprehensible to the public at large.

Only by providing the citizens of Europe with clear and unvarnished information will it be possible to make good the loss of trust identified by the Commission as one of the reasons for the limited success of the Fifth Action Programme. It is essential for the Commission, in particular, to keep the public better informed on failures with regard to implementation, and on the reasons and responsibility for these failures. The Commission needs to develop information dissemination strategies ("name, shame and fame strategies") for the relevant sectors and issue specific directives. Proposals for specific strategies need to be submitted by the time of the Rio+10 Conference and be incorporated in regular two-yearly progress reports.

II. The German Bundestag calls on the Federal Government

to draw verifiable consequences from the weaknesses and shortcomings of the Fifth Environmental Action Programme and make a corresponding input into the preparation and implementation of the Sixth Action Programme:

1. The Sixth Environmental Action Programme seeks to become an ambitious and fundamental pillar of the European sustainability strategy that the Commission was requested by the Council at Helsinki to prepare by June 2001. This will ensure that the central ecological dimension underpinning the sustainability strategy is firmly anchored and explained. The programme and strategy should contain concrete (quality) targets, timetables and monitoring schedules. Insufficient progress has been achieved so far in integrating environmental protection into the areas of transport, industry, agriculture and energy in particular, and renewed efforts are needed. In addition, further areas such as research and tourism should also be included in the process. There is a need for targets for specific sectors and procedural arrangements to ensure that integration is effective.
2. With regard to stimulating the “development of a global partnership for the environment”, as quoted in Article 2(9) (and Article 8(5) respectively), it is intended that the Sixth Action Programme will also confront global challenges in the field of environment and trade. Trade and environmental policy should complement each other with regard to sustainable development. In fresh negotiations with the WTO there is a need to maximize positive synergies between the liberalisation of trade, particular in relation to market access, environmental protection and economic development. Trade regulations must not be allowed to stand in the way of the development of effective environmental policies.
3. Developing and controlling the implementation of environmental law in the member states is the most important instrument the Community possesses to improve environmental quality and achieve the objectives of the Programme. The Federal Government should step up its efforts to implement environmental legislation and must emphatically support the Commission in its efforts to improve implementation.
4. European statutory environmental regulations must continue to play an important role in the future. A trend can be observed in European legislation away from the specification of limit values and towards framework directives and their definition through process-oriented, economic and voluntary measures. The potential efficiency of such measures can only be fully exploited if they are combined meaningfully with each other and mutually complement each other. Instruments such as voluntary commitments on the part of the business community and industry should be subject to thorough

and contemporaneous monitoring. The regulations should include appropriate sanctions.

5. The internalisation of external environmental costs in market prices proposed by the Commission should be pursued through a standard Europe-wide tax on energy and a drive to remove ecologically damaging subsidies, for example in the transport sector (lack of a tax on aviation fuel) or agriculture.
6. The Federal Government is called on, in line with the requirements of an integrated environmental policy, to carry out and support good regime design on all levels, as recommended in the report of the German Advisory Council on Global Change (WBGU) "World in Transition - New Structures for Global Environmental Policy". This includes sectoral regimes, networking between (governmental and non-governmental) stakeholders, reorganisation of the work of the Commission (to ensure that environmental requirements are considered in the preparation of all Commission initiatives), the effectiveness of international conferences, the efficiency of multilateral organisations.
7. As greater consideration is given to environmental criteria, the financial resources and financial policy of the Community and its institutions must be aligned more strongly to sustainability. By 2005 at the latest all financial aid that has a substantial negative impact on the environment must end. The EU's aid policy must take greater account of the requirements of a sustainable environmental policy. Preference should be given in the awarding of public contracts to goods and services that are environmentally benevolent during their entire lifetime.
8. For the purposes of keeping the public informed and reinforcing the dialogue with citizens, recourse should be made to innovative mechanisms of communication that have not hitherto been used, such as information dissemination strategies (quality seals) or internet conferences. Implementation of the OSCE Representative's "mobile.culture.container" project on the freedom of the media should be examined for the whole Union, particularly the Candidate Countries, since this could be an extremely effective means of establishing a dialogue, particularly with young citizens who have not yet been reached.
9. In addition to the proposed measures, the "monitoring and evaluation of results" (Article 10) should be expanded to include regular progress reports to be submitted to the European Parliament for appraisal after adoption of the Programme at two yearly intervals.