Environment: agreements at Community level and simplification of the regulatory environment

2002/2278(INI) - 13/05/2003 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Guido SACCONI (PES, Italy) based on the own-initiative report on the Commission communication. Parliament welcomed the Commission's initiative to present the terms on which environmental agreements at Community level should be drawn up but deplored the fact that this had taken the form of a non-binding communication instead of a proposal for a general legislative framework on environmental agreements. Traditional legislative instruments must continue to be the normal means of achieving the environmental policy objectives laid down in the Treaties. The use of environmental agreements may be a useful alternative and/or complement to legislative measures where they bring improvements of equivalent or broader scope than those achievable by means of traditional legislative instruments. Parliament went on to state that the sources of environmental pollution are no longer concentrated in industrial facilities but lie in manifold economic activities and consumer behaviour. This limits the scope for solving them through simple command-and-control. It agreed with the distinction made by the Commission between two types of environmental agreement (self-regulation and coregulation), but asked the Commission to define a clear set of criteria for determining the choice between those two instruments. It is necessary to define a series of essential prerequisites for the conclusion of an environmental agreement which would be valid irrespective of the specific sector to which the agreement is applied. Parliament suggested the following: - environmental impact assessment: the decision to make use of a voluntary instrument rather than a legislative act should be based on a comparative analysis of the potential impact of the two instruments in environmental, economic and social terms and in terms of administrative costs; - definition of the objectives: every voluntary instrument should indicate clear, quantified and measurable objectives, as well as the deadline for achieving them. - representativeness: the use of a voluntary instrument presupposes participation in and commitment to honouring the agreement on the part of a vast and representative majority of operators in the sector, so as to rule out the risk of 'free riding'; - consultation and involvement of civil society: all the parties involved should be informed of the intention to make use of a voluntary instrument and should be able to formulate observations at any stage in the procedure; - monitoring and assessment mechanisms and possible penalties in the event of the agreement being a failure should be clearly defined. Achievement of the objectives set and, where relevant, intermediate objectives, must be verified at regular intervals, for example by means of 'environmental verifiers'. The European Parliament and the Council should be kept informed by the Commission about the application of the agreement. If the results achieved do not meet the agreed objectives the legislator may ask the Commission to submit a legislative proposal to replace or supplement the environmental agreement.