Basic information

2002/2278(INI) INI - Own-initiative procedure	Procedure completed
Environment: agreements at Community level and simplification of the regulatory environment **Subject** 3.70 Environmental policy 8.50.02 Legislative simplification, coordination, codification	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	ENVI Environment, Public Health, Consumer Policy	SACCONI Guido (PSE)	05/11/2002

European Commission	**Commission DG**	**Commissioner**
	Environment	

Key events

Date	Event	Reference	Summary
17/07/2002	Non-legislative basic document published	COM(2002)0412	Summary
16/01/2003	Committee referral announced in Parliament		
23/04/2003	Vote in committee		
23/04/2003	Committee report tabled for plenary	A5-0123/2003	
13/05/2003	Decision by Parliament	T5-0205/2003	Summary
13/05/2003	Debate in Parliament		
13/05/2003	End of procedure in Parliament		
17/03/2004	Final act published in Official Journal		

Technical information

Procedure reference	2002/2278(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55

Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/19024

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0123/2003	23/04/2003	
Text adopted by Parliament, single reading		T5-0205/2003 OJ C 067 17.03.2004, p. 0029-0127 E	13/05/2003	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2002)0412	17/07/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1029/2002 OJ C 061 14.03.2003, p. 0142	18/09/2002	

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

2002/2278(INI) - 17/07/2002 - Non-legislative basic document

PURPOSE : to encourage environmental agreements at Community level, while safeguarding the Commission's right of initiative and the right of control of the European Parliament and the Council. CONTENT : the European Commission wishes to encourage the preparation of voluntary environmental actions as well as environmental agreements at Community level, over a wide range of sectors, going beyond those where the Commission has announced its intention to propose legislation. In line with the 'Action Plan on the Simplification and Improvement of the Regulatory Environment' adopted by the Commission in June 2002, the Communication proposes that environmental agreements at Community level can be acknowledged in the framework of self-regulation or coregulation. - as regards self-regulation, an agreement can be acknowledged by an exchange of letters or by a Commission Recommendation. In order to ensure that the agreement effectively contributes to the attainment of the environmental objective, proper monitoring and reporting mechanisms are crucial. The Recommendation could therefore be complemented by a Decision of the European Parliament and the Council establishing an appropriate monitoring system. Such a model has already been applied in the past when the Commission decided to acknowledge the commitments of the European, Korean and Japanese carmakers on the reduction of CO2 emissions from passenger cars. - concerning co-regulation, environmental agreements are integrated in a more binding and formal manner into a legislative act. The co-legislators (Council and European Parliament) establish the essential aspects notably the environmental objective to achieve at a given deadline as well as monitoring requirements whereas the economic operators themselves commit to implementing the detailed modalities under an environmental agreement. The Commission intends to recognise and make use of environmental agreements at Community level on a selective case-by-case basis. Since the instrument will not necessarily be the most appropriate in all circumstances, it is helpful to identify a limited number of policy areas in which environmental agreements could offer an added value or in which parties have already expressed an intention to present agreements. All in all, leaving aside purely spontaneous decisions initiated by stakeholders in areas in which the Commission has neither proposed legislation nor expressed an intention to do so, not more than four to six environmental agreement are likely to be considered during the remaining term of office of this Commission : - An early candidate would be the PVC Strategy. - Similarly, environmental agreements might be considered as part of the follow-up to the Green Paper on Integrated Product Policy. The precise identification of the possible scope of environmental agreements in this field will of course depend on the outcome of the ongoing discussion of the Green Paper. - Other policy areas to be considered for the effective application of the instrument are in the fields of waste management as well as climate change. The existing agreements on CO2 reductions from passenger cars might be complemented by similar environmental agreements for light commercial vehicles (LVC). In addition, the Communication "Towards an integratedEuropean railway area" proposes voluntary commitments concerning the retrofitting of in-use rolling stock to meet the environmental requirements applied to new rolling

stock as a possible policy measure. Lastly, the Commission will continue to explore possibilities to develop other additional modalities that might complement the two models outlined above.

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.