

24. stresses the need to ensure that, in the absence of harmonisation, where some Member States apply legislation

in advance of another, trade between the Member States would not be adversely affected.

Brussels, 15 November 2001.

The President
of the Committee of the Regions
 Jos CHABERT

Opinion of the Committee of the Regions on the 'Communication from the Commission: The Clean Air for Europe (CAFE) Programme: Towards a thematic strategy for air quality'

(2002/C 107/24)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission entitled 'The Clean Air for Europe (CAFE) Programme: Towards a thematic strategy for air quality' (COM(2001) 245 final);

having regard to the Commission's internal working document entitled 'Clean Air for Europe' (CAFE) (SEC(2001) 688);

having regard to the decision of the European Commission of 5 May 2001, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee of the Regions;

having regard to the CoR Bureau decision of 12 June 2001 to instruct Commission 4 — Spatial Planning, Urban Issues, Energy and the Environment — to draw up its opinion on the subject;

having regard to its Opinion on the Commission's Proposal for a Directive of the European Parliament and of the Council on national emission ceilings for certain atmospheric pollutants and the Proposal for a Directive of the European Parliament and of the Council relating to ozone in ambient air (CdR 358/1999 fin) ⁽¹⁾;

having regard to the Draft Opinion CdR 203/2001 rev., approved by Commission 4 on 8 October 2001 for which the rapporteur was Mr A. Paiva (President of Tomar Municipal Council, P-PPE),

adopted the following opinion by unanimous vote at its 41st plenary session of 14 and 15 November 2001 (meeting of 15 November).

1. General comments

1.1. Improving air quality in Europe remains a constant concern. The fact that air is still polluted constitutes a threat to both human health and the environment. It is vital to provide a link-up with the sixth Environmental Action Programme, giving a boost to sustainable development and recognizing the need to channel efforts into creating 'sustaina-

ble cities' where a healthy economy can exist alongside good quality air (and other aspects of human health and the environment). The Clean Air for Europe programme (CAFE) has to adopt a comprehensive, holistic approach to this problem, focusing on urban areas which are the key to 'clean air' for the people of Europe and their environment.

1.2. The establishment of a programme specifically focusing on air quality is highly important; its aim is to provide an instrument for improving quality of life, for forging links between a variety of activities and in particular for securing sustainable development in urban areas.

⁽¹⁾ OJ C 317, 6.11.2000, p. 35.

1.3. In this connection it is essential that the following fundamental issues be broached:

- the incorporation of specific policies on air quality into a coherent policy approach and a link-up between this and sectoral policies;
- reassertion of the principle of using scientific back-up for devising policies;
- involvement of all the various parties concerned;
- acknowledgement of the need for particular attention to those sections of the population most vulnerable to the effects of air pollution (especially children, older people and people with respiratory problems);
- recognition of the relationship between given levels of exposure to atmospheric pollution, spatial planning and consumer behaviour;
- guaranteed application of the subsidiarity principle, given that many actions have to be carried out at local and regional authority level;
- recognition of the need for increased resources to back up the proposed strategy and ensure its objectives are properly met;
- the establishment of a system for monitoring the results to guarantee and check up on quality.

2. Recommendations

2.1. General assessment

2.1.1. The present proposal is disappointing because it adopts an over-general approach and does not cover aspects of, and specific arrangements for, tying this new programme in with the various other current actions having an impact on air quality.

2.1.2. Although the proposal recognises the importance of connecting air-quality policies with specific sectoral policies, no methods are proposed for implementing this which might enable priorities to be defined and any clashes between programmes to be resolved.

2.1.3. The first phase of the programme focuses too much on particulate matter and ozone. Although these pollutants are problems requiring a short-term response and directly or indirectly involve a large number of emission sources, this narrow focus on a limited area does restrict the programme in its aims to incorporate a wide range of relevant issues. For example, problems of climate change and persistent organic pollutants, which raise a wide series of questions involving different levels of intervention, are not broached.

2.2. *The scientific basis to air-quality policies*

2.2.1. The document refers, in overly vague terms, to developing existing mechanisms for making use of currently available scientific knowledge when formulating policies, priorities and strategies.

2.2.2. The link-up with the Sixth Framework Programme for Research and Technological Development (6th FP), although highlighted in the Commission document, gives rise to a number of concerns. The version of the 6th FP under discussion does not deem atmospheric pollution to be a research priority. It only discusses the link between environmental exposure and health as regards exposure to small doses of pollutants. Moreover, according to the timetable which has been laid down, the projects to be financed under the 6th FP will not be completed in 2004, which is the year scheduled for developing this thematic programme.

2.2.3. Various groups and initiatives have been set up to look at atmospheric pollution, which have a potentially important input to make and these fall outside the scope of the European Union's framework programmes for research. These include initiatives undertaken by the Council of Applied Sciences and Engineering (Euro-CASE), the European Science Foundation (ESF), the European Programme for Cooperation in the field of Scientific and Technical Research (COST), and the EUREKA initiative which includes the EUROTRAC atmospheric pollution programme.

2.2.4. Mechanisms will have to be devised to guarantee effective access to the latest scientific knowledge.

2.3. *The Protagonists*

2.3.1. The role which various institutions will play in CAFE is not clear. This is true for the European Environment Agency (EEA) and the ETC-AQ (Energy Technology Cleaning House — Air Quality), both bodies which have important responsibilities for compiling and producing information and technical analysis.

2.3.2. Public involvement is overly geared to a 'top-down' approach which basically views the public as receivers of information.

2.3.3. Recognition of the importance of establishing links between atmospheric pollution and spatial planning, either in terms of emissions or the potential impact on health and the environment, should mean that local authorities have an important role to play here. However, only passing reference is made to this in the Commission document.

2.3.4. Pro-active involvement on the part of local authorities is vital at several levels:

- their spatial planning responsibilities mean that they have the ability to influence the location of emission sources and the sections of the population exposed thereto;
- as part of their spatial planning responsibilities, they have a say in how local transport networks are organised and how sustainable alternatives are developed;
- as part of their planning activities and in line with the suggestions in this proposal, particular attention will have to be paid to those sections of the population most vulnerable to atmospheric pollution;
- in contacts with the general public, either in terms of providing information or promoting public involvement;
- in the involvement of various local bodies in policies dealing with air quality;
- in the link-up between any policies and actions implemented in the tier above municipalities, which are likely to have a regional impact on air quality.

2.3.5. As part of a pro-active or official approach, it may be necessary to match local authorities' degree of involvement with new powers and the necessary economic and practical resources, above and beyond their present responsibilities.

2.3.6. Since this strategy aims to act as a catalyst and given that the subject matter is recognised as being highly complex, it is vital that information on scientific knowledge and associated uncertainties be accurately passed on to decision-makers and the public. In this connection it is important to encourage closer relations between the scientific community, decision-makers, local operators and the media.

2.4. *Scientific, technical and organisational aspects*

2.4.1. A number of questions remain open on scientific, technical and organisational issues which are fundamental for implementing the programme. These include:

- defining the processes and responsibilities for collating, processing and checking the validity of air quality and air-emissions data;
- setting out the possibility of including data from other ('unofficial') sources, as long as they are first subject to quality control;
- setting up databases accessible to the scientific community and those involved in the strategic decision-making processes;

- using air-quality simulation models in support of decisions by, for example, adopting one modelling system for use throughout the European Union;
- promoting the development and use of emissions and air-quality forecasting models as support tools for local and regional management;
- ensuring there is a link between air-quality monitoring and modelling capabilities and the information needed for analysing possible impact on human health;
- developing environment and health information systems allowing links to be established between cause and effect and enabling preventative or remedial actions to be undertaken;
- setting up thematic working groups to provide continuous support for policy formulation with the necessary financial support;
- defining mechanisms for implementing the programme (organisation, human and technical resources and funding).

2.5. *Management principles*

2.5.1. Steps to set up an effective programme, allowing continuous, sustained intervention aimed at improving air quality, should be based on a series of management-oriented principles:

- CAFE will have to be an integrated, long-term programme geared to devising measures for improving air quality in the EU;
- CAFE must not merely involve harmonising developments already under way (specifically legal developments) but should be a dynamic programme for actively managing EU decision-making processes;
- CAFE should operate over well-defined periods of time (for example 5 years), including the development of measures/instruments, monitoring, scientific review and strategic development;
- CAFE will have to set up a solid system at EU level for setting binding air quality objectives for a series of specific pollutants;
- CAFE will have to require Member States or the authorities they appoint to set up systems for assessing air quality in their territories;

- CAFE will have to ensure that Member States draw up plans and action programmes to respond to situations where the ambient air quality does not meet the pre-defined criteria;
- CAFE will have to put a monitoring system into operation, based on quality guarantees and checks on short- and medium-term results, to apply to all parties concerned;
- CAFE will have to draw up arrangements for a complete, coherent system for producing, collating, processing, transmitting and publishing information. Information exchange between the various parties concerned could be depicted as follows:

Research ↔ Technical analysis ↔ Strategy ↔ Decision-making

Brussels, 15 November 2001.

The President
of the Committee of the Regions
Jos CHABERT
