



Recommendation of the Council  
concerning the Reduction of  
Environmental Impacts from  
Energy Production and Use

**OECD Legal  
Instruments**

This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at <http://legalinstruments.oecd.org>.

**Please cite this document as:**

OECD, *Recommendation of the Council concerning the Reduction of Environmental Impacts from Energy Production and Use*, OECD/LEGAL/0149

Series: OECD Legal Instruments

© OECD 2018

---

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: *"This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website <http://legalinstruments.oecd.org>"*

---

## **Date(s)**

Adopted on 12/10/1976

## **Background Information**

The Recommendation concerning the Reduction of Environmental Impacts from Energy Production and Use was adopted by the OECD Council on 12 October 1976 on the proposal of the Environment Committee (now called Environment Policy Committee). The Recommendation advises Adherents to integrate environment and energy policies, introduce pricing of energy products, use environmental considerations in the siting of energy facilities, off-shore oil and gas exploration, coal mining, and take measures to reduce sulphur oxide emissions.

**THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Recommendation of the Council of 14 November 1974 on Energy and the Environment [C(74)222];

**HAVING REGARD** to the Secretary-General's proposals for follow-up action to the Long Term Energy Assessment [C(74)259];

**HAVING REGARD** to the Report of the Task Force on Energy and the Environment [ENV(76)6];

**HAVING REGARD** to the Recommendation of the Council of 18 June 1974 on Guidelines for Action to Reduce Emissions of Sulphur Oxides and Particulate Matter from Fuel Combustion in Stationary Sources [C(74)16(Final)];

**HAVING REGARD** to the Recommendation of the Council of 14 November 1974 on Measures Required for Further Air Pollution Control [C(74)219];

**RECOGNISING** the need to take into account the problem of the long-range transport of air pollutants;

**RECOGNISING** the need for policy actions to reduce adverse environmental impacts from energy production and use, while maintaining and developing programmes for the rational use of the energy, including its conservation;

**RECOGNISING** that energy policy objectives and environmental policy objectives of Member countries for the next decade are either already compatible or can, with adjustment, be made compatible;

**On the proposal of the Environment Committee;**

**I. RECOMMENDS** that Member countries, in the planning and implementation of their energy and environment policies, ensure that:

- i) Environment policies and energy policies are integrated, both at the formulation stage and the implementation stage;
- ii) The public is objectively informed and its views are sought;
- iii) Land use planning is employed, which takes into account environmental protection goals;
- iv) Consideration is given as to differences in costs and benefits to these directly affected and to the nation as a whole when examining energy production and use;
- v) Energy prices include pollution control costs and moreover that consideration be given to the inclusion in such prices of damage costs associated with the production and transport of energy;
- vi) Consideration is given now, in consultation with other Member countries, to the fundamental changes which may arise after 1985 in energy resources development, conversion and use and their environmental implications;
- vii) Energy conservation measures which have positive environmental effects should be promoted;
- viii) Efforts are made to accelerate the development and exploitation of new and existing energy sources, and that in so doing, due respect is given to environmental requirements and adequate precautions are taken to minimise environmental impacts.

**II. RECOMMENDS** that Member countries, when developing their policies for the siting of major energy facilities, ensure that:

- i) Solutions acceptable to the interested parties are actively sought within the siting decision process;
- ii) Legislative or administrative means be found to encourage the development of siting policies at national level as part of energy development and environmental policies;
- iii) Electricity and heat utilities be encouraged, wherever appropriate, to become combined electricity and heat producers, subject to all relevant environmental protection regulations;
- iv) Industrial users be encouraged, wherever appropriate, and where this will lead to improved economic use of resources, to:
  - a) Increase the in-house generated proportion of their total energy requirements and;
  - b) To market surplus energy, and that these measures comply with environmental controls and standards and be co-ordinated with electricity and heat utilities;
- v) Within each country there be a system to assess the environmental impacts of energy facilities (including comparison with those of other industrial developments) either by preparing environmental impact statements or by other comprehensive assessment methods.

**III. RECOMMENDS** that, with regard to exploring or exploiting off-shore oil and gas resources, Member countries recognising that oil pollution of the ocean leads to harmful effects on marine life:

- i) Ensure that sufficient emergency arrangements be made on a national or international basis and that the necessary authority and responsibility be assigned in advance and that the necessary equipment is readily available to deal with possible oil spills and pipeline ruptures;
- ii) Ensure that best available construction, operation techniques and safety standards be applied to prevent oil spills;
- iii) Establish minimum training standards for workers on off-shore platforms and co-operate with industry to provide the courses and facilities which are necessary for the training of these workers in order to prevent accidents and thereby safeguard the environment;
- iv) Examine the adequacy of their regulations with respect to monitoring and enforcement procedures, and provide their monitoring and enforcement agencies with the necessary means to fulfil their tasks;
- v) Evaluate, together with local authorities, the onshore impacts which may result from offshore activities with respect to land use, social, employment, economic and environmental patterns, before the decision to lease offshore areas is taken;
- vi) Develop, in close co-operation with local authorities, long-term coastal land use plans taking into consideration, among other factors, energy and environmental policies.

**IV. RECOMMENDS** that, with regard to surface mined coal, Member countries ensure that:

- i) In the extraction of coal by strip mining the best available mining methods which enable the adequate restoration of the land and hydrological systems should be applied;
- ii) Extraction of coal by strip mining methods is not undertaken in those areas where the land cannot now be adequately restored until a) acceptable mining methods for the

particular terrain are developed, or b) reclamation methods are devised that will restore the land and hydrological systems to an environmentally satisfactory condition;

- iii) The necessary research and development programmes be undertaken to develop mining methods for those strippable seams for which no satisfactory method now exists, and to initiate a large scale programme to develop the technology necessary for the reclamation of land for a wide variety of soil types, including arid areas.

**V. RECOMMENDS** that Member countries, with regard to sulphur oxide emissions:

- i) Participate in an international examination of control strategies needed to reduce emissions of sulphur compounds to acceptable levels in view of their effects on man and the environment;
- ii) Accept the view that the effects resulting from long-range transport of pollutants should be taken into due account by Member countries so that activities within their jurisdiction or control do not cause damage to the environment of other countries.

**VI. INSTRUCTS** the Environment Committee to conduct a survey in Member countries two years hence in order to prepare a report to the Council on specific new measures which were taken, or on existing measures which were reinforced, during the two year period following the adoption of this Recommendation.

## Adherents\*

### OECD Members

Australia  
Austria  
Belgium  
Canada  
Chile  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Iceland  
Ireland  
Israel  
Italy  
Japan  
Korea  
Latvia  
Luxembourg  
Mexico  
Netherlands  
New Zealand  
Norway  
Poland  
Portugal  
Slovak Republic  
Slovenia  
Spain  
Sweden  
Switzerland  
Turkey  
United Kingdom  
United States

### Non-Members

---

\* Additional information and statements are available in the Compendium of OECD Legal Instruments:  
<http://legalinstruments.oecd.org>

## About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

## OECD Legal Instruments

Since the creation of the OECD in 1961, around 450 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.