

EN
E-005046/2018
Answer given by Mr Vella
on behalf of the European Commission
(6.12.2018)

Since the Commission lacks inspection powers in environmental matters, its enforcement actions in this field rely substantially on the evidence provided by third parties, such as complainants. Nor does the Commission have the competence to conduct a full audit of the management of mines, as requested by the Honourable Member.

The Commission can only engage in a meaningful exchange with the competent national authorities on the basis of a reasonable amount of evidence indicating a breach of relevant EU requirements. As stated in the previous replies referred to by the Honourable Member, the Commission has not been presented with sufficient evidence sustaining the alleged unlawful application of the relevant EU environmental legislation in the individual cases referred to, let alone pointing to a problem of compliance of national legislation with EU law or to a systematic failure to comply with EU rules on the management of extractive industries in Galicia.

From a broader perspective, the Commission has considered a number of options to improve environmental compliance assurance on the ground in Member State countries and presented an Action Plan to this effect in January 2018¹. This Action plan aims at ensuring, through specific tailored actions, that Member States have appropriate compliance monitoring mechanisms in place to ensure compliance with and proper enforcement of EU-derived obligations.

¹ Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions - EU actions to improve environmental compliance and governance {SWD(2018) 10 final} Brussels, 18.1.2018 - COM(2018) 10 final.