

FOLLOW-UP QUESTION O-xxx/06

pursuant to Rule 54 of the Rules of Procedure

by Karl-Heinz Florenz (Chairman) and Ria Oomen-Ruijten (Rapporteur), on behalf of the Committee on the Environment, Public Health and Food Safety to the Council

Subject: Environmental protection: combating crime, criminal offences and penalties

On 13 March 2001, the Commission put forward a draft directive on "Environmental protection: combating crime, criminal offences and penalties".

Mrs Oomen-Ruijten was appointed as rapporteur and her first reading report was then adopted in plenary on 9 April 2002.

On the same day, in its legislative resolution on the draft Council framework decision on the protection of the environment through criminal law, the European parliament asks the Council to refrain from adopting this framework decision prior to the adoption of the directive proposed by the Commission.

The Council, however, never adopted a political agreement on this proposal for a directive, and preferred, instead, to adopt the third pillar Framework Decision on the same subject (Council Framework Decision 2003/80/JHA of 27 January 2003 on the protection of the environment through criminal law, OJ 2003 L 29, p. 55; 'the framework decision').

This was then challenged by the Commission and the Parliament in front of the European Court of Justice and, on 13 September 2005, the Court annulled the Framework Decision.

What do the Council plan to do after the Court of Justice Decision?

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