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MOTION FOR A RESOLUTION

further to Question for Oral Answer B6-000/2008

pursuant to Rule 108(5) of the Rules of Procedure

by Miroslav Ouzký,

on behalf of the Committee on the Environment, Public Health and Food Safety

on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States

European Parliament resolution on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States

The European Parliament,

- having regard to the Recommendation of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States (2001/331/EC)
 - having regard to the Communication COM(2007)707 from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States
 - having regard to Rule 108(5) of its Rules of Procedure,
- A. whereas the European Parliament and the Council adopted in 2001 the Recommendation 2001/331/EC, containing non-binding criteria for the planning, carrying out, following and reporting on environmental inspections, recognising that there was a wide disparity between inspection systems in the Member States,
 - B. whereas this Recommendation had the objective to strengthen compliance with Community environmental law and to contribute to its more consistent implementation and enforcement in all Member States,
 - C. whereas Communication COM(2007)707 sets out the Commission's views on the further development of the Recommendation, based on inter alia the reports that the Member States submitted on their implementation of the Recommendation,
 - D. whereas the Communication recorded that the information submitted by the Member States on how they were implementing the Recommendation was "incomplete or difficult to compare",
 - E. whereas the information submitted by the Member States demonstrated that "only a few have achieved full implementation", and that "there are still large disparities in the way environmental inspections are being carried out within the Community",
 - F. whereas according to the Commission the situation of incomplete implementation is partially due to differing interpretations by Member States of the definitions and criteria of the Recommendation and of the reporting requirements,
 - G. whereas the Commission recognises that the scope of the Recommendation is inadequate and does not include many important activities, such as Natura 2000, the control of illegal waste shipments, the registration and authorisation of chemicals (REACH), the restriction of certain hazardous substances in products (e.g. the RoHS Directive), trade in endangered species as well as activities related to genetically modified organisms and producer responsibility systems,

1. Notes with concern the conclusion from the Commission that the full implementation of the environmental legislation in the Community can not be ensured, since this leads not only to continuing damage to the environment but also to distortions of competition;
2. Emphasises that good and even enforcement of Community environmental law is essential, and that anything less deceives public expectations and undermines the reputation of the Community as an effective guardian of the environment;
3. Opposes the Commission's intention of dealing with the problem only through a non-binding Recommendation and through the insertion of specific legally binding requirements in sectoral legislation;
4. Urges the Commission to instead come forward, before the end of 2009, with a proposal for a Directive on environmental inspections, clarifying the definitions and criteria and extending the scope;
5. Considers it to be essential to strengthen the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) and urges the Commission to report, before the end of 2009, on possible ways to do so, including the establishment of a Community environmental inspection force;
6. Instructs its President to forward this resolution to the Council and the Commission.