



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Petitions

2009/2108(INI)

2.6.2010

OPINION

of the Committee on Petitions

for the Committee on the Environment, Public Health and Food Safety

on the implementation of EU legislation aiming at the conservation of
biodiversity
(2009/2108(INI))

Rapporteur: Victor Boștinăru

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SUGGESTIONS

The Committee on Petitions calls upon the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following comments, suggestions and recommendations in its motion for a resolution:

1. Shares the concern expressed by many petitioners in relation to the failure of the European Union to ensure that the 2010 Biodiversity Action Plan was effectively implemented and considers this to be the result of a number of important factors for which the European Institutions, notably the Commission, and the Member States, including their regional and local authorities, are responsible;
2. Stresses the urgency of fully implementing the Birds and Habitats Directives, backed with proper financing, and completing the terrestrial and marine Natura 2000 network; considers the Birds Directive and the Habitats Directive to be the backbone of EU nature protection legislation and, despite the considerable delays in their application, to have proved capable of reversing the trend and checking the disappearance of some threatened species and habitats, where they are fully implemented and financed;
3. Notes that in discussions in the Committee on Petitions the Commission frequently exhibits a lack of resolve to enforce properly the application of environmental directives relating to the preservation of biodiversity, which is demonstrated by its often dismissive approach to citizens' petitions, by its reluctance to open infringement procedures against Member States, and by its frequent failure to recognise the importance of the precautionary principle as a way of preventing biodiversity loss;
4. Urges the European Commission to publish the Communication that it has announced on the future financing of Natura 2000 as soon as possible and in any event during 2010 so that this aspect can be examined together with the new biodiversity strategy until 2020;
5. Notes that fortunately there are examples where the Commission has acted after discussions with the Committee on Petitions, notably in the case of petitions about the route of the Via Baltica, originally scheduled to destroy unique areas of primeval forest and water courses in the Rospuda Valley, a proposal which has now been abandoned in favour of an alternative route which respects the Natura 2000 areas;
6. Gives as examples cases where important petitions have been received but where the Committee has so far failed to obtain the agreement of the Commission to enforce properly the application of EU directives: the Nordstream Baltic Sea gas pipeline, on which Parliament adopted an important report regarding the potential impact on the environment and fragile ecosystems; the environmental impact of massive urbanisation in Spain and its impact on the environment in coastal and island regions;
7. Expresses its concern that in many cases the Commission fails to act pending what it calls the final decisions by Member State authorities; notes, however, that when such 'final decisions' are taken it is often too late to avoid irremediable damage to the local environment and its consequent negative impact on biodiversity and species preservation and protection; notes that the Commission is, in addition, too lenient in terms of deadlines

within which Member States should be obliged to provide responses on possible infringements relating to environmental issues, and too reluctant to conduct objective assessments of its own;

8. Supports the findings of the European Environmental Agency when it states that 'the conservation status of species and habitats protected under the EU Habitats Directive is a cause for concern' and that we should not 'focus all our efforts in preserving islands of biodiversity, while losing nature everywhere else', as this reflects the views very often expressed by European citizens in their petitions to the European Parliament;
9. Calls for a strengthening of the Environmental Impact Assessment Directive, and a much more rigorous interpretation of its objectives, and notes, for example, that under the terms of this Directive the developers of large infrastructure projects themselves conduct the environmental impact assessment in a way which too often lacks objectivity and fails to consider the concerns of local communities and their elected representatives when they seek to defend biodiversity; considers that a common European experts accreditation system is needed;
10. Criticises the apparently increasing tendency of political authorities in the Member States to withhold access to information on the environmental impact of projects from the local citizens concerned, which is contrary to the Aarhus Convention as incorporated into EU law;
11. Urges the Committee on the Environment to take note of the findings of independent experts in research conducted into the application of the Habitats Directive, at the request of the Committee on Petitions, notably as regards a lack of assessment of alternative options to and the cumulative effects of projects, inadequate site management and, when compensatory measures are decided upon, the failure to verify such measures and the fact that they are often carried out too late, if at all, as well as the other proposals and recommendations contained in this report;
12. Calls for more effective trans-border cooperation to preserve biodiversity and the environment in general, in particular in such regions as the Danube River and Delta, the Black Sea, the Mediterranean region and the Baltic areas, as called for by the EEA; considers that, since many Natura 2000 protected areas are directly or indirectly affected by pollution and environmental damage also originates outside Europe, the need to include European environmental standards in our partnership agreements with neighbouring countries should be stressed;
13. Considers that the onus should be placed on the political authorities in Member States to demonstrate how they intend to preserve the environment and its biodiversity when entertaining the idea of new infrastructure developments, rather than on citizens who, through their petitions, appeal for their rights under the directives to be protected;
14. Calls for a serious effort to integrate biodiversity into all relevant fields concerned by EU policies, notably in the context of the reform of the common fisheries policy, the common agriculture policy and the new financial perspectives of the EU; considers that the EIA, SEIA, Habitats and Birds Directives need new tougher guidelines to ensure their correct implementation based on recommendations from Parliament's own committee

responsible, with which the Committee on Petitions will readily work to ensure that citizens' concerns are better reflected in tomorrow's environmental action;

15. Considers that the priority must be the full and effective implementation of current European legislation on the environment and biodiversity and a clear commitment to its objectives; takes the view that if, as we have seen, some improvements must be made, it is essential to concentrate our efforts on enforcement and on making monitoring more effective.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	1.6.2010
Result of final vote	+: 23 -: 0 0: 0
Members present for the final vote	Margrete Auken, Elena Băsescu, Victor Boștinaru, Simon Busuttil, Michael Cashman, Bairbre de Brún, Pascale Gruny, Carlos José Iturgaiz Angulo, Peter Jahr, Lena Kolarska-Bobińska, Erminia Mazzoni, Willy Meyer, Mariya Nedelcheva, Nikolaos Salavrakos, Angelika Werthmann, Tatjana Ždanoka
Substitute(s) present for the final vote	Pablo Arias Echeverría, Sandrine Béliet, Kinga Göncz, Marian Harkin, Axel Voss
Substitute(s) under Rule 187(2) present for the final vote	Enrique Guerrero Salom, Andres Perello Rodriguez