

WRITTEN QUESTION E-2311/07
by Alain Lamassoure (PPE-DE)
to the Commission

Subject: Prevention of forest fires

Following the ECJ judgment of 25 February 1999 on joined cases C-164/97 and C165/97, forests come under environmental policy (article 130 S of the EC Treaty), and are therefore subject to the codecision procedure.

Therefore, the Court annulled Council regulation 2158/92¹, as its legal base was inappropriate, but clearly specified in Justification No 22 that the Commission should propose another regulation with the same subject: 'In view of the subject-matter of Regulations Nos 307/97 and 308/97, the full effect of their annulment might be seriously detrimental to the progress of action undertaken in the Member States, with the support of the Community, for protection of the environment.'

In relation to forest fire prevention measures, these two conditions have not yet been met. When will the Commission take the decision to implement this ECJ judgment?

¹ OJ L 217, 31.7.1992, p.3.