

WRITTEN QUESTION P-1089/01
by Pier Casini (PPE-DE)
to the Commission

Subject: Road works to improve the junction between the Via Emilia and the SS (state highway) Selice Montanara and link the Via Borghi to the Via Marzabotto, in the commune of Imola

Article 152 of the Treaty establishing the European Community requires the European Union to ensure 'a high level of human health protection'. Community policy on the environment, as specified in Article 174 et seq. of the EC Treaty, is based on the precautionary principle and on the principles that preventive action should be taken and that environmental damage should be rectified as a priority. The programme of the current (Swedish) presidency of the Council, moreover, reflects its interest in environmental problems. The preventive principle is enshrined in the provisions of Council Directives 85/337/EEC¹ and 97/11/EC² relating to environmental impact assessment, which recently gave rise to an action for infringement (1999/2181) brought on the basis of Article 226 against Italy with reference to the legislation of certain regions, including Emilia Romagna. Yet the Commune of Imola has allowed work to begin on the project which is the subject of the present question despite the absence of an adequate acoustic impact study or indeed any form of environmental impact assessment. The opinion of the regional environmental agency (ARPA) for Emilia Romagna is basically opposed to the projected road works being carried out without suitable modifications. This matter is also the subject of Petition no. 553/2000 to the European Parliament, which the Committee on Petitions accepted as admissible on 24 January 2001.

In view of the foregoing,

1. What immediate measures does the Commission intend to take to ensure the relevant Italian authorities comply with Community environmental legislation, which the Commune of Imola has flagrantly breached, in the light of the settled case-law of the Court of Justice and the position adopted by the Commission itself in drawing up its reasoned opinion in connection with infringement proceedings 1999/2181?
2. To avert the risk of serious and irreparable damage to the health of citizens living in the area concerned and their right to a wholesome environment, what urgent action does the Commission consider it would be appropriate to support to ensure a serious analysis of the environmental and acoustic impact is carried out and to make such an assessment an essential prerequisite for the implementation of the second stage of the project, which has not been started yet and which, unlike the first part, is due to be financed entirely from public funds?

¹ OJ L175 of 5.7.1985, p.40

² OJ L73 of 14.3.1997, p.5