

WRITTEN QUESTION P-2721/01
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to the Commission

Subject: Natura 2000 - Habitats Directive - France - rescission by court decision of the forwarding of lists of areas in France - consequences for the commitment of LIFE funds

In France, the Council of State rescinded by a judgment of 27 September 1999 (case no 194648) the first notification decisions by means of which the Minister of the Environment had forwarded to the Commission lists relating to 534 areas eligible for inclusion in the Natura 2000 network (decisions of 16 October, 3 December and 9 December 1997).

The Council of State has just, for the second time, penalised the Minister of Regional Development and the Environment, by judgment of 22 June 2001 (case no 219995) because, despite his claims, he was unable to prove that he had genuinely completed the whole of the consultation procedure required by French law before information is forwarded to the European authorities.

The fresh decisions to forward information to the Commission have thus again been rescinded in the case of the 534 areas in question.

France's Minister of the Environment is now compelled to restart his local consultation procedure from the very beginning before forwarding any further information. This decision cannot fail to have legal consequences for the commitment of European funds, particularly under the LIFE programme.

Of the 534 areas in question, which constitute the main areas in France, are any currently receiving cofinancing under LIFE or could any of them be eligible for cofinancing from this European fund? What action will the Commission take in response to the aforementioned decision by the Council of State as regards the commitment of funds under LIFE for the areas which may be affected?