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

2008/2647(RSP) - 20/11/2008 - Text adopted by Parliament, single reading

Following the debate which took place during the sitting of 20 November 2008, the European Parliament adopted by 390 votes to 8, with 11 abstentions, a resolution tabled by 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. Recommendation 2001/331/EC contains non-binding criteria for planning, carrying out, following up and reporting on environmental inspections. Parliament recalls that the recommendation's aim was to strengthen compliance with Community environmental law and to contribute to its more consistent implementation and enforcement in all Member States. A Commission Communication of 14 November 2007 sets out the Commission's views on further development of the recommendation, based, inter alia, on the reports that the Member States have submitted on their implementation of the recommendation. That Communication noted that the information submitted by the Member States on how they were implementing the recommendation was incomplete or difficult to compare. 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.

Parliament voices its concern at the Commission's conclusion that the full implementation of environmental legislation in the Community cannot be ensured, since this leads not only to continuing damage to the environment but also to distortions of competition. It emphasises that good and even enforcement of Community environmental law is essential, and that anything less falls short of public expectations and undermines the reputation of the Community as an effective guardian of the environment. Parliament 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. It urges the Commission instead to come forward, before the end of 2009, with a proposal for a directive on environmental inspections, clarifying the definitions and criteria set out in Recommendation 2001/331/EC and extending its scope. Parliament points out that 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, evaluation, authorisation and restriction of chemical substances (REACH), the restriction of certain hazardous substances in products (e.g. the Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment - the RoHS Directive), trade in endangered species as well as activities related to genetically modified organisms and producer responsibility systems.

Members consider it essential to strengthen the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) and they urge the Commission to report, before the end of 2009, on possible ways of doing so, including the establishment of a Community environmental inspection force. They propose that greater emphasis be placed on supporting environmental education and information provision, the specific content of which would be determined at local, regional or national level on the basis of the needs and problems identified in a given area.