

# **Environment: liability with regard to the prevention and remedying of environmental damage**

2002/0021(COD) - 29/04/2003

The committee adopted the report by Toine MANDERS (ELDR, NL) tabling a large number of amendments to the proposal under the 1st reading of the codecision procedure. The amendments, adopted in many cases by a narrow majority, sought to create a stricter legislative framework while also striking a better balance between the conflicting interests of industry and environmental actors. One amendment broadened the definitions of "European biodiversity" and "biodiversity damage". Another sought to extend the scope of the directive after a five-year transitional period to a large number of areas currently not included, for example nuclear and sea pollution, which are currently subject to specific international conventions, provided that these conventions have not been ratified by the end of the five-year period by the EC and/or the Member States. MEPs also wanted to make procedures speedier and more effective by requiring those responsible for environmentally harmful actions to take appropriate preventive or restorative measures without waiting for the authorities to request that they do so. A further amendment was aimed at reducing the number of exemptions enabling operators to avoid bearing the costs for any environmental damage they have caused. MEPs also voted to oblige, rather than simply "encourage", Member States to promote financial security systems to cover cases where an operator cannot be held responsible for environmental damage.