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Press Release

FOR IMMEDIATE RELEASE

Environmental liability: MEPs have to adopt pragmatic approach

Brussels, 28th April 2003. Ahead of tomorrow’s legal affairs committee vote on environmental liability in the European Parliament, UEAPME, the European crafts and SMEs employers association, calls on MEPs to adopt an approach that will allow this ambitious project to be effective and feasible. “By being overly ambitious, this initiative carries the risk of not delivering the goals it aims to achieve, or even worse bringing more problems than solutions” **Hans Werner Müller**, secretary general of UEAPME commented today. “Therefore,” he argued, “MEPs must assume a pragmatic approach towards the whole problematic”.

A sensible and realistic approach is particularly needed with regard to SMEs, which will deal with numerous new terms and obligations once the directive is implemented. UEAPME further pleads for a directive geared towards sustainable development that remedies the current flaws in the field of environmental damages and liability without jeopardising the interests of businesses.

In that perspective, UEAPME reiterates the need for the future Directive to take into account the following elements. First, it should restrict the definition of biodiversity to the species and habitats designated to form part of the future Natura 2000 network, as it cover a significant proportion of the EU territory and is expected to increase with enlargement.

Secondly, the current permit and state of the art exemption must be maintained. Permits are not a ‘licence to pollute’, but a preventive instrument – they set out strict guidelines, drawn up by the authorities, that take into account specific health, safety and environmental concerns. Furthermore, UEAPME cannot support any amendment calling for the introduction of ERAM.

Thirdly, there is a need to consider a limited liability. It will help maintain the profitability of firms, ensure their future functioning, promote innovation and R&D and secure legal certainty. Moreover, insurances have to be in place and readily available at the time of the entry into force.

Finally, UEAPME backs the introduction of a EU fund that covers the remaining cost of restoration not taken in charge by insurances. But so far, the proposals have not specified which entities will be in charge of funding it. UEAPME pleads for a Member State financed fund.

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