



Declaration nr. 2 **Approved** (with two abstentions) by the EFA GA on 17 April 2015.

Name of the person introducing the declaration: Miguel Martinez Tomey

On behalf of the party: CHUNTA ARAGONESISTA (CHA)

Declaration: Extended liability for environmental damage

Bearing in mind that:

- There are many areas in the EU regions and nations where the environment and people's health have been negatively affected or seriously threatened due to large-scale mining or industrial pollution for many years.

Considering that:

- Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage establishes a common framework for liability with a view to preventing and remedying damage to animals, plants, natural habitats and water resources and damage affecting the land, but does not apply to contamination occurred before April 30th, 2007.
- There are ongoing risks and damages to public health and the environment that originated before the aforesaid date that are not always being duly managed by member States.
- In many instances, member States adduce budget restrictions to justify lack of efficient and/or sufficient action to put remedy to these risks and damages.

The European Free Alliance

1. Calls on the EU to adopt specific legislation to deal with cases of large-scale pollution occurred before April 30, 2007 in order to ensure that liability is claimed in all Member States and that specific plans to guarantee prevention of further damage, to eliminate the existing risks, to restore a good environmental condition to the contaminated land and waters and to allocate sufficient European and national funds to accomplish these goals are designed, carried out and monitored.
2. Demands that all the current exceptions to the application of Directive 2004/35/EC be also addressed by specific EU legislation so that member States and the EU take the responsibility of redressing all the environmental damages and public health risks the exempted activities may cause.