

Beat: News

Commission refers Spain to Court over illegal landfills

European Commission

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USPA NEWS - The European Commission is taking Spain to the Court of Justice of the European Union (CJEU) over poor waste management in the regions of Andalusia, Balearic Islands, Canary Islands, Castile-La Mancha, Castile and León and Murcia.

The European Commission is taking Spain to the EU Court of Justice (CJEU) over poor waste management in the regions of Andalusia, Balearic Islands, Canary Islands, Castile-La Mancha, Castile and León and Murcia. Despite earlier warnings from the Commission, Spain has failed to take measures to close, seal and ecologically restore 61 illegal landfills, as laid down by EU waste legislation. Under EU law, Member States must recover and dispose of waste in a manner that does not endanger human health and the environment, prohibiting the abandonment, dumping or uncontrolled disposal of waste.

Having identified a number of illegal landfill sites, the Commission opened infringement proceedings on the matter in March 2007, with a reasoned opinion following in October 2008. The Spanish authorities promised to close and restore the illegal landfills as part of their action plans before the end of 2011. Due to slow progress, in September 2014 the Commission sent an additional reasoned opinion, urging Spain to adequately deal with the 63 uncontrolled sites, which ““ although not in operation ““ still posed a threat to human health and the environment.

By mid-2015 most of the necessary work for the closure, sealing and regeneration of 61 uncontrolled landfill sites has not yet been planned, approved or initiated. In an effort to urge Spain to speed up the process, the Commission is taking Spain to the European Union Court of Justice. Union law is divided into 'primary' and 'secondary' law. Primary law refers in particular to the Treaties that are the basis for all EU action.

Background

The Waste Framework Directive sets the legal basis for waste treatment in the EU.

It introduces waste management principles such as the 'polluter pays principle' and lays down a binding hierarchy for managing waste. It obliges Member States to take measures to ensure that waste management is carried out without endangering human health and without harming the environment. Waste is to be treated without risk to water, air, soil, plants or animals, without causing a nuisance through noise or odours, and without adversely affecting the countryside or places of special interest.

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