

(English version)

**Question for written answer E-001431/24
to the Commission
Giuseppe Antoci (The Left)
(26 July 2024)**

Subject: The environmental crisis, exploitation of labour and activities of criminal organisations in the intensive agriculture strip in Ragusa province (Sicily)

The situation in the '*fascia trasformata*' intensive agriculture strip in Ragusa province ⁽¹⁾ calls for urgent and decisive action to be taken to combat illegal practices, some of which are backed by criminal groups, so as to restore respect for EU environmental and civil rights legislation.

The entire strip shows signs of serious environmental degradation, exacerbated by criminal organisations which are undermining legitimate agricultural operators. The area, which stretches tens of kilometres, is experiencing systematic violation of a host of EU laws, with access to the sea being blocked and hazardous waste being buried in the now-infamous 'plastic dunes'.

These illicit activities, including the incineration of waste ⁽²⁾ and the mammoth use of pesticides ⁽³⁾, are polluting the soil and aquifers, thereby threatening public health.

These illegal waste disposal activities are being managed by criminal gangs, which are also involved in labour exploitation, as shown by the Catania District Anti-Mafia Directorate (DDA) ⁽⁴⁾ and documented in photos and reports by the Regional Environmental Protection Agency (ARPA) and the Prefect's Office.

Given the serious and persistent nature of these breaches, can the Commission indicate:

1. What specific actions could be taken to restore respect for environmental law in this area?
2. Whether it considers these breaches of EU law to be systematic ⁽⁵⁾?
3. What incentives and assistance could be provided to the competent authorities to safeguard health, workers' rights and the environment ⁽⁶⁾?

Submitted: 26.7.2024

**Answer given by Executive Vice-President Šefčovič on behalf of the European Commission
(5 September 2024)**

1. Member States are primarily responsible for the correct implementation of EU law and should verify individual cases of potential breach of the relevant rules. The Commission's strategic approach focuses on systemic non-compliance ⁽¹⁾.

The new Environmental Crime Directive ⁽²⁾ promotes the protection of the environment through criminal law ⁽³⁾. Member States will have to establish in their national legal orders an up-to-date list of conducts constituting environmental criminal offences as well as concrete dissuasive penalties for both natural and legal persons and adopt measures to facilitate the practical work of enforcers ⁽⁴⁾. This will contribute to the overall protection of the environment including illegal waste management and illegal use of regulated chemicals ⁽⁵⁾.

¹ The area concerned lies in the municipalities of Acate, Comiso, Ispica, Ragusa, Santa Croce Camerina and Vittoria.

² 'Fumaroles' as local residents call them.

³ Some of which is illegally imported from countries outside Europe.

⁴ 'Plastic free' operation of 2019 <https://direzioneeinvestigativaantimafia.interno.gov.it/wp-content/uploads/2024/06/Rel-Sem-I-2023.pdf>.

⁵ https://www.europarl.europa.eu/doceo/document/P-9-2024-000917-ASW_EN.html.

⁶ <https://www.change.org/p/lotta-alle-fumarole-ciaveterottoipolmomi>.

⁽¹⁾ Regarding illegal waste management, Sicily is concerned by the following systemic case: in the framework of INFR(2003)2077, the Court of Justice imposed on 2 December 2014 in C-196/13 a penalty payment of EUR 42 800 000 for the presence in the territory of Italy of 200 illegal landfills, 12 of which in Sicily. From this sum, the amounts corresponding to the landfills brought into conformity have been progressively deducted. In June 2024, there were 11 non-compliant landfills in Italy, 1 of which in Sicily.

⁽²⁾ Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC, OJ L, 2024/1203, entered into force on 20 May 2024.

⁽³⁾ Member States have until 21 May 2026 to transpose the rules of the new Environmental Crime Directive into their national legal systems.

⁽⁴⁾ Including regular training, cooperation mechanisms, sufficient resources and national strategies on combating environmental crime.

⁽⁵⁾ *Inter alia* also of pesticides and biocides.

2. The Commission has no information pointing to a possible systemic misapplication of EU law ⁽⁶⁾.

3. The EU has adopted a large body of legislation on occupational safety and health (OSH), applying to all workers ⁽⁷⁾. The Commission actively monitors the transposition and application of this OSH *acquis* by Member States while the EU Agency for Safety and Health at Work has developed a large amount of good practices, information and tools ⁽⁸⁾. The Pesticide Directive ⁽⁹⁾ establishes a framework for Member States to achieve a sustainable use of pesticides by reducing the risks and impacts of their use on human health and the environment. The conditionality mechanism ⁽¹⁰⁾ links Common Agricultural Policy (CAP) ⁽¹¹⁾ payments to farmers to respect of OSH *acquis* and the Pesticide Directive. The CAP also provides for support schemes promoting good farming practices beyond the legal standards as well as advice and knowledge exchange and investments to enhance the environmental sustainability of farming.

⁽⁶⁾ A systemic failure to comply with a provision of EU law is reflected by widespread factual evidence and its continuation over a long period of time, C-494/01.

⁽⁷⁾ Starting with the framework Directive 89/391/EEC: Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989, p. 1-8, and by further adopting related Directives.

⁽⁸⁾ <https://osha.europa.eu/en>

⁽⁹⁾ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, OJ L 309, 24.11.2009, p. 71-86.

⁽¹⁰⁾ Articles 12 and 14 of Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013, OJ L 435, 6.12.2021, p. 1-186.

⁽¹¹⁾ https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-glance_en