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EUROPE

RIVER POLLUTION-ATHENS ORDERED TO PAY €20,000 A DAY IN FIRST CASE OF EU STATE BEING PUNISHED FOR FAILING TO COMPLY WITH COURT'S ORDER

Greece fined over European Court ruling

By Peter Norman in Brussels and Kerin Hope in Crete

The European Court of Justice yesterday for the first time fined a European Union member state for failing to comply with one of its earlier judgments.

In the historic ruling, Greece was ordered to pay a penalty of €20,000 (\$19,000) a day from yesterday for failing to halt the discharge of toxic and dangerous waste into the River Kourouplitos

in the Chania region of Crete.

The fines will continue until the Commission is satisfied Greece complies with two directives protecting human health and the environment from such uncontrolled dumping.

The move was immediately hailed by the European Commission, which brought the case, as "an important signal to member states that they must fulfil all their obligations under EU law". The

Commission was supported in its court action by the UK.

Observers in Brussels were quick to suggest that such penalties might one day be levied against France, the current holder of the EU presidency, if it should continue to flout EU law by refusing to import British beef on the grounds of risk from BSE, or mad cow disease. "We will be urging the Commission to use this court decision as a trailblazer for

rapid sanctions against the French," declared Struan Stevenson, a British Conservative member of the European parliament.

According to the court, a case similar to yesterday's is pending against France for failing to comply with an EU ruling on night work for women. A second is pending against Greece over the recognition of diplomas.

Yesterday's Kourouplitos river case was the first time the court used powers to fine

a member state, introduced in 1993 under the EU's Maastricht Treaty. The case itself began in 1987 when the Commission received a complaint about uncontrolled dumping of industrial, military and hospital waste in a ravine near the river's mouth.

In its judgment, the court said the Commission's suggestion was a "useful point of reference" for the penalty it fixed. In determining the fine, the court took into account the "particularly

serious" nature of the infringement, its "considerable" duration and Greece's ability to pay. The funds will be paid into the "own resources" account of the EU budget.

The Greek government said it would pay the fine. A spokesman said it was in the process of creating proper waste disposal facilities in Chania and blamed delays on the opposition of local residents to the location of the sites.