

AMENDMENT FORM

Suggestion for amendment of Article III-40 (ex Article 30):

By Mr Hannes Farnleitner

Status : - Member

[ex Article 28] shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; **the protection of the environment**; the protection of the national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.

Explanation (if any) :

Environmental protection should be explicitly mentioned in the list of justified grounds for prohibitions or restrictions on imports, exports or goods in transit. The inclusion of environmental protection would be in conformity with the jurisdiction of the European Court of Justice that recognises environmental protection as a legitimate ground for restrictions under this Article.