

Does it not consider that implementation of the agreement signed with the government in Khartoum last December — which envisages the use of initial funding for the technical preparation of cooperation programmes — should be made subject to full respect for fundamental rights and freedoms, starting with those officially recognised by the law currently in force in that country?

### Reply

(29 September 2003)

The Council does not have information on the arrest of the chairman of the Justice Party, Mr Tawfiq Salih Abu Kadouk, which apparently had taken place on 16 March this year.

If this is confirmed the EU will have to consider what action it could take in this case.

The main interest of the EU in the relations with the Sudan is, at this juncture, the promotion of a comprehensive peace settlement and to pursue the linked issues of democracy, rule of law, respect for human rights as a pre-condition for normalisation of EU — Sudanese relations including resumption of cooperation. The EU is confident that a peace agreement would facilitate further progress in these areas.

(2004/C 51 E/091)

### WRITTEN QUESTION E-1354/03

by **Pedro Marset Campos (GUE/NGL) to the Commission**

(10 April 2003)

*Subject:* Pollution of the Segura river (Murcia, Spain)

In the Commission's last reply (E-1852/02 <sup>(1)</sup>, 31 July 2002) to my many questions concerning the serious pollution of the Segura river (Murcia, Spain), it stated that, on the one hand, it was unaware of the judicial developments in this affair and did not have the power to act and, on the other, it was aware of the Spanish government's good intentions, which were reflected in the Environmental Recovery Plan for the Segura basin.

Last week (11 March 2003), the public prosecutor in the case concerning the pollution of the Segura river, condemned by the Izquierda Unida (Left Unity) party, presented the charges (see attached document) against eight people (the chairman and former chairman of the Segura Hydrographic Confederation, the Commissioner and former Commissioner for Water, the former managing director of Emuasa, the mayor of Alcantarilla and the two people in charge of the construction firm hired by Emuasa), alleged to have committed a crime against the environment and public health. Furthermore, my complaints to the Commission of the complete inefficiency of the various and successive sewage treatment plants in the Segura river basin throw into doubt the Spanish government's good intentions concerning the professed effectiveness of the aforementioned Recovery Plan.

In view of these facts, and taking into consideration both the numerous complaints made by myself and other people and organisations and the Commission's obligations in the face of circumstances with a bearing on EU directives on water quality, the dumping of sewage and public health:

Can the Commission say:

1. Does the Commission not consider that it must intervene with the relevant Spanish national, regional and municipal authorities to demand a quick solution to this worrying pollution of the Segura?
2. What steps does the Commission intend to take to deal with the situation?
3. Does the Commission not think that it takes more than the building of sewage treatment plants to guarantee the quality of water, proper treatment of all kinds of sewage, and public health?

<sup>(1)</sup> OJ C 301 E, 5.12.2002, p. 239.

**Answer given by Mrs Wallström on behalf of the Commission**

(16 June 2003)

As stated in its reply to the Honourable Member's Written Question E-1852/02, the Commission is aware of the situation of the river Segura, in the provinces of Murcia and Alicante. The Segura is polluted because it has an irregular flow rate, resulting in reduced exchange of surface and ground water and gradual salinisation of the soil. The soil is also affected by certain farming practices in the area which lead to high nitrate levels. Uncontrolled discharges into the river and the fact that not all urban waste water in the area is properly treated are also contributing to the problem.

In recent years the Commission has initiated infringement proceedings against Spain several times, under Article 226 of the EC Treaty, to ensure compliance with the Community water directives relevant to this case. Such action on a general level will help solve the pollution problem to which the written question refers.

It should be noted that in an action for non-compliance brought by the Commission, the Court of Justice found against Spain<sup>(1)</sup> for failing to implement programmes to reduce the pollution of water by certain dangerous substances within List II in the Annex to Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community<sup>(2)</sup>, contrary to the provisions of Article 7 of the Directive. The Court has also found against other Member States for the same reason. The Spanish authorities have adopted various measures to resolve the problem. The Commission is now checking to see whether the Court's ruling has been complied with.

As explained in the reply to Written Question E-1852/02, the Spanish authorities have sent the Commission their Environmental Recovery Plan for the Segura basin, now being implemented in the various fields concerned. It should also be noted that major investment is planned for the area. Implementation of these measures will help improve the quality of the waters of the Segura basin.

The Commission is now examining a complaint (reference 2002/4808) on the pollution of the river Guadalentín, a tributary of the Segura, in the autonomous Community of Murcia. As part of its investigation the Commission has asked the Spanish authorities for their comments and for further information on measures being implemented to clean up the river Segura.

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<sup>(1)</sup> Judgment of 25.11.1998, case C-214/96.

<sup>(2)</sup> OJ L 129, 18.5.1976.

(2004/C 51 E/092)

**WRITTEN QUESTION E-1378/03****by Anne Jensen (ELDR) to the Commission**

(15 April 2003)

*Subject:* Problems with tanker vessels in waters close to Denmark

The Commission is endeavouring with its proposal to amend Regulation (EC) 417/2002<sup>(1)</sup> to step up the pace at which single-hulled ships are phased out and double-hulled ships are phased in. However, the regulation applies only to vessels sailing under the flag of an EU Member State.

This means, not least, that a very large proportion of the shipping sailing in the Baltic Sea and other international waters close to Denmark will not be covered by the regulation.

What initiatives does the Commission intend to take to prevent disasters like that affecting the 'Prestige' caused by ships not sailing under the flag of an EU Member State?

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<sup>(1)</sup> OJ L 64, 7.3.2002, p. 1.