Furthermore, as a result of the suggestions made by the Commission following the closure of the file, the Spanish authorities notified an enlargement of the special protection areas where the project is located. Recently, they have communicated to the Commission new designations of special protection areas in the area of Bardenas Reales.

With regard to the observations concerning the judgements delivered by national courts in this issue, it should be noted that it would be inappropriate for the Commission to comment. It should also be noted that a recent judgement of the Spanish Constitutional Court has overturned a previous decision by the Spanish Supreme Court against this project.

Given the fact that the Itoiz dam project has now been constructed, the Commission does not see any purpose in prolonging commentary on a Commission decision dating from 1994.

(1) IP/94/1175.

(2001/C 46 E/129) WRITTEN QUESTION E-1083/00

by Laura González Álvarez (GUE/NGL) to the Commission

(7 April 2000)

Subject: Reservoir at Caldas, Cuntis and Moraña (Galicia, Spain)

The Autonomous Government of Galicia (Xunta) has authorised the construction of a reservoir on the river Umia. The environmental impact assessment approved by the Xunta reveals serious flaws. Much of it is a verbatim copy of another assessment, conducted on the Sanlúcar reservoir in Andalusia; it refers to Andalusian towns and to Andalusian bird species not found in Galicia.

Consequently, following a decision by the Ombudsman, a lawsuit has been filed against the three high-ranking officials at the Xunta who wrote the assessment, accusing them of a breach of trust, the forging of documents and causing harm to the environment.

The main reason given to the public by the Xunta to justify building the reservoir is the need to supply water to the inhabitants of the Salnés region. To that end, the Xunta has manipulated the population forecasts for the Salnés region for the year 2000, tripling the figures for the towns of O Grove, Sanxenxo and Villagarcía by fraudulent means.

According to a report by Professor Díaz Fierro and the hydrologist Álvarez Enjo from the University of Santiago, technically speaking, the reservoir is designed to supply hydroelectric power rather than water. The most convincing proof of this is the recent go-ahead given by the Xunta for the installation of two hydroelectric power stations on the river Umia, one below the reservoir, the other further downstream, which involves diverting the course of the river and will damage nature in the Molinos area and the Segade waterfall. The project report itself acknowledges that other damage will be caused, including the appearance of parasites, bleaker prospects for tourism, irrevocable harm to fauna and flora, and damage to the landscape as a result of the installation of the power stations and high-voltage electrical cables.

The coordinating committee which opposes building the reservoir at Caldas, Cuntis and Moraña maintains that the project is riddled with flaws, including its failure either to meet public interest criteria or to provide land deeds, an assessment of water supply needs and geological and technical studies into damage to thermal springs. Furthermore, the reservoir would destroy the diverse species of fish and water quality in the river Umia and ruin the tourist potential of three towns whose prospects as spa resorts appeared promising.

Will the Commission verify whether the environmental impact assessment submitted by the Xunta is sound?

Will it examine the reasons given for building the reservoir, in view of the damage caused to the region’s landscape, tourist industry and environment?
Answer given by Mrs Wallström on behalf of the Commission

(18 May 2000)

The Commission was informed of the problems relating to the construction of a dam on the river Umia near Caldas de Reis in Galicia by petition 79/98 from Parliament's Committee on Petitions, and Written Question 1824/99 by Mr Nogueira Román (1).

The Commission decided to investigate the case and registered it under B-1999/2271. It asked the Spanish authorities to comment on the project and the environmental impact study which had been carried out. Their reply has just arrived and the Commission is now examining it with reference to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the impact of certain public and private projects on the environment (2).

It should be noted that the area where the dam in question is due to be built has not been classified by the Spanish authorities as a special protection area for birds under Article 4 of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (3). Neither was it identified by the scientific community as an 'important area for birds' in the inventory prepared for the Commission in 1998 by national experts and Birdlife. Moreover, the Spanish authorities have not identified it as a site of Community importance for inclusion in the Natura 2000 network under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (4). Therefore, as far as nature conservation is concerned, this case appears to be the responsibility of the Spanish national and regional authorities alone.

At all events, the Commission, as guardian of the Treaties, will take the necessary measures to ensure that Community law is complied with in the case in question.

(2) OJ C 175, 5.7.1985, p. 40.

(2001/C 46 E/130)  
WRITTEN QUESTION E-1087/00  
by Carmen Fraga Estévez (PPE-DE) to the Commission  

(7 April 2000)

Subject: Problems peculiar to the Italian canning industry

According to the findings of the recent study of needs as regards supplies of tuna loins from Community industry, the difficulties encountered by the industry in being competitive are confined to structural problems relating to cost structure in certain Italian undertakings.

In view of these facts, what led the Commission to believe that the answer to a structural problem affecting certain undertakings might lie in the indiscriminate trade measures it advocated in its proposal for a regulation on the common organisation of the markets in fishery and aquaculture products, which would reduce the competitiveness of the remainder of Community industry?

Does it agree with the findings of the study?

Does it intend to take any structural action to assist in the restructuring of the aforementioned undertakings and enhance their competitiveness?