and shipboard living and working conditions (port State control) (1). In addition, separate European construction requirement for oil tankers have recently been proposed by the Commission in its communication on the safety of the seaborne oil trade (2).

Much of the operational pollution from all types of ships in Community waters results from the impossibility in some ports to deliver cargo residues and ship generated wastes to shore facilities or from reluctance of ships to use them. The proposed directive on port reception facilities (3) addresses this particular problem and introduces a number of requirements on both ports and ships to ensure that adequate facilities are available in all Community ports and that they are utilised by ships. By providing rules on reception facilities, waste management planning, financial and other incentives to deliver waste ashore, the need for discharges at sea will be greatly reduced. The proposal would also impose an obligation for ships to notify the port of on-board quantities of wastes and residues. This, coupled with port-based checks, will greatly improve the control of compliance with the international rules. Therefore, the Commission is confident that the proposed directive, currently in conciliation in the Parliament and Council, will have a considerable effect on reducing operational pollution, and in particular oil pollution of all types of ships.

Finally, the Commission announced in its communication on the safety of the seaborne oil trade that it plans to examine other Community initiatives that could be taken to reduce the occurrence of operational pollution by all types of ships.

The Commission does not have the details of the Maltese project concerning the conversion of agricultural land into a golf course.

The three species of reptiles and one of the species of amphibia mentioned as being spotted on the agricultural land beneath the Verdala Hotel are in fact listed in the annexes of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (1) (Habitats Directive). As the species Elaphe situla is listed in Annex II of the Habitats Directive, the Maltese authorities are obliged to propose sites of Community importance and, subsequently, to designate special areas of conservation (i.e. Natura 2000 sites) for this species upon accession to the Union. The other three species are mentioned in Annex IV of the Habitats Directive. They are therefore subject to species protection requirements upon accession, according to Article 12 of the Habitats Directive.

With regard to candidate countries' sites protection policies before accession (including Malta's), they are all subject to the principle, laid down in Agenda 2000, which states that 'all new investments should comply with the acquis'. This principle has been included in the Union negotiating position on the opening of the environment chapter with the six 'Luxembourg countries', endorsed by the Council on 7th December 1999.

This implies that the project of a golf course mentioned above, should be submitted to an environmental impact assessment (EIA) procedure similar to that established in Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (2) as amended by 97/11/EC of 3 March 1997 (3). As this kind of project is covered by Annex II of the Directive, it is up to the authorities in Malta to decide whether a formal EIA is needed, by the screening procedure established in Article 4. The Maltese authorities should also take into account the protection requirement procedures established in the Habitats Directive fully, especially those in Article 6 of the Directive, which concern sites that qualify for Natura 2000. It is the responsibility of the Maltese environmental authorities to make such appraisal.

In the framework of the pre-accession process, the Commission regularly asks Malta for information about its progress in the various fields of the acquis. As far as nature protection is concerned, the Commission is aware that Malta is currently conducting inventories on habitats. In order to prepare the Natura 2000 network, it has already collected substantial data on the location and frequency of the different species listed in the annexes of the Habitats Directive. By accession, Malta will have to provide a list of sites proposed under the Habitats Directive and designated under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (4), the Birds Directive. For all these sites, Malta will have to provide detailed biological data (including location and relevant population data on all species of Community importance) using the 'Natura 2000 Standard Data Form'.

The Commission has already asked the Maltese authorities to propose species and habitats (supported by scientific information) that they would like to include in the annexes of the Habitats and Birds Directives. Such proposals will be evaluated and discussed together with Member States.

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(2) OJ L 175, 5.7.1985.

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(2001/C 89 E/027) WRITTEN QUESTION E-1348/00
by Christopher Heaton-Harris (PPE-DE) to the Commission
(4 May 2000)

Subject: Institutional reform

The report on the reform of the European Commission takes an important first step in addressing the problems of incompetence and corruption amongst a minority of Commission staff and I congratulate the