monies to the sum of ESP 1.2 bn by the Municipal Institute for Employment and Business Education (IMEFE), attached to the Madrid city council, is considered unjustified?

What action does the Commission intend to take under the existing Community legislation?

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

(20 November 2001)

In its answers to Written Questions P-0303/01 and P-355/01 and Oral Question H-368/01, the Commission informed the Honourable Member of the steps taken to guarantee protection of its financial interests. In particular, the Commission has asked the Member State to carry out the appropriate checks regarding European Social Fund aid awarded to the IMEFE (Instituto Municipal de Empleo de Madrid).

The Commission has already taken the necessary measures to ensure that the national authorities (Intervención General de la Administración del Estado ((IGAE) and the Ministry of Employment and Social Affairs) check the validity of the information published in the press.

The European Anti-Fraud Office (OLAF) has also indicated that the investigation begun on 27 February 2001, as mentioned in the answer to the above oral question, is still under way.

As soon as the Spanish authorities have officially forwarded the relevant information, the Commission, in close cooperation with the Member State, will take the appropriate financial measures in accordance with the procedures provided for by Community and national rules.

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**WRITTEN QUESTION P-2918/01**

by Giovanni Pittella (PSE) to the Commission

(17 October 2001)

**Subject:** The price of water as a result of the Spanish national plan for water resources

Spain recently approved a national plan for water resources in law 10/2001 of 5 July 2001.

Has the Commission ascertained whether this law respects the provisions of the Framework Directive on water, in particular Article 9, which states that the Member States shall take account of a policy to recover the real costs of water in order to ensure its efficient use?

Does it not consider that the application of this law will in effect constitute a concealed price subsidy for water used in agriculture and tourism in certain Spanish regions and hence a case of unfair competition vis-à-vis the other regions of Europe?

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

(3 December 2001)

Spain has recently approved a national plan for water resources in law 10/2001 of 5 July 2001. The main objective of this national plan is to reallocate surface water resources within Spain to areas that are facing and will face in the future severe water shortage.
The Commission is currently looking with great attention into the links and coherence between the National Hydrological Plan and the Water Framework Directive (1). On issues linked to water pricing and charging, the Water Framework Directive effectively includes specific provisions on water charging, incentive pricing and cost-recovery. Its Article 9 specifies that: ‘Member States shall account of the principle of recovery of the costs of water services, including environmental and resource costs, having regards to the economic analysis conducted according to Annex III, and in accordance in particular with the polluter pays principle’.

The same article also put obligations on Member States to ensure by 2010 that water-pricing policies provide adequate incentives to efficient water use and ensure a fair contribution of water uses (disaggregated into at least industry, households and agriculture) to the recovery of the costs of water services. In deciding levels of cost recovery, social, economic and environmental effects of the recovery as well as the geographic and climatic conditions of the region affected may be considered.

With respect to timing, it is too early to assess on the basis of the National Hydrological Plan only whether Spain comply with Article 9 and its incentive pricing and cost recovery requirements. Deadline for compliance with these requirements is 2010. And Spain has up to December 2003 to transpose the Water Framework Directive into national legislation.

It will be possible then to make a first assessment on whether water services pricing, including services provided in the context of the National Hydrological Plan, and main water uses as defined above, will eventually comply with the requirements of the Water Framework Directive, and do not present a case of unfair competition vis-à-vis the other regions of Europe. The economic analysis of water uses required under Article 5 and Annex III of the Water Framework Directive will provide some basic information for this assessment.


(2002/C 134 E/149) WRITTEN QUESTION P-2919/01
by Heide Rühle (Verts/ALE) to the Council
(19 October 2001)

Subject: Appointment of a Member of the Court of Auditors

By letter of 28 June 2001, the Council consulted Parliament on the appointment of Mr Lars Tobisson.

Pursuant to Article 247 of the EC Treaty, ‘Members of the Court of Auditors shall be chosen from among persons who belong or have belonged in their respective countries to external audit bodies or who are especially qualified for this office’. According to his curriculum vitae and what he said when he was heard, Mr Tobisson has no relevant experience in the external audit field. Why does the Council consider Mr Tobisson to be especially qualified for this office?

Pursuant to Article 247 of the EC Treaty, Members of the Court of Auditors are to be appointed for a term of six years by the Council, acting unanimously after consulting the European Parliament. The six-year term is intended to ensure the continuity of the Court’s work and the independence of its Members.

When heard by the Committee on Budgetary Control on 9 October 2001, Mr Tobisson said he intended to take up office for only four years, referring to agreements whereby he would serve only for the remainder of the current ECA President’s term of office, after the latter announced that he was to step down.

Does the Council consider such agreements to be compatible with the EC Treaty, in particular the requirement for Members of the Court of Auditors to be independent?

Will it proceed with Mr Tobisson’s appointment, even though he has made it known from the outset that he does not intend to serve for the term of office laid down in the EC Treaty?