Answer given by Mr Vitorino on behalf of the Commission

(8 August 2002)

The Honourable Member's question does not fall within the Community's remit: it is a matter for the relevant national authorities alone. The Commission regrets that it does not have the information requested.

WRITTEN QUESTION E-1891/02
by Eluned Morgan (PSE) to the Commission

(1 July 2002)

Subject: Genetically modified organisms

Is the Commission likely to take up the suggestion that GM-free zones should be established within the European Union? If so, on what basis will these zones be decided?

Answer given by Mr Fischler on behalf of the Commission

(2 August 2002)


Under this Directive the Commission must ensure a high level of health and consumer protection. For a GMO to be authorised under Part B (deliberate release for research and development purposes in particular) or Part C (placing on the market of products containing GMOs) a scientific assessment must be made of the risks to health and the environment inherent in the introduction of GMOs. Once GMOs are authorised for cultivation, they can be planted provided that the notification regarding their placing on the market covers their cultivation as well.

Neither Directive 90/220/EEC nor Directive 2001/18/EC provides for the creation of GMO-free zones in the Union. However, the issue of GMO crops existing alongside conventional or organic crops has been raised in the Communication on Life Sciences and Biotechnology and the resulting action plan, in which the Commission has committed itself to developing certain ideas in partnership with the Member States, farmers and the various operators involved. The aim is to ensure that conventional and organic agriculture remains viable and can co-exist with GMO crops.

(1) OJ L 117, 8.5.1990.

WRITTEN QUESTION E-1892/02
by Pierre Jonckheer (Verts/ALE) to the Commission

(1 July 2002)

Subject: Open-cast coal mine in northern León (Valle de Laciana, Spain)

The company Minero-Siderúrgica de Ponferrada SA (MSP), owned by the Leonese businessman Victorino Alonso, has begun to exploit the open-cast coal mine Fontfría in Villablino, in the district of Valle de Laciana, covering a surface area of 300 hectares. The mine is located less than 700 metres from the village of Orallo and 1500 metres from another open-cast mine, El Feixolín.
The site on which work has already commenced is a natural habitat of the brown bear, capercaillie and other species protected under Directives 79/409/EEC(1) and 92/43/EEC(2), and is located within the boundaries of the Sierra de Ancares plan for the management of natural resources, forms part of the Sierra de Ancares-Alto Sil SCI, has been designated as a special protection area for birds and falls within IBA No 14, Babia-Somiedo.

The site lies along the corridor used by brown bears and known as the Corredor de Leitariegos. This route is crucial for the movement of animals between the subnucleus in Somiedo — Cangas de Narcea and that situated to the east, Deba — Alto Sil — Ancares. The leading experts in the field (Francisco Purroy, Javier Naves and Alberto Fernández Gil) consider that the mine will entail the destruction of at least a third of this corridor. Between 1992 and 1996, programmes to preserve the population and habitat of brown bears in the Cantabrian hills received funding to the tune of ECU 8 625 266 in the form of Life projects, 75% of it from the European Union.

An environmental impact assessment has been carried out on this project, but the administrative procedure was marred by a deliberate and partial lack of technical and scientific rigour, with the aim of minimising the damage to flora, fauna, soil, air, water, the countryside, jobs and local inhabitants(3).

1. How does the Commission justify the destruction of biodiversity and of this district’s future when the mining sector is destined to disappear in the short term?

2. Does the Commission not consider that Spain is in breach of European legislation and policy on environmental conservation, and is contravening Directives 79/409/EEC, 92/43/EEC and 90/313/EEC(4), among others?

3. Does the Commission not consider it contradictory to use Community funds to finance initiatives aimed at protecting brown bears whilst at the same time, and in the same place, financing activities which destroy this species and its habitat?

4. Does the Commission not consider that funding should be frozen until all the questions raised have been settled?

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(3) It should be pointed out that the quality of coal from open-cast mines is so poor that it generates 35% more ash, with the consequent rise in environmental pollution.  

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

*(6 September 2002)*

The facts raised by the Honourable Member form the subject of a complaint procedure which is currently being assessed by the Commission.

Within the framework of the handling of this case, the Commission is making representations to the Spanish Authorities in order to request further information concerning these facts and their comments on the application of the following Council Directives:

- 92/43/EEC(1) of 21 may 1992 on the conservation of natural habitats and of wild fauna and flora;
- 79/409/EEC(2) of 2 April 1979 on the conservation of wild birds;
- 85/337/EEC(3) of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment.

The Commission will ensure that the provisions of the above mentioned Council Directives are taken into account by the Spanish Authorities.

Council Directive 90/313/EEC(4) of 7 June 1990 on the freedom of access to information on the environment was transposed into the Spanish legal system by the Law 38/1995 of 13 December. It does not appear that there has been any breach of this Directive on the part of the Spanish authorities.
According to the information received from the Spanish authorities, the open-cast coal mine in Valle de Laciana, Villablino, León, has not received any financial contribution from the European Regional Development Fund. The mine has been granted the required operation permit and the operating company receives the statutory financial support within the legal framework established for coal mining operations.


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WRITTEN QUESTION E-1893/02

by Marjo Matikainen-Kallström (PPE-DE) to the Commission

(1 July 2002)

Subject: Regional aid and enlargement

The European Union is expected to be enlarged by 10 countries in 2004. This consideration was taken into account in the Commission's first interim report on social and economic cohesion, and its communication puts forward guidelines for the future content of cohesion policy.

In comparison to the current EU, the population of the candidate countries is poor and dependent on agriculture. Calculations carried out with a view to a 25-Member State EU show that the effect of enlargement will be that, in 7 of the 15 current Member States, one or more regions will lose their Objective 1 status. The Commission is also not planning to continue with Objective 2 after enlargement. It has been stressed that policy will in future concentrate on the Union's poorest regions, which after enlargement will be situated in the new Member States.

One of the regions which would no longer have Objective 1 status is Eastern Finland, which will continue to require EU aid after enlargement. What measures does the Commission propose to take to support the poorest regions of the current Member States and preserve their viability?

**Answer given by Mr Barnier on behalf of the Commission**

(14 August 2002)

The Commission would remind the Honourable Member that enlargement will not affect the cohesion policy until 2006, particularly where the eligibility of current Member States' regions benefiting under this policy is concerned. The Commission will be setting out its views on eligibility for Objective 1 in the post-2006 period in the Third Cohesion Report, which it hopes to adopt before the end of 2003.

In addition, as the Commission stated in its Second Cohesion Report (1) and in its first progress report (2), at this stage gross domestic product per head is the only reliable criterion for defining the regions whose development is lagging behind and so are eligible for Objective 1. The issue of how to fix the eligibility threshold is one that has yet to be settled. Furthermore, a fair solution has to be found for those regions that have not yet achieved economic convergence but which will be affected by the statistical effect of enlargement that will result in one or more regions of nine of the current Member States losing their eligibility.

Lastly, the initial results of the debate on the future of the cohesion policy indicate broad agreement on not restricting the policy solely to the regions whose development is lagging behind. Account should also be taken of conditions such as permanent natural handicaps, sparsely populated areas, urban areas or areas undergoing economic restructuring. With this in mind and in accordance with the principles of good governance, this assistance must be better directed towards Community priorities and must be implemented in a more decentralised manner.