

The matter is currently being examined, so the Commission has not yet adopted a position on this complaint.

In view of the above, the Commission regrets to inform the Honourable Member that it is not in a position to answer the questions raised about the privatisation of this company until it has adopted an opinion on the above-mentioned complaint.

(98/C 158/136)

WRITTEN QUESTION E-3410/97
by Roberta Angelilli (NI) to the Commission
(28 October 1997)

Subject: Request for information from the Italian authorities concerning projects for the construction of a number of public works in Rome

In its answer to Written Question E-1971/97 ⁽¹⁾ the Commission said that with regard to the projects for the construction of the underground line C and the 'Castelletto-Largo Argentina' tram line in Rome, the Italian authorities had not yet replied to a request for information sent by the Commission itself in connection with failure to comply with the environmental impact assessment procedure laid down in Directive 85/337/EEC ⁽²⁾. In the meantime, although the first requests date back more than a year, in both cases work has gone ahead in accordance with the original projects.

In view of this, can the Commission say:

1. what it thinks of the attitude of the Italian authorities, who for months now have been incomprehensibly silent;
2. what it thinks of the fact that, despite repeated requests, the work has gone ahead without even an explanation from the Italian authorities;
3. what other steps the Commission intends to take to secure, if not compliance with Community law, at least an explanation from Rome City Council, which is responsible for both projects?

⁽¹⁾ OJ C 45, 10.2.1998, p. 131.

⁽²⁾ OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(4 December 1997)

The Commission is responsible for ensuring that Community law is complied with in the Member States. The Commission therefore instituted infringement proceedings against Italy for the failure of Italian legislation to comply with Council Directive 85/337/EEC on environmental impact assessments (EIA). Italian legislation does not provide for an initial examination to establish whether or not it is necessary to subject projects covered by Annex II of the Directive in question to an EIA. Unlike the projects covered by Annex I which are, by definition, all subject to an EIA, these projects are only required to undergo an environmental impact assessment if, by their nature, size or location, they have a significant impact. The projects mentioned by the Honourable Member fall into the category in point 10(g) of the aforementioned Directive.

Further to the request to the Italian authorities for information on the projects mentioned in Written Question E-1273/97 by Mrs Angelilli ⁽¹⁾, the authorities in question have pointed out that these projects come under the regional jurisdiction. The regions must in fact ensure compliance with the Presidential Decree of 12 April 1996, the 'Steering and Co-ordinating Act for the purpose of applying Article 40(1) of the law of 22 February 1994, No 146', which stipulates that the authorities must ensure, amongst other things, that local and regional railway, tram and metro line projects do not have features which, by their nature, size or location, require them to undergo an EIA.

The abovementioned infringement proceedings will take into account the regional aspects as the regions have not yet adopted the legislation in question.

⁽¹⁾ OJ C 367, 4.12.1997.