

3. What consequences has the Commission acknowledged from such assessments? Has project planning been amended accordingly? If not, why has the outcome of the assessments not been acted on?
4. Does the Commission see it as a potential source of conflict that where a development project is assessed and restructured, the delegation is both the party inviting tenders and a party itself directly involved?

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

*(16 November 1999)*

The 'Poles of Rural Development' project began in 1991 in the Bafut region and in the Sa'a, Ntui and Sangmélina regions at the end of 1992 (financing agreement under the Third Lomé Convention, 6th European Development Fund (EFD), amounting to a total of € 10,3 million).

This general approach stresses the importance of teaching people to manage the development of their own community with a view to improving their living conditions and the environment.

During 1997 and 1998 a temporary programme was set up in the Sa'a, Ntui et Sangmélina poles, to link the current project to a second four-year phase. It stressed in particular the project's viability and the management of agricultural projects and socio-economic infrastructures.

The Commission and the national authorising officer agreed to an evaluation at the half-way stage in 1995, and a further evaluation at the end of the temporary programme (1997/1998) in November 1998. They contracted the work out to international consultancy firms on the basis of a restricted consultation.

The evaluations have shown that the project has had a positive effect on the communities involved, since participation has helped them take charge of their own micro-projects. Nevertheless, further efforts need to be made to achieve a satisfactory level of participation and to prepare the people better to take control of their communities.

On the basis of the results of the independent consultancies' evaluations, particular emphasis has been placed on viability and the management of agricultural projects and socio-economic infrastructures. The project activities were planned and monitored under two sub-programmes, ongoing actions and new actions.

No potential source of conflict exists, due to the fact that in the case of independent evaluations where the project is then altered, while the delegation awards the contract on behalf of the national authority, the latter is still the contracting authority.

The results of the evaluation are examined by the Commission delegation and the government, and when the recommendations are pertinent, the changes can be introduced by financial procedures.

(2000/C 203 E/049)

**WRITTEN QUESTION E-1762/99**

**by Luis Berenguer Fuster (PSE)  
and María Rodríguez Ramos (PSE) to the Commission**

*(11 October 1999)*

*Subject:* Effects for consumers of the merger of the Carrefour and Promodes companies

The planned merger between the Carrefour and Promodes companies is giving rise to great concern among both suppliers and consumers who fear that it will create or strengthen a dominant position in certain key retail markets.

The merger will affect a large number of significant geographical markets, and the effects of competition will need to be analysed in all those market with homogeneous competition conditions. This means that consideration will have to be given both to regional markets and to districts in which the undertakings

concerned have a base, given that consumers do not generally shop outside their own area, and this will complicate the analysis of the effects on all those markets considerably.

If the Commission receives a notification for the purposes of Regulation 4064/89<sup>(1)</sup>, will it deem itself competent in the matter, or does it take the view that it should refer the notified concentration to the competent authorities of the Member States?

<sup>(1)</sup> OJ L 395, 30.12.1989, p. 1.

### **Answer to written question by Mr Monti on behalf of the Commission**

*(23 November 1999)*

Article 9 of Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings enables a Member State, within three weeks of the date of receipt of the notification, to request that the operation notified should be referred to it for examination. In the case referred to by the Honourable Members, the possibility that the Spanish and French competition authorities might request such a referral was recently raised, in particular by the press in these two Member States. If they did so, it would not be the first time that the Spanish competition authorities requested such referral. On 17 August 1999, the Commission referred case IV M-1555 Heineke v Cruzcampo to the Spanish authorities.

Two conditions governing referral are laid down in Article 9(2) of the Regulation: (a) the merger must threaten to create or strengthen a dominant position as a result of which effective competition would be significantly impeded on a market within that Member State, which presents all the characteristics of a distinct market; and (b) the merger affects competition on a market within that Member State which presents all the characteristics of a distinct market and which does not constitute a substantial part of the common market.

The Commission must take a decision to refer or not to refer within six weeks from the date of notification (instead of the usual period of one month), and decide whether it will itself deal with the case in order to maintain or restore effective competition on the relevant market or whether it will refer the entire case or part of it to the authorities of the Member States concerned. If the case is referred by the Commission, the Regulation requires the competition authorities in the Member States to publish a report or announce their conclusions within a period of no more than four months after the Commission referral.

Despite public reactions by certain Governments, so far no Member State has lodged a request for a referral regarding the proposed take-over of Promodes by Carrefour.

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(2000/C 203 E/050)

### **WRITTEN QUESTION E-1763/99**

**by Michiel van Hulten (PSE) to the Commission**

*(11 October 1999)*

*Subject:* Dutch fisheries and the Multiannual Guidance Programme (MGP)

1. A number of Member States have failed to comply with the objectives of the MGP. Only the Netherlands has been declared to be at fault. To what extent have the Member States failed to comply with the objectives? Why has only the Netherlands been declared to be at fault?

2. The objectives for each Member State under the MGP are based on the information on the size of the fleet from the Community's fleet register. The Court of Auditors has repeatedly drawn attention to the inadequacies of this register: it contains a lot of wrong information. How does the Commission intend to respond to the Court's criticism? Is the Commission prepared to redefine the objectives on the basis of reliable information?