

(2002/C 172 E/058)

**WRITTEN QUESTION P-3405/01****by Luigi Cocilovo (PPE-DE) to the Commission**

(5 December 2001)

*Subject:* Call for tenders D1/ASS/2001/0053

On 10 July 2001 the Commission published in Official Journal S 130 an open call for tenders (ref. D1/ASS/2001/0053) for the provision of assistance and technical support for the tasks relating to the actions in the LIFE environment programme which are funded in the 15 EU Member States and certain applicant countries. Paragraph 1.6(c) of the Technical Annex to the call for tenders is concerned with the selection criteria and the required composition of the team is clearly stated: The team-leader and the deputy team leader as well as other staff ... should, in addition to an active knowledge of English and/or French, have at least a passive knowledge of the other language. These two languages will be the official languages for all contacts with the Commission.

Pursuant to Articles 314 and 290 of the Treaty (which lay down the rules relating to language use within the EU institutions and which are enacted by means of Article 6 of Council Regulation No 1), there are eleven official languages through the medium of which the EU institutions are required to work, communicate, establish contact and divulge their activities, decisions, documents and legal acts.

Can the Commission indicate the legal basis (and thereby demonstrate that the Treaties and the relevant legislation have been complied with) for stipulating in the call for tenders that English and French are the sole 'official languages' for all contacts with the Commission?

Does such a stipulation not constitute linguistic discrimination against certain tenderers, or at least a distortion of the internal market?

Will the Commission supply the details and the results of the assessment carried out of all those who responded to call for tenders D1/ASS/2001/0053 in accordance with the selection criteria laid down in the Technical Annex to the call?

(2002/C 172 E/059)

**WRITTEN QUESTION P-3446/01****by Marianne Thyssen (PPE-DE) to the Commission**

(6 December 2001)

*Subject:* Official languages within the EU institutions

On 10 July 2001 the Commission published in Official Journal S 130 a call for tenders (D1/ASS/2001/0053) for the provision of assistance and technical support for the tasks relating to the actions in the LIFE environment programme which are funded in the 15 EU Member States and certain applicant countries.

Paragraph 1.6(c) of the Technical Annex to the call for tenders is concerned with the selection criteria and the required composition of the team and it is clearly stated.

'The team-leader and the deputy team leader as well as other staff with co-ordination responsibilities vis-à-vis the Commission should, in addition to an active knowledge of English and/or French, have at least a passive knowledge of the other language. These two languages will be the official languages for all contacts with the Commission'.

Under Articles 21 and 290 of the Treaty, which lay down the rules relating to language use within the EU institutions and are enacted by means of Article 2 of Council Regulation No 1/58<sup>(1)</sup>, there are 11 official languages through the medium of which the EU institutions are required to work, communicate, establish contact and divulge their activities, decisions, documents and acts.

What is the legal basis for the stipulation that English and French are the official languages of the European Union for all contacts with the Commission in this tender and is this not contrary to the Treaty and Regulation No 1/58?

Does not the Commission think that it has introduced linguistic discrimination into this call for tenders and is thus guilty of distortion of competition?

Can the Commission supply precise details and results relating to all those who responded to this call for tenders in accordance with the selection criteria laid down in the Technical Annex?

(<sup>1</sup>) OJ 17, 6.10.1958, p. 385; OJ English special edition: Series-I (52-58) p. 59.

(2002/C 172 E/060)

**WRITTEN QUESTION P-3447/01**

**by Karla Peijs (PPE-DE) to the Commission**

(6 December 2001)

*Subject:* Official languages within the EU institutions

On 10 July 2001 the Commission published in Official Journal S 130 a call for tenders (D1/ASS/2001/0053) for the provision of assistance and technical support for the tasks relating to the actions in the LIFE environment programme which are funded in the 15 EU Member States and certain applicant countries.

Paragraph 1.6(c) of the Technical Annex to the call for tenders is concerned with the selection criteria and the required composition of the team and it is clearly stated:

'The team-leader and the deputy team leader as well as other staff with co-ordination responsibilities vis-à-vis the Commission should, in addition to an active knowledge of English and/or French, have at least a passive knowledge of the other language. These two languages will be the official languages for all contacts with the Commission.'

Under Articles 21 and 290 of the Treaty, which lay down the rules relating to language use within the EU institutions and are enacted by means of Article 2 of Council Regulation No 1/58 (<sup>1</sup>), there are 11 official languages through the medium of which the EU institutions are required to work, communicate, establish contact and divulge their activities, decisions, documents and acts.

What is the legal basis for the stipulation that English and French are the official languages of the European Union for all contacts with the Commission in this tender — is this not in fact contrary to the Treaty and Regulation No 1/58 and does not the Commission think that there should first be a public debate and decision?

Does not the Commission think that it has introduced linguistic discrimination into this call for tenders and is thus guilty of distortion of competition?

Can the Commission supply precise details and results relating to all those who responded to this call for tenders in accordance with the selection criteria laid down in the Technical Annex?

(<sup>1</sup>) OJ 17, 6.10.1958, p. 385; OJ English special edition: Series-I (52-58) p. 59.

**Joint answer  
to Written Questions P-3404/01, P-3405/01, P-3446/01 and P-3447/01  
given by Mrs Wallström on behalf of the Commission**

(26 March 2002)

The LIFE Regulation (Regulation (EC) No 1655/2000 (<sup>1</sup>) of the European Parliament and of the Council of 17 July 2000 concerning the Financial Instrument for the Environment) provides that 5% of the available appropriations are to be allocated to accompanying measures, in particular to evaluate, monitor and promote the actions undertaken under LIFE.

Under this provision of the Regulation, the Directorate-General for the Environment published call for tenders ENV.D1/ASS/2001/0053 for the provision of assistance for tasks relating to actions under the LIFE-environment programme.