

Answer given by Mr Barnier on behalf of the Commission

(17 July 2003)

In accordance with the subsidiarity principle, the Commission's discussion partners as regards regional development are the Member States and not final beneficiaries. The Commission would therefore advise the Honourable Member to request further information from the managing authority or the paying authority for the programme concerned in Finland.

Since project management is decentralised, the Commission does not have statistics on the current intervals between a financing decision in a Member State and the first reimbursement received by the beneficiary. However, the Commission facilitates the launch of a programme by granting a payment on account as soon as it decides to part-finance the whole programme. The payment on account comprises 7% of the amount of the programme under the rules for 2000-2006. Apart from a few pilot projects, the Finnish programmes were adopted by the Commission in 2000 or 2001. Since then the national authority has therefore had available the 7% payment on account to finance the Community portion of the project to which the Honourable Member refers, without waiting for reimbursement of expenditure actually incurred.

Beyond that payment on account, the Commission reimburses the Member State solely on the basis of expenditure actually incurred⁽¹⁾. For the current programming period, the payment interval within the Directorate-General responsible for regional policy has been 37 days since the beginning of 2003. Although that payment interval cannot therefore be regarded as excessive⁽²⁾, the Commission continually seeks to improve its internal procedures in the interests of efficiency and simplification. On 25 April 2003 the Commission endorsed 10 measures in a communication on management simplification, clarification, coordination and flexibility.

The administrative slowness to which the Honourable Member refers cannot therefore be regarded as a consequence of the provisions on the Structural Funds. Article 34(1) of Regulation (EC) No 1260/1999 states that 'in carrying out its tasks the managing authority shall act in full compliance with the institutional, legal and financial systems of the Member State concerned'. Article 3 of Commission Regulation (EC) No 438/2001 of 2 March 2001 laying down detailed rules for the implementation of Regulation (EC) No 1260/1999⁽³⁾ requires Member States' management and control systems to be devised subject to proportionality in relation to the volume of assistance administered.

⁽¹⁾ In accordance with Article 32(2) of Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds — OJ L 161, 26.6.1999.

⁽²⁾ Article 32(1) of Regulation (EC) No 1260/1999 of 21 June 1999 states that 'the Commission shall make interim payments within no more than two months of receipt of an acceptable payment application'.

⁽³⁾ OJ L 63, 3.3.2001.

(2004/C 33 E/192)

WRITTEN QUESTION P-1909/03**by Michl Ebner (PPE-DE) to the Commission**

(2 June 2003)

Subject: Natura 2000

In the view of the Commission, can the rigid policy of the Flemish government on Natura 2000 areas situated in the VEN (Flemish Environmental Network) be reconciled with the provisions of the Natura 2000 directive?

The Flemish policy is based on a whole series of orders and prohibitions, with inadequate and inappropriate compensation, which furthermore take no account of socio-economic factors.

The existence of two parallel network structures in Flanders — one Flemish and one European — causes a great deal of unnecessary confusion and complication. In practice it seems that an excessively large part is incorporated in the VEN, the IVON (Integraal Verwevings- en Ondersteunend Netwerk, Integrated Interrelation and Support Network) or the nature association areas. In implementing the Nature Decree of late 1997 the Flemish government therefore took care to ensure that the two types of area overlapped as much as possible. Is it sensible for two different types of policy to be implemented in areas where there are overlaps?

The result is that there is confusion among the Flemish public and great dissatisfaction among the rural population, who associate Natura 2000 with the patronising policy of the Flemish government in the VEN.

What is the Commission's view of the compatibility of the Flemish policy on environmental networks with the Natura 2000 directive?

Answer given by Mrs Wallström on behalf of the Commission

(2 July 2003)

Both Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁽¹⁾ ('Habitats Directive'), and Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds⁽²⁾ ('Birds Directive') aim at ensuring the conservation of natural habitats and species at European level. The creation of 'Natura 2000', a coherent European ecological network of special areas of conservation, is an important tool to achieve this objective.

National or regional networks of protected areas such as the Flemish Environmental Network represent important complements to the European 'Natura 2000' network, as they allow to integrate more local and regional aspects of nature conservation. Neither the 'Habitats Directive' nor the 'Birds Directive' foresee any restrictions as to Member States introducing stricter protective measures than those provided for under these Directives.

The provisions of the Habitats Directive clearly make Member States responsible for the management of Natura 2000 sites. The responsibility for the management of regional and national networks is a fortiori a matter of national or regional competence.

⁽¹⁾ OJ L 206, 22.7.1992.

⁽²⁾ OJ L 103, 25.4.1979.

(2004/C 33 E/193)

WRITTEN QUESTION P-1934/03

by Marie Isler Béguin (Verts/ALE) to the Commission

(5 June 2003)

Subject: Prospects for LIFE

The Directorate-General for Environment recently published on its website⁽¹⁾ the final report of the Expert Group on the financing of the Natura 2000 network (Article 8 of the Habitats Directive). The cost estimate may well be adjusted, but the major institutional guidelines have been set down with a request that, after 2006, the cost be shared between the various Community funds (ERDF, EAGGF, etc.) and a separate financial instrument. That concept needs to be introduced into the various frameworks provided to that end and, in particular, into that of the major policy and budgetary reviews envisaged after 2006.

On the other hand, the report neatly sets out the problem of the link between the current LIFE financial instrument, which comes to an end in 2004, and the findings of the debate on Natura 2000 which will be implemented after 2006. LIFE-Nature is, currently, the only Community financial instrument which is exclusively dedicated to one of the objectives of the Sixth Environmental Action Programme — halting the decline in biodiversity in the Union between now and 2010.