

Question for written answer E-007266/2015
to the Commission
Rule 130
Jarosław Wałęsa (PPE)

Subject: Freedom of establishment and movement of goods

In accordance with the provisions of the Lisbon Treaty, the EU is required to establish an internal market and work for the sustainable development of Europe. It should also promote economic, social and territorial cohesion, and solidarity among Member States.

It is therefore worrying that on 1 December 2014, an amendment was made to Article 4(2) of the Constitution of the Slovak Republic, which now reads: 'The transport of water taken from water bodies located within the territory of the Slovak Republic outside the borders of the Slovak Republic by vehicles or pipeline is prohibited. This prohibition does not apply to water intended for personal use, drinking water put into consumer containers within the territory of the Slovak Republic and natural mineral water put into consumer containers within the territory of the Slovak Republic, nor to water provided for humanitarian help or assistance in states of emergency'. The amendment is contrary to the principles of a single EU market and the freedom of establishment and movement of goods. It also prevents the development of certain companies, in particular those operating in neighbouring Member States, which may wish to transport water by pipeline or tankers to bottling companies in their own country. The amendment to the Slovak Constitution is incompatible with Articles 35 and 36 TFEU. The extraction and marketing of natural mineral water is regulated by Directive 2009/54/EC, under which, in accordance with Annex II, the Slovak authorities' actions are unjustified.

Will the Commission take appropriate steps to explain the amendments to Slovakia's Constitution, which are of particular concern for businesses in neighbouring Member States?