

WRITTEN QUESTION E-4458/06
by Alfonso Andria (ALDE)
to the Commission

Subject: Languages permitted for replying to calls for tenders published in the Official Journal

The Official Journal of the European Communities publishes calls for tenders from bodies and organisations located in all the Member States. These calls for tenders should be open to all persons (legal persons or otherwise) from any Member State, without discrimination on grounds of nationality. However, in some cases the conditions required for replying include the obligation to draw up the tender in a single language, thus obviously causing major difficulties for those of other mother tongues and subjecting the tender process to an unfair form of 'natural selection'.

A multilingual regime for replies to calls for tenders is essential if operators throughout the EU are to participate in them on a genuine basis. Language appears as a factor of discrimination which is not acceptable in a single market such as that of the EU. Insisting on a particular language creates a disturbing obstacle to free competition in the provision of projects and services (as guaranteed under Articles 3, 39 and 49 of the EC Treaty). The Union's founding principles include those of non-discrimination and freedom of competition, and Commissioner Verheugen has himself stated on several occasions that all protectionist attitudes should be eliminated.

What action will the Commission take to ensure that calls for tenders, in their instructions for presenting the tender, do not include discriminatory language rules, and that such rules are not used as a means for circumventing Community law?