

WRITTEN QUESTION E-0744/08

by Giusto Catania (GUE/NGL), Roberto Musacchio (GUE/NGL), Umberto Guidoni (GUE/NGL), Claudio Fava (PSE), Monica Frassoni (Verts/ALE), Giovanni Berlinguer (PSE), Pasqualina Napoletano (PSE), Vittorio Agnoletto (GUE/NGL), Vincenzo Aita (GUE/NGL), Luisa Morgantini (GUE/NGL) and Giulietto Chiesa (PSE)  
to the Commission

Subject: System for the allocation of broadcasting frequencies in Italy - Judgment of the Court of Justice

The recent judgment of the Court of Justice of the European Union (C-380/05) on the dispute over the allocation of frequencies between the Italian broadcaster Europa 7 and Rete 4 established that the Italian system for the allocation of broadcasting frequencies contravenes Community law.

According to the Court, the Italian system does not respect the principle of the free provision of services and is not based on objective and transparent selection criteria. The European Court of Justice ruled in favour of the broadcaster Europa 7, which had been granted a licence to broadcast nationally in analogue, but was never able to do so because it was never allocated the broadcasting frequencies.

In the light of the ruling by the Court of Justice:

What action will the European Commission take to put an end to the infringements found by the Court and to uphold Community law?