

WRITTEN QUESTION E-3603/09
by Karin Resetarits (ALDE)
to the Commission

Subject: Current pending infringement cases in the gambling sector

On 17 February 2009, Johannes Laitenberger, spokesman for Commissioner Barroso, made the following comment in the Austrian financial daily *WirtschaftsBlatt* in relation to the current pending infringement cases in the gambling sector: *'The European Commission will take till the end of 2009 to review and analyze in detail each individual case'* and added *'the conditions in these countries are complex. At the moment, McCreevy is weighting the pros and cons of liberalizing the gaming market.'*

1. Does Mr Laitenberger's quote reflect the position of both President Barroso and Commissioner McCreevy?
2. How does Mr Laitenberger's statement fit with the interview Commissioner McCreevy gave in September 2008 (Reuters) when he said legal action would be stepped up during the remaining year of his term as Commissioner?
3. Is this new delay an example of the frustration Commissioner McCreevy pointed to when he stated during the same interview that *'the big delay is getting it on the Commission agenda'* because *'there are objections from a whole variety of Commissioners and Member States'*?
4. What specific new circumstances would require the Commission to *'analyze in detail each individual case'* for a further nine months, given that we can presume that the Commission only issues reasoned opinions based on solid legal analysis and that these opinions already date back to 2007?
5. Why does the Commission not handle and judge these cases on their own merits rather than grouping them all together, given that the mandate of this Commission will end at the end of 2009?
6. As the ultimate guardian of the Treaty, why is the President not enforcing its principles? At a time when protectionism is in danger of strangling free trade within the EU it is vital for the survival of our internal market that he takes action immediately to send Member States a clear message: *'Protectionism, in whatever form, will not be tolerated within the European Community.'*