IV

(Informaciones)

INFORMACIÓN PROCEDENTE DE LAS INSTITUCIONES, ÓRGANOS Y ORGANISMOS DE LA UNIÓN EUROPEA

PARLAMENTO EUROPEO

PREGUNTAS ESCRITAS FORMULADAS CON SOLICITUD DE RESPUESTA ESCRITA

Preguntas escritas formuladas por los diputados al Parlamento Europeo y las respuestas de una de las instituciones de la Unión Europea

(2013/C 210 E/01)

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Pregunta con solicitud de respuesta escrita E-002052/12
a la Comisión (Vicepresidenta / Alta Representante)
Ramon Tremosa i Balcells (ALDE)
(22 de febrero de 2012)

Asunto: VP/HR — Ayuda económica de la UE al régimen de Camboya a pesar de que no se ha atribuido ningún papel ni voz a la oposición camboyana ni a los representantes del pueblo elegidos democráticamente

Hoy, 21 de febrero de 2012, *The Cambodia Daily* publicaba un artículo titulado *«La UE concede 4,8 millones de dólares para financiar proyectos de derechos humanos»*. Según el artículo *«la Unión Europea, representada por el embajador, concedió a los consejos provinciales de Ratanakkiri y Oddar Meanchey 646 000 y 547 000 dólares respectivamente para ayudar a prestar apoyo a las familias afectadas por los desalojos de las tierras»*.

Debe tenerse en cuenta que:

— Todos los consejos provinciales de las 24 provincias de Camboya están estrictamente controlados por el Gobierno;

— El Gobierno participa activamente en los desalojos de las tierras en todo el país y es el único responsable de los mismos;

— En relación con los puntos 1 y 2, no existen indicios claros de que algún consejo provincial haya apoyado a alguna familia afectada por los desalojos de las tierras;

— Todos los consejos provinciales de Camboya, al igual que la Asamblea Nacional en Phnom Penh, están totalmente controlados por el partido gobernante, que no atribuye ningún papel ni voz a la oposición camboyana ni a los representantes del pueblo elegidos democráticamente.

Los países donantes y las instituciones europeas deben recordar que los principios democráticos con un sistema subyacente de controles ayudan a luchar contra la corrupción y a fomentar la buena gobernanza. Además, el artículo 1 del Acuerdo vigente de cooperación y ayuda entre la UE y Camboya estipula que Camboya tiene la obligación de respetar los derechos humanos y los principios democráticos. Esto constituye una obligación, pero la UE parece haberlo olvidado.

A la luz de lo anterior:

1. ¿Puede indicar la Comisión por qué la UE, representada por su embajador Jean-François Cautain, no ha consultado al partido de la oposición, el Sam Rainsy Party (SRP), que está representado en todos los consejos provinciales, incluidos los de Ratanakkiri y Oddar Meanchey, las dos provincias en cuestión?

2. ¿No considera la Comisión que ha perdido una oportunidad de promover el Estado de Derecho en Camboya? ¿No sabe el embajador Cautain que el Gobierno y el partido gobernante violan constantemente la ley de descentralización?

3. Así pues, ¿considerará la Comisión congelar la ayuda económica masiva concedida al régimen de Camboya?

Pregunta con solicitud de respuesta escrita E-002086/12
a la Comisión (Vicepresidenta / Alta Representante)
Ramon Tremosa i Balcells (ALDE)
(22 de febrero de 2012)

Asunto: VP/HR — Descarrilamiento del proceso democrático en Camboya: la UE debe intervenir para garantizar la participación de Sam Rainsy en las elecciones municipales de junio de 2012 y en las elecciones parlamentarias de julio de 2013

La Unión Europea debe intervenir para evitar un descarrilamiento catastrófico del proceso democrático en Camboya a medida que el país se acerca a las elecciones municipales de junio de 2012 y las elecciones parlamentarias de julio de 2013.

Al contrario que en Myanmar, donde la líder de la oposición Aung San Suu Kyi está ahora autorizada a participar en las próximas elecciones del país, Camboya ha seguido en los últimos años una senda de reducción política.

Sam Rainsy, el dirigente del segundo mayor partido de Camboya (SRP), con 37 representantes en la asamblea nacional y el senado elegidos democráticamente, se ha visto obligado a exiliarse para evitar una sentencia de privación de libertad. Todas las principales organizaciones de derechos humanos reconocen la motivación política que está detrás de esta sentencia. Sam Rainsy ha sido eliminado de la lista de representantes parlamentarios y no está autorizado a participar en las próximas elecciones de su país. El Partido de Sam Rainsy ha mejorado sus resultados en las sucesivas elecciones y es el único partido capaz de cuestionar al autoritario Primer Ministro Hun Sen, que ocupa el poder desde 1979. Sam Rainsy es un objetivo permanente del partido gobernante, y el régimen ha intentado asesinarlo dos veces mediante ataques con granadas en 1997 y 1998. Hun Sen busca ahora eliminarlo a nivel político frustrando el proceso democrático.

Por segunda vez desde 2005, se ha visto expulsado inconstitucionalmente de la asamblea nacional e injustamente del país. Su ausencia no ha debilitado a su partido, como algunos esperaban, sino que lo ha reforzado. Así lo demuestran los resultados del SRP en las últimas elecciones al Senado de enero de 2012.

Las próximas elecciones de junio de 2012 y julio de 2013 estarán disputadas por los mismos partidos políticos, con mayores intereses. Las elecciones celebradas por sufragio universal presuponen que los líderes de los dos principales partidos pueden enfrentarse en igualdad de condiciones.

El artículo 1 del Acuerdo Marco de cooperación y ayuda entre la UE-Camboya, firmado en 1997, estipula que Camboya tiene la obligación de respetar los derechos humanos y los principios democráticos. El artículo 19 permite la suspensión del acuerdo si alguna de las partes infringe el artículo 1, lo cual constituye una obligación, pero la UE parece haberlo olvidado.

— Por lo tanto, ¿puede indicar la Comisión si la UE podría intervenir para garantizar el cumplimiento de esta norma democrática básica?

— ¿Puede indicar la Comisión si la UE solicitará al Gobierno de Camboya que permita a Sam Rainsy volver a su país para participar en estas elecciones de conformidad con las normas y en igualdad de condiciones?

Respuesta conjunta de la Alta Representante y Vicepresidenta Sra. Ashton en nombre de la Comisión
(11 de mayo de 2012)

La UE es plenamente consciente de la situación de Sam Rainsy, líder del principal partido de la oposición en Camboya y sigue de cerca este asunto. La UE espera que los resultados del SRP en las recientes elecciones para el Senado contribuirán a la aparición de un debate político en el país.

La promoción de los principios básicos de la democracia y el respeto de los derechos humanos ocupan un papel central en la política de diálogo de la UE con el Gobierno Real de Camboya y es también un componente fundamental de todos los programas bilaterales de cooperación al desarrollo de la UE. En las ocasiones en que la UE ha tenido dudas al respecto, las ha planteado al Gobierno con franqueza y de manera constructiva.

En los contactos diplomáticos bilaterales con el Gobierno camboyano, la Delegación de la Unión Europea también ha planteado formalmente el asunto de Sam Rainsy y lo volverá hacer ante el Comité Mixto en el transcurso de 2012.

La UE considera que Camboya sigue teniendo importantes necesidades de desarrollo por lo que la congelación de la ayuda o la reducción del nivel de contactos no ayudaría a los sectores más pobres y vulnerables.

(English version)

Question for written answer E-002052/12
to the Commission (Vice-President/High Representative)
Ramon Tremosa i Balcells (ALDE)
(22 February 2012)

Subject: VP/HR — EU economic aid to the Cambodian regime despite any role or any voice being given to the Cambodian opposition and democratically elected representatives of the people

On Tuesday, 21 February 2012, *The Cambodia Daily* published an article entitled 'EU gives USD 4.8 M to fund human rights projects'. The article states that 'the provincial councils in Ratanakkiri and Oddar Meanchey were given [by the European Union represented by Ambassador Jean-François Cautain] USD 646 000 and USD 547 000 respectively, to help provide support to families embroiled in land evictions.' It should be taken into account that:

— all provincial councils in Cambodia's 24 provinces are tightly controlled by the government;

— the government is deeply involved in, and solely responsible for, land evictions all over the country;

— further to points 1 and 2, there are no serious indications whatsoever that any provincial council has ever supported any family embroiled in land evictions;

— all Cambodia's provincial councils, like the National Assembly in Phnom Penh, are totally controlled by the ruling party, which does not give any role or voice to the Cambodian opposition and democratically elected representatives of the people.

Donor countries and European institutions should remember that democratic principles with an underlying system of checks and balances help fight corruption and promote good governance. Moreover, Article 1 of the current cooperation/aid agreement between the EU and Cambodia states that Cambodia has an obligation to respect human rights and democratic principles. This is an obligation, but the EU seems to have forgotten about it.

In the light of the above:

1. Why has the EU, represented by its Ambassador Jean-François Cautain, not consulted with the opposition Sam Rainsy Party (SRP), which is represented in all provincial councils, including those of Ratanakkiri and Oddar Meanchey, the two provinces concerned?

2. Does the Commission not feel it has missed an opportunity to promote the rule of law in Cambodia? Does Ambassador Cautain not know that the decentralisation law is being constantly violated by the government and the ruling party?

3. Will the Commission therefore consider freezing the massive economic aid to the Cambodian regime?

Question for written answer E-002086/12
to the Commission (Vice-President/High Representative)
Ramon Tremosa i Balcells (ALDE)
(22 February 2012)

Subject: VP/HR — Derailing of the democratic process in Cambodia: the EU must intervene to guarantee Sam Rainsy's participation in communal elections in June 2012 and in parliamentary elections in July 2013

The European Union must intervene to avoid a catastrophic derailing of the democratic process in Cambodia as the country approaches communal elections in June 2012 and parliamentary elections in July 2013.

Contrary to the situation in Myanmar, where opposition leader Aung San Suu Kyi is now authorised to take part in the country's forthcoming elections, Cambodia has in recent years followed the path of political retrenchment.

Sam Rainsy, the leader of the second largest party in Cambodia (SRP) with 37 democratically elected national assembly and senate representatives, has been forced into exile to avoid a prison sentence. All major human rights organisations recognise the political motivation behind this sentence. Sam Rainsy has been removed from the list of parliamentary representatives and is not authorised to participate in his country's forthcoming elections. The Sam Rainsy Party has improved its performance at each election and is the only party capable of challenging authoritarian prime minister Hun Sen, who has been in power since 1979. Sam Rainsy is a perennial target for the governing party, the regime having tried twice to assassinate him by grenade attack in 1997 and in 1998. Hun Sen is now seeking to eliminate him politically by thwarting the democratic process.

For the second time since 2005, he finds himself unconstitutionally expelled from the national assembly and unjustly hounded out of the country. His absence has not weakened his party, as some had hoped, but rather strengthened it. This was confirmed by the SRP results at the latest senatorial elections in January 2012.

The forthcoming elections in June 2012 and July 2013 will be contested by the same political parties, with higher stakes. Elections conducted by universal suffrage presuppose that the leaders of the two main parties are able to confront each other on equal terms.

Article 1 of the framework cooperation/aid agreement between the EU and Cambodia signed in 1997 states that Cambodia has an obligation to respect human rights and democratic principles. Article 19 allows for the suspension of the agreement if one party violates Article 1. This is an obligation, but the EU seems to have forgotten about it.

— Could the EU therefore intervene to guarantee respect for this basic democratic rule?

— Will the EU ask the Cambodian Government to allow Sam Rainsy to return to his country to contest these elections in accordance with the rules and on an equal basis?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(11 May 2012)

The EU is well aware of the situation of Sam Rainsy, the Leader of the main opposition party in Cambodia, and is following the matter closely. The EU hopes that the SRP results in recent elections for the Senate will help nurture political debate in the country.

Promotion of basic principles of democracy and respect for human rights are at the centre of the EU's policy dialogue with the Royal Government of Cambodia as well as a key component of all EU bilateral development cooperation programmes. Where the EU has concerns in that regard, it has raised them frankly and constructively with the Government.

In bilateral diplomatic contacts with the Cambodian government, the Delegation of the European Union has also formally raised the Sam Rainsy case and will do so again at the Joint Committee later in 2012.

It is the EU's belief that Cambodia continues to have major development needs and freezing aid or reducing the level of contacts would do nothing for the poorest and most vulnerable.

(English version)

Question for written answer E-002053/12
to the Commission
Claude Moraes (S&D)
(22 February 2012)

Subject: EU initiatives to tackle youth unemployment

According to the latest statistics around 22.3 % of the EU's entire youth workforce is unemployed, including over 60 000 youngsters in my London constituency. This is particularly worrying given evidence from the International Labour Organisation that unemployment in young adulthood is linked to a variety of health and psychological problems later in life.

Could the Commission provide an update of any initiatives that are being taken at an EU level to address this growing crisis?

Answer given by Mr Andor on behalf of the Commission
(10 April 2012)

With the recently adopted 'Youth Opportunities Initiative' ([1]) the Commission has stepped up its efforts to support Member States to come to more immediate action in fighting youth unemployment. The initiative focuses on making a greater use of the European Social Fund to this effect and proposes also a set of EU financed innovative approaches to support the transition from school to work, such as the Youth Guarantee and the 'Your first EURES job' scheme.

Following the statement by the informal European Council of 30 January 2012 endorsing this approach, the Commission set up action teams that visited in February the eight Member States ([2]) with the highest youth unemployment rates. The aim was to find ways to enhance the use of EU funding to fight youth unemployment and to establish national youth employment plans building upon the measures of the Youth Opportunities Initiative. To the same effect, the Commission held bilateral meetings in Brussels with seven further Member States ([3]) with youth unemployment rates above the EU average.

The Commission will present a first assessment of the implementation of the Youth Opportunities Initiative to the informal Employment and Social Affairs Ministers' Council in April. The Commission will moreover pay a particular attention to youth employment and structural labour market reforms benefiting young people when presenting the draft 2012 Country Specific Recommendations as part of the European Semester.

([1]) COM(2011) 933 of 20.12.2011.
([2]) ES, GR, IE, IT, LT, LV, PT and SK.
([3]) BG, CY, FR, HU, PL, RO and SE.

(English version)

Question for written answer E-002054/12
to the Commission
Claude Moraes (S&D)
(22 February 2012)

Subject: European sugar refineries

With reference to a previously tabled parliamentary question ('Production quotas on beet sugar', 26 May 2011), I would like to ask the Commission for an update on the shortfall in supply of raw sugar that has negatively affected many sugar refineries across Europe.

This month, for example, a refinery in my constituency launched a 90-day consultation period which is likely to lead to the introduction of a five-day working week for the first time in the refinery's history, as well as to the loss of up to 30 jobs.

Given the importance of protecting jobs and supporting businesses in this tough economic climate, could the Commission provide a further update on the steps it is taking to support all European sugar refineries and prevent the loss of further jobs in my constituency?

The Commission has already provided notification of the following market measures that have been introduced to facilitate imports:

— the suspension until 31 August 2011 of the EUR 98/t import duty on the CXL import quotas;

— the introduction of exceptional duty-free tariff quotas for 300 000 tonnes of sugar;

— the opening of an additional duty-free tariff quota for 200 000 tonnes of sugar;

— a standing invitation to tender for imports at a reduced rate of import duty.

Could the Commission provide an update on whether there has been evidence — and if so, what that evidence is — that these measures are allowing the refinery industry to reduce its supply deficit?

Answer given by Mr Cioloş on behalf of the Commission
(13 April 2012)

As the Honourable Member indicates, several refineries in Europe have unused refining capacity: This is mainly caused by increased refining capacity and greater competition within the Union.

In 2010/2011 worldwide imports of sugar into the EU reached the unprecedented level of more than 4 million tonnes. Preferential sugar imports from EPA-EBA countries in 2010/2011 were 1 800 000 tonnes, the highest level ever. Furthermore, imports of raw cane sugar were 2.6 million tonnes in calendar year 2011, the highest imports ever.

The Commission believes that investments in a sector are decisions of a private nature. Therefore, investments to increase refining capacity in the EU, by approximately 2 million tonnes, effectively doubling capacity since 2006, show confidence of the EU refining industry.

In November 2011, the Commission implemented a new measure aiming at facilitating imports, opening a standing invitation to tender for imports at a reduced import duty ([1]) .

On this basis, so far 191 000 tonnes of raw sugar were accepted in four tenders; further tenders will follow in 2012.

These measures should allow the refining industry to increase their supply.

([1]) Commission Implementing Regulation (EU) No 1239/2011, OJ L 318, 1.12.2011, p. 4.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002055/12
an die Kommission
Angelika Werthmann (NI)
(22. Februar 2012)

Betrifft: Nationale Kosten der Inhaftierung

1992 waren in Österreich 7 029 Menschen inhaftiert. Am 3. Juni 2011 lag diese Zahl bei 8 694 (laut Nationaler Strafvollzugsverwaltung), ohne 105 Menschen, die elektronisch überwacht wurden. Die offizielle Kapazität des österreichischen Strafvollzugssystems liegt bei 8 868 Inhaftierten. Die täglichen Kosten pro Inhaftiertem betragen mehr als 100 EUR. Angesichts dieser Zahlen und zur Reduzierung der Kosten hat die Österreichische Strafvollzugsverwaltung ein Gefängnis „ausgelagert" und ein neues in Rumänien gebaut — ausschließlich für österreichische Inhaftierte (laut Berichterstattung vom 11. Mai 2004).

1. Ist der Kommission diese „nationale Maßnahme zur Kosteneinsparung" bekannt?

2. Steht diese Maßnahme mit geltendem europäischem und internationalem Recht und geltenden europäischen und internationalen Konventionen im Einklang?

3. Wie sieht die Strategie der Kommission im Hinblick auf diese Vorgehensweise der österreichischen Behörden aus?

4. Liegen der Kommission Angaben dazu vor, ob andere Mitgliedstaaten ähnlich vorgegangen sind, um die nationalen Kosten der Inhaftierung zu reduzieren?

Antwort von Frau Reding im Namen der Kommission
(25. April 2012)

Freiheitsentziehende Maßnahmen, gleich, ob es sich um Untersuchungshäftlinge oder Verurteilte handelt, fallen grundsätzlich in die Zuständigkeit der Mitgliedstaaten.

Eine Übereinkunft, bei der sich Mitgliedstaaten auf die gegenseitige Unterstützung bei der Finanzierung von Strafvollzugsanstalten verständigen, fällt unter die bilaterale Zusammenarbeit von Mitgliedstaaten, über die die Kommission nicht systematisch informiert wird.

Alle Mitgliedstaaten haben die Charta der Grundrechte der Europäischen Union und die Europäische Menschenrechtskonvention unterzeichnet und unterliegen folglich den sich daraus ergebenden Verpflichtungen. Die darin festgelegten Rechtsgrundsätze gelten auch für bilaterale Übereinkommen über die Überstellung von Häftlingen.

(English version)

Question for written answer E-002055/12
to the Commission
Angelika Werthmann (NI)
(22 February 2012)

Subject: National costs of imprisonment

In 1992 there were 7 029 people in prison in Austria. On 3 June 2011 the figure was 8 694 (according to the National Prison Administration), not including 105 people under electronic surveillance. The official capacity of the Austrian prison system is 8 868. The daily cost per prisoner is over EUR 100. In view of these figures and in order to reduce costs, the Austrian Prison Administration 'outsourced' a prison and built a new one in Romania — but for Austrian prisoners (according to news reports from 11 May 2004).

1. Is the Commission aware of this kind of 'national cost saving measure'?

2. Is this action in line with the relevant European and international law and conventions?

3. What is the Commission's policy to deal with this approach by the Austrian authorities?

4. Does the Commission have any indication if other Member States have followed a similar approach in order to reduce national costs for imprisonment?

Answer given by Mrs Reding on behalf of the Commission
(25 April 2012)

Detention issues, whether they relate to pre-trial detainees or convicted persons, fall in principle under the responsibility of Member States.

An agreement between Member States to help each other with funding of prisons is a matter of bilateral cooperation between Member States, in respect of which the Commission is not systematically informed.

Member States are bound by their obligations as set out by the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights, to which they are all signatories, and these standards apply also to bilateral agreements on the transfer of prisoners.

(Version française)

Question avec demande de réponse écrite E-002056/12
à la Commission
Marc Tarabella (S&D)
(22 février 2012)

Objet: Risques des paiements par carte bancaire sur internet

La grande association de consommateurs française «UFC-Que choisir» vient de publier les résultats d'une étude mettant en évidence les dangers d'arnaques liés au paiement d'achats à distance (internet, téléphone) au moyen de cartes bancaires. Le taux de fraude aurait en effet explosé: + 17,5 % en trois ans avec un coût de 370 millions d'euros, uniquement en France.

La Commission, qui publie par ailleurs des études extrêmement coûteuses et fouillées sur les marchés de la consommation dans les États membres et encourage les achats transfrontaliers, peut-elle faire savoir:

— quelles sont les statistiques détaillées des arnaques par cartes bancaires pour les achats à distance dans les États membres, leur montant et leur évolution au cours des dernières années,

— quelles sont les mesures harmonisées prises au niveau des États membres pour diminuer les risques liés aux achats sans cesse croissants, notamment par internet,

— quelles sont les initiatives et, le cas échéant, les budgets prévus par la Commission pour des campagnes d'information et de sensibilisation des consommateurs aux dangers liés aux achats à distance, notamment transfrontaliers, et

— quels sont les montants des subventions accordées aux organisations nationales et régionales de consommateurs pour les informer et les mettre en garde contre ces arnaques?

Réponse donnée par M. Barnier au nom de la Commission
(10 mai 2012)

En janvier 2012, la Commission a publié un livre vert sur les paiements par carte, par internet et par téléphonie mobile ([1]), qui contient une section consacrée aux aspects de sécurité.

Plusieurs mesures importantes de protection des consommateurs, telles que la rétrofacturation pour les transactions non autorisées, figurent dans la directive sur les services de paiement ([2]). Cela signifie que la plupart des coûts induits par la fraude sont en réalité supportés par les fournisseurs de services de paiement plutôt que par les consommateurs.

Par ailleurs, la Commission n'a pas affecté de fonds à des campagnes de sensibilisation ni subventionné d'associations de consommateurs dans le domaine spécifique de la lutte contre la fraude dans le commerce en ligne. Cependant, le programme Consommateurs de l'UE finance le réseau des centres européens des consommateurs ([3]) afin d'aider et de conseiller les consommateurs transfrontières.

Les données concernant la fraude aux cartes de paiement sont collectées par le secteur bancaire et des paiements. Pour s'attaquer à la fraude aux cartes de paiement, le secteur a publié des recommandations concernant la normalisation des dispositifs de sécurité des cartes et la migration vers des systèmes à puce et à code secret.

La BCE a établi le forum SecuRe Pay ([4]), auquel participe la Commission. Ce forum publiera des recommandations concernant la sécurité des paiements en ligne, les mesures de contrôle et de sécurité et les programmes de sensibilisation et d'éducation des consommateurs.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0941:FIN:FR:PDF.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:319:0001:01:FR:HTML.
([3]) http://ec.europa.eu/consumers/strategy/ann_work_prog2011_en.pdf Ce réseau est actif dans les 27 États membres de l'Union européenne ainsi qu'en Islande et en Norvège. Il publie régulièrement des conseils pour éviter les fraudes et les escroqueries en ligne. Le programme de travail annuel 2011 prévoit 4,5 millions d'euros pour le réseau.
([4]) Forum européen sur la sécurité des paiements de détail.

La perception du risque de fraude est probablement plus élevée que ce qui ressort des données factuelles. Une récente étude sur le commerce de marchandises en ligne ([5]) a montré qu'en ce qui concerne les achats en ligne, près d'un consommateur sur cinq craint que les informations de sa carte de paiement soient dérobées ou que ses données personnelles soient utilisées abusivement. Cependant, seulement 1 % des problèmes rencontrés concernaient une utilisation abusive des données personnelles, tandis qu'un autre pour cent des problèmes signalés était dû au vol des informations de la carte de paiement. Autrement dit, par rapport à la totalité de l'échantillon, chacun des deux problèmes a été signalé par moins de 0,2 % de l'ensemble des consommateurs interrogés.

([5]) http://ec.europa.eu/consumers/consumer_research/market_studies/e_commerce_study_en.htm

(English version)

Question for written answer E-002056/12
to the Commission
Marc Tarabella (S&D)
(22 February 2012)

Subject: Risks of online card payments

The leading French consumer association *UFC Que choisir* has just published the results of a study highlighting the fraud risks related to remote (i.e. online and telephone)payments made by bank card. The fraud rate has apparently risen by 17.5 % in three years, costing EUR 370 million in France alone.

Can the Commission, which publishes extremely expensive and complex studies on the consumer markets of Member States and encourages cross-border purchases, indicate:

— What the detailed statistics on bank-card fraud for remote payments in the Member States are, the sums of money involved and developments over the last few years;

— What measures have been taken at Member State level to reduce the risks of such purchases, which are constantly on the increase, in particular online;

— What initiatives and, where appropriate, what budgets are earmarked by the Commission for consumer information and awareness-raising campaigns on the dangers related to remote purchases, particularly cross-border purchases; and

— How much aid has been granted to national and regional consumer organisations to inform consumers and warn them about this type of fraud?

Answer given by Mr Barnier on behalf of the Commission
(10 May 2012)

In January 2012, the Commission issued a Green Paper on card, Internet and mobile payments ([1]), which contains a section on security aspects.

Some important consumer protection measures, such as charge-backs for unauthorised transactions, are incorporated in the Payment Services Directive ([2]). This implies that most of the cost of fraud today is actually carried by payment service providers rather than consumers.

Beyond these initiatives, the Commission has not earmarked funds for awareness campaigns or grants to consumer associations in relation specifically to frauds in e-commerce. However, the EU Consumer programme is funding the network of European Consumer Centres ([3]) to assist and advise consumers in cross border trade.

Data concerning card fraud is collected by the banking and payments industry. However, to tackle card fraud, the industry has issued recommendations concerning the standardisation of card security features and the migration to Chip and PIN-systems.

The ECB has established SecuRe Pay ([4]), in which the Commission participates. The Forum will issue recommendations for the security of Internet payments concerning control and security measures as well as customer awareness and education programs.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0941:FIN:EN:PDF.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:319:0001:01:EN:HTML.
([3]) http://ec.europa.eu/consumers/strategy/ann_work_prog2011_en.pdf The network is active in the 27 EU Member States, Iceland and Norway and regularly issue tips to avoid online frauds and scams. The 2011 annual programme foresees EUR 4.5 million for the network.
([4]) European Forum on the security of the Retail Payments.

Perceived risks of fraud may be higher than actual data suggests. A recent study on e-commerce in goods ([5]) showed that, with respect to online purchases, about 1 in 5 online consumers are concerned that their payment card details may be stolen or that their personal data may be misused. However, only 1 % of problems encountered were actually linked to misuse of personal data. A further 1 % of problems related to the theft of payment card details. In other words, when compared to the overall sample, these two problems were reported by less than 0.2 % of the consumers surveyed.

([5]) http://ec.europa.eu/consumers/consumer_research/market_studies/e_commerce_study_en.htm

(Version française)

Question avec demande de réponse écrite E-002057/12
à la Commission
Marc Tarabella (S&D)
(22 février 2012)

Objet: Toxicité du perchloroéthylène dans les pressings

Les installations de pressing utilisent du perchloroéthylène comme solvants qui, dans de nombreux cas, se sont révélés toxiques, non seulement pour le personnel, mais aussi pour les voisins victimes d'émanations. Une étude récente a démontré que plusieurs maladies ont été provoquées par la présence de cette substance dans le sang des victimes.

La Commission peut-elle faire savoir:

— pourquoi, au nom du principe de précaution, elle n'interdit pas l'utilisation de ce produit, par ailleurs totalement interdit depuis de nombreuses années aux États-Unis et au Danemark, et

— si elle compte, dans le cas contraire, mettre en place des règlements plus stricts d'installation et de contrôle des pressings pour diminuer les effets dangereux liés à l'utilisation de ce produit?

Réponse donnée par M. Potočnik au nom de la Commission
(17 avril 2012)

Toutes les installations de nettoyage à sec qui utilisent du perchloroéthylène sont soumises aux dispositions de la directive 1999/13/CE du 11 mars 1999 relative à la réduction des émissions de composés organiques volatils (COV) dues à l'utilisation de solvants organiques dans certaines activités et installations ([1]). Cette directive dispose que le perchloroéthylène doit être remplacé, dans la mesure du possible, par des substances moins dangereuses dans les meilleurs délais. Elle fixe également une valeur limite pour les émissions de COV provenant du nettoyage à sec, qui est de 20 grammes par kilogramme de produit nettoyé.

À partir du 7 janvier 2014, la directive 1999/13/CE sera remplacée par la directive 2010/75/UE sur les émissions industrielles ([2]), qui maintient les dispositions précitées.

Conformément au règlement (CE) nº 1907/2006 (REACH), la substance a été inscrite dans le premier plan d'action continu communautaire des substances à évaluer au plus tard en 2013 ([3]). L'autorité compétente chargée de cette évaluation examinera la manière d'exploiter les informations pour prendre d'éventuelles mesures d'autorisation ou de restriction, ainsi que dans le cadre de l'harmonisation de la classification et de l'étiquetage des substances conformément au règlement (CE) nº 1272/2008 relatif à la classification, à l'étiquetage et à l'emballage.

En ce qui concerne la protection des travailleurs exposés à des produits chimiques dangereux, il existe un cadre législatif complet au niveau de l'UE. Celui-ci inclut notamment la directive 89/391/CEE ([4]) concernant la mise en œuvre de mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs au travail, la directive 98/24/CE concernant la protection de la santé et de la sécurité des travailleurs contre les risques liés à des agents chimiques sur le lieu de travail ([5]) et les directives 2000/39/CE ([6]), 2006/15/CE ([7]) et 2009/161/CE ([8]) établissant des valeurs limites indicatives d'exposition professionnelle. Par ailleurs, la directive 2004/37/CE ([9]) s'applique lorsque les substances peuvent présenter un risque carcinogène ou mutagène.

([1]) JO L 85 du 29.3.1999.
([2]) JO L 334 du 17.12.2010.
([3]) http://echa.europa.eu/documents/10162/17221/corap_2012_en.pdf (figurant en tant que tétrachloroéthylène).
([4]) JO L 183 du 29.6.1989.
([5]) JO L 131 du 5.5.1998.
([6]) JO L 142 du 16.6.2000.
([7]) JO L 38 du 9.2.2006.
([8]) JO L 338 du 19.12.2009.
([9]) JO L 229 du 29.6.2004.

(English version)

Question for written answer E-002057/12
to the Commission
Marc Tarabella (S&D)
(22 February 2012)

Subject: Toxicity of perchlorethylene at dry-cleaners

Dry-cleaning facilities are using perchlorethylene as solvents which, in many cases, have been shown to be toxic not only for employees but also for neighbours affected by the fumes. A recent study has shown that several diseases were caused by the presence of this substance in the victims' blood.

Can the Commission indicate:

— why, on the basis of the precautionary principle, it does not prohibit the use of this product, which has been completely banned for many years in the United States and in Denmark, and

— if not, whether it intends to implement stricter installation and monitoring regulations for dry-cleaners to reduce the dangerous effects linked to the use of this product?

Answer given by Mr Potočnik on behalf of the Commission
(17 April 2012)

All dry cleaning facilities using perchloroethylene are subject to Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds (VOC) due to the use of organic solvents in certain activities and installations ([1]). This directive requires perchloroethylene to be replaced as far as possible by less harmful substances within the shortest possible time. It also sets a limit value for VOC emissions from dry cleaning of 20 grams per kilogram of product cleaned.

From 7 January 2014, Directive 1999/13/EC will be replaced by Directive 2010/75/EU on industrial emissions ([2]), which maintains the abovementioned provisions.

In accordance with Regulation (EC) 1907/2006 (REACH), the substance was included in the first Community rolling action plan of substances to be evaluated by 2013 ([3]). The competent authority responsible for this evaluation will consider how to use the information for potential authorisation or restriction measures, as well as in the context of the harmonisation of classification and labelling of substances in accordance with Regulation (EC) 1272/2008 (CLP).

As regards the protection of workers exposed to hazardous chemicals, there is a comprehensive EU legislative framework. This includes in particular Directive 89/391/EEC ([4]) on the introduction of measures to encourage improvements in the safety and health of workers at work, Directive 98/24/EC ([5]) on the protection of the health and safety of workers from risks related to chemical agents at work, and Commission Directives (2000/39/EC ([6]), 2006/15/EC ([7]) and 2009/161/EC ([8])) establishing indicative occupational exposure limit values. Furthermore, where the substances may present a carcinogenic or mutagenic risk to health, Directive 2004/37/EC ([9]) will apply.

([1]) OJ L 85, 29.3.1999.
([2]) OJ L 334, 17.12.2010.
([3]) http://echa.europa.eu/documents/10162/17221/corap_2012_en.pdf (indicated as tetrachloroethylene).
([4]) OJ L, 183, 29.6.1989.
([5]) OJ L 131, 5.5.1998.
([6]) OJ L 142, 16.6.2000.
([7]) OJ L 38, 9.2.2006.
([8]) OJ L 338, 19.12.2009.
([9]) OJ L 229, 29.6.2004.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002059/12
alla Commissione
Sonia Alfano (ALDE)
(22 febbraio 2012)

Oggetto: Regolamentazione del mobbing a livello europeo

Nella risposta all'interrogazione E-7142/2010 relativa alla regolamentazione del mobbing a livello europeo, la Commissione ha fatto riferimento all'accordo siglato il 26 aprile 2007 tra le parti sociali a livello europeo (ai sensi dell'articolo 155, paragrafo 2, del TFUE) per la realizzazione di una politica di tolleranza zero nei confronti del mobbing sul posto di lavoro. Secondo quanto riferito dalla Commissione, l'implementazione dell'accordo, da attuare entro l'aprile 2010, sarebbe stata oggetto di valutazione da parte della Commissione stessa, al fine di vagliare la necessità o meno di ulteriori misure politiche in tale ambito.

Si domanda pertanto alla Commissione:

1. quali risultati sono emersi dalla sua valutazione dell'implementazione dell'accordo sopra citato;

2. se intende avviare ulteriori iniziative per arginare il fenomeno del mobbing, che rischia di manifestarsi in maniera estremamente preoccupante alla luce della crisi economica, a livello europeo.

Risposta data da László Andor a nome della Commissione
(17 aprile 2012)

La Commissione attribuisce una grande importanza alla prevenzione del mobbing sul posto di lavoro e di tutte le altre forme di molestie o di violenza. Questo è il motivo per cui la Commissione ha sostenuto le parti sociali nel corso dei negoziati dell'Accordo quadro europeo sulle molestie e la violenza sul luogo di lavoro, firmato nell'aprile 2007 da BusinessEurope, dall'Unione europea dell'artigianato e delle piccole e medie imprese, dal Centro europeo dei datori di lavoro e delle imprese che forniscono servizi pubblici e dalla Confederazione europea dei sindacati.

1. Le parti sociali europee, che dal 2007 raccolgono dati sull'attuazione dell'accordo, stanno ora completando la relazione di attuazione previsto nell'accordo.

2. La Commissione ha anche pianificato una valutazione dell'accordo quadro sulla base sia della relazione di attuazione delle parti sociali europee sia di uno studio specifico che verrà avviato nel corso di quest'anno.

Detta valutazione consentirà alla Commissione di determinare se sia necessaria un'ulteriore azione a livello di UE in questo campo.

(English version)

Question for written answer E-002059/12
to the Commission
Sonia Alfano (ALDE)
(22 February 2012)

Subject: EU legislation on mobbing

In response to Question E-7142/2010 regarding EU legislation on mobbing, the Commission made reference to the agreement signed on 26 April 2007 between the European social partners (in accordance with Article 155, Paragraph 2 of the TFEU — Treaty on the Functioning of the European Union) for the implementation of a policy of zero tolerance for incidents of mobbing at work. According to the Commission, the implementation of the agreement, which was to be accomplished by April 2010, would be subject to evaluation by the Commission itself, in order to assess whether additional policy measures of this type would be required.

Therefore, could the Commission please confirm:

1. what conclusions were drawn from its evaluation of the implementation of the aforementioned agreement;

2. whether it has planned any further initiatives to control the phenomenon of mobbing, which is at risk of manifesting in an extremely worrying manner in the context of the economic crisis on a European level?

Answer given by Mr Andor on behalf of the Commission
(17 April 2012)

The Commission attaches great importance to the prevention of mobbing in the workplace, not to mention any other form of harassment or violence. That is why the Commission supported the European social partners when they negotiated the European Framework Agreement on harassment and violence at work, which was signed in April 2007 by BusinessEurope, the European Association of Craft, Small and Medium-sized Enterprises, the European Centre of Employers and Enterprises and the European Trade Union Confederation.

1. The European social partners, who have been collecting data on the implementation of the Agreement since 2007, are currently in the process of finalising the implementation report provided for in the Agreement.

2. The Commission has also planned an evaluation of the framework Agreement based on both the European social partners' implementation report and a specific study which will be launched later this year.

The abovementioned evaluation will enable the Commission to determine whether further action at EU level is required in this field.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002060/12
alla Commissione
Sonia Alfano (ALDE)
(22 febbraio 2012)

Oggetto: Emergenza sanitaria e ambientale nel comprensorio del Mela (ME)

Il comprensorio del Mela comprende 9 comuni siciliani nella provincia di Messina e si caratterizza per la presenza di numerosi impianti (una raffineria di petrolio, un cogeneratore, un'acciaieria, una centrale termoelettrica, un impianto di estrazione del piombo dalle batterie esauste, oltre a diverse strutture minori) particolarmente rilevanti a livello di inquinamento atmosferico e di sicurezza. Gli studi sviluppati da fonti autorevoli come l'Organizzazione Mondiale della Sanità, il Dipartimento Epidemiologico della Regione Sicilia e numerose università italiane hanno evidenziato livelli di mortalità (specie tumorale) e di morbosità straordinariamente preoccupanti, al di sopra della media e connessi ai numerosi impianti presenti e al conseguente inquinamento delle matrici ambientali. Per queste ragioni nel 2002 lo stesso ministero dell'Ambiente aveva sollecitato un intervento, giunto con il decreto dell'assessorato regionale Territorio e ambiente del 4 settembre 2002, che dichiarava il comprensorio del Mela quale «area a elevato rischio di crisi ambientale». Con successivo decreto regionale del 5 settembre 2006, veniva stilato un piano di risanamento della qualità dell'aria nell'ambito del piano di risanamento dell'area.

La stessa Commissione europea acclarava l'inaccettabile situazione di tale territorio aprendo diverse procedure di infrazione, tra cui la 2006/4808 e la 2007/2182, che richiamavano la necessità di un piano di azione e di un costante monitoraggio dei livelli di inquinamento esistenti. Ad oggi il piano di risanamento per il comprensorio del Mela non è ancora stato avviato e il sistema di monitoraggio in questa zona ad elevato rischio ambientale è inesistente, come dimostrato dalla recente relazione dell'Agenzia regionale per la protezione dell'ambiente (ARPA Sicilia) secondo la quale le centraline esistenti in quella zona del messinese sono inattive già dall'inizio del 2010 e, ad ogni modo, risultano obsolete e inadeguate a monitorare una situazione ambientale complessa e critica come quella della Valle del Mela.

— Si richiede pertanto alla Commissione di attivarsi immediatamente rispetto al disastro sanitario e ambientale del comprensorio del Mela, tenendo presente che tale situazione è stata certificata da tutte le istituzioni competenti (la Commissione stessa, la regione Sicilia, aziende sanitarie, università, l'Organizzazione mondiale della sanità) ma che nessuna istituzione è finora stata in grado di garantire la tutela dei cittadini.

— Chiede di valutare il rispetto della direttiva 2008/1/CE e della normativa sulla sicurezza degli impianti, visti i tanti e continui incidenti rilevati e l'assenza di un piano di sicurezza esterna.

— Chiede di bloccare la costruzione dell'impianto a idrogeno da parte della raffineria Mediterranea in assenza di una campagna di rilevamento della qualità dell'aria antecedente all'inizio dei lavori, come peraltro previsto dal decreto del ministero dell'Ambiente del 16.5.2011.

Risposta data da Janez Potočnik a nome della Commissione
(13 aprile 2012)

La Commissione ha esaminato la situazione relativa alla qualità dell'aria ambiente nella zona facente oggetto dell'interrogazione dell'onorevole parlamentare. In base ai dati ufficiali comunicati dall'Italia per l'anno 2010 (ultimi dati disponibili), la zona è conforme a tutti i valori limite di inquinamento stabiliti dalla direttiva 2008/50/CE relativa alla qualità dell'aria ambiente.

Le procedure di infrazione (2006/4808 e 2007/2182) cui fa riferimento l'onorevole parlamentare sono state chiuse dopo l'emissione della costituzione in mora, poiché le presunte infrazioni contemplate da tali procedure sono state corrette dall'Italia.

Alla luce di quanto sopra, la Commissione non ritiene che vi siano motivi di approfondire ulteriormente la situazione con le autorità italiane, né possiede la facoltà di bloccare la costruzione dell'impianto a idrogeno.

(English version)

Question for written answer E-002060/12
to the Commission
Sonia Alfano (ALDE)
(22 February 2012)

Subject: Sanitary and environmental crisis in the district of Mela (Messina)

The district of Mela is made up of nine Sicilian communities in the province of Messina and is home to numerous factories (an oil refinery, a cogenerator, a steelworks, a thermal power plant, a plant for extracting lead from used batteries, and various other smaller facilities), which impact markedly on atmospheric pollution and safety. Studies carried out by authoritative organisations and institutions, such as the World Health Organisation, the Department of Epidemiology for the Sicily Region and numerous Italian universities have shown extremely worrying mortality (tumour-related) and morbidity rates, which are higher than average and linked to the numerous plants in the area and the effects of the resulting pollution on the surrounding environment. For this reason, in 2002, the Italian Ministry of the Environment called for action, which came in the form of the Decree of 4 September 2002 issued by the regional planning and environment office and declaring the district of Mela to be an 'area at high risk of environmental disaster'. With the regional decree that followed on 5 September 2006, a recovery plan was drafted for air quality, within the overall recovery plan for the area.

The European Commission itself made it perfectly clear that the situation in the region is unacceptable by opening a number of infringement proceedings, including 2006/4808 and 2007/2182, which stress the need for an action plan and constant monitoring of current pollution levels. The recovery plan for the district of Mela has still not been implemented and there is no monitoring system for this high risk area. This is reflected in the recent report by the Regional Environmental Protection Agency (ARPA Sicilia), which states that the monitoring equipment in this Messinese district has been inactive since the start of 2010 and, to all effects, is obsolete and unsuitable for monitoring a complex and critical environmental situation such as the one in Valle del Mela.

The Commission is therefore called upon to:

— take immediate action on the sanitary and environmental disaster in the district of Mela, taking into account that this situation has been declared a disaster by all the competent authorities (the Commission itself, the Regional Government of Sicily, health agencies, universities and the World Health Organisation) but that no institution has yet implemented measures geared towards safeguarding local citizens;

— assess whether the situation complies with Directive 2008/1/EC and legislation concerning safety measures in plants, in view of the many and continuing incidents in the area in question and the absence of an external safety plan;

— halt the construction of a hydrogen plant by Raffineria Mediterranea as no air quality assessment programme was conducted prior to the start of the works, as required in the Decree of 16 May 2011 issued by the Italian Ministry of the Environment.

Answer given by Mr Potočnik on behalf of the Commission
(13 April 2012)

The Commission has examined the ambient air quality situation in the area subject to the question by the Honourable Member. According to the official data reported by Italy for the year 2010 (latest available data) the area is in compliance with all pollutant limit values regulated in Directive 2008/50/EC on ambient air quality.

The infringement procedures (2006/4808 and 2007/2182) referred to by the Honourable Member were closed after the issue of the Letter of Formal Notice, since the apparent breaches covered by those procedures were rectified by Italy.

In the light of the above, the Commission does not see a grounds to further investigate the situation with the Italian authorities, nor has it competence to halt the construction of the hydrogen plant.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002061/12
alla Commissione
Sonia Alfano (ALDE)
(22 febbraio 2012)

Oggetto: Programma Generale Solidarietà e gestione dei flussi migratori

Può la Commissione indicare con precisione le quote di ripartizione per ciascuno Stato membro del Fondo europeo per l'integrazione dei cittadini dei paesi terzi, del Fondo europeo per i rifugiati (FER I, II, III), del Fondo europeo per le frontiere esterne e del Fondo europeo per i rimpatri dalla loro creazione ad oggi?

Può la Commissione menzionare altresì le autorità responsabili per ciascuno Stato membro?

Risposta data da Cecilia Malmström a nome della Commissione
(25 aprile 2012)

In risposta alla domanda sulla ripartizione per ciascuno Stato membro dei quattro fondi attuati nell'ambito del programma generale «Solidarietà e gestione dei flussi miratori» (fondi SOLID) la Commissione rinvia l'onorevole parlamentare alla tabella sulle quote di ripartizione consultabile sul sito internet della DG HOME: http://ec.europa.eu/home-affairs/funding/solid/funding_intro_en.htm.

Ulteriori informazioni sono disponibili nel documento di lavoro dei servizi della Commissione «Applicazione dei criteri di ripartizione delle risorse del Fondo per le frontiere esterne, del Fondo europeo per l'integrazione dei cittadini di paesi terzi e il Fondo europeo per i rimpatri e analisi degli importi assegnati agli Stati membri per questi fondi e per il Fondo europeo per i rifugiati III nel periodo 2007-2011» ([1]).

Per quanto riguarda il Fondo europeo per i rifugiati I e II, informazioni sulla ripartizione fra gli Stati membri sono disponibili nel documento «Relazione della Commissione al Parlamento europeo, al Consiglio, al Comitato economico e sociale e al Comitato delle regioni sui risultati raggiunti e sugli aspetti qualitativi e quantitativi dell'attuazione del Fondo europeo per i rifugiati per il periodo 2005-2007» ([2]).

Informazioni sulle autorità responsabili per ogni fondo in ciascuno Stato membro sono riportate sul sito internet di cui sopra: ma, poiché in vari Stati membri vi sono state modifiche recenti, il sito verrà debitamente aggiornato.

([1]) http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2011/0940/COM_SEC(2011)0940_EN.pdf
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0002:FIN:IT:PDF.

(English version)

Question for written answer E-002061/12
to the Commission
Sonia Alfano (ALDE)
(22 February 2012)

Subject: Framework Programme on Solidarity and management of migration flows

Can the Commission specify the exact share that has been allocated to each Member State from the European Fund for the integration of third-country nationals, the European Refugee Fund (ERF I, II, III), the European External Borders Fund and the European Return Fund from the time they were created until today?

Can the Commission also specify the authorities responsible for each Member State?

Answer given by Ms Malmström on behalf of the Commission
(25 April 2012)

In reply to the question on the allocations provided to each Member State for the four funds implemented under the General Programme Solidarity and Management of Migration Flows (SOLID Funds), the Commission would refer the Honourable Member to the table on allocations on the DG HOME website: http://ec.europa.eu/home-affairs/funding/solid/funding_intro_en.htm

More detailed information is available in the Commission Staff working document 'The application of the criteria for distribution of resources under the External Borders Fund, the European Fund for the Integration of third-country nationals and the European Return Fund and an analysis of the amounts allocated to the Member States for these funds and the European Refugee Fund III for the period 2007-2011' ([1]).

Regarding the European Refugee Fund I and II, information on the allocations provided to Member States is available in document 'Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the results achieved and on qualitative and quantitative aspects of implementation of the European Refugee Fund for the period 2005-2007' ([2]).

With regard to the authorities responsible for each of these funds within each Member State, this information is also available on the abovementioned website, but taking into account recent changes in a number of Member States it will be updated in due course.

([1]) http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2011/0940/COM_SEC(2011)0940_EN.pdf
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0002:FIN:EN:PDF.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002062/12
alla Commissione
Andrea Zanoni (ALDE)
(22 febbraio 2012)

Oggetto: L'UE fermi la strage di cani nelle perreras spagnole

Moltissimi cittadini e associazioni di tutela degli animali come ENPA, AIDAA, GALCI, Una zampa per la Spagna, Ayandena, Progetto animalista denunciano da mesi ciò che accade nelle *perreras* spagnole, canili dove vengono detenuti cani randagi o abbandonati.

Stando a quanto riferito da queste associazioni animaliste che si adoperano per riscattare i cani di queste strutture, se questi animali non vengono adottati entro una decina di giorni dalla loro cattura vengono soppressi con il gas, con neuroparalizzanti o in modi ben più cruenti, come si verifica ad esempio in alcune *perreras* del sud della Spagna a Jerez, Rioja, Siviglia, Badajoz.

Per adottare un cane, la procedura prevede che questo sia «prenotato». Le citate associazioni denunciano però che spesso si verificano soppressioni di cani regolarmente prenotati senza alcun motivo o soppressioni anticipate rispetto ai tempi previsti a causa di festività e di «ponti festivi» e delle relative «esigenze» del personale di queste strutture. Per ogni cane che viene accalappiato e poi ucciso, le autorità rimborsano alla *perrera* anche 80 euro, mentre se un cittadino vuole adottarne un esemplare deve pagare dai 40 agli 80 euro.

Fortunatamente nella città di Valencia esiste anche un esempio virtuoso di *perrera*, gestita da una cittadina italiana, dove il benessere dell'animale è prioritario e i cani non vengono soppressi, ma curati e vaccinati.

Oggi nell'UE non esiste una norma che tuteli gli animali da affezione, nonostante il loro numero nell'Unione sia stimato a ben cento milioni di esemplari ([1]).

— In merito ai fatti esposti, la Commissione può riferire se le citate *perreras* spagnole godono di finanziamenti derivanti da fondi europei?

— Considerato l'art. 13 del trattato di Lisbona, che riconosce gli animali quali esseri senzienti, e considerato l'innegabile, crescente interesse dei cittadini in tutti gli Stati membri a tutelare il benessere degli animali da affezione, la Commissione non ritiene prioritario dotarsi al più presto di una normativa che garantisca per questi animali da compagnia standard minimi di protezione in tutto il territorio dell'Unione, a cominciare dall'esplicito divieto della loro uccisione?

— Tale attesa misura potrebbe rientrare all'interno della possibile proposta per un quadro legislativo UE semplificato in materia di benessere degli animali, azione prevista nel 2014, come indicato nell'allegato della recente Strategia per la protezione e il benessere degli animali 2012-2015 ([2])?

Risposta data da John Dalli a nome della Commissione
(3 aprile 2012)

La Commissione non è a conoscenza di un finanziamento specifico dell'UE dei canili in Spagna o in altri Stati membri.

Per quanto concerne l'articolo 13 del trattato sul funzionamento dell'Unione europea e i cani randagi o i canili, la Commissione rinvia l'onorevole deputato alla propria risposta all'interrogazione scritta E-006543/2011 ([3]).

La Commissione ha adottato una strategia UE per la protezione e il benessere degli animali 2012-2015 ([4]). In tale contesto la Commissione condurrà nel 2014 uno studio sul benessere dei cani e dei gatti oggetto di pratiche commerciali. Sulla base dei risultati dello studio la Commissione esaminerà se siano necessarie ulteriori attività nel debito rispetto dei principi di sussidiarietà e proporzionalità.

([1]) http://www.eupaw.eu/.
([2]) COM(2012)0006 definitivo.
([3]) http://www.europarl.europa.eu/QP-WEB.
([4]) COM(2012)6 definitivo.

(English version)

Question for written answer E-002062/12
to the Commission
Andrea Zanoni (ALDE)
(22 February 2012)

Subject: EU ban on the massacre of dogs in the Spanish perreras

For months, numerous citizens and animal welfare agencies such as ENPA, AIDAA, GALCI, *Una Zampa per la Spagna (a paw for Spain)*, Ayandena and *Progetto Animalista (Animal Project)* have been condemning what has been happening in the Spanish *perreras*, dog pounds where stray or abandoned dogs are kept.

These associations, which make every effort to buy dogs from these facilities, have reported that if these animals are not adopted within a dozen days or so of being caught, they are put to sleep with gas, with neurosuppressors, or by much crueller methods, as has been happening in several *perreras* in Southern Spain in Jerez, Rioja, Seville and Badajoz, for example.

To adopt a dog, the procedure stipulates that they must be 'reserved'. However, the aforementioned associations criticise the fact that there are regular cases in which dogs that have been reserved are put to sleep for no reason, or they are put to sleep ahead of schedule due to festivals, bank holidays or for other reasons relating to employee 'requirements'. The authorites pay EUR 80 to the *perrera* for each dog that is caught and then killed, while citizens who want to adopt one of the dogs have to pay between EUR 40 and EUR 80.

Fortunately, in the city of Valencia there is a positive example of a *perrera*, run by an Italian citizen, where animal welfare is a priority and dogs are not put to sleep, but looked after and vaccinated.

Today in the EU, there is no legislation safeguarding pet welfare, despite the fact that there are an estimated hundred million pets across the EU ([1]).

— In light of this information, can the Commission state whether the aforementioned Spanish *perreras* receive any EU funding?

— In relation to Article 13 of the Treaty of Lisbon, which considers animals to be sentient beings, and in view of the undeniable, growing interest from citizens in all Member States regarding animal welfare, does the Commission not consider it to be a priority to draw up legislation, as soon as possible, that guarantees a minimum level of protection for these animals across the entire EU, starting with an explicit ban on killing them?

— Could this long-awaited measure form part of the proposal for a simplified EU legislative framework for animal welfare, scheduled for 2014, as stated in the annex to the recent European Union Strategy for the Protection and Welfare of Animals 2012-2015 ([2])?

Answer given by Mr Dalli on behalf of the Commission
(3 April 2012)

The Commission is not aware of specific EU funding for dog shelters in Spain or any other Member States.

Regarding Article 13 of the Treaty on the Functioning of the European Union and stray dogs or shelters, the Commission would refer the Honourable Member to its reply to Written Question E-006543/2011 ([3]).

The Commission adopted an EU strategy for the protection and welfare of animals 2012-2015 ([4]). In this framework the Commission will perform in 2014 a study on the welfare of dogs and cats involved in commercial practices. Based on the findings of the study, the Commission will consider if further activities are necessary with due regard for the principles of subsidiarity and proportionality.

([1]) http://www.eupaw.eu/.
([2]) COM(2012)0006 final.
([3]) http://www.europarl.europa.eu/QP-WEB.
([4]) COM(2012) 6 final.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002063/12
aan de Commissie
Auke Zijlstra (NI)
(22 februari 2012)

Betreft: Teerzand

1. Is de Commissie bekend met het artikel in The Guardian van 20 februari 2012, over een dreigende handelsoorlog tussen de EU en Canada, met betrekking tot het gebruik van brandstoffen die worden gewonnen uit teerzand)?

2. Hoe verhoudt deze dreigende handelsoorlog zich met het antwoord dat de Commissie, op 26 mei 2010 heeft gegeven op vragen van mevrouw Bearder (P-2778/2010)?

3. Is naar aanleiding van de consultatieronde (waarover wordt gesproken in het antwoord van de Commissie), over de winning van brandstoffen uit teerzanden, besloten tot regulering van de handel in teerzandproducten? Zo ja, hoe luiden de regelingen? Zo nee, waarom dreigt er een handelsoorlog over teerzand met Canada?

4. Hebben de regelingen betrekking op (kwaliteits)criteria ten aanzien van grondstoffen van brandstoffen? Zo ja:

— welke criteria worden gehanteerd?

— zijn er andere grondstoffen van brandstoffen, dan teerzand, die worden gereguleerd? Zo ja, welke zijn dat?

Antwoord van mevrouw Hedegaard namens de Commissie
(17 april 2012)

1. De Commissie is bekend met het artikel dat in de vraag van het geachte Parlementslid wordt genoemd.

2. Bij het opstellen van het voorstel van de Commissie over uitvoeringsmaatregelen voor de richtlijn brandstofkwaliteit is ten volle rekening gehouden met de handelsaspecten. De Commissie is van oordeel dat het voorstel verenigbaar is met de WTO-voorschriften aangezien het wetenschappelijk onderbouwd en niet-discriminerend is en niet door protectionistische motieven is ingegeven, maar door het streven naar een vermindering van de broeikasgasemissies door fossiele brandstoffen.

3. Het voorstel is tot op heden niet als EU-wetgeving vastgesteld.

4. Het voorstel van de Commissie inzake uitvoeringsmaatregelen voor de richtlijn brandstofkwaliteit heeft betrekking op brandstofenergiebronnen zoals aardgas, steenkool en diverse bronnen van hernieuwbare energie en aardolie zoals conventionele olie, olieleisteen en natuurlijk bitumen (teerzand). De broeikasgaswaarden hiervoor zijn vastgesteld op basis van de in het voorstel ([1]) uiteengezette wetenschappelijke criteria.

([1]) http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail documentdetail& XOvfOQKYHt67nl0gDR9EQ0pDU4Mf DGIJHglKuEmrBsRhxbx1TISJ2Mfg5DtxY23N.

(English version)

Question for written answer E-002063/12
to the Commission
Auke Zijlstra (NI)
(22 February 2012)

Subject: Oil sands

1. Is the Commission familiar with the article, published in *The Guardian* on 20 February 2012, about an imminent trade war between the EU and Canada over use of fuels derived from oil sands?

2. How does this impending trade war relate to the answer given by the Commission on 26 May 2010 to Ms Bearder's questions (P-2778/2010)?

3. Has it been decided to regulate the trade in oil sand products as a result of the consultation discussions (referred to in the Commission's answer) concerning the production of fuels from oil sands? If so, what are these regulations? If not, why is there a threat of a trade war with Canada over oil sands?

4. Do the regulations relate to (quality) criteria regarding the raw materials for fuels? If so:

— Which criteria are being applied?

— Do the regulations concern any other raw materials for fuels, apart from oil sands? If so, what are they?

Answer given by Mrs Hedegaard on behalf of the Commission
(17 April 2012)

1. The Commission is aware of the press article mentioned in the question posed by the Honourable Member.

2. The Commission proposal on implementing measures for the Fuel Quality Directive was made after the trade aspects had been fully taken into account. The Commission believes that the proposal is compatible with WTO rules as it is science-based, non-discriminatory and is not driven by any protectionist intent, but rather by the objective to ensure reductions in greenhouse gas emissions from fossil fuels.

3. The proposal has not to date been adopted into EC law.

4. The Commission proposal on implementing measures for the Fuel Quality Directive addresses fuel sources such as natural gas, coal, various renewable energy and petroleum sources such as conventional oil, oil shale and natural bitumen (tar sands). The greenhouse gas values for these are set on basis of scientific criteria spelled out in the proposal ([1]).

([1]) http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&XOvfOQKYHt67nl0gDR9EQ0pDU4MfDGIJHglKuEmrBsRhxbx1TISJ2Mfg5DtxY23N

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002064/12
adresată Comisiei
Corina Crețu (S&D)
(22 februarie 2012)

Subiect: Măsuri pentru a determina autoritățile sârbe să respecte drepturile minorităților naționale

La sfârșitul anului trecut au avut loc atacuri armate îndreptate împotriva liderilor comunităților românești din Timoc și Voivodina, din Serbia. Aceste violențe revoltătoare reprezintă apogeul unui proces constant de discriminare, deznaționalizare și persecuții la care sunt supuși românii din Serbia. Este blocat sistematic accesul minorității române din Serbia la educație, asistență religioasă, presă și administrație publică în limba maternă.

Dialogul privind acordarea statutului de țară candidată la aderarea la UE trebuie să vizeze, în primul rând, necesitatea măsurilor concrete și urgente de eradicare a oricăror forme de discriminare a cetățenilor aparținând minorităților naționale. Arestarea prezumtivilor criminali de război nu este suficientă pentru a face Serbia aptă să aparțină comunității europene.

Consider că este datoria forurilor europene să monitorizeze strict modul în care autoritățile sârbe pun în practică prevederile Rezoluției nr. 1632/2008 și ale Recomandării 1845/2008 ale Adunării Parlamentare a Consiliului Europei, referitoare la situația minorităților naționale din Voivodina și a minorității române din Serbia.

— Ce măsuri are în vedere Comisia pentru a determina autoritățile sârbe să respecte standardele europene în materie de drepturi ale minorităților naționale?

Răspuns dat de dl Füle în numele Comisiei
(10 aprilie 2012)

Comisia este la curent cu incidentele care au avut loc în cursul anului 2011 în unele orașe din Serbia de Est și urmărește îndeaproape situația. Comisia a cerut autorităților sârbe să investigheze aceste cazuri și să îi aducă pe autori în fața justiției.

În ceea ce privește situația generală a minorităților în Serbia, Comisia a raportat, în avizul său privind cererea Serbiei de aderare la UE din octombrie 2011, că există un cadru legislativ pentru protecția minorităților și că au avut loc alegeri pentru nouăsprezece consilii ale minorităților care au competențe în domeniile cultură, media, educație, precum și în chestiuni legate de folosirea limbilor minorităților. Cu toate acestea, este necesar să se îmbunătățească punerea în aplicare a drepturilor garantate constituțional și să se asigure aplicarea acestora în mod consecvent, pe întreg teritoriul Serbiei, în special în ceea ce privește educația și informarea în limbile minorităților.

În ceea ce privește minoritatea românească, Comisia nu are cunoștință de nicio discriminare, negare a identității sau persecuție, specifice, în Serbia. Oricum, Comisia cunoaște preocupările României cu privire la problemele minorităților. Prin urmare, Comisia salută protocolul bilateral încheiat între România și Serbia la 1 martie 2012 și încurajează ambele țări să abordeze problemele minorităților în contextul activității comisiei lor bilaterale privind minoritățile.

Comisia se angajează, de asemenea, să monitorizeze îndeaproape progresele înregistrate de Serbia în direcția îmbunătățirii situației minorităților. Constatările din acest domeniu se vor publica în raportul Comisiei privind progresele realizate de Serbia, din octombrie 2012.

(English version)

Question for written answer E-002064/12
to the Commission
Corina Crețu (S&D)
(22 February 2012)

Subject: Measures to convince the Serbian authorities to respect the rights of national minorities

At the end of last year, a number of armed attacks on Romanian community leaders occurred in Timoc and Vojvodina, in Serbia. These acts of violence represent the climax of a constant process of discrimination, denial of national identity and persecution that Romanians are being subjected to in Serbia. The Romanian minority in Serbia is being systematically deprived of service in its mother tongue in the fields of education, worship, the press and public administration.

Talks regarding the granting of candidate country status for accession to the European Union must concentrate on the need for concrete and urgent measures to eradicate any form of discrimination against citizens belonging to national minorities. Arresting presumed war criminals is not sufficient for Serbia to qualify to belong to the European Union.

I believe that it is the duty of European forums strictly to monitor implementation by the Serbian authorities of the provisions of Resolution 1632/2008 and Recommendation 1845/2008 of the Council of Europe Parliamentary Assembly regarding the situation of the national minorities in Vojvodina and the Romanian minority in Serbia.

— What measures are being envisaged by the Commission to ensure compliance by the Serbian authorities with European standards regarding the rights of national minorities?

Answer given by Mr Füle on behalf of the Commission
(10 April 2012)

The Commission is aware of the incidents that took place in the course of 2011 in some Eastern Serbian towns and closely follows the situation. The Commission has called on the Serbian authorities to investigate these cases and to bring the perpetrators to justice.

Regarding the overall situation of minorities in Serbia, the Commission reported in its October 2011 Opinion on Serbia's EU membership application that the legislative framework for minority protection is in place; elections have taken place for nineteen minority councils with competences over cultural, media, education and issues related to the use of minority languages. However, the implementation of the constitutionally guaranteed rights needs to be improved and consistently ensured throughout the whole territory of Serbia especially when it comes to education and information in minority languages.

Concerning the Romanian minority, the Commission is not aware of any specific discrimination, denial of identity or persecution in Serbia. However, the Commission is aware of Romania's concerns about minority issues. The Commission therefore welcomes the bilateral protocol reached between Romania and Serbia on 1 March 2012 and encourages both countries to address minority issues in the context of their bilateral commission on minorities.

The Commission is also committed to closely monitor the progress made by Serbia towards improving the situation of minorities. Findings in this area shall be published in the Commission's progress report on Serbia in October 2012.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-002071/12
til Kommissionen
Bendt Bendtsen (PPE)
(22. februar 2012)

Om: Anførelse af videnskabelige betegnelser ved salg af fisk

Det er kommet frem, at fiskehandlere i Danmark skal skilte deres varer med fiskenes latinske navn og fangststed. Det afføder selvfølgelig utrolig meget bureaukrati for de enkelte handlende, og der har været historier fremme om, hvordan nogle har måttet hyre konsulentbistand til at forstå de nye regler.

Som begrundelse for alt dette besvær henviser den danske fødevarestyrelse til Rådets forordning (EF) nr. 104/2000 af 17. december 1999 om den fælles markedsordning for fiskerivarer og akvakulturprodukter og Kommissionens gennemførelsesforordning (EF) nr. 2065/2001 af 22. oktober 2001, suppleret ved Rådets forordning (EF) nr. 1224/2009 af 20. november 2009 om oprettelse af en EF-kontrolordning med henblik på at sikre overholdelse af reglerne i den fælles fiskeripolitik og ved Kommissionens gennemførelsesforordning (EU) nr. 404/2011 af 8. april 2011.

Kan Kommissionen på den baggrund besvare følgende spørgsmål;

1. Kan det passe, at der på alle prisskilte mv. skal anføres latinske navne?

2. Ville det være tilstrækkeligt, hvis fiskehandlerne har informationen liggende, hvis der er interesse, således at oplysningerne ikke skal skrives på hvert enkelt prisskilt?

3. Har Kommissionen lavet nogle beregninger af, hvor store omkostninger disse administrative konsekvenser af lovgivningen vil være forbundet med for fiskehandlere, der er små og mellemstore virksomheder?

Forespørgsel til skriftlig besvarelse E-002169/12
til Kommissionen
Jens Rohde (ALDE)
(24. februar 2012)

Om: Latinske fiskenavne

Ifølge den danske avis Berlingske (18.2.2012) vil Kommissionen i nærmeste fremtid fremlægge et direktivforslag, som går ud på, at danske fiskehandlere skal til at begynde at skilte med de latinske navne på deres fisk, og samtidig kunne forklare forbrugeren, hvad fangsten kaldes på netop latinsk.

Overtræder fiskehandlerne denne regel, vil det kunne føre til påbud og bøder fra Fødevarestyrelsen.

Den danske brancheforening Danmarks Fiskehandlere står dybt uforstående over for dette forslag og advarer, at det blot vil føre til endnu mere bureaukrati, da hver enkelt fiskegrossist nu bliver nødt til at købe konsulentbistand for at imødekomme de nye krav fra Fødevarestyrelsen og samtidig hyre ekstra personale, som kan oversætte til latin.

Kan Kommissionen be- eller afkræfte ovenstående, og i givet fald oplyse, hvornår Kommissionen vil fremlægge direktivforslaget?

Er Kommissionen enig i vurderingen fra brancheforeningen Danmarks Fiskehandlere om, at et sådant forslag vil føre til mere uhensigtsmæssigt bureaukrati for fiskegrossisterne?

Forespørgsel til skriftlig besvarelse E-002423/12
til Kommissionen
Morten Messerschmidt (EFD)
(1. marts 2012)

Om: Mærkning med latinske artsnavne ved salg af fisk

Af den danske dagspresse er det fremgået, at en ny EU-regel fremover vil pålægge fiskehandlere at skilte med de latinske artsnavne på fisk, der udbydes til salg.

Reglen giver problemer for mange fiskehandlere, og det er vanskeligt at se, hvilket formål reglen søger at forfølge.

Vil Kommissionen derfor oplyse, hvilket formål et sådant påbud tjener, om udgiften efter dens opfattelse står mål med formålet, og hvad den agter at foretage sig for at sikre reglens overholdelse?

Samlet svar afgivet på Kommissionens vegne af Maria Damaki
(13. april 2012)

Lovgivningen vedrørende forbrugeroplysning om fiskerivarer og akvakulturprodukter ([1]) har været gældende siden den 1. januar 2002. På detailområdet skal oplysninger om handelsbetegnelse, produktionsmetode og oprindelse (fangstområde eller det land, hvor akvakulturprodukterne er produceret) anføres på produktets etikette eller emballage. Derudover har fiskehandlerne haft mulighed for at anføre artens videnskabelige navn ved salg til den endelige forbruger ([2]).

Anførelsen af artens videnskabelige navn sammen med handelsbetegnelsen er den eneste måde, hvorpå vi kan leve op til forbrugernes krav om korrekte oplysninger, så man undgår risiko for svindel med oprindelsen og/eller typen af fiskeri eller akvakulturprodukter. Derfor blev lovgivningen vedrørende forbrugeroplysninger om fiskerivarer yderligere suppleret i 2009 ([3]), hvor det blev gjort lovpligtigt pr. 1. januar 2012 at oplyse forbrugerne om det videnskabelige navn samt om, hvorvidt produkterne tidligere havde været optøet eller ej.

Hvad angår de videnskabelige navne, giver den nye lovgivning i overensstemmelse med proportionalitetskravet og under hensyntagen til detailhandlernes (fiskehandlernes) særlige situation mulighed for enten at opdatere etiketterne/emballagen eller opsætte skilte eller plakater. Små mængder af en værdi på højst 50 EUR pr. dag, der sælges direkte til forbrugerne, kan fritages. Anførelsen af det videnskabelige navn for forbrugernes skyld vil ikke føre til yderlige omkostninger, idet navnet under alle omstændigheder skal fremgå som en del af et sporbarhedssystem.

Den foreslåede reform af den fælles markedsordning følger den samme tilgang ved at give flere oplysninger til forbrugerne (f.eks. fangstdato) og omfatte flere produkter (f.eks. forarbejdede produkter og produkter på dåse), alt imens der tages højde for proportionalitetskravene.

([1]) Kommissionens forordning (EF) nr. 2065/2001 af 22. oktober 2011 om gennemførelsesbestemmelser til Rådets forordning (EF) nr. 104/2000 for så vidt angår forbrugeroplysning om fiskerivarer og akvakulturprodukter.

([2]) Artikel 3 i forordning (EF) nr. 2065/2001.

([3]) Rådets forordning (EF) nr. 1224/2009 af 20. november 2009 om oprettelse af en EF-kontrolordning med henblik på at sikre overholdelse af reglerne i den fælles fiskeripolitik og Kommissionens gennemførelsesforordning (EU) nr. 404/2011 af 8. april 2011 om gennemførelsesbestemmelser til Rådets forordning (EF) nr. 1224/2009 om oprettelse af en EF-kontrolordning med henblik på at sikre overholdelse af reglerne i den fælles fiskeripolitik.

(English version)

Question for written answer E-002071/12
to the Commission
Bendt Bendtsen (PPE)
(22 February 2012)

Subject: Displaying scientific names when selling fish

Fishmongers in Denmark are required to display fish with their Latin names and catch locations. This obviously creates an incredibly large amount of red tape for individual traders, and it has been reported that some have had to hire consultancies in order to understand the new rules.

The Danish Veterinary and Food Administration cites — as the reason for this inconvenience — Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products and Commission Regulation (EC) No 2065/2001 of 22 October 2001, supplemented by Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and by Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011.

In view of this, can the Commission say whether:

1. It is correct that Latin names must appear on all price displays, etc?

2. It would be sufficient for fishmongers to have the information available, if it is asked for, so that it does not need to be written on every single price display?

3. It has made any calculations of the cost of this administrative impact of the legislation is for fishmongers, who operate small and medium-sized businesses?

Question for written answer E-002169/12
to the Commission
Jens Rohde (ALDE)
(24 February 2012)

Subject: Latin fish names

According to the Danish newspaper *Berlingske* (18 February 2012), in the very near future the Commission will submit a proposal for a directive which would require Danish fishmongers to begin displaying the Latin names for their fish and to tell consumers what a catch is called in Latin.

Fishmongers infringing that rule would be liable to fines and penalties imposed by the Danish Veterinary and Food Administration.

The Danish Fishmongers Association is deeply concerned about this proposal and warns that it would only lead to yet more red tape, as each individual fish wholesaler would then have to pay for consultancy services to meet the new Danish Veterinary and Food Administration requirements and, at the same time, would have to take on extra staff who could translate into Latin.

Can the Commission confirm or deny the above and, if the report is true, say when it will be submitting the proposal for a directive?

Does the Commission agree with the Danish Fishmongers Association's assessment that such a proposal would lead to more uncalled-for red tape for fish wholesalers?

Question for written answer E-002423/12
to the Commission
Morten Messerschmidt (EFD)
(1 March 2012)

Subject: Labelling fish for sale with Latin species names

It has been reported in the daily press in Denmark that from now on a new EU regulation will force fishmongers to display the Latin species names of the fish they are offering for sale.

Such a regulation would cause problems for many fishmongers, and it is difficult to see what purpose such a regulation would be seeking to pursue.

Will the Commission therefore advise what purpose such an obligation serves, whether, in its view, the expense involved is commensurate with the purpose, and what action it is intending to take to ensure compliance with this regulation?

Joint answer given by Ms Damanaki on behalf of the Commission
(13 April 2012)

The legislation on consumer information on fisheries and aquaculture products ([1]) applies since 1 January 2002. At retail stage, information on the commercial designation, the production method, and the provenance (catch area or country of production for aquaculture products) shall be provided by means of the labelling or packaging of the product. In addition, operators also had the possibility to indicate the scientific name of the species concerned upon sale to the consumer ([2]).

The scientific name in conjunction with the commercial designation is the only way to respond to consumers' demand for accurate information and to avoid risk of frauds on the origin and/or nature of fisheries and aquaculture products. Accordingly, the consumer information legislation for fishery products was further complemented in 2009 ([3]) and established the obligation, as from 1 January 2012, to inform consumers on the scientific name and whether products were previously defrosted or not.

With respect to the scientific names, in view of proportionality requirements and taking into account the specific situation of retailers (fishmongers), the new regulation allows them to either update their existing labels/marking or to use billboard or posters. Small quantities directly sold to consumers of up to EUR 50 a day may be exempted altogether. The indication of the scientific name for consumers will not cause any additional costs as it has to be available as part of a traceability system anyway.

The proposed reform of the common market organisation follows the same approach by providing additional information to consumers (e.g. date of catch) and covering more products (e.g. canned and processed) taking into account proportionality requirements.

([1]) Commission Regulation (EC) No 2065/2001 of 22 October 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products.

([2]) Article 3 of Regulation (EC) No 2065/2001.

([3]) Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.

(English version)

Question for written answer E-002077/12
to the Commission
Nessa Childers (S&D)
(22 February 2012)

Subject: Rise in suicides recorded among working-age people

Recent analysis by US and UK researchers (reported in the medical journal *The Lancet*) found that a rise in suicides was recorded among working-age people between 2007 and 2009 in 9 of the 10 nations studied. The increases varied between 5 % and 17 % for under 65s after a period of falling suicide rates.

The team used World Health Organisation data to compare rates in the 10 countries, including the UK. During the period, there was a rise in unemployment by a third.

Suicides were actually falling before the recession, then started rising in nearly all European countries studied. These rises are almost certainly linked to the financial crisis.

— Would the Commission agree that there is a link between the economic recession and the rise in suicides?

— What action is the Commission taking to encourage Member States to tackle the rising suicide problem in Europe?

Answer given by Mr Dalli on behalf of the Commission
(18 April 2012)

The Commission is aware of the article by David Stuckler et al., 'Effects of the 2008 recession on health: a first look at European data', published in *The Lancet*, and earlier work of these researchers on the links between unemployment and suicide.

The data collected by Eurostat confirm increases in suicide rates in many Member States between 2007 and 2009, in line with the study. However, short-term trends in suicide need to be interpreted with caution. For example, in 14 Member States, suicide levels in 2009 were lower than, for instance, in 2001. Furthermore, four out of the five Member States who have provided data on suicide for 2010 reported declining rates. In addition, it needs to be taken into account that there is a range of different economic, social and health factors and causes involved.

In the health and social contexts, the impact of the crisis on mental health and suicide is being considered with Member States under the European Pact for Mental Health and Well-being, the work of the Group of Governmental Experts on Mental Health and Well-being, and the work of the Social Protection Committee on the social impact of the economic crisis.

In addition, the EU Seventh Framework Programme for research (FP7, 2007-2013) has allocated over EUR 10 million to research on suicide prevention. In particular, the project OSPI-EUROPE ([1]) (EUR 3 million) aims at developing an evidence-based prevention strategy for suicidality.

([1]) http://www.ospi-europe.com/

(English version)

Question for written answer E-002081/12
to the Commission
Nessa Childers (S&D)
(22 February 2012)

Subject: Making public play areas smoke-free

An anti-tobacco group has called on all county and city councils to make public play areas smoke-free in a bid to tackle the dangers of passive smoking.

Spokesman Dr Brian Maurer said: 'When play areas are used for smoking it is inevitable that large quantities of tobacco waste builds up within the facilities and this in itself is unhealthy and unsightly'.

Does the Commission agree with this approach? Would it support the implementation of a similar ban across the EU?

Answer given by Mr Dalli on behalf of the Commission
(10 April 2012)

The Council recommendation on smoke-free environments from 2009 ([1]) — as endorsed by the Ministers of Health of the EU Member States — calls on Member States to fully protect their citizens from exposure to tobacco smoke by 2012, with a particular emphasis on the dangers of second-hand tobacco smoke for children. The implementation of this recommendation falls under the responsibility of Member States. The Commission supports its implementation by Member States.

The recommendation is based on Article 8 of the WHO Framework Convention on Tobacco Control (FCTC) and its guidelines on protection from exposure to tobacco smoke. According to these guidelines such protection should cover not only indoor public places, but also, as appropriate, 'other' (that is outdoor or quasi-outdoor) public places, wherever evidence shows that a health hazard exists.

([1]) Council Recommendation of 30 November 2009 on smoke-free environments (OJ C 296, 5.12.2009, p. 4).

(English version)

Question for written answer E-002088/12
to the Commission
Liam Aylward (ALDE)
(22 February 2012)

Subject: EFSA and the nutrition and health claims regulation

Concerned interest groups from the nutrition and food industry have recently criticised the European Food Safety Authority (EFSA) with regard to its methodology for defining claims relating to food and nutritional products.

— Does the Commission have any plans to re-examine the methodology and approval system that EFSA employs in appropriating health claims on food and nutritional products?

— Is the Commission aware that a number of different stakeholders and interest groups associated with the nutrition and food health sector are dissatisfied with the definition of health claims currently used by EFSA?

— Does the Commission plan to review the procedure used in defining health claims?

— Does the Commission plan to engage in further consultation with concerned interest groups and stakeholders involved in the nutrition and food health sector?

Answer given by Mr Dalli on behalf of the Commission
(3 April 2012)

In adopting Regulation (EC) No 1924/2006 on nutrition and health claims ([1]), the co-legislators decided that scientific substantiation should be the main aspect to be taken into account for the use of nutrition and health claims and that this should be based on generally accepted scientific evidence. It is the responsibility of the European Food Safety Authority (EFSA) to assess the scientific evidence.

The Commission is satisfied that EFSA's assessments are consistent with the requirements set out in the regulation and there is currently no intention to review or modify the process to authorise health claims.

The Commission is aware that a very small part of the food industry is dissatisfied with the assessments carried out by EFSA, in particular as regards the establishment of the list of permitted claims pursuant to Art.13(3) of the regulation. The Commission is however also aware that the majority of the food industry and major consumers' organisations support the establishment of such a list.

The Commission has been in regular contact will all parties interested in the implementation of the regulation, in a proactive and transparent way. The Commission will continue engaging with stakeholders whenever this is necessary to ensure a correct implementation of the regulation.

([1]) Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods, OJ L 404, 30.12.2006; http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:404:0009:0025:EN:PDF.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002112/12
a la Comisión
Willy Meyer (GUE/NGL)
(22 de febrero de 2012)

Asunto: Privatización del agua: «Aguas Ter-Llobregat», empresa pública suministradora de agua potable en Catalunya

La Generalitat de Catalunya ha iniciado el proceso de privatización de la empresa pública «Aguas Ter Llobregat» (ATLL), creada en 1990, y que abastece de agua potable a más de 4,9 millones de ciudadanos, (más de 229 Hm^3 anuales).

En los últimos años, con el apoyo financiero de la UE a través de los fondos de cohesión, ATLL ha realizado un enorme esfuerzo para la mejora de sus infraestructuras, que han sido realizadas con la aportación económica de la ciudadanía, ya sea a través de impuestos como de inversión pública de entidades locales. Esta inversión ha conseguido que el suministro de agua y el servicio prestado por la empresa pública garantice razonablemente el abastecimiento a la ciudadanía y se cumpla con el derecho humano a agua suficiente y accesible para todos los ciudadanos. Igualmente, es un servicio eficiente al conseguir que, de cada 100 litros que entran en la red, 95 lleguen a su destino final. Ahora, una vez realizadas estas cuantiosas inversiones públicas, el gobierno catalán quiere vender la empresa pública ofreciendo además una concesión de 50 años y la gestión de las tarifas, lo que supondría la imposición de criterios de beneficio económico frente a los actuales criterios de servicio público y universalidad. Esto pondría en serio riesgo la garantía a un suministro de agua potable suficiente para toda la población.

La privatización, además de contar con un rechazo popular mayoritario, supone un ataque frontal al control democrático de la gestión de este recurso básico y, como ha quedado en casos similares de privatización en grandes urbes como Paris, Berlín o Roma, conllevaría un empeoramiento en los servicios, su encarecimiento y el incremento de los problemas y la desigualdad en su acceso. Además, entraría en contradicción con la normativa europea relativa a la competencia pues se crearía un monopolio natural con una demanda cautiva. Teniendo en cuenta que el suministro suficiente y accesible de agua potable está considerado como un derecho humano, tal y como recoge la Resolución del PE P6_TA (2006)0087, y como un derecho fundamental en la UE; que esta privatización cuenta con un mayoritario rechazo de la población; y que puede conllevar el incumplimiento de Directiva 2004/18/CE y del acervo comunitario relativo a la competencia;

— ¿Dispone la Comisión de información sobre este proceso de privatización y está velando porque se respete la normativa comunitaria citada?

— ¿Piensa la Comisión implementar medidas efectivas para que se garantice desde el sector público el respeto el derecho humano a un suministro suficiente y accesible de agua?

— ¿Considera la Comisión oportuno que se busque hacer negocio con un derecho fundamental aun a costa de poner en peligro la garantía del mismo?

Pregunta con solicitud de respuesta escrita E-002146/12
a la Comisión
Willy Meyer (GUE/NGL)
(23 de febrero de 2012)

Asunto: Privatización del agua: «Canal de Isabel II», empresa pública que planifica y gestiona el ciclo integral del agua en la Comunidad de Madrid

Recientemente, la Presidenta de la Comunidad de Madrid, Esperanza Aguirre, declaró públicamente sus intenciones de concluir la privatización de la empresa pública de agua madrileña «Canal de Isabel II». El «Canal de Isabel II» se encarga, desde hace 150 años y de manera pública, de planificar y gestionar el ciclo integral del agua en toda la Comunidad de Madrid y de apoyar a las entidades locales. Los servicios que presta actualmente cuentan con un alto grado de aceptación de la ciudadanía pues, además de eficientes (la empresa generó unos beneficios cercanos a los 100 millones de euros en 2009), son eficaces en su carácter público, ya que éste ha permitido asegurar la universalidad en el acceso al agua, cubriendo los aspectos más sociales y el desarrollo de unos servicios de calidad.

En 2008, el PP aprobó, con un fuerte rechazo popular y del resto de las formaciones políticas, iniciar los trámites para reemplazar la actual empresa pública por una sociedad con participación de capital privado. Desde el punto de vista democrático, todo el proceso de privatización ha carecido de la necesaria transparencia y participación de la ciudadanía, algo inaceptable al tratarse de un asunto tan vital como la planificación y gestión del ciclo integral del agua y estar considerado el acceso al agua como un derecho fundamental consagrado como derecho humano. Asimismo, según varias asociaciones y organizaciones, en todo el proceso de privatización, sobre todo en lo relacionado con el concurso y la concesión, existen varios incumplimientos de la normativa comunitaria recogida, entre otras, en la Directiva 2004/18/CE sobre coordinación de los procedimientos de adjudicación de los contratos públicos de obras, de suministro y de servicios.

Experiencias parecidas en otras grandes ciudades europeas como París, Roma o Berlín, han demostrado que la privatización de la gestión del agua conlleva un empeoramiento en los servicios, el encarecimiento de ésta y el incremento de los problemas y la desigualdad en su acceso. Considerando la nula participación de la ciudadanía en la toma de decisión sobre el proceso de privatización, el rechazo de una inmensa mayoría a éste, el carácter de bien de necesidad básica y primaria del agua, así como su carácter de derecho humano recogido en la Resolución del PE P6_TA(2006)0087, y lo establecido en el Convenio de Aarhus sobre participación ciudadana:

— ¿Dispone la Comisión de información sobre este proceso de privatización y está velando porque se respete la normativa comunitaria citada?

— ¿Piensa la Comisión implementar medidas efectivas para que se garantice desde el sector público el respeto del derecho humano a un suministro suficiente y accesible de agua?

— ¿Considera la Comisión oportuno que se busque hacer negocio con un derecho fundamental aun a costa de poner en peligro la garantía del mismo?

Respuesta conjunta del Sr. Barnier en nombre de la Comisión
(20 de abril de 2012)

1. La Comisión informa a Su Señoría de que no dispone de información acerca del proceso de privatización de las empresas públicas «Aguas Ter-Llobregat» (ATLL) y «Canal de Isabel II».

En cuanto a la aplicación al proceso de privatización de las normas sobre contratación pública, en particular la Directiva 2004/18/CE, el Tribunal de Justicia de la Unión Europea declaró en su sentencia en el asunto *C-145/08 Loutraki* que, en caso de que una transacción suponga tanto una transmisión de acciones, como ocurre en los procesos de privatización, como la adjudicación de obras o servicios por parte de un poder adjudicador a un operador privado, las Directivas de la UE sobre contratación solo se aplicarán a la transacción si el aspecto relativo a la adjudicación del contrato público constituye la parte principal de la transacción y está relacionado de forma indisociable con la venta de acciones.

La Comisión no tiene pruebas que acrediten que las normas sobre contratación son aplicables en este caso. Se ruega a Su Señoría presente a la Comisión una denuncia exhaustiva sobre este caso si considera que se han podido incumplir las normas de la UE sobre contratación pública.

2. La Directiva 98/83/CE sobre el agua potable tiene como objetivo proteger la salud de los consumidores de la UE y garantizar un agua limpia y saludable.

3. De acuerdo con lo dispuesto en el artículo 345 del TFUE, los Tratados no prejuzgan en modo alguno el régimen de la propiedad en los Estados miembros. Por consiguiente, la transferencia de una empresa del sector público al sector privado corresponde a una opción de política económica que entra en el ámbito de competencia exclusiva de los Estados miembros. Sin embargo, en caso de que se compruebe que dicha transferencia constituye una violación del derecho de la UE, la Comisión tomará todas las medidas apropiadas para subsanar la situación.

(English version)

Question for written answer E-002112/12
to the Commission
Willy Meyer (GUE/NGL)
(22 February 2012)

Subject: Water privatisation: 'Aguas Ter-Llobregat', public water supply company in Catalonia

Catalonia's autonomous government has begun the process of privatising 'Aguas Ter Llobregat' (ATLL), a public utility company formed in 1990, which supplies drinking water to more than 4.9 million citizens, (more than 229 Hm^3 per year).

Over the last few years, with financial help from the EU through cohesion funds, ATLL has made great efforts to modernise its infrastructure, using public money in the form of tax revenues and local authority investment. This investment has enabled this public utility company to supply water and provide a service to citizens at a reasonable cost, ensuring their basic human right to an adequate water supply accessible to all. It is also an efficient service in that out of every 100 litres entering the network, 95 reach their destination. Now, after all this public investment, the Catalan government wants to sell the public company, even offering a 50-year contract and the right to set prices, which would mean that criteria of financial return will supplant the current criteria of a public and universal service. This would seriously jeopardise the provision of sufficient drinking water for the whole population.

This privatisation, as well as being opposed by the majority of the public, represents a direct attack on democratic control over management of this basic resource, and, as has happened in similar cases of privatisation in large urban areas like Paris, Berlin and Rome, will bring with it worsening service and rising costs, and will also cause more problems as regards inequality of access. Furthermore, it would contravene European competition laws because it would create a natural monopoly with captive consumers. An adequate and accessible supply of drinking water is considered to be a fundamental human right. It is recognised as such by Parliament's Resolution P6_TA (2006)0087. The EU recognises it as a basic right. In addition, this privatisation is opposed by a large majority of the population and may lead to a breach of Directive 2004/18/EC and of the community acquis relating to competition. With all this in mind:

— Does the Commission have information on this privatisation process and is it ensuring that the abovementioned Community legislation is adhered to?

— Does the Commission intend to take effective measures to ensure that it is the public sector which guarantees that the human right to a sufficient and accessible water supply is upheld?

— Does the Commission consider it appropriate to turn a fundamental right into a business, when doing so may mean that the right is no longer upheld?

Question for written answer E-002146/12
to the Commission
Willy Meyer (GUE/NGL)
(23 February 2012)

Subject: Water privatisation: 'Canal de Isabel II', a public enterprise that plans and manages the complete water cycle in the Community of Madrid

Recently the President of the Community of Madrid, Esperanza Aguirre, declared publicly her intention to conclude the privatisation of Madrid's public water enterprise, 'Canal de Isabel II'. For 150 years, 'Canal de Isabel II' has been a public enterprise responsible for planning and managing the complete water cycle for the whole of the Community of Madrid and for providing support to local bodies. The services that it provides at present enjoy a high degree of approval among citizens, since, as well as being efficient (the company had profits of close to EUR 100 million in 2009), it is effective in its public capacity, ensuring universal access to water, covering the mret social aspects and delivering quality services.

In 2008, in the face of strong public rejection and opposition from the other political parties, the PP party approved starting a process to replace the current public enterprise by a company with a share of private capital. From a democratic point of view, the whole privatisation process has lacked the necessary transparency and citizen participation. This is unacceptable in such a vital matter as the planning and management of the water cycle, access to water being a fundamental human right. Moreover, according to several associations and organisations, throughout the privatisation process, particularly with regard to the announcement and award of contracts, there have been several breaches of Community legislation, including Directive 2004/18/EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts.

Similar experiences in other European cities, such as Paris, Rome and Berlin, have shown that privatisation of water management brings a deterioration in services, making them more expensive and increasing problems and inequality in access. Considering the lack of public participation in the decision taken on the privatisation process, the rejection of this process by the vast majority of citizens, the basic and primary need for water, as well as the fact that access to water is a human right upheld by resolution P6_TA(2006)0087, and given the provisions of the Aarhus Convention on public participation:

— Does the Commission have information on this privatisation process and is it ensuring that the abovementioned Community legislation is adhered to?

— Does the Commission intend to take effective measures to ensure that respect for the fundamental human right to an adequate and accessible water supply is guaranteed within the public sector?

— Does the Commission consider it appropriate to do business involving a fundamental human right, even at the cost of endangering the guarantee of this right?

Joint answer given by Mr Barnier on behalf of the Commission
(20 April 2012)

1. The Commission would like to inform the Honourable Member that it does not have any information concerning the process of privatisation of the public utility companies 'Aguas Ter-Llobregat' (ATLL) and 'Canal de Isabel II'.

As regards the application of public procurement rules, in particular Directive 2004/18/EC, to the privatisation process, the Court of Justice of the European Union clarified in its ruling in Case C-145/08 *Loutraki* that: 'where a transaction involves both a transfer of shares, as it is the case in privatisation processes, and the attribution of works or services by a contracting authority to a private operator, the EU procurement Directives will apply to the transaction only where the aspect related to the award of the public contract is the main part of the transaction and it is inseparably linked to the sale of shares'.

The Commission does not have any evidence permitting it to conclude that procurement rules apply to the present case. The Honourable Member is invited to provide the Commission with a fully-fledged complaint on the matter if it considers that EU public procurement rules may have been breached.

2. The objective of the Drinking Water Directive 98/83/EC is to protect the health of the consumers of the EU and to make sure the water is wholesome and clean.

3. Pursuant to Article 345 TFEU, the Treaties shall in no way prejudice the rules in Member States governing the system of property ownership. Accordingly, the movement of a firm from the public to the private sector is an economic policy choice which falls within the exclusive competence of Member States. If however it is found that such a movement is in breach of EC law, the Commission will take all appropriate measures to ensure that this is remedied.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002122/12
alla Commissione
Mario Borghezio (EFD)
(22 febbraio 2012)

Oggetto: Azioni in programma per la tutela dei diritti on line

Dal 1° marzo il famoso motore di ricerca Google applicherà nuove regole affinché i dati caricati restino in memoria nel sistema, costituendo di fatto un grande rischio per la privacy dei cittadini europei.

Inoltre l'assenza di una regolamentazione internazionale condivisa crea un vuoto normativo che danneggia non solo i cittadini, ma anche le imprese multinazionali, che operano in paesi con regole differenti fra loro.

— Quali azioni ha intrapreso la Commissione a tutela dei cittadini europei riguardo alla nuova politica di Google?

— Intende essa procedere verso un'uniformazione internazionale e transeuropea delle norme relative alla privacy?

— Come tutela i diritti dei cittadini europei di fronte a legislazioni che permettono un accesso ai dati personali e garantiscono una protezione non adeguata nei confronti della privacy?

Risposta data da Viviane Reding a nome della Commissione
(24 aprile 2012)

La Commissione è consapevole dei problemi posti dalla nuova politica di Google in materia di protezione dei dati. Fatte salve le sue competenze quale custode dei trattati, la supervisione e l'attuazione della normativa sulla protezione dei dati spettano alle autorità competenti, segnatamente quelle preposte al controllo della protezione dei dati.

La politica di Google sulla privacy rientra nell'ambito della direttiva 95/46/CE, della cui corretta applicazione sono responsabili le autorità nazionali competenti in materia di protezione dei dati. Nel caso di Google, le autorità di controllo riunite nel gruppo istituito dall'articolo 29 della direttiva, del quale fanno parte le autorità di controllo europee, hanno incaricato la CNIL di svolgere un'indagine approfondita. La Commissione considera tale indagine necessaria e auspicabile per verificare la conformità del trattamento dei dati o indagare su eventuali violazioni oppure per comminare sanzioni.

La Commissione, in stretta collaborazione con le autorità dei paesi terzi (compresi gli Stati Uniti) e di organizzazioni internazionali quali l'OCSE e il Consiglio d'Europa, sta altresì cercando il modo di assicurare l'interoperabilità dei diversi sistemi di protezione della vita privata.

Una volta adottata dal Consiglio e dal Parlamento europeo, la proposta di regolamento della Commissione del 25 gennaio, che istituisce un quadro generale per la protezione dei dati, si applicherà anche nel caso Google. La proposta, che intende rafforzare i poteri delle autorità di protezione dei dati, prevede l'introduzione di sanzioni più pesanti, nonché del concetto di protezione della vita privata dal concepimento, e garantirà pertanto a quanti vivono in Europa una protezione molto più efficace dei loro dati.

(English version)

Question for written answer E-002122/12
to the Commission
Mario Borghezio (EFD)
(22 February 2012)

Subject: Planned measures for the protection of rights online

From 1 March 2012, Google, the famous search engine, will be implementing new rules in order to ensure that any data entered will be stored within the system's memory, posing a serious threat to the privacy of European citizens.

Furthermore, the absence of a common international regulatory framework creates a legislative void that not only endangers citizens, but also multinational organisations operating in countries with laws different to their own.

— What action has the Commission taken to safeguard European citizens in relation to Google's new policy?

— Does it intend to move towards an international and pan-European standardisation of legislation on privacy?

— How will it safeguard the rights of European citizens in respect of legislation allowing access to personal data and providing insufficient protection of privacy?

(Version française)

Réponse donnée par Mme Reding au nom de la Commission
(24 avril 2012)

La Commission est consciente des problèmes posés par la nouvelle politique de protection des données de Google. Sans préjudice des pouvoirs de la Commission en tant que gardienne des traités, la supervision et la mise en œuvre de la législation protection des données est du ressort des autorités compétentes, en particulier les autorités de contrôle de la protection des données.

La Directive 95/46/CE s'applique dans le cas de la politique vie privée de Google. Les autorités nationales de protection des données sont responsables de la bonne application de la Directive. Dans le cas de Google, les autorités de contrôle réunies, au sein du groupe de l'article 29 rassemblant les autorités de contrôle européennes, ont chargé la CNIL d'une enquête approfondie. La Commission considère que l'enquête des autorités de contrôle est nécessaire et bienvenue, pour vérifier la conformité des traitements de données ou faire des enquêtes sur les possibles violations ou pour imposer des sanctions.

La Commission travaille aussi en étroite collaboration avec les autorités des pays tiers (y compris les États-Unis) et des organisations internationales telles que l'OCDE et le Conseil de l'Europe sur comment aboutir à l'interopérabilité des différents systèmes de protection de la vie privée.

La proposition de la Commission du 25 janvier portant sur un règlement général pour la protection des données, une fois adoptée par le Conseil et le Parlement européen, s'appliquera aussi dans le cas Google. Elle vise à renforcer les pouvoirs des autorités de protection des données et prévoit que des sanctions plus importantes soient prévues, ainsi que l'introduction du concept de protection de la vie privée dès la conception et par défaut va protéger de façon beaucoup plus efficace les individus en Europe en ce qui concerne la protection des données.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002123/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 febbraio 2012)

Oggetto: Utilizzo di mezzi sostenibili per trasporto di merci nei centri storici

Furgoni a metano, elettrici e a gpl sono le soluzioni più ecologiche per trasportare le merci nei centri storici delle città, dove ci sono limiti di accesso e i corrieri si stanno attrezzando.

In Italia, su oltre 3,8 milioni di mezzi leggeri (sotto i 35 quintali), che servono proprio per trasportare merci nei centri storici, soltanto il 25 % è di categoria Euro 4 o superiore, l'1,6 % a metano/gpl e meno del 3 per mille è un veicolo a emissione zero). I dati, forniti dalla Federazione italiana trasportatori (Fedit), si riferiscono al 2010 e danno un'idea generale di quanto bisogna lavorare per rendere le «consegne pacchi» più ecosostenibili.

Alla luce dei fatti sopraesposti, può la Commissione sapere:

1. se è a conoscenza dei dati sul trasporto delle merci nei centri storici italiani,

2. se può fornire un quadro generale sul trasporto delle merci nei centri storici nei vari Stati membri,

3. come intende agire per favorire l'aumento di mezzi sostenibili per il trasporto di merci nei centri storici e nelle aree di particolare interesse storico, culturale e artistico?

Risposta data da Siim Kallas a nome della Commissione
(16 aprile 2012)

1 & 2) No, la Commissione non dispone di cifre specifiche riguardo al trasporto di merci nei quartieri situati nei centri storici delle città italiane. Secondo la Commissione, gli Stati membri sono più propensi a fornire un quadro generale del trasporto delle merci in città e centri urbani storici presenti all'interno dei loro territori.

3) La Commissione intende proporre una serie di iniziative che ottimizzeranno il trasporto di merci all'interno delle città in generale. Ad esempio:

a) Nell'ambito del seguito dato al Libro bianco del 2011 «Tabella di marcia verso uno spazio unico europeo dei trasporti — Per una politica dei trasporti competitiva e sostenibile», la Commissione intende presentare nel 2013 una strategia per un settore logistico urbano a zero emissioni nei principali centri urbani entro il 2030.

b) Inoltre, la Commissione intende promuovere il concetto di «piani di mobilità urbana sostenibile», il quale dovrebbe prestare una particolare attenzione alla questione del trasposto merci urbano.

c) La Commissione sta preparando quest'anno una relazione sull'attuazione della direttiva 2009/33/CE del Parlamento europeo e del Consiglio del 23 aprile 2009 sulla promozione di veicoli per il trasporto su strada puliti e efficienti sul piano energetico alla quale, se necessario, potrebbero essere apportate opportune modifiche.

All'onorevole parlamentare interesserà sapere che la rete «Best Urban Freight Solutions», finanziata dall'UE, ha raccolto un gran numero di informazioni sul trasporto merci urbano. Ulteriori dettagli sono disponibili al seguente indirizzo web: www.bestufs.net.

(English version)

Question for written answer E-002123/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 February 2012)

Subject: Use of sustainable vehicles to carry goods in old town quarters

Methane-, electric- and LPG-powered delivery vans are the most ecological solutions for the transport of goods in the older parts of cities, where access is restricted and couriers are being used.

Out of over 3.8 million light vehicles (under 3 500 kg) used to carry goods in the older parts of Italian cities, only 25 % are of Euro 4 standard or higher, 1.6 % are methane/LPG powered and fewer than 3 in every thousand are zero-emission vehicles. These statistics, provided by the Italian Carrier Federation (Fedit), relate to 2010 and show in general terms how much needs to be done in order to make courier services more eco-friendly.

1. Is the Commission aware of the figures on the transport of goods in the old town quarters of Italian cities?

2. Could it provide a general overview of the transport of goods in old towns and cities in the Member States?

3. What will it do to encourage the wider use of sustainable vehicles to carry goods in old town quarters and areas of particular historical, cultural and artistic interest?

Answer given by Mr Kallas on behalf of the Commission
(16 April 2012)

1 and 2. No — the Commission does not have specific figures for the transport of goods in the old town quarters of Italian cities. Member States are in the view of the Commission more apt to provide an overview of the transport of goods in 'old towns and cities' situated on their territory.

3. The Commission intends to come forward with a number of initiatives that will optimise urban freight transport in general. For example:

a) As part of the follow-up to its 2011 White Paper: Roadmap to a Single European Transport Area — Towards a competitive and resource efficient transport system, the Commission plans to present in 2013 a strategy for zero emissions urban logistics in major urban centres by 2030.

b) The Commission also plans to take forward the concept of 'Sustainable Urban Mobility Plans' which is expected to include a specific focus on urban freight.

c) In 2012 the Commission is preparing a report on the implementation of Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles which could propose appropriate adjustments, if necessary.

The Honourable Member might be interested to know that a wealth of information about urban goods transport has been brought together by the EU-funded 'Best Urban Freight Solutions' network. All details can be found at: www.bestufs.net

(English version)

Question for written answer P-002126/12
to the Commission
John Stuart Agnew (EFD)
(22 February 2012)

Subject: Single market obstacles in planned Commission parallel trade Guidance

1. The Commission's Draft Guidance on Article 52 of Regulation (EC) No 1107/2009 says '*only plant protection products authorised under Article 28 of the regulation may be granted a parallel trade permit*'. As authorisations granted on the basis of mutual recognition are governed by Articles 40-42, the Guidance, as drafted, seems to exclude the possibility of securing a parallel trading permit where the Member State of origin is a mutual recognition state. Does not such a restriction on trading conflict with:

— the broader rationale of the regulation relating to mutual recognition, and

— the clear wording of Article 52, which refers merely to a '*plant protection product that is authorised in one Member State*' without being restrictive as to an authorisation pursuant to Article 29 or authorisation pursuant to Article 40 et seq.?

Will the Commission ensure that the Guidance allows parallel trade permits to be granted also for products authorised under the mutual recognition procedure?

2. Where the manufacturer of the reference product has for any reason sought authorisation only for a single specific packaging size, does the Commission consider that a parallel trader should be able to secure a permit for a different size or sizes provided that such other sizes are authorised in that Member State for the same formulation type — thus increasing the choice available to consumers and removing potential unjustified barriers to the free movement of goods?

3. The draft Guidance says that, for purposes of ensuring traceability of repacked products, '*the batch number and the production date of the original product … must be displayed on the label of the re-packaged product*'. Is not such a requirement more onerous than is required for the original product packaging and hence unduly restrictive of trade in parallel products, especially when the original product is sourced over time and consolidated in the re-packaging process, such that the product being re-packaged could derive from more than a single batch and it is not possible to label with certainty which batch the re-packaged product comprises? In such circumstances, would the Commission agree that the proposed requirement would unnecessarily perpetuate a non-tariff trade barrier?

Answer given by Mr Dalli on behalf of the Commission
(20 March 2012)

1. The Commission can confirm that it is possible to obtain parallel trade permits for plant protection products which have received an authorisation on the basis of the procedure for mutual recognition. Authorisations granted under Article 28 of Regulation (EC) No 1107/2009 on plant protection products ([1]) include those granted following the mutual recognition procedure. The draft Guidance on parallel trade does not prevent the granting of parallel trade permits for products authorised under the mutual recognition procedure.

2. Article 52(3)(c) of the regulation requires that the plant protection product is the same or equivalent in 'packaging size, material or form, in terms of the potential adverse impact on the safety of the product' as the reference product. The draft Guidance provides that in the case of deviations from the packaging size of the reference product, if the package size does not increase the risk associated with the product, the package can be considered equivalent. The draft Guidance does not prevent the granting of parallel trade permits for different packaging sizes than those of the reference product.

3. Commission Regulation (EU) No 547/2011 on labelling requirements for plant protection products ([2]) requires in Annex I paragraph 1(f) that the formulation batch number and production date is included on the package. The draft Guidance was modified in order to stay in line with this requirement.

([1]) OJ L 309, 24.11.2009.
([2]) OJ L 155, 11.6.2011.

(English version)

Question for written answer E-002134/12
to the Commission
John Bufton (EFD)
(23 February 2012)

Subject: Natural fertiliser loss

Is EU legislation about levels of nitrogen in groundwater having the effect of preventing the use of natural waste as natural fertiliser and thus causing its replacement with — and driving up the use of — artificial fertiliser?

Answer given by Mr Potočnik on behalf of the Commission
(4 April 2012)

No.

Under the Nitrates Directive ([1]), the limit on animal manure use is fixed at 170 kg N/hectare/year. This is designed to protect ground and surface water and to avoid eutrophication but does not prevent nor drive up the use of inorganic mineral fertilisers which, together with manures, contribute to plant needs. In particular circumstances established by the directive, the Commission can, at the request of a Member State, grant derogations to this limit to a higher limit provided the objectives of the Nitrates Directive are not put at risk. Other measures under the Nitrates Directive require the overall limitation of fertilisers' application, on the basis of crop needs and all nitrogen available sources, which increases manure efficiency.

([1]) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, OJ L 375, 31.12.1991.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-002143/12
alla Commissione (Vicepresidente/Alto rappresentante)
Mario Mauro (PPE)
(23 febbraio 2012)

Oggetto: VP/HR — Profugo eritreo a Rafah in pericolo di vita

Lo scorso dicembre un gruppo di persone è stato rapito, fuori dal campo profughi sudanese dell'ONU di Shagarab, dai trafficanti di uomini di Rashaida e rivenduto a una gang appartenente alla tribù Ramailat. Tra loro un gruppo di 27 persone di nazionalità eritrea, tra cui quattro ragazze e una donna con un bambino di pochi anni, sono stati condotti a Rafah.

Il gruppo ha subito violenze terribili, soprattutto le donne tra cui una ragazza incinta che per questo motivo ha subito un aborto. Alcuni di loro sono stati ammazzati e i loro cadaveri gettati nel deserto. Solo un ragazzo di 25 anni è stato risparmiato per portare l'acqua ad altri 125 prigionieri eritrei, sudanesi ed etiopi tenuti incatenati nelle case e nelle stalle del villaggio di Al Mahdya, alle porte di Rafah. Il testimone sa esattamente dove sono custoditi i prigionieri e sa la sorte che tocca a chi non riesce a pagare il riscatto.

«Pochi giorni fa uno dei carcerieri — rivela il testimone — mi ha fatto vedere un sacchetto di plastica contenente organi umani. Se non arriva il riscatto, mi ha detto minaccioso, vi uccidiamo e vi togliamo gli organi, tanto riusciamo a rivenderli subito».

Giovedì notte il giovane ragazzo eritreo riesce a rompere le catene ai piedi e scopre una buca scavata da alcuni prigionieri. I banditi si accorgono della sua fuga e cominciano a inseguirlo sparando. Svegliati dagli spari, i beduini salafiti dello sceicco M. danno rifugio all'eritreo. I trafficanti di uomini e di organi sono alla ricerca incessante del testimone e hanno messo una taglia di 50 mila dollari su di lui. La sua sorte è appesa a un filo. Tenuto conto che il governo vieta ai funzionari dell'Alto Commissariato delle Nazioni Unite di uscire dal Cairo, la soluzione della vicenda appare complicata. Si teme una sortita della banda, o che qualcuno dei salafiti ceda alla tentazione dei 50 mila dollari e consegni il giovane. I banditi vogliono farlo tacere per sempre, perché la sua voce è l'ennesima conferma delle torture che stanno subendo gli eritrei rapiti in Sudan. (Fonte: www.avvenire.it)

Ciò premesso, può il Vicepresidente/Alto rappresentante far sapere se è al corrente della vicenda?

Il Vicepresidente/Alto rappresentante è al corrente della tragica situazione dei profughi eritrei, in particolare del fatto che sono sottoposti a rapimenti, torture e traffico di uomini e di organi?

Cosa intende fare il Vicepresidente/Alto rappresentante per tutelare la vita del profugo sfuggito ai predoni beduini di Rafah che lo tenevano prigioniero?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(23 maggio 2012)

L'AR/VP è al corrente della tragica situazione dei profughi subsahariani nella regione del Sinai e delle notizie sul caso specifico richiamato dall'on. parlamentare. Abbiamo seguito molto attentamente la questione dei profughi del Sinai tramite la delegazione al Cairo e in diverse occasioni abbiamo espresso la nostra preoccupazione ai ministri egiziani degli Affari esteri e dell'Interno. Recentissimamente, il 14 marzo, il rappresentante speciale dell'UE per il Corno d'Africa, Alexander Rondos, ha sollevato la questione dei profughi del Sinai e il caso specifico richiamato dall'on. parlamentare nel suo incontro al Cairo con il ministro degli Esteri Amr. L'interlocutore egiziano ne ha preso atto promettendo di seguire la vicenda. Continueremo a sollecitare le autorità egiziane affinché adottino gli opportuni provvedimenti per risolvere il problema della tratta di esseri umani nel Sinai e garantire il pieno rispetto dei diritti umani dei migranti e dei rifugiati residenti o in transito in Egitto. In tale contesto, all'UNHCR dovrebbe essere data piena possibilità di svolgere il suo mandato sull'intero territorio egiziano.

Purtroppo, finora si sono registrati progressi limitatissimi. Riteniamo che il miglior modo per migliorare la sicurezza di questa regione strategica e instabile consista in una profonda riforma del settore della sicurezza che consenta alle autorità egiziane di combattere i trafficanti e controllare le frontiere in modo più efficiente e al contempo di adempiere agli impegni in materia di diritti umani che hanno assunto in sede internazionale. L'UE è pronta a sostenere l'Egitto in questo sforzo, ma i nostri partner egiziani si dimostrano tuttora restii a impegnarsi su queste materie sensibili. Auspichiamo che con la fine della fase di transizione post-Mubarak e la nomina di un nuovo governo eletto democraticamente venga rivolta maggiore attenzione agli aspetti della sicurezza e dei diritti umani nella regione del Sinai.

(English version)

Question for written answer P-002143/12
to the Commission (Vice-President/High Representative)
Mario Mauro (PPE)
(23 February 2012)

Subject: VP/HR — An Eritrean refugee in Rafah whose life is in danger

Last December, a number of people were kidnapped outside a UN refugee camp in Shagarab, Sudan, by human traffickers from Rashaida and sold to a gang belonging to the Ramailat tribe. Amongst them was a group of 27 Eritreans, including four girls and a woman with a young infant that were taken to Rafah.

The group was subjected to terrible violence, especially the women, including one who was pregnant and miscarried for this reason. Several were killed and their bodies abandoned in the desert. Only one 25-year-old man was not harmed so that he could bring water to the other 125 Eritrean, Sudanese and Ethiopian prisoners who were being held in chains in houses and stables in the village of Al Mahdya, on the outskirts of Rafah. The witness knows where the prisoners are being held and what will happen to those for whom a ransom is not paid.

The witness states, 'A few days ago, one of the jailers showed me a plastic bag containing human organs. If the ransom is not paid, he told me threateningly, "we will kill you and cut out your organs, which we can sell straight away".'

On Thursday night the young Eritrean man broke out of his leg irons and discovered a hole dug by prisoners. When the captors became aware of his escape they chased and shot at him. Awoken by the shots, the Salafi Bedouin tribe led by Sheikh M. gave refuge to the Eritrean. The people and organ traffickers are now conducting a relentless search for the witness and have put up a USD 50 000 reward. His fate is hanging by a thread. Given that the government is forbidding United Nations High Commission employees from leaving Cairo, the solution appears to be complex. He is afraid that a member of the gang will seize him or that one of the Salfites will hand him over for the USD 50 000 reward. The gang want to silence him for good, because his voice is the ultimate confirmation of the torture that Eritreans kidnapped from Sudan are being subjected to. (*Source:* www.avvenire.it.)

In view of this, could the Vice-President/High Representative state whether she is aware of this situation?

Is the Vice-President/High Representative aware of the current tragic situation facing Eritrean refugees, in particular the fact that they are subjected to kidnapping, torture and people and organ trafficking?

What does the Vice-President/High Representative intend to do to protect the life of the refugee who has escaped his Bedouin captors in Rafah?

Answer given by High Representative Ashton/Vice-President Ashton on behalf of the Commission
(23 May 2012)

The HR/VP is aware of the tragic situation of the Sub-Saharan refugees in the Sinai region as well as reports about the specific case mentioned by the Honourable Member. We have followed very closely the issue of the Sinai refugees through our delegation in Cairo and we have expressed our concerns at numerous occasions to the Egyptian Ministry of Foreign Affairs and to the Ministry of Interior. Very recently on March 14, the EUSR for the Horn of Africa, Mr Alexander Rondos, raised the issue of the Sinai refugees and of the specific case mentioned by the Honourable Member in his meeting with Foreign Minister Amr in Cairo. The Egyptian side took good note and promised to follow the matter. We will continue to urge the Egyptian authorities to take the appropriate measures to address the problem of human trafficking in the Sinai and to ensure that the human rights of migrants and refugees residing or transiting in Egypt are fully respected. In this context, UNHCR should be given full possibility to implement its mandate on the entire territory of Egypt.

Unfortunately, progress has so far been very limited. We believe that the best way to improve the security of this volatile and strategic region would be through a thorough reform of the security sector allowing the Egyptian authorities to fight traffickers and to control the borders in a more efficient manner while fulfilling their international human rights commitments. The EU stands ready to support Egypt in this endeavour but our Egyptian partners have been rather slow to engage on these sensitive matters for the time being. We hope that with the end of the post-Mubarak transitory phase and the appointment of a new democratically elected government, the security and human rights issues in the Sinai region will receive greater attention.

(Magyar változat)

Írásbeli választ igénylő kérdés P-002144/12
a Bizottság számára
Herczog Edit (S&D)
(2012. február 23.)

Tárgy: Mobil fizetesi rendszerek

A magyar országgyűlés a központosított mobil értékesítésű szolgáltatások mobil fizetési rendszeren keresztül történő értékesítésével kapcsolatosan megalkotta a 2011. évi CXCX. törvényt, amely a helyi közúti, a helyközi (távolsági) közúti, a vízi, a helyi elővárosi és az országos vasúti szolgáltatásokat központosított mobil értékesítésű szolgáltatásként kezeli, amelyet egy 100%-ban állami tulajdonban álló, a magyar kormány által kijelölt szervezet (úgynevezett nemzeti mobil fizetési szervezet), a saját rendszerén keresztül működtet.

– Aggályosnak tartja-e az Európai Bizottság, hogy a fent említett törvény állami monopóliumot teremt?

– Mit áll módjában tenni, ha annak egyes rendelkezései nem egyeztethetők össze az Európai Unió alapértékeivel, idevágó jogszabályaival?

– Van-e birtokában olyan adat vagy uniós hatástanulmány, amely az ilyen típusú – 100%-ban állami felügyelet alatt álló, központosított – mobil fizetési rendszerek hatékonyságát, fogyasztóvédelmi szempontoknak való megfelelését vizsgálja?

Joaquín Almunia válasza a Bizottság nevében
(2012. március 27.)

A magyarországi nemzeti mobil fizetési rendszerről szóló törvény ([1])szerint egyes közszolgáltatóknak biztosítaniuk kell, hogy az ügyfelek szolgáltatásaikat a nemzeti mobil fizetési rendszeren megvásárolhassák. A rendszert a kormány által kijelölt szervezet működteti. A Bizottság tudomásul veszi, hogy a törvény végrehajtására szolgáló rendeleteket még nem fogadták el, és a működtető szervezet kijelölésére még nem került sor.

Az EUMSZ 106. cikkének (1) bekezdése előírja, hogy a közvállalkozások és az olyan vállalkozások esetében, amelyeknek a tagállamok különleges vagy kizárólagos jogokat biztosítanak, a tagállamok nem hozhatnak és nem tarthatnak fenn a Szerződésekben foglalt szabályokkal ([2]) ellentétes rendelkezést. E cikk alkalmazása tekintetében az Európai Unió Bírósága megállapította, hogy egy tagállam sértheti a Szerződést ([3]), amennyiben egy olyan helyzetet teremtő jogszabályt fogad el, amelyben egy közvállalkozás vagy egy vállalkozás, amelynek a tagállam különleges vagy kizárólagos jogokat biztosít, nem kerülheti el az erőfölényes helyzetével való visszaélést ([4]).

Annak vizsgálata, hogy egy ilyen jogszabály összeegyeztethető-e a Szerződéssel, megköveteli a tények és az ügy konkrét körülményeinek részletes elemzését. A Bizottság ezért figyelemmel kíséri majd a magyarországi pénzforgalmi ágazatban jelentkező azon mutatókat, amelyek a Szerződés vonatkozó rendelkezései és a fennálló joggyakorlat fényében aggodalomra adhatnak okot.

A Bizottságnak nincs tudomása olyan uniós hatáshatástanulmányról, amely az ilyen központosított mobil fizetési rendszerek hatékonyságát vizsgálja.

([1]) A nemzeti mobil fizetési rendszerről szóló 2011. évi CXCX. törvény.
([2]) Különösen az EUMSZ 18. cikkében, 101. cikkében és 109. cikkében foglalt szabályokkal ellentétes rendelkezéseket.
([3]) Az EUMSZ 106. cikkének (1) bekezdése, összefüggésben az EUMSZ 101. vagy 102. cikkével.
([4]) Lásd ebben az értelemben a C-18/88 sz. GB-Inno-BM ügyben (EBHT1991., I-5941 o. 20. pont), a C-242/95 sz. GT-Link ügyben (EBHT1997., I-4449. o., 33. és 34. pont), a C-203/96 sz. Dusseldorp és társai ügyben (EBHT 1998., I-4075. o. 61. pont) és a C-462/99 sz. Connect Austria Gessellschaft für Telekommunikation GmbH ügyben (EBHT 2003., I-05197. o., 80. pont) hozott ítéletet.

(English version)

Question for written answer P-002144/12
to the Commission
Edit Herczog (S&D)
(23 February 2012)

Subject: Mobile payment systems

In 2011, the Hungarian Parliament passed Act CXCX concerning the sale of centralised mobile distribution services via a mobile payment system, which treats local road, trunk-road, water, local suburban and national rail services as centralised mobile distribution services. This operation is run by an organisation (a so-called national mobile payment organisation) appointed by the Hungarian Government and wholly owned by the State, using its own system.

— Is the European Commission concerned that the abovementioned law creates a state monopoly?

— What can it do if some of the law's provisions are incompatible with the European Union's fundamental values and relevant legislation?

— Does the Commission have any information or the results of an EU impact study examining the effectiveness of such centralised mobile payment systems under complete state supervision and their compliance from a consumer-protection perspective?

Answer given by Mr Almunia on behalf of the Commission
(27 March 2012)

Under the Act on the national mobile payment system in Hungary ([1]) the providers of certain public services shall be obliged to ensure that their services can be purchased using the national mobile payment system. The system shall be operated by the organisation appointed by the government. The Commission understands that the implementing regulations of the Act have not yet been adopted and the operating entity has not been appointed.

Article 106 (1) TFEU provides that in the case of public undertakings and undertakings to which Member States grant special or exclusive rights Member States shall neither enact nor maintain in force any measure contrary to the rules contained in the Treaties ([2]). In the application of this Article, the Court of Justice of the European Union has held that a Member State may breach the Treaty ([3]) if it adopts any law that creates a situation in which a public undertaking or an undertaking on which it has conferred special or exclusive rights cannot avoid abusing its dominant position ([4]).

An analysis of the compatibility of such an Act with the Treaty always requires a detailed analysis of the facts and the specific circumstances of the case. The Commission will therefore monitor the Hungarian payments sector for any indications that could raise concerns in light of the relevant Treaty provisions and the prevailing case law.

The Commission is not aware of any EU impact study examining the effectiveness of such centralised mobile payment systems.

([1]) Act CXCX:2011 on the national mobile payment system.
([2]) In particular to those rules provided for Article 18 and Articles 101 to 109 TFEU.
([3]) Article 106(1) TFEU in conjunction with Articles 101 or 102 TFEU.
([4]) See to that effect, in particular, Case C-18/88 *GB-Inno-BM* [1991] ECR I-5941, paragraph 20; Case C-242/95 *GT-Link* [1997] ECR I-4449, paragraphs 33 and 34; Case C-203/96 *Dusseldorp and Others* [1998] ECR I-4075, paragraph 61; and Case C-462/99 *Connect Austria Gesellschaft für Telekommunikation GmbH*, paragraph 80 [2003] ECR I-05197.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002159/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE) y Carl Schlyter (Verts/ALE)
(23 de febrero de 2012)

Asunto: Créditos de carbono del MDL procedentes de incineradoras y vertederos

Las políticas de la UE sobre la gestión de residuos sólidos municipales dan prioridad a la jerarquía de residuos, es decir, a la reducción, la reutilización y el reciclado de residuos. Asimismo, la UE está tomando medidas y consiguiendo desviar los residuos orgánicos procedentes de vertederos e incrementar la tasa de reciclado, en aras del desarrollo de un uso cada vez más eficaz de los recursos naturales. Sin embargo, las políticas europeas de protección del clima parecen contradecir estas acciones, en la medida en que permiten los créditos de emisión de carbono procedentes de sistemas de gases de vertedero y de incineradoras de residuos (los mismos métodos de eliminación que se encuentran en la base de la jerarquía de residuos) en el régimen de comercio de emisiones de la UE.

Un informe reciente titulado «El doble rasero de la UE en materia de gestión de residuos y política de protección del clima» ([1]), sugiere que los créditos de carbono procedentes de incineradoras y sistemas de gases de vertedero están fomentando la generación de emisiones tóxicas, socavando las prácticas actuales de reciclado y compostaje, desplazando al sector de reciclado informal, incentivando los vertederos de residuos y la quema de productos reciclables con combustibles fósiles y, por último, llenando el mercado del carbono de la UE con créditos de emisión que no representan las reducciones reales de las emisiones. El informe viene a decir que la UE apoya los proyectos de gestión de residuos en países en vías de desarrollo que serían ilegales en territorio europeo.

— En vista de estas afirmaciones, ¿tiene previsto la Comisión tomar medidas para remediar esta situación?

— En particular, ¿consideraría la Comisión excluir los créditos de carbono procedentes de proyectos de gases de vertedero e incineradoras de residuos del mercado del carbono europeo (EU ETS)?

Respuesta de la Sra. Hedegaard en nombre de la Comisión
(10 de abril de 2012)

El Mecanismo de Desarrollo Limpio (MDL) es un mecanismo neutral desde el punto de vista tecnológico en virtud del cual toda mejora incremental puede dar lugar a créditos de carbono. La integridad ambiental del MDL es ante todo responsabilidad de la Junta Ejecutiva del MDL de las Naciones Unidas, mientras que corresponde a los Estados de acogida determinar las prioridades y evaluar la contribución de los proyectos concretos al desarrollo sostenible.

La Comisión ha tenido conocimiento de las críticas elevadas por algunas ONG ante la Junta Ejecutiva del MDL en relación con la obtención de créditos de carbono derivados de proyectos para la construcción de incineradoras y vertederos, y tiene entendido que, a raíz de dichas críticas, la Junta ha revisado algunas metodologías e instrumentos en materia de tratamiento de residuos a fin de dotarlos de mayor coherencia y mejorar su integridad. La Junta ha desarrollado asimismo una metodología de enfoque descendente y a pequeña escala para el reciclaje de residuos (AMS-IIIJ).

Entre sus medidas de aplicación, la Directiva relativa al Régimen de Comercio de Derechos de Emisión ([2]) dispone la introducción de restricciones de uso de créditos que, de lo contrario, podrían utilizarse en la tercera fase del Régimen de Comercio de Derechos de Emisión de la UE durante el periodo 2013 a 2020. Aunque la legislación autoriza la introducción de restricciones adicionales a las adoptadas a principios de 2011, la Comisión no se plantea por el momento ninguna restricción de utilización adicional.

La Comisión desea recordar que la Directiva relativa al Régimen de Comercio de Derechos de Emisión únicamente permite la utilización de créditos procedentes de proyectos MDL registrados después de 2012 si estos se llevan a cabo en países menos desarrollados (PMD). De este modo se suprime, en la práctica, la demanda en la UE de créditos derivados de nuevos proyectos de incineración de residuos y vertederos fuera de los PMD.

([1]) http://www.no-burn.org/-1-10

([2]) Directiva 2003/87/CE del Parlamento Europeo y del Consejo, de 13 de octubre de 2003, por la que se establece un régimen para el comercio de derechos de emisión de gases de efecto invernadero en la Comunidad y por la que se modifica la Directiva 96/61/CE del Consejo (texto pertinente a efectos del EEE), DO L 275 de 25.10.2003.

(Svensk version)

Frågor för skriftligt besvarande E-002159/12
till kommissionen
Raül Romeva i Rueda (Verts/ALE) och Carl Schlyter (Verts/ALE)
(23 februari 2012)

Angående: Koldioxidkrediter inom mekanismen för ren utveckling från förbränningsanläggningar och deponier

I EU:s politik för hantering av fast kommunalt avfall prioriteras avfallshierarkin, det vill säga begränsning av avfallsmängden, återutnyttjande och materialåtervinning. I en anda av att utveckla ett allt mer effektivt utnyttjande av naturresurser har EU dessutom med framgång vidtagit steg för att begränsa mängden organiskt material som deponeras och för att öka återvinningsgraden. EU:s klimatpolitik tycks emellertid stå i strid med detta, i det att kolkrediter från deponigassystem och avfallsförbränning (de avfallshanteringsmetoder som återfinns längst ner i avfallshierarkin) tillåts komma in i EU:s system för utsläppshandel.

I den nyligen publicerade rapporten *The EU Double Standards on Waste Management and Climate Policy* ([1]) antyds att koldioxidkrediter från förbränningsanläggningar och deponigas bidrar till giftiga utsläpp, riskerar aktuell praxis när det gäller återvinning och kompostering, ersätter den informella återvinningssektorn, ger incitament för att deponera avfall och för att bränna återvinnbart avfall med fossila bränslen och slutligen mättar EU:s koldioxidmarknad med koldioxidkrediter som inte står för verkliga utsläppsminskningar. Enligt rapporten stöder EU i slutändan avfallshanteringsprojekt i utvecklingsländer som skulle vara olagliga inom EU.

— Mot bakgrund av dessa påståenden, har kommissionen planer på vidta steg för att åtgärda situationen?

— Kan kommissionen särskilt överväga att utesluta koldioxidkrediter från deponigas- och avfallsförbränningsprojekt från den europeiska koldioxidmarknaden (EU:s system för handel med utsläppsrätter)?

Svar från Connie Hedegaard på kommissionens vägnar
(10 april 2012)

Mekanismen för ren utveckling (CDM) är en teknikneutral mekanism där alla gradvisa förbättringar kan krediteras. Ansvaret för CDM:s miljöintegritet har först och främst FN:s exekutivstyrelse för CDM (*CDM Executive Board*), medan det är värdländerna som ska bekräfta prioriteringar och bedömningar av ett projekts bidrag till hållbar utveckling.

Kommissionen är medveten om den kritik som vissa icke-statliga organisationer riktat mot exekutivstyrelsen för att deponerings- och förbränningsprojekt krediterats. Kommissionen har förstått att exekutivstyrelsen efter denna kritik har sett över flera avfallsmetoder och avfallsverktyg för att förbättra deras enhetlighet och fullständighet. Exekutivstyrelsen har också utvecklat en småskalig ”top-down”-metod för avfallsåtervinning (AMS-IIIJ).

I direktivet om utsläppshandel ([2]) föreskrivs att restriktioner för utnyttjandet ska införas i samband med genomförandebestämmelserna för krediter som också kan utnyttjas under fas 3 av EU:s system för handel med utsläppsrätter, som gäller från 2013 till 2020. Enligt lagstiftningen får ytterligare restriktioner för utnyttjandet införas utöver de som antogs i början av 2011, men kommissionen planerar för närvarande inga sådana ytterligare restriktioner.

Kommissionen vill påminna om att direktivet om utsläppshandel bara tillåter utnyttjande av krediter från projekt som registrerats efter 2012, förutsatt att de härrör från projekt i de minst utvecklade länderna. Detta kommer i praktiken att undanröja EU-efterfrågan på krediter från deponerings- och förbränningsprojekt utanför de minst utvecklade länderna.

([1]) http://www.no-burn.org/-1-10
([2]) Europaparlamentets och rådets direktiv 2003/87/EG av den 13 oktober 2003 om ett system för handel med utsläppsrätter för växthusgaser inom gemenskapen och om ändring av rådets direktiv 96/61/EG (Text av betydelse för EES) (EUT L 275, 25.10.2003).

(English version)

Question for written answer E-002159/12
to the Commission
Raül Romeva i Rueda (Verts/ALE) and Carl Schlyter (Verts/ALE)
(23 February 2012)

Subject: CDM carbon credits from incinerators and landfills

EU policies on municipal solid waste management prioritise the Waste Hierarchy, that is, waste reduction, reutilisation, and recycling. Moreover, the EU is successfully taking steps to divert organic waste from landfills and increase recycling rates, in the spirit of developing an increasingly efficient use of natural resources. EU climate policies appear to contradict this, however, insofar as they allow carbon credits from landfill gas systems (LFG) and waste incinerators (the very disposal methods at the bottom of the Waste Hierarchy) into the EU Emissions Trading System.

A recent report, 'The EU Double Standards on Waste Management and Climate Policy' ([1]), suggests that carbon credits from incinerators and LFG are fostering the generation of toxic emissions, jeopardising current practices of recycling and composting, displacing the informal recycling sector, incentivising the landfilling of waste and the burning of recyclables with fossil fuels, and finally, filling up the EU carbon market with carbon credits that do not represent real emission reductions. Ultimately, the report says, the EU is supporting waste management projects in developing countries that would be illegal on European soil.

— In light of these claims, is the Commission planning to take any steps to remedy this situation?

— In particular, would the Commission consider the exclusion of carbon credits from landfill gas and waste incinerator projects from the European carbon market (EU ETS)?

Answer given by Ms Hedegaard on behalf of the Commission
(10 April 2012)

The Clean Development Mechanism (CDM) is a technology neutral mechanism, where all incremental improvements can be credited. The environmental integrity of the CDM is first and foremost the responsibility of the UN's CDM Executive Board, while the determination of priorities and assessment of a project's contribution to sustainable development is something that host countries must confirm.

The Commission is aware of the criticisms put forward to the CDM Executive Board by certain NGOs regarding the crediting of landfill and waste incinerator projects. It understands that following these criticisms, the Board has revised several waste methodologies and tools to improve their consistency and integrity. The Board has also developed a top-down small-scale methodology for waste recycling (AMS-IIIJ).

The ETS Directive ([2]) provides for use restrictions to be introduced as part of the implementing provisions for credits which are otherwise usable during phase 3 of the EU ETS, running from 2013 to 2020. While the legislation allows putting in place further use restrictions adding to those adopted in early 2011, the Commission is currently not planning any additional use restrictions.

The Commission would recall the ETS Directive only allows the use of credits from CDM projects registered after 2012 if they come from projects in Least Developed Countries (LDCs). This will *de facto* remove EU demand for credits from landfilling and waste incineration projects from new projects outside LDCs..

([1]) http://www.no-burn.org/-1-10
([2]) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (Text with EEA relevance), OJ L 275, 25.10.2003.

(Version française)

Question avec demande de réponse écrite E-002162/12
à la Commission
Marc Tarabella (S&D)
(23 février 2012)

Objet: La spéculation sur les matières premières affole le monde agricole

Le 14 juillet 2010, les cours du cacao ont atteint sur le marché à terme leur plus haut niveau depuis septembre 1977, en grimpant jusqu'à plus de 3 270 euros la tonne. Un seul spéculateur est à l'origine de cette flambée inhabituelle des prix. Sur fond de mauvaises récoltes en Afrique, Anthony Ward, président du fonds d'investissement britannique Armajaro, a ainsi mis la main en juillet 2010 sur près de 240 100 tonnes de cacao, soit l'équivalent de 7 % de la production mondiale, 15 % des stocks mondiaux et 25 % des stocks européens estimés. L'objectif était clair: assécher le marché pour créer de la rareté, faire grimper les cours et revendre au prix fort. Une telle opération de spéculation est appelée squeeze ou corner outre-Manche. Anthony Ward n'en est d'ailleurs pas à son coup d'essai. En 2002, ce spécialiste du marché du cacao s'était en effet distingué par l'acquisition expresse de 204 000 tonnes de fèves. Elles lui avaient rapporté 47,4 millions d'euros à la revente deux mois plus tard.

En 2011, des traders britanniques ont rapporté au Bureau of Investigate Journalism qu'une entreprise, propriété de Cargill et ABF, avait tenté de manipuler le marché du blé. Ainsi, Frontier Agriculture a acheté tout le blé disponible sur le marché via tous les contrats à terme du mois de mai sur le London International Financial Futures and Options Exchange (Liffe), le marché à terme britannique. Elle a donc acheté près de 225 000 tonnes de blé fourrager pour un montant de près de 46 millions d'euros. Le prix du blé étant extrêmement volatile avec notamment une augmentation de 70 % l'année précédente, de nombreuses inquiétudes sont apparues suite à ces manœuvres. De plus, le prix du blé fourrager a un impact sur les cours du blé alimentaire utilisé, par exemple, pour le pain.

Le renforcement des règles régissant les transactions sur les marchés agricoles n'en est que plus urgent. Aujourd'hui, un spéculateur habile contrôle à lui seul près de 10 % de la production mondiale de cacao et 15 % des stocks mondiaux. Qu'en sera-t-il si demain un ou plusieurs spéculateurs s'entendaient pour prendre le contrôle de 10, 20 ou 30 % du marché mondial du blé?

Le blé est un produit de première nécessité dont dépend directement l'alimentation de près de la moitié de la population mondiale. À l'heure où plus d'un milliard de personnes souffre de la faim dans le monde, il n'est pas admissible que les matières premières agricoles puissent être le terrain de jeu des spéculateurs.

Quels réglementations et organes de contrôle efficaces la Commission compte-t-elle mettre en place pour mettre un terme à la spéculation non régulée qui menace l'équilibre mondial?

Réponse donnée par M. Barnier au nom de la Commission
(30 avril 2012)

En octobre 2011, la Commission a présenté plusieurs propositions législatives ([1]) visant à améliorer la transparence et la surveillance des instruments dérivés sur matières premières dans le cadre du réexamen de la directive sur les marchés d'instruments financiers (MiFID) et de la directive sur les abus de marché (MAD). La directive MiFID contient un certain nombre de mesures spécifiques aux marchés des instruments dérivés sur matières premières, comme la réduction des dérogations pour garantir la participation de tous les acteurs concernés, une transparence accrue, des obligations de communication des positions et un système de limitation des positions. Le réexamen de la directive MAD étend le champ d'application de celle-ci aux cas d'abus de marché qui concernent à la fois les marchés de matières premières et les marchés de dérivés qui y sont liés. Ces propositions sont conformes aux engagements généraux que nous avons pris au sein du G-20 et aux principes de réglementation établis par l'Organisation internationale des commissions de valeurs mobilières (OICV).

L'introduction d'un système visant à fixer des limites de position, associée au renforcement du cadre de la directive MAD, empêchera les acteurs du marché de se constituer des positions importantes sur les marchés à terme et interdira explicitement d'utiliser les dérivés pour influencer le cours des marchés au comptant associés ou d'utiliser les transactions sur les marchés au comptant pour manipuler les marchés de dérivés.

([1]) Proposition de règlement du Parlement européen et du Conseil concernant les marchés d'instruments financiers et modifiant le règlement [EMIR] sur les produits dérivés négociés de gré à gré, les contreparties centrales et les référentiels centraux [COM(2011)652] et proposition de directive du Parlement européen et du Conseil concernant les marchés d'instruments financiers, abrogeant la directive 2004/39/CE du Parlement européen et du Conseil [COM(2011)656]. Proposition de règlement du Parlement européen et du Conseil sur les opérations d'initiés et les manipulations de marché (abus de marché) du 20 octobre 2011 [COM(2011)651].

Actuellement, les régulateurs financiers nationaux sont déjà chargés de la surveillance de tous les marchés d'instruments dérivés sur matières premières. Une transparence accrue et les nouveaux instruments de surveillance décrits plus haut leur permettront de mieux comprendre le rôle joué par la spéculation sur ces marchés et de réagir plus rapidement face aux pratiques déstabilisantes ou abusives. La proposition introduit également une obligation de coopération et d'échange d'informations entre les régulateurs financiers et les régulateurs des marchés de matières premières au comptant (c'est-à-dire physiques) lorsque ceux-ci existent.

(English version)

Question for written answer E-002162/12
to the Commission
Marc Tarabella (S&D)
(23 February 2012)

Subject: Commodity speculation is throwing the farming world into a panic

On 14 July 2010, cocoa prices on the futures market reached their highest level since September 1977, climbing to more than EUR 3 270 per tonne. A single speculator was behind this remarkable price peak. Harvests in Africa had been poor, and Anthony Ward, chairman of the UK commodity hedge fund Armajaro, managed to get his hands on nearly 240 100 tonnes of cocoa in July 2010, equivalent to 7 % of world cocoa production, 15 % of global stocks and 25 % of estimated European stocks. The aim was clearly to drain the market and create scarcity, drive up prices and sell on the acquisitions at a higher price. In the United Kingdom this well-known speculation ploy is termed a squeeze or corner. It was not Anthony Ward's first stunt. In 2002, this cocoa market specialist had attracted notice by speedily buying up 204 000 tonnes of beans, which earned him EUR 47.4 million when sold two months later.

In 2011, British traders told the Bureau of Investigative Journalism that a company owned by Cargill and ABF had tried to manipulate the wheat market. Frontier Agriculture bought all available May futures contracts on the London International Financial Futures and Options Exchange (Liffe), the UK futures market. It thus bought nearly 225 000 tonnes of feed wheat worth almost EUR 46 million. Given that wheat prices were extremely volatile, particularly with the 70 % increase the year before, these operations sparked numerous anxieties. Moreover, the price of feed wheat has an impact on the price of food wheat used, for example, to make bread.

It is now more necessary than ever to strengthen the trade rules governing agricultural markets. Today, one crafty speculator alone controls almost 10 % of world cocoa production and 15 % of global stocks. What would happen if, tomorrow, one or more speculators conspired to take control of 10 %, 20 %, or 30 % of the global wheat market?

Wheat is the food staple on which nearly half the world's population directly depends. At a time when more than a billion people in the world are suffering from hunger, it is unacceptable for agricultural commodities to be treated as the playthings of speculators.

What rules and effective supervisory bodies will the Commission put in place to stop this unregulated speculation threatening world stability?

Answer given by Mr Barnier on behalf of the Commission
(30 April 2012)

The Commission presented in October 2011 legislative proposals ([1]) to improve the transparency and oversight of commodity derivatives as part of the reviews of the Market in Financial Instruments Directive (MiFID) and the Market Abuse Directive (MAD). MiFID includes a number of measures specific to the commodity derivatives markets, such as reducing the exemptions to ensure that all relevant players are authorised, enhanced transparency, position reporting requirements, and a position limits regime. The MAD review extends its scope to market abuse cases occurring across both commodity and related derivatives markets. These proposals are in line with our global G-20 commitments and the principles of regulation established by the International Organisation of Securities Commission (IOSCO).

The introduction of a position limits regime combined with the strengthening of the MAD framework will prevent market participants from building up large positions in the futures markets and explicitly prohibit the use of derivatives to manipulate the price of the related spot markets or to use transactions in the spot markets to manipulate derivatives markets.

The national financial regulators are already today responsible for the supervision of all types of commodity derivatives markets. The increase in transparency and the new supervisory tools described above will allow them to better understand the role of speculation in these markets and to react more swiftly to disruptive or abusive trading practices. The proposal also introduces an obligation to cooperate and exchange information between financial regulators and the regulators of spot (i.e. physical) commodity markets where they exist.

([1]) Proposal for a regulation of the European Parliament and of the Council on Markets in financial instruments and amending Regulation [EMIR] on OTC derivatives, central counterparties and trade repositories (COM(2011) 652) and Proposal for a directive of the European Parliament and of the Council on markets in financial instruments repealing Directive 2004/39/EC of the European Parliament and of the Council (COM(2011) 656). Proposal for a regulation of the European Parliament and of the Council on insider dealing and market manipulation (market abuse) (COM(2011) 651) of 20 October 2011.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002186/12
adresată Comisiei
Petru Constantin Luhan (PPE)
(27 februarie 2012)

Subiect: Comerțul on-line cu medicamente

Comerțul electronic cu medicamente a luat amploare în Europa în ultimul timp, în condițiile în care peste 50 % din medicamentele vândute pe internet sunt falsificate, ceea ce reprezintă o reală amenințare pentru concetățenii noștri.

Pierderea în greutate, îmbunătățirea performanțelor sexuale, renunțarea la fumat, lupta împotriva depresiei, cancerul, toate sunt motive pentru care oferta pe Internet abundă la astfel de medicamente.

Astfel de produse contrafăcute pot avea consecințe fatale pentru pacienți, care este posibil să nu fie conștienți că au devenit victime ale unei înșelătorii și că medicamentele comandate pe internet sunt doar imitații de medicamente. Ca să citez o declarație a fostului secretar general al Interpol, Ronald Noble, care compara numărul de victime ale terorismului cu cel al victimelor medicamentelor contrafăcute: în decursul unei perioade de 45 de ani, teroriștii au ucis 65 000 de oameni, în timp ce medicamentele contrafăcute au provocat 200 000 de victime numai în China.

În acest context este binevenită propunerea de directivă a Parlamentului European și a Consiliului de modificare a Directivei 2001/83/CE privind prevenirea pătrunderii în lanțul legal de aprovizionare a medicamentelor falsificate în ceea ce privește identitatea, istoricul sau sursa acestora (COM(2008)0668 — C6 0513/2008 — 2008/0261(COD)). Conform acestei directive, va fi introdus un logo standard, pentru a identifica site-urile web de încredere care vând produse farmaceutice. Astfel, cumpărătorii își pot da seama dacă este vorba de un site sigur, legal sau de unul ilegal.

1. Ce măsuri are în vedere Comisia cu privire la cei care vor continua să încalce legislația în domeniu?

2. Ce măsuri intenționează să ia Comisia pentru a informa cetățenii europeni în primul rând despre riscurile achizițiilor de medicamente pe internet și, în al doilea rând, despre acest sistem unic de identificare a site-urilor acreditate?

Răspuns dat de dl Dalli în numele Comisiei
(3 aprilie 2012)

1. Comisia ar dori să informeze distinsul membru că Directiva 2011/62/UE a Parlamentului European și a Consiliului de modificare a Directivei 2001/83/CE de instituire a unui cod comunitar cu privire la medicamentele de uz uman în ceea ce privește prevenirea pătrunderii medicamentelor falsificate în lanțul legal de aprovizionare ([1]) a fost adoptată la 8 iunie 2011. Majoritatea dispozițiilor din această directivă vor fi aplicabile începând cu 2 ianuarie 2013.

Comisia este conștientă de problema vânzărilor ilegale de medicamente pe internet și lucrează la punerea în aplicare a directivei menționate anterior. Directiva prevede că statele membre vor fi responsabile cu stabilirea normelor privind sancțiunile (eficiente, proporționale și cu efect de descurajare) aplicabile în cazul încălcărilor dispozițiilor prevăzute în directivă și vor trebui să asigure punerea în aplicare a sancțiunilor respective.

2. Directiva prevede, de asemenea, promovarea de către Comisie, în cooperare cu Agenția Europeană pentru Medicamente și cu autoritățile din statele membre, a unor campanii de informare privind pericolele medicamentelor falsificate, în special, cele vândute pe internet. Două materiale video au fost deja produse de Comisie ([2]). Pot fi promovate alte campanii după instituirea siglei de încredere pentru farmaciile on-line.

([1]) JO L 174,1.7.2011.
([2]) http://ec.europa.eu/health/human-use/videos/videos/fake_medicines_en.mp4;
http://ec.europa.eu/health/human-use/videos/videos/counterfeit_med_en.mp4

(English version)

Question for written answer E-002186/12
to the Commission
Petru Constantin Luhan (PPE)
(27 February 2012)

Subject: Online trade in medicinal products

With online trade in medicinal products increasing exponentially in Europe in recent times, over 50 % of such products are counterfeit, representing a real threat to our fellow citizens.

Weight loss, improved sexual performance, giving up smoking, combating depression and cancer, are all reasons why offers for such medicinal products are appearing in their droves on the Internet.

These types of counterfeit medicinal products can have fatal consequences for patients, who may not be aware that they are victims of deception and that the medicinal products ordered on the Internet are only imitations. To quote a statement made by the former Interpol Secretary General, Ronald Noble, comparing the number of victims claimed by terrorism and counterfeit medicinal products respectively, over a period of 45 years, terrorists have killed 65 000 people, while counterfeit medicinal products have claimed 200 000 victims in China alone.

In this context, the proposal for a directive of the European Parliament and of the Council amending Directive 2001/83/EC as regards the prevention of the entry into the legal supply chain of medicinal products which are falsified in relation to their identity, history or source (COM(2008) 0668 — C60513/2008 — 2008/0261(COD)) is to be welcomed. In accordance with this directive, a standard logo will be introduced in order to identify reliable websites that sell pharmaceutical products. In this way, buyers can tell if the site is secure, and whether it is legal or illegal.

1. What measures does the Commission envisage regarding continued non-compliance with legislation in this area?

2. What measures does the Commission intend to take to inform European citizens, firstly, about the risks of purchasing medicinal products on the Internet, and secondly, about this unique identification system for accredited sites?

Answer given by Mr Dalli on behalf of the Commission
(3 April 2012)

1. The Commission would like to inform the Honourable Member that directive 2011/62/EU of the Parliament and of the Council amending Directive 2001/83/EC ([1]) on the Community code relating to medicinal products for human use, as regards the prevention of the entry into the legal supply chain of falsified medicinal products was adopted on 8 June 2011. The majority of the provisions of this directive will be applicable as of 2 January 2013.

The Commission is aware of the problem of illegal sales of medicines on the web and is working on the implementation of the abovementioned Directive. The directive foresees that Member States will be responsible for laying down rules on penalties (effective, proportionate and dissuasive) applicable to infringements to the provisions set out in the directive and they will have to ensure that those penalties are implemented.

2. The directive also foresees the promotion by the Commission, in cooperation with the European Medicine Agency and Member States authorities, of information campaigns on the dangers of falsified medicinal products, in particular, those sold over the Internet. Two videos have already been produced by the Commission ([2]). Further campaigns may be promoted once the trust logo for online pharmacies will be put in place.

([1]) OJ L 174, 1.7.2011.
([2]) http://ec.europa.eu/health/human-use/videos/videos/fake_medicines_en.mp4;
http://ec.europa.eu/health/human-use/videos/videos/counterfeit_med_en.mp4.

(Version française)

Question avec demande de réponse écrite E-002196/12
à la Commission
Dominique Vlasto (PPE)
(27 février 2012)

Objet: Soutien aux filières d'approvisionnement de qualité dans la grande distribution

Certaines enseignes de grande distribution, notamment en France, ont fait le choix de garantir la meilleure qualité possible et la traçabilité de leurs produits du champ à l'assiette, afin d'offrir à leurs clients des produits frais et authentiques et de nouer des partenariats durables avec les producteurs-éleveurs.

Cette démarche innovante est réciproquement profitable, car elle permet, d'une part, à la grande distribution de s'approvisionner en produits respectant des critères environnementaux et de qualité stricts et, d'autre part, aux éleveurs-producteurs d'avoir des débouchés sûrs et des prix de vente de leur production élevés.

C'est un atout indéniable non seulement pour la rémunération des exploitants agricoles et pour l'emploi rural, mais aussi pour la mise en valeur et la préservation de savoir-faire traditionnels reconnus. C'est également une méthode qui, en s'engageant sur des volumes prévisionnels d'achat en amont de la production, permet d'anticiper et d'organiser la production et de corriger l'impact négatif de la saisonnalité des activités agricoles.

Dans un contexte où le monde agricole est de plus en plus fragilisé et où les exigences des consommateurs en termes de qualité et de traçabilité sont de plus en plus grandes, il y a lieu de soutenir et d'encourager les engagements qualité de ces enseignes de grande distribution.

1. La Commission est-elle favorable à ce type de démarche, qui crée un partenariat durable entre tous les acteurs de la chaîne logistique alimentaire et le monde de la distribution?

2. Dans quelle mesure la Commission pourrait-elle soutenir ces filières d'approvisionnement fondées sur la qualité et la traçabilité, et encourager leur développement?

Réponse donnée par M. Cioloş au nom de la Commission
(4 avril 2012)

La Commission est effectivement favorable aux initiatives appropriées prises par les détaillants pour garantir les qualités particulières de leurs produits alimentaires, à condition que toutes les règles applicables soient respectées.

La politique actuelle de développement rural de l'UE, mise en place pour la période 2007-2013, permet d'aider les agriculteurs à faire face aux coûts initiaux liés à leur participation aux régimes de qualité alimentaire reconnus par un État membre. En ce qui concerne les systèmes de certification volontaires, la Commission a élaboré des lignes directrices indiquant les meilleures pratiques concernant leur application.

Conformément aux propositions de la Commission relatives au développement rural après 2013, il y a lieu d'accorder une aide non seulement aux agriculteurs qui participent pour la première fois aux régimes de qualité de l'Union ou aux programmes reconnus par les États membres selon certains critères, mais aussi aux systèmes de certification volontaires pour les produits agricoles reconnus par les États membres, pour leur respect des lignes directrices sur les meilleures pratiques de l'Union.

Le forum à haut niveau sur l'amélioration du fonctionnement de la chaîne d'approvisionnement alimentaire étudie actuellement les possibilités pour créer une base de données sur la législation existante en matière d'étiquetage, qui pourrait également inclure l'étiquetage volontaire des denrées alimentaires. Celle-ci permettrait de fournir des orientations et de poursuivre l'harmonisation en ce qui concerne les régimes volontaires.

Par ailleurs, une aide sera accordée à un large éventail d'activités de coopération menées dans le secteur agroalimentaire de l'UE, en particulier dans la perspective de développer les circuits d'approvisionnement courts et les marchés locaux.

(English version)

Question for written answer E-002196/12
to the Commission
Dominique Vlasto (PPE)
(27 February 2012)

Subject: Support for high-quality supply chains in mass retail

Certain leading mass retailers, particularly in France, have chosen to guarantee the best possible quality and the traceability of their products from field to fork, in order to offer their customers fresh and authentic products and to establish sustainable partnerships with producers and farmers.

This innovative approach is mutually beneficial, as on the one hand it allows mass retailers to source products which comply with strict environmental and quality criteria, and on the other hand gives farmers and producers secure outlets and allows them to sell their products at high prices.

This is an undeniable asset, not only as regards farm income and rural employment, but also as regards the promotion and preservation of traditional and well-established know-how. This method also makes it possible to anticipate and organise production and to counteract the negative impact of the seasonal variations in agricultural activities, since it involves committing to expected sales volumes in advance of production.

In a situation where the agricultural community is being increasingly weakened, and where consumers are making ever greater demands in terms of quality and traceability, the quality commitments made by these leading mass retailers should be supported and encouraged.

1. Does the Commission support this kind of approach, which creates a sustainable partnership between all players in the food logistics chain and the distribution system?

2. To what extent could the Commission support these supply chains based on quality and traceability, and encourage their development?

Answer given by Mr Cioloş on behalf of the Commission
(4 April 2012)

The Commission is indeed in favour of appropriate initiatives by retailers to guarantee particular qualities in their food products — provided that all relevant rules are complied with.

In the current period of 2007-2013, the EU's rural development policy can help farmers meet the initial costs of becoming involved in food quality schemes recognised by a Member State. As regards voluntary certification schemes, the Commission developed guidelines showing best practice for their operation.

According to the Commission's proposals with regard to the rural development post 2013, support should be available not only for new participation by farmers in Union quality schemes or those recognised by Member States according to certain criteria, but also for voluntary agricultural product certification schemes recognised by Member States as meeting the Union best practice guidelines.

The High Level Forum for a Better Functioning Food Supply Chain is currently exploring possibilities of creating a database of existing labelling legislation-, which could also include voluntary food labelling. This could help to provide guidance and lead to further harmonisation concerning voluntary schemes.

Moreover, support will be available for a broad range of cooperation activities within the EU agri-food sector, especially with a view to developing short supply chains and local markets.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002202/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(27 febbraio 2012)

Oggetto: Misure per il settore dei foraggi essiccati

Il 31 marzo 2012 verrà azzerato il sostegno alla trasformazione dei foraggi essiccati. Dopo la revisione intermedia e il parziale disaccoppiamento del sostegno dell'UE, la produzione europea di foraggi essiccati si è progressivamente ridotta da 5 a 3,5 milioni di tonnellate. La sopravvivenza della filiera italiana è in pericolo, con pregiudizio di 15 000 addetti, di cui 900 dipendenti, 10 000 agricoltori e un indotto di 4 000 unità, nonché con una drastica riduzione delle superfici a erba medica.

In particolari aree dell'Italia, circa 80 000 ettari sono coltivati a erba medica e la coltura prospera perché esistono in zona gli impianti di trasformazione anche se non sono presenti allevamenti di bestiame. Senza allevamenti manca il letame, ma la fertilità dei terreni è affidata alla coltura dell'erba medica.

L'eventuale chiusura degli impianti, la mancanza di allevamenti, la concorrenza dei cereali e delle biomasse mettono a rischio questa coltura che non troverebbe collocazione.

L'erba medica, se trasformata, rappresenta la più alta fonte di proteine dell'UE (2 500 kg proteine/ha).

È pianta miglioratrice perché:

— fissa l'azoto atmosferico e non richiede concimazioni azotate, erbicidi e pesticidi;

— sanifica le acque di falda;

— ha un'azione antierosiva;

— contribuisce a combattere l'effetto serra;

— predispone i terreni alla coltivazione biologica.

L'unica speranza di sopravvivenza della filiera è ora affidata all'art. 38 (sostegno accoppiato facoltativo) previsto nella nuova PAC, il quale permetterebbe un aiuto agli agricoltori che coltivano erba medica da destinare alla trasformazione.

Alla luce di quanto precede, può la Commissione dire:

— se prevede misure più incisive per l'accesso dei foraggi essiccati all'art. 38, per evitare distorsioni del mercato come quella che si sta verificando con l'art. 68, cui la Francia ha potuto accedere (€ 120/ha), mentre l'Italia ne è stata esclusa definitivamente?

Risposta data da Dacian Cioloş a nome della Commissione
(2 aprile 2012)

Le condizioni per la concessione del sostegno accoppiato facoltativo di cui all'articolo 38 della proposta di regolamento che stabilisce le norme relative ai pagamenti diretti saranno adottate dalla Commissione per mezzo di atti delegati, tenendo conto in particolare della necessità di limitare eventuali effetti distorsivi sui mercati interessati.

Peraltro, il fatto che l'Italia abbia deciso di non attuare il sostegno specifico previsto all'articolo 68 del regolamento (CE) n. 73/2009 ([1]) a favore dell'erba medica, mentre la Francia ha attuato una misura che riguarda talune colture proteiche e leguminose foraggere è dovuto al modo in cui è concepito il regime in oggetto, nell'ambito del quale spetta agli Stati membri decidere come utilizzare il sostegno specifico e le relative misure da adottare. D'altro canto, alla Commissione non sono state segnalate distorsioni nell'ambito di questo mercato.

([1]) GU L 30 del 31.1.2009, pag. 16.

(English version)

Question for written answer E-002202/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(27 February 2012)

Subject: Measures for the dried fodder sector

On 31 March 2012, support for the processing of dried fodder will be removed. Since the mid-term review and the partial decoupling of EU support, European production of dried fodder has progressively dropped from 5 to 3.5 million tonnes. The survival of the Italian sector is in danger, to the detriment of 15 000 workers, including 900 employees, 10 000 farmers and 4 000 related industries, in addition to a drastic reduction in the surface area given over to alfalfa.

In certain areas of Italy, approximately 80 000 hectares are planted with alfalfa, and the crop prospers because there are processing plants in the area, despite there being no livestock farms. Without such farms, there is a lack of manure, but soil fertility is assured by the cultivation of alfalfa.

The possible closure of the processing plants, the lack of livestock farms and the competition from cereals and biomass crops would put this crop's cultivation at risk, as there would be no room for it.

When processed, alfalfa is the EU's highest source of protein (2 500 kg protein/hectare).

It is a catch crop because:

— it fixes atmospheric nitrogen and does not require nitrogenised manures, herbicides or pesticides;

— it sanitises groundwater;

— it has an anti-erosive action;

— it helps fight the greenhouse effect;

— it prepares soils for organic cultivation.

The only hope for survival of the sector now lies in Article 38 (voluntary coupled support) of the new CAP, which would provide aid for farmers growing alfalfa for processing.

In the light of the above, can the Commission state:

— whether more effective measures are envisaged for access of dried fodder to Article 38, in order to avoid market distortion as has been the case with Article 68, under which France was given access to support (EUR 120/hectare) while Italy was definitively excluded?

(Version française)

Réponse donnée par M. Cioloş au nom de la Commission
(2 avril 2012)

Les conditions pour l'octroi du soutien couplé facultatif prévu à l'article 38 de la proposition de règlement établissant les règles relatives aux paiement directs seront adoptées par la Commission par voie d'actes délégués en tenant compte notamment de la nécessité de limiter d'éventuels effets de distorsion sur les marchés concernés.

Par ailleurs, le fait que l'Italie ait décidé de ne pas mettre en œuvre le soutien spécifique prévu à l'article 68 du règlement (CE) nº 73/2009 ([1]) en faveur de la luzerne alors que la France a mis en œuvre une mesure visant certains protéagineux et légumineuses fourragères résulte de la conception même de ce régime dans lequel il incombe aux États membres de décider la façon dont le soutien spécifique est utilisé et les mesures mises en œuvre dans ce cadre. La Commission n'a d'ailleurs pas été informée de quelque distorsion que ce soit sur ce marché.

([1]) JO L 30 du 31.1.2009, p. 16.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-002206/12
Komisii
Monika Flašíková Beňová (S&D)
(27. februára 2012)

Vec: Právo na zlúčenie rodiny

Výbor Európskeho parlamentu pre občianske slobody, spravodlivosť a vnútorné záležitosti LIBE sa nedávno zaoberal konzultáciou Komisie v súvislosti so snahou členských štátov o presadzovanie práva na zlúčenie rodiny vo svetle smernica Rady 2003/86/ES z 22. septembra 2003 o práve na zlúčenie rodiny. Táto smernica stanovuje podmienky, ktoré musia splniť rodinní príslušníci osôb, ktoré síce nie sú občanmi Európskej únie, na jej území sa však legálne zdržiavajú. Určuje podmienky, ktoré ak rodinní príslušníci týchto osôb splnia, získajú oprávnenie na vstup a zdržiavanie sa na území Európskej únie. Cieľom Komisie je revíziou súčasne platného znenia tejto smernice posilniť záruky zlúčenia rodiny. Rozprava by však mohla byť ovplyvnená problémami migračnej politiky, čo je v súčasnosti, keď mnohé členské krajiny otvorenú migračnú politiku nepodporujú, nebezpečné.

Považuje Európska komisia revíziu smernice o práve na zlúčenie rodiny za vhodne načasovanú?

Ak áno, akým spôsobom zaručí, že sa debata nezvrtne a revízia nebude mať negatívny dopad na migračnú politiku Európskej únie?

Odpoveď pani Malmströmovej v mene Komisie
(11. apríla 2012)

Smernica 2003/86/ES bola prvým krokom k harmonizácii podmienok pre výkon práva na zlúčenie rodiny a na uľahčenie integrácie štátnych príslušníkov tretích krajín spĺňajúcich podmienky v danom členskom štáte. V Štokholmskom programe, ako aj v Európskom pakte o prisťahovalectve a azyle sa zlúčenie rodiny považuje za oblasť, v ktorej by sa mali politiky EÚ ďalej rozvíjať, a to s osobitným zreteľom na integračné opatrenia. Komisia vo svojej prvej správe o vykonávaní predmetnej smernice ([1]) identifikovala vnútroštátne problémy a nedostatky súvisiace s jej vykonávaním. Niektoré členské štáty medzičasom stanovili obmedzujúce pravidlá s cieľom riešiť údajné zneužívanie a účinnejšie riadiť prílev migrantov.

Na základe týchto skutočností považovala Komisia v novembri 2011 za potrebné vyzvať zúčastnené strany, aby na úrovni EÚ navrhli účinnejšie pravidlá a poskytli faktické údaje o uplatňovaní smernice. Komisia vyzvala členské štáty, ktoré ohlásili problémy v súvislosti so zneužívaním práva na zlúčenie rodiny, aby ich skonkretizovali a vyčíslili a umožnili ich tak riešiť na úrovni EÚ. Táto konzultácia bola ukončená 1. marca 2012 a Komisia v súčasnosti analyzuje doručené príspevky ([2]). V závislosti od výsledkov Komisia rozhodne, či je potrebné na ne nadviazať politickými opatreniami (napr. zmenou a doplnením smernice, výkladovými usmerneniami alebo zachovaním *statusu quo*).

([1]) KOM(2008) 610 k dispozícii na: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0610:FIN:SK:PDF
([2]) Príspevky sú k dispozícii na: http://ec.europa.eu/home-affairs/news/consulting_public/consulting_0023_en.htm

(English version)

Question for written answer E-002206/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 February 2012)

Subject: The right to family reunification

The European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE) recently consulted the Commission on the efforts being made by Member States to promote the right to family reunification in the light of Directive 2003/86/EC of 22 September 2003 on the right to family reunification. This directive lays down the conditions that must be fulfilled by the family members of persons who, although not citizens of the European Union, are legally resident in its territory. It specifies the conditions that, if met by the family members of such persons, entitle them to enter and remain in the EU. The objective of the Commission is to revise the wording of the current directive to strengthen the guarantees for family reunification. The debate could, however, be affected by migration policy problems, which might be difficult at present, as many Member States do not support an open migration policy.

Does the Commission consider the timing of the revision of the directive on the right to family reunification to be appropriate?

If so, how will it ensure that the debate will not change and that the revision will not have a negative impact on EU migration policy?

Answer given by Ms Malmström on behalf of the Commission
(11 April 2012)

Directive 2003/86/EC was a first step to harmonise the conditions for the exercise of the right to family reunification and to facilitate the integration of third-country nationals meeting the conditions in the given Member State. Both the Stockholm Programme and the European Pact on immigration and asylum identified family reunification as an issue where EU policies should be further developed with special regard to integration measures. The Commission, in its first report on the implementation of the directive ([1]), identified national implementation problems and shortcomings of the directive. Meanwhile, some Member States set up restrictive rules in order to tackle alleged abuse and better manage the inflow of migrants.

Against this background, in November 2011 the Commission considered it necessary to invite all stakeholders to propose more effective rules at EU level and to provide factual data on the application of the directive. The Commission invited Member States who reported problems of abuse of the right to family reunification to specify and quantify them in order to be able to address them at EU level. This consultation ended on the 1 March 2012 and the Commission is currently analysing the received contributions ([2]). Depending on the outcome, the Commission will decide whether any concrete policy follow-up is necessary, e.g. modification of the directive, interpretative guidelines or status quo.

([1]) COM(2008) 610, available on: http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0610:FIN:EN:PDF
([2]) Contributions are available on: http://ec.europa.eu/home-affairs/news/consulting_public/consulting_0023_en.htm

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-002216/12
til Kommissionen
Morten Løkkegaard (ALDE)
(28. februar 2012)

Om: Ny dansk lov om moms på magasiner — GATT

I Danmark har regeringen, som en del af Finanslovsaftalen, netop afsluttet arbejdet om en ny lov om moms på magasiner trykt uden for EU.

Den nye lovgivning betyder, at det danske postvæsen — Post Danmark — vil opkræve 160 DKK. pr. magasin for at sortere alle magasinerne og finde ud af, om de er sendt fra et land uden for EU. Det betyder, at et blad, der før kostede 30 DKK nu vil komme til at koste 197,50 DKK (momsgebyr på 7,50 DKK og importgebyr på 160 DKK.)

Gebyret er ikke en del af lovforslaget fra regeringen, men regeringen er vel vidende om, at der vil blive pålagt et gebyr fra postvæsenet som konsekvens af den nye lovgivning.

Er dette da ikke en hindring af den frie cirkulation og et brud på den almindelige overenskomst om told og udenrigshandel (GATT\3994), ifølge hvilken hvert medlem af WTO indrømmer varer fra et andet medlem en behandling, der ikke er mindre gunstig end den behandling, det indrømmer tilsvarende varer fra ethvert andet land (et begreb om ikke-forskelsbehandling)?

Svar afgivet på Kommissionens vegne af Algirdas Šemeta
(25. maj 2012)

Kommissionen er ganske rigtigt tidligere blevet underrettet om et lovforslag, som betød, at Post Danmark kunne opkræve et gebyr i forbindelse med toldbehandling af magasiner, som pålægges moms ved import. Gebyret vil gøre det dyrere at købe magasiner, som trykkes i lande uden for EU.

Kommissionens tjenestegrene havde oprindeligt påtænkt at tage de fornødne kontakter med det formål at undersøge gebyret og dets anvendelse, samt hvorvidt det er foreneligt med EU-lovgivningen.

Set i lyset af det seneste lovgivningsarbejde lader det nu imidlertid til, at sagen er blevet stillet i bero. Kommissionen holder nøje øje med sagens udvikling.

(English version)

Question for written answer E-002216/12
to the Commission
Morten Løkkegaard (ALDE)
(28 February 2012)

Subject: New Danish law on VAT on magazines — GATT

As part of the Budget Agreement, the Danish Government has recently concluded work on a new law on VAT on magazines printed outside the EU.

The new legislation means that the Danish Postal Service will charge DKK 160 per magazine to sort through all magazines to establish which have been sent from a country outside the EU. This means that a magazine which used to cost DKK 30 will now cost DKK 197.50 (DKK 7.50 in VAT and a DKK 160 import charge).

The charge is not part of the Government's bill, but the Government is well aware that a charge will be levied by the Danish Postal Service as a result of the new legislation.

Does this not constitute a barrier to free circulation and a breach of the General Agreement on Tariffs and Trade (GATT 1994), under which each WTO member accords treatment to goods from another member which is no less favourable than the treatment it accords to like goods from any other country (concept of non-discriminatory treatment)?

(Version française)

Réponse donnée par M. Šemeta au nom de la Commission
(25 mai 2012)

La Commission avait effectivement été informée de l'existence d'un projet de loi qui visait à faire appliquer, par la poste danoise, une redevance liée au dédouanement de magazines soumis à l'application d'une TVA à l'importation, redevance qui aurait pour effet d'augmenter le coût d'acquisition des publications provenant de pays tiers à l'Union.

Les services de la Commission avaient initialement envisagé de prendre les contacts nécessaires pour examiner tant la nature que les modalités de cette redevance, ainsi que sa compatibilité avec les dispositions du droit de l'Union.

Toutefois, à la lumière des récents travaux législatifs, il apparaît que la mise en œuvre de cette disposition est suspendue. La Commission suivra ce dossier de près.

(English version)

Question for written answer E-002242/12
to the Commission
David Casa (PPE)
(28 February 2012)

Subject: Early school leaving

According to Androulla Vassiliou, EU Commissioner for Education, Culture, Multilingualism, and Youth, 14 % of pupils in the EU leave school right after the completion of compulsory education. What can the Commission report on meeting the its set target to bring down early school leaving to 10 % by 2020? If current trends prevail, what actions will the Commission take to speed up efforts to keep students in school by 2020?

Answer given by Ms Vassiliou on behalf of the Commission
(3 April 2012)

The Commission would first recall that reducing early school leaving in the EU to less than 10 % by 2020 is one of the headline targets of the Europe 2020 strategy. It has launched a strategy aimed at supporting Member States' efforts.

A central element is the Council Recommendation on policies to reduce early school leaving adopted 7 June 2011 ([1]) on the basis of a Commission proposal. It lays out a holistic approach to this issue and calls on Member States to adopt evidence-based, comprehensive strategies by end 2012, consisting of prevention, intervention and compensation measures.

For its part, the Commission has launched a series of measures, making full use of the open method of coordination. A Thematic Working Group on early school leaving, with representatives from nearly all Member States will facilitate exchange of knowledge, practices and policies, and the development of innovative approaches so as to provide policy guidance and advice for Member States. The Commission will also organise conferences, peer reviews and seminars at European level to further support progress in this area. As regards financial support for projects on ESL, the Commission has proposed that the new legal basis for structural funding contain a condition that Member States must demonstrate that they have a strategy on early school leaving in place. The proposed new programme 'Erasmus for All' will also support the development of policies and measures to counter the phenomenon.

([1]) http://ec.europa.eu/education/school-education/doc/earlyrec_en.pdf

(English version)

Question for written answer E-002243/12
to the Commission
David Casa (PPE)
(28 February 2012)

Subject: Anti-Fraud Strategy

Fraud is often difficult to combat, due to constantly evolving methods of fraudulent behaviour. The Commission Anti-Fraud Strategy (CAFS) is set to be fully implemented by the end of 2013. What can the Commission report on the progress and success of the Anti-Fraud Strategy? Does the Commission still plan to have the CAFS fully implemented by the end of next year?

Answer given by Mr Šemeta on behalf of the Commission
(17 April 2012)

In the economic crisis and times of tight public budgets, fraud prevention and detection measures constitute a particularly important contribution to sound financial management.

The Commission's Anti-Fraud Strategy of 24 June 2011 therefore provides for a number of priority measures to become effective by the end of 2013 at the latest. The priority actions are in particular:

— the development of a standard anti-fraud clause. This clause was included in all legislative proposals submitted for the Multiannual Financial Framework in 2011;

— the adoption of legislative proposals for the revision of the procurement directives that took place on 20 December 2011, aimed at improving safeguards against unsound business practices;

— the setting-up of a Fraud Prevention and Detection Network within the Commission services. This network is already holding regular meetings allowing to share information and best practices in the fight against fraud;

— the establishment, by OLAF, of a methodology and guidance to support the Commission services in the elaboration of their anti-fraud strategies, using existing experience and aiming at ensuring consistency within the Commission. This will be completed before summer 2012.

The other measures set out in the strategy are scheduled, in the strategy, to be implemented at the latest by the end of 2014.

(English version)

Question for written answer E-002244/12
to the Commission
David Casa (PPE)
(28 February 2012)

Subject: Infringement procedures against Hungary

The Hungarian Government was recently obliged to respond to infringement procedures instituted by the Commission on 17 January 2012 regarding the independence of the Hungarian Central Bank and the Data Protection Authority. In the light of assurances from the Hungarian Government that it will comply with the Commission's demands, for how long and to what extent will the Commission monitor basic laws in Hungary?

Answer given by Mr Barroso on behalf of the Commission
(10 April 2012)

Despite the assurances of the Hungarian Government, its formal responses to the letters of formal notice had not fully resolved all the problems raised by the Commission. Even though the scope of infringements has become narrower, there still remained open questions in connection with both the Data Protection Authority and the National Bank of Hungary. Therefore, the Commission has recently addressed a reasoned opinion to Hungary on the issues still outstanding in respect of the Data Protection Authority and sent an administrative letter requesting further clarifications from the Hungarian Government relating to the measures affecting the National Bank of Hungary and its Governor. Any further proceedings will depend on the replies provided by the Hungarian authorities.

(English version)

Question for written answer E-002245/12
to the Commission
David Casa (PPE)
(28 February 2012)

Subject: Research funding

Further to my earlier Written Question (E-004781/2011) and the ECJ's ruling of 18 October 2011 regarding the distribution of patents for stem cell research projects, does it still stand that any patents for stem cell research filed abroad can still obtain EU funding in Member States? Now that the ECJ has ruled on banning all stem cell research patents, has the Commission undertaken to reform the ethical review that it applies to EU research funding requests?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(17 April 2012)

The Court of Justice's ruling of 18 October 2011 does not concern stem cells in general. It specifically concerns inventions 'where the subject-matter of the patent application requires the prior destruction of human embryos or their use as base material' ([1]).

The ruling states 'it must be pointed out that the purpose of the directive is not to regulate the use of human embryos in scientific research. It is limited to the patentability of biotechnological inventions' ([2]). Therefore it does not concern research per se, and for this reason the Commission sees no need to reform the ethical review that it applies to EU research funding requests.

The Union does not fund the derivation of human embryonic stem cells.

Under the Seventh Framework Programme for Research and Technological Development (FP7, 2007-2013) costs related to intellectual property activities, such as the filing and prosecution of patent applications, can generally be reimbursed under certain conditions ([3]). However, in practice this is very unlikely because patent costs usually occur after the project has ended and would therefore not be eligible for reimbursement.

To be supported under FP7, research projects involving human embryonic stem cells have to fulfil strict ethical requirements, and the ethical reviews of such projects take into account the opinion adopted by the European Group on Ethics on 20 June 2007 ([4]).

([1]) Paragraph 53 (3).
([2]) Paragraph 40.
([3]) Guide to financial issues relating to FP7 IndirectActions: ftp://ftp.cordis.europa.eu/pub/fp7/docs/financialguide_en.pdf
([4]) http://ec.europa.eu/bepa/european-group-ethics/docs/publications/opinion_22_final_follow_up_en.pdf

(English version)

Question for written answer E-002249/12
to the Commission
Pat the Cope Gallagher (ALDE)
(28 February 2012)

Subject: Review of Regulation (EC) No 1007/2009 on trade in seal products

In December 2011, the European Commission's DG Environment contracted COWI Consultancy to undertake a review of the impacts of Regulation (EC) No 1007/2009 on trade in seal products.

This matter is in fact *sub judice* owing to a legal challenge brought by the Inuit nations, which is currently before the European Court of Justice.

Can the Commission outline how it intends to act on the findings of this review, prior to the completion of these legal proceedings so as not to prejudice its outcome?

Answer given by Mr Potočnik on behalf of the Commission
(7 May 2012)

The Commission has launched a study to analyse the trade in seal products in the EU and worldwide in a follow-up to the adoption of Regulation (EC) No 1007/2009 ([1]) and its implementing provisions. The purpose of the study is two-fold. It facilitates the implementation of the regulation by assisting the Commission and Member States in designing a report format for the reporting exercise in accordance with Article 7.1 of the basic Regulation. Furthermore, the contractor was also asked to compile and analyse the first round of the Member States' reports which had to be submitted to the Commission by 20 November 2011.

It is to be noted that the study was not launched for the purpose of reviewing the impacts of the regulation, but rather to inform the Commission about the trade situation following its adoption.

In the follow-up to that study and in accordance with Article 7 of Regulation (EC) No 1007/2009 on trade in seal products, the Commission will draft its own report to the Parliament and the Council by end November 2012 on the implementation of this regulation.

([1]) OJ L 286, 31.10.2009.

(English version)

Question for written answer E-002250/12
to the Commission
Pat the Cope Gallagher (ALDE)
(28 February 2012)

Subject: Funding for Ireland under the EU Globalisation Fund

In December 2011, Ireland was provided with over EUR 35 million under the EU Globalisation Fund, to help approximately 6 000 Irish construction workers back into employment.

Is there a deadline for the Irish Government to draw down the allocated funding?

Can the Commission confirm the exact amount of the allocated funding the Irish Government has drawn down to date?

Answer given by Mr Andor on behalf of the Commission
(4 April 2012)

Ireland has until 9 June 2012 (incl.) to use the three financial contributions it received from the European Globalisation Adjustment Fund (EGF) to provide assistance to the workers made redundant by enterprises operating in the construction sector.

The Commission pays the entirety of its financial contribution (in these cases, 65 % of the cost of the total package of measures) to the Member State in a single instalment once the mobilisation of the EGF has been approved by the Council and the Parliament. Payment was made for these three applications on 21 December 2011. Under EGF rules, there is therefore no need for the Member State to present payment claims and draw down funds at its request.

At this stage the Commission does not have any information as to the amounts that the Irish authorities have already spent on the EGF agreed measures, both before and after receiving the EGF contribution. Ireland will submit this information in its final reports on the implementation of the three EGF contributions, which are due by 9 December 2012.

(English version)

Question for written answer E-002251/12
to the Commission
Pat the Cope Gallagher (ALDE)
(28 February 2012)

Subject: Funding for Irish Dell workers under the EU Globalisation Fund

In September 2009, the European Commission approved an application from Ireland for assistance under the European Globalisation adjustment fund, to help 2400 unemployed Dell computer workers back to full employment. The total cost of the European Globalisation Fund to the European Union amounted to EUR 14.8 million.

Can the Commission confirm the exact amount of the allocated funding the Irish Government has drawn down to date?

Is there a deadline for the Irish Government to draw down the allocated funding?

Answer given by Mr Andor on behalf of the Commission
(17 April 2012)

Ireland had until 29 June 2011 (incl.) to use the financial contribution it received from the European Globalisation Adjustment Fund (EGF) to provide assistance to the workers made redundant by Dell.

In the final report, which the Commission received in December 2011, the Irish authorities stated that they had used EUR 8 852 739 (or approximately 60 %) of the EGF contribution. The Commission is in the process of recovering the unspent monies.

(English version)

Question for written answer E-002252/12
to the Commission
Glenis Willmott (S&D)
(28 February 2012)

Subject: Alcohol

Further to its kind answer to Question E-010495/2011, could the Commission list the actions with Member States over the last six years to which it refers in its answer?

Furthermore, when does the Commission expect the evaluation mentioned in the answer to be ready? Finally, what actions is the Commission planning in 2013 to tackle alcohol-related harm?

Answer given by Mr Dalli on behalf of the Commission
(17 April 2012)

In September 2009 the First progress report ([1]) on the implementation of the EU alcohol strategy was presented. The report provides an overview of actions by Member States and of voluntary actions by a wide range of stakeholders taken in the framework of the European Alcohol and Health Forum. More information on alcohol consumption, alcohol related harm and policy approaches in Member States is now available through a report ([2]) which has been produced by the World Health Organisation with support from the EU Health Programme.

As regards the results of the external evaluation of the Alcohol Strategy, this will be available in autumn 2012 and will include an assessment of the added value and impact of the actions generated in Member States and through voluntary action by stakeholders. On the basis of the results of this evaluation, the Commission will consider the way to continue its work on alcohol and health in 2013 and beyond. Many of the stakeholders' ongoing voluntary actions will in any case continue beyond 2012.

([1]) http://ec.europa.eu/health/archive/ph_determinants/life_style/alcohol/documents/alcohol_progress.pdf
([2]) http://www.euro.who.int/__data/assets/pdf_file/0003/160680/Alcohol-in-the-European-Union-2012.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002256/12
an die Kommission
Angelika Werthmann (NI)
(28. Februar 2012)

Betrifft: Emissionen im Flugverkehr

Außereuropäische Länder verstärken den Kampf gegen Pläne der Europäischen Kommission, sämtliche Luftfahrtunternehmen in den Emissionshandel einzubeziehen. Demzufolge müssen Luftfahrtunternehmen für die CO_2-Emissionen ihrer Flugzeuge Verschmutzungsrechte erwerben, wenn sie in Europa starten und landen möchten. Einige Länder wie China, Russland, Indien oder die USA scheinen zu erwägen, ihren nationalen Luftfahrtunternehmen die Teilnahme am Emissionshandelssystem zu untersagen. Andere Staaten bereiten offenbar gesetzliche Verbote gegenüber ihren staatlichen Luftfahrtunternehmen vor, die die Teilnahme an diesem System verhindern sollen.

1. Was hat die Kommission in jüngerer Zeit unternommen, um das Emissionshandelssystem mit diesen Ländern zu erörtern und darüber zu verhandeln, um eine höhere Akzeptanz und ein besseres Verständnis für die Bedeutung des Systems zu erreichen?

2. Wie beurteilt die Kommission die aktuelle Situation? Kann sie zu einer Aufhebung des Handelssystems durch die Kommission führen?

3. Falls das System planmäßig in Kraft tritt, würde den nicht zahlenden Luftfahrtunternehmen die Erlaubnis verweigert, in die EU zu fliegen?

4. Welche finanziellen Auswirkungen hat das Handelssystem für die EU?

Antwort von Frau Hedegaard im Namen der Kommission
(12. April 2012)

1. Die Kommission führt konkrete bilaterale und multilaterale Gespräche mit den betroffenen Ländern, um deren Bedenken auszuräumen und ein besseres Verständnis für das Emissionshandelssystem der EU (EU-EHS) zu erreichen.

2. Die EU beharrt auf ihrem Standpunkt, dass Betreiber aus anderen Ländern die EU-Vorschriften befolgen müssen. Die EHS-Regeln für den Luftverkehr werden weiterhin umgesetzt, gleichzeitig werden jedoch konkrete Gespräche mit internationalen Partnern geführt (siehe Punkt 1). Die EU-EHS-Regelung ist flexibel und sieht eine nicht diskriminierende Ausnahmemöglichkeit für ankommende Flüge vor, um Maßnahmen von Drittländern Rechnung zu tragen; die EU hat ihre Bereitschaft, diese Ausnahmeregelung anzuwenden, immer wieder bestätigt. Außerdem wird die Kommission die geltende Regelung überprüfen und möglicherweise eine Änderung vorschlagen, wenn innerhalb der ICAO eine Vereinbarung über globale Maßnahmen getroffen wird.

3. Der Luftverkehrssektor ist seit Januar dieses Jahres vollständig in das EU-EHS integriert. Für den Fall der Nichtabgabe von Zertifikaten sieht die Richtlinie vor, eine Geldstrafe in Höhe von 100 EUR je Tonne CO_2 zu erheben, ebenso wie eine Abgabeverpflichtung. Darüber hinaus haben die Mitgliedstaaten im Rahmen ihrer nationalen Gesetzgebung eine Reihe von Durchsetzungsmaßnahmen erlassen, um die Vorschriften der EU-EHS-Richtlinie umzusetzen. Falls alle anderen Maßnahmen zur Gewährleistung der Rechtseinhaltung scheitern, könnten als letzte Möglichkeit im Prinzip Flugverbote verhängt werden.

4. *Nach den EU-EHS-Vorschriften werden 15 % der gesamten Luftverkehrszertifikate von den Mitgliedstaaten versteigert, wodurch zusätzliche Einkünfte für die Mitgliedstaaten entstehen, die jedoch nicht in den EU-Haushalt fließen. Die Gesamtjahreseinkünfte würden beim jetzigen CO_2-Preis (7-8 EUR/Tonne) bei ungefähr 0,2-0,3 Mrd. EUR liegen.*

(English version)

Question for written answer E-002256/12
to the Commission
Angelika Werthmann (NI)
(28 February 2012)

Subject: Aviation emissions

Non-EU countries are intensifying the fight against plans by the European Commission to include all airlines in its emissions trading scheme. Thus, airlines have to buy pollution rights for the CO_2 emissions of their aircraft if they want to take off and land in Europe. Some countries such as China, Russia, India and the USA are reportedly considering banning their national airlines from participating in the Emissions Trading Scheme. Other states seem to be preparing legal prohibitions towards their state airlines for not taking part in this system.

1. What has the Commission done recently to discuss and negotiate the Emissions Trading Scheme with these countries in order to increase their acceptance and understanding of the importance of the scheme?

2. How does the Commission judge the current situation? Might it lead to a withdrawal of the trading scheme by the Commission?

3. If the system comes into effect according to schedule would those airlines who fail to pay be denied permission to fly to the EU?

4. What is the financial impact of the trading scheme to the EU?

Answer given by Ms Hedegaard on behalf of the Commission
(12 April 2012)

1. The Commission is engaging actively in bilateral and multilateral discussions with concerned countries in order to address their concerns and to increase their understanding of the EU Emissions Trading Scheme (EU ETS).

2. The EU remains firm in its position that operators from other states must respect EU legislation. It continues the implementation of aviation ETS legislation, while engaging positively with international partners as described above. The EU ETS legislation provides flexibility to exempt incoming flights on a non-discriminatory basis to take into account action by third countries, and the EU has often reiterated its openness to using this flexibility. Furthermore, the Commission will review and possibly propose an amendment to the legislation if and when an agreement on global measures is found in ICAO.

3. Aviation was fully included in the EU ETS as of January this year. In case of failure to surrender allowances the directive foresees a fine of EUR 100 per tonne of CO_2, and the obligation to surrender allowances. In addition Member States have defined a range of enforcement measures in their national legislation transposing the requirements of the EU ETS Directive. As a last resort, where all other measures to ensure compliance have failed, operating bans could in principle be applied.

4. *According to the EU ETS legislation 15 % of the total amount of aviation allowances will be auctioned by the member states. Auctioning of allowances will generate additional revenues to the Member States but not the EU budget. Total annual revenues assuming a carbon price at current levels (7-8 EUR/tonne) would be some EUR 0.2-0.3 billion.*

(English version)

Question for written answer E-002260/12
to the Commission
Pat the Cope Gallagher (ALDE)
(28 February 2012)

Subject: Funding for Ireland under the European Solidarity Fund

Ireland was the recipient of financial aid from the European Solidarity Fund, which amounted to more than EUR 13 million, following the devastating flooding that occurred in November 2009.

Can the Commission confirm that the Irish Government has drawn down all the allocated funding?

Can the Commission outline in detail the way in which this money was utilised by the Irish Government?

Answer given by Mr Hahn on behalf of the Commission
(22 March 2012)

Grants from the EU Solidarity Fund are paid out in full as soon as the Implementation Agreement with the Commission laying down the details on the use of the grant has been signed. The grant to Ireland, amounting to EUR 13 022 500, was paid out on 22 December 2010. The one-year implementation period thus ended on 22 December 2011.

Council Regulation 2012/2002 establishing t he EU Solidarity Fund ([1]) stipulates that the implementation of the grant which includes in particular the selection of projects falls within the sole responsibility of the beneficiary state. According to the Implementation Agreement concluded with Ireland the grant was to be used for 'the restoration to working order of infrastructure and plant in the transport field. This includes the restoration to working order of roads infrastructure including bridges, quay walls, and flood defences through repair of local, regional and national roads and/ or replacement where infrastructure was removed by the flooding. It also includes the securing of bridges, roads, and other infrastructure and the cost of providing temporary access to local, regional and national roads'. Details can be provided once the Irish authorities have submitted their implementation report to the Commission which is due within 6 months from the end of the implementation period, i.e. by 22 June 2012.

([1]) OJ L 311, 14.11.2002.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002267/12
alla Commissione
Mario Mauro (PPE)
(28 febbraio 2012)

Oggetto: Taglio e confezionamento di «Parmigiano reggiano» DOP

Il regolamento (UE) n. 794/2011, entrato in vigore il 29 agosto 2011, ha approvato le modifiche del disciplinare della DOP «Parmigiano reggiano».

Sulla base del disciplinare oggi vigente, le operazioni di taglio e di confezionamento del formaggio che beneficia della DOP «Parmigiano reggiano» devono aver luogo nella zona geografica delimitata.

Tuttavia, ai sensi dell'articolo 2 del regolamento in esame: «si istituisce un periodo transitorio di un anno nel disciplinare relativo alla denominazione "Parmigiano reggiano" a favore degli operatori non stabiliti all'interno della zona geografica delimitata e che abbiano effettuato legalmente le operazioni di taglio e condizionamento del formaggio tutelato dalla denominazione "Parmigiano reggiano" al di fuori della suddetta zona geografica delimitata almeno cinque anni prima del 16 aprile 2009».

In data 28 agosto 2012, quindi, avrà termine il periodo transitorio di un anno.

Si chiede alla Commissione se:

1. ha valutato con attenzione i danni, in termini economici e occupazionali, che l'effettiva entrata in vigore delle modifiche del disciplinare potrebbe arrecare alle piccole e medie imprese che non si trovano all'interno della zona geografica delimitata?

2. ha considerato la possibilità di prorogare ulteriormente il periodo transitorio, fino al gennaio 2013, per permettere, soprattutto alle piccole e medie imprese, di adeguarsi alle nuove disposizioni e non causare loro ulteriori problemi economici, data la gravità della situazione finanziaria mondiale e italiana?

Risposta data daDacian Cioloş a nome della Commissione
(4 aprile 2012)

In virtù del regolamento (UE) n. 794/2011 ([1]) dell'8 agosto 2011 sono state approvate le modifiche del disciplinare della denominazione di origine protetta «Parmigiano Reggiano», le quali vertono sull'obbligo di tagliare, grattugiare e confezionare tale formaggio all'interno della zona geografica pertinente.

Come precisato nei considerando del succitato regolamento, tale obbligo si è rivelato necessario al fine di garantire l'origine del prodotto in questione, assicurarne il controllo ottimale e preservarne pienamente le caratteristiche fisiche e organolettiche.

Pur non disponendo di dati concreti in merito al potenziale pregiudizio arrecato da tale obbligo agli operatori situati al di fuori della zona geografica, conformemente al parere del comitato permanente per le indicazioni geografiche e le denominazioni d'origine protette la Commissione ha comunque deciso di concedere un periodo transitorio di un anno, ossia fino al 30 agosto 2012, durante il quale detti operatori sono autorizzati a continuare le operazioni di taglio, grattugiatura e confezionamento, fatto salvo il rispetto di talune condizioni.

Dalla sua entrata in vigore il predetto regolamento non è stato oggetto di nessun ricorso di annullamento dinanzi agli organi giurisdizionali dell'Unione, né sono pervenute alla Commissione, altre recriminazioni vertenti sulla durata del periodo transitorio concesso.

([1]) GU L 204 del 9.8.2011, pag. 19.

(English version)

Question for written answer E-002267/12
to the Commission
Mario Mauro (PPE)
(28 February 2012)

Subject: Portioning and packaging of 'Parmigiano Reggiano' PDO

Regulation (EU) No 794/2011, which came into force on 29 August 2011, approved the amendments to the specification of 'Parmigiano Reggiano' PDO.

According to the specification now in force, the portioning and packaging of cheese bearing the name 'Parmigiano Reggiano' PDO must take place within the defined geographical area.

However, pursuant to Article 2 of the regulation in question: 'A transitional period of 1 year is introduced for operators not established within the geographical area defined in the specification for the name "Parmigiano Reggiano" and who were legally engaged in the portioning and packaging of cheese bearing the name "Parmigiano Reggiano" outside the said defined geographical area for at least 5 years prior to 16 April 2009'.

On 28 August 2012, therefore, the transitional period of 1 year will come to an end.

Could the Commission state whether:

1. it has carefully assessed the losses, in economic and employment terms, that the effective coming into force of the amendments to the specification may cause to small and medium-sized enterprises not located within the defined geographical area;

2. it has considered the possibility of further extending the transitional period, until January 2013, to enable small and medium-sized enterprises in particular to adjust to the new provisions, rather than cause them further economic problems, in view of the gravity of the world and Italian financial situation?

(Version française)

Réponse donnée par M. Cioloş au nom de la Commission
(4 avril 2012)

En vertu du règlement (CE) n° 794/2011 ([1]) du 08 août.2011, ont été approuvées les modifications du cahier des charges de l'appellation d'origine protégée «Parmigiano Reggiano», portant sur l'obligation de découper, râper et conditionner ce fromage au sein de l'aire géographique y afférente.

Comme indiqué dans les considérants du règlement précité, une telle obligation s'est avérée nécessaire en vue de garantir l'origine du produit considéré, d'en assurer le contrôle optimal et de préserver pleinement ses propriétés physiques et organoleptiques.

Bien que n'ayant reçu aucune donnée chiffrée concrète quant au préjudice potentiel auquel les opérateurs situés hors de l'aire géographique seraient confrontés en raison d'une telle obligation, la Commission a néanmoins décidé, conformément à l'avis du comité permanent des indications géographiques et des appellations d'origine, l'octroi d'une période transitoire d'une année, expirant le 30 août 2012, au cours de laquelle lesdits opérateurs seraient autorisés à procéder aux opérations de découpe, râpage et conditionnement susvisées, sous réserve du strict respect de certaines conditions.

Le règlement précité n'a, suite à son entrée en vigueur, fait l'objet d'aucun recours en annulation devant les instances juridictionnelles de l'Union, ni d'une quelconque récrimination auprès de la Commission portant sur la durée de la période transitoire consentie.

([1]) JO L 204, 9.8.2011, pp. 19-20.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002273/12
an die Kommission
Hermann Winkler (PPE)
(29. Februar 2012)

Betrifft: Werbefilm „So similar, so different, so European" zur Erweiterung der Europäischen Union

Die Erweiterung der EU wird zunehmend kontrovers diskutiert. Insbesondere vor dem Hintergrund der europäischen Staatsschuldenkrise und im Zusammenhang mit der Entscheidung über den Beitritt Kroatiens zur EU wurden quer durch alle politischen Lager kritische Stimmen laut, welche die Grenze der Belastungsfähigkeit der Union erreicht sehen und vor einer Überdehnung des Zusammenhalts warnen. Die These, dass eine Phase der Konsolidierung und des inneren Zusammenwachsens vor zusätzlichen Erweiterungsschritten stehen sollte, findet in der Bevölkerung eine immer breitere Unterstützung. Überdies ist die potenzielle Aufnahme der Türkei in die EU auch grundsätzlich sehr umstritten. Fraglich bleibt etwa, inwiefern die Türkei auf einem Fundament von Kultur, Werteverständnis und Gesellschaft beruht, das dem europäischen hinreichend verwandt ist, um eine Mitgliedschaft in der EU zu rechtfertigen.

Dennoch hat die Kommission den Dreh eines ausschließlich positiven Werbefilms in Auftrag gegeben, und dies zu einer Zeit, in der die Lage für die EU — nicht zuletzt finanziell — desolat ist.

Auf der Webseite der Generaldirektion Erweiterung heißt es zur Begründung sinngemäß, das Video solle den Zuschauer ermutigen, seine Wahrnehmung der dargestellten Länder zu überdenken. Es sei Teil einer Kampagne, um die Aufmerksamkeit zu erhöhen und eine andere Seite der Region zu zeigen.

1. Auf welcher rechtlichen und budgetären Grundlage beruht die Aufgabe und Befugnis der Kommission, für die Erweiterung der EU zu werben?

2. Inwiefern sieht sich die Kommission legitimiert zu versuchen, mit dem oben genannten Film zukünftige Erweiterungs-Entscheidungen zu präjudizieren?

3. Kann die Kommission die oben genannte Kampagne näher erläutern?

4. Laut Presseberichterstattung belaufen sich die Gesamtkosten des Werbefilms auf 400 000 EUR. Ist dies korrekt? Wie verlief die Vergabe?

5. Warum impliziert der Film, es gäbe eine einhellig positive Haltung der „Europäischen Union" zu zusätzlichen Erweiterungen?

Anfrage zur schriftlichen Beantwortung E-002291/12
an die Kommission
Ingeborg Gräßle (PPE)
(29. Februar 2012)

Betrifft: Werbung für die EU-Erweiterung

Derzeit laufen in verschiedenen Ländern Spots in Fernsehen und Kinos, welche die EU-Erweiterung bewerben.

1. Wie viel kosten diese Werbespots den europäischen Steuerzahler?

2. In welchen Ländern und in wie vielen Sprachen werden diese Spots ausgestrahlt?

3. Welche anderen Werbemittel wurden für die EU-Erweiterung von der Kommission eingesetzt?

4. Wie viel kosteten die einzelnen Werbemaßnahmen den europäischen Steuerzahler?

5. Aus welchen Haushaltslinien sind die eingesetzten Mittel entnommen?

Anfrage zur schriftlichen Beantwortung E-002885/12
an die Kommission
Angelika Werthmann (NI)
(15. März 2012)

Betrifft: Rassistisches Video

Ein Video, das von der Kommission als Teil einer Kampagne für die Aufnahme neuer Mitgliedstaaten erstellt wurde, wurde von der Kommission von der Website YouTube zurückgezogen.

Das Video, mit dem die Vorteile der Erweiterung der EU beworben werden sollen, zeigt drei verschiedenen ethnischen Minderheiten angehörende Männer, die unterschiedliche, bedrohliche Kampfkunstbewegungen ausführen und dabei eine junge weiße Frau umzingeln, die, ähnlich wie die Heldin in den Kassenschlagern „Kill Bill" aus Hollywood, einen gelben Overall trägt.

Viele Menschen haben in Sozialen Medien im Internet kritisiert, dass dieses Video rassistisch und sexistisch ist.

1. Weshalb hat die Kommission dieses Video zurückgezogen?

2. Weshalb hat die Kommission dieses Video überhaupt erstellt (nur um es anschließend zurückzuziehen)?

3. Wie teuer war die Produktion dieses Videos?

Gemeinsame Antwort von Herrn Füle im Namen der Kommission
(27. April 2012)

Die Kommission führte im Rahmen ihrer Informations- und Kommunikationsmaßnahmen eine audiovisuelle Kampagne durch, um im Einklang mit der EU-Politik das Bewusstsein der Bürgerinnen und Bürger für die Erweiterung der EU zu schärfen und ihre Kenntnis der Kandidaten und potenziellen Kandidaten zu verbessern. Im Zuge dieser Kampagne wurden Videoclips mit jeweils verschiedenen Zielgruppen, Vertriebskanälen und Zielen produziert und verbreitet. Was die Produktionskosten betrifft, wurden für „Growing together" 127 397,78 EUR und für „So similar, so different, so European" 92 832,51 EUR bereitgestellt. Für die Online-Verbreitung, die sich auf alle Mitgliedstaaten erstreckt, wurden 312 000 EUR bereitgestellt. Fernsehwerbezeit wurde nicht gekauft.

Der Videoclip „So similar, so different, so European" richtet sich an ein allgemeines Publikum in den Mitgliedstaaten. Ziel ist es, die EU-Bürgerinnen und -Bürger mit den Kandidaten und potenziellen Kandidaten vertraut zu machen. Für den Kinovertrieb wurden 445 000,00 EUR bereitgestellt, und der Clip wurde in über 3 000 Kinos in sieben Mitgliedstaaten über einen Zeitraum von 7 bis 10 Tagen und somit vor rund 3 075 225 potenziellen Zuschauern gezeigt. Der Videoclip „Growing together" richtete sich über soziale Netzwerke und neue Medien an ein junges Publikum (16-24). Die Kommission bedauert, dass einige Bürgerinnen und Bürger diesen Videoclip als beleidigend empfanden. Wir sind nach wie vor der Ansicht, dass es notwendig ist, verschiedene Kommunikationskanäle und Produkte, einschließlich sozialer Netzwerke, zu nutzen, um verschiedene Zielgruppen zu informieren. Wir werden uns insbesondere bei Produkten, die online verbreitet werden, bemühen sicherzustellen, dass die zu vermittelnde Botschaft klar ist.

Der Auftrag für diese Kampagne wurde gemäß einem bestehenden Rahmenvertrag nach einer Ausschreibung erteilt, bei der eine Gruppe von Wettbewerbern zur Abgabe eines Angebots aufgefordert war.

Siehe auch frühere Antworten auf die Fragen E-005907/2011, E-5908/2011, E-00522/2012, E-00523/2012 ([1]).

([1]) Parlamentarische Anfragen.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002647/12
aan de Commissie
Daniël van der Stoep (NI)
(8 maart 2012)

Betreft: Cinematografische propaganda voor de Europese Unie

Ten tijde van het schrijven van deze vraag is een reclamespot, waarin een misplaatst Europees superioriteitsgevoel het plot vormt, reeds uit de distributie genomen.

Er blijkt echter sprake van nog een reclamespot, waarop ik werd gewezen door mensen die dit weekeinde Nederlandse bioscopen hebben bezocht.

Deze mensen werden, zelfs bij kinderfilms, getrakteerd op een reclamespot ter meerdere glorie van de Europese Unie en haar aspirant-lidstaten.

De illusie wordt gewekt dat deze aspirant-lidstaten het lidmaatschap van de Europese Unie net zo toekomt als huidige leden, omdat zij ook glimmende kantoorgebouwen hebben.

Deelt de Commissie mijn mening dat genoemde reclame een oppervlakkige, gesimplificeerde en onjuiste boodschap tracht over te brengen op het publiek, door de indruk te wekken dat de aspirant-lidstaten net zo geschikt zijn voor lidmaatschap van de Europese Unie als huidige leden, gebaseerd op overeenkomsten van uiterlijke schijn? Zo niet, waarom niet?

Voorts zou ik graag uitleg wensen over het beoogde effect van deze campagne.

Om te kunnen beoordelen of het door de Commissie beoogde effect de aangewende middelen heiligt, zou ik ook graag een opgave krijgen van de kosten, de frequentie en de locaties van de uitzending van deze reclamespot.

Antwoord van de heer Füle namens de Commissie
(27 april 2012)

In het kader van de voorlichting en informatieverstrekking en in overeenstemming met het bestendige EU-beleid heeft de Commissie een audiovisuele campagne gehouden om het bewustzijn van de burgers te verhogen over de uitbreiding van de EU en over de kandidaat-lidstaten en de potentiële kandidaat-lidstaten. Als onderdeel van deze campagne zijn videoclips geproduceerd en verspreid, elk met verschillende doelgroepen, distributiekanalen en doelstellingen. Wat de productiekosten betreft, werd 127 397,78 EUR vastgelegd voor „Growing together" en 92 832,51 EUR voor „So similar, so different, so European". Voor de verspreiding online werd 312 000 EUR vastgelegd voor alle lidstaten tezamen. Er werd geen reclametijd op televisie gekocht.

De videoclip „So similar, so different, so European" richt zich op een algemeen publiek in de lidstaten. De bedoeling is de Europese burgers vertrouwd te maken met de kandidaat-lidstaten en de potentiële kandidaat-lidstaten. Voor de vertoning in de bioscoop op meer dan 3 000 schermen gedurende 7 à 10 dagen in zeven lidstaten werd 445 000 EUR vastgelegd. Ongeveer 3 075 225 potentiële kijkers werden op deze manier bereikt. De clip „Growing together" richtte zich via sociale netwerken en nieuwe media op een jong publiek (16-24). De Commissie betreurt natuurlijk dat deze clip door sommige burgers als beledigend werd ervaren. Wij blijven echter geloven dat verschillende communicatiekanalen en producten, waaronder sociale media, moeten worden aangewend om de verschillende doelgroepen te informeren. Met name voor producten die online worden verspreid, zullen wij alles in het werk blijven stellen om de boodschap zo duidelijk mogelijk over te brengen.

Het contract voor deze campagne werd toegekend via een mededinging tussen een groep contractanten in het kader van een bestaande kaderovereenkomst.

Voor meer informatie kan u ook de antwoorden op vragen E-005907/2011, E-5908/2011, E-00522/2012 en E-00523/2012 raadplegen ([1]).

([1]) Parlementaire vragen.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002701/12
do Komisji
Paweł Robert Kowal (ECR)
(8 marca 2012 r.)

Przedmiot: Ocena efektywności spotu promującego politykę rozszerzenia Unii Europejskiej

Komisja Europejska opublikowała niespełna tydzień temu klip promujący rozszerzenie Unii Europejskiej, który wedle licznych opinii miał zabarwienie rasistowskie. Po kilku dniach i licznych skargach klip został wycofany z oficjalnego obiegu w Internecie.

Do jakich wniosków doszła Komisja po tym doświadczeniu i co zamierza robić w przyszłości, by takich sytuacji uniknąć?

Jak Komisja ocenia efektywność takich spotów, biorąc pod uwagę, że wedle informacji prasowych kosztował on 127 tysięcy euro?

Czy Komisja potwierdza, że spot kosztował 127 tysięcy euro?

Wspólna odpowiedź udzielona przez komisarza Štefana Füleго w imieniu Komisji
(27 kwietnia 2012 r.)

W ramach swoich działań informacyjnych i komunikacyjnych Komisja zrealizowała kampanię audiowizualną mającą na celu zwiększenie wiedzy obywateli na temat rozszerzenia UE oraz krajów kandydujących i potencjalnych krajów kandydujących, zgodnie z ustaloną polityką UE. W ramach tej kampanii wyprodukowano i rozpowszechniono wideoklipy, różniące się pod względem grupy odbiorców, kanału dystrybucji i celu. Jeśli chodzi o koszty produkcji, kwotę w wysokości 127 397,78 EUR przeznaczono na kampanię „Growing together" („Wspólny rozwój"), a 92 832,51 EUR na kampanię „So similar, so different, so European" („Europejczycy: tak różni, a tak podobni"). Na rozpowszechnianie online we wszystkich państwach członkowskich przeznaczono 312 000 EUR. Nie zakupiono czasu reklamowego w telewizji.

Film „So similar, so different, so European" skierowany jest do ogółu odbiorców w państwach członkowskich. Jego celem jest zaznajomienie obywateli UE z krajami kandydującymi i potencjalnymi krajami kandydującymi. Kwotę 445 000 EUR przeznaczono na dystrybucję kinową, którą w ciągu 7-10 dni objęto ponad 3 000 sal kinowych w siedmiu państwach członkowskich, zapewniając w ten sposób 3 075 225 potencjalnych widzów. Film „Growing together" skierowany był do młodych widzów (w wieku 16-24 lat), a do jego rozpowszechniania wykorzystano portale społecznościowe oraz nowe media. Komisja ubolewa nad tym, że niektóre osoby odebrały jego treść jako obraźliwą. Komisja jest jednak w dalszym ciągu przekonana, że aby dotrzeć do różnych grup odbiorców, należy korzystać z różnych kanałów komunikacji i produktów, w tym portali społecznościowych. Szczególnie w odniesieniu do produktów rozpowszechnianych online, będzie dalej zabiegała o jasność przekazu.

Umowa na realizację tej kampanii została zawarta w wyniku konkursu, w którym wzięła udział grupa wykonawców zaproszonych do składania ofert w ramach istniejącej umowy ramowej.

Komisja odsyła również do swoich poprzednich odpowiedzi na pytania E-005907/2011, E-5908/2011, E-00522/2012 oraz E-00523/2012 ([1]).

([1]) Pytania poselskie.

(English version)

Question for written answer E-002273/12
to the Commission
Hermann Winkler (PPE)
(29 February 2012)

Subject: Film entitled 'So similar, so different, so European' promoting the enlargement of the European Union

EU enlargement is increasingly the subject of controversial debate. In particular against the backdrop of the European sovereign debt crisis and in the context of the decision on the accession of Croatia to the EU, critical voices have been heard in all political quarters, indicating that the Union has reached the limits of its resilience and warning against overstretching cohesion. There is growing support among the population for the belief that a phase of consolidation and internal integration should precede any further enlargement. Furthermore, the potential accession of Turkey to the EU is a source of fundamental discord. Questions still remain in relation to the extent to which Turkish culture, values and society have sufficient affinity with European mores to justify membership of the EU.

Nonetheless, the Commission has commissioned an unequivocally positive promotional film at a time when the situation for the EU is bleak — not least in financial terms.

The website of the Directorate-General for Enlargement explains that the video is intended to encourage the audience to rethink its perception of the countries shown. This is part of a campaign to generate more attention and to show a different side of the region.

1. What is the legal and budgetary basis for the Commission's functions and authority in promoting enlargement of the EU?

2. To what extent does the Commission see itself legitimised in its attempt to use this film to influence future decisions on enlargement?

3. Can the Commission explain the above campaign in greater detail?

4. Press reports indicate that the total cost for the promotional film was EUR 400 000. Is this correct? How was the contract awarded?

5. Why does the film imply that attitudes within the 'European Union' are unequivocally positive in relation to further enlargement?

Question for written answer E-002291/12
to the Commission
Ingeborg Gräßle (PPE)
(29 February 2012)

Subject: Adverts promoting EU enlargement

Adverts are currently running in cinemas and on television in various countries promoting the enlargement of the EU.

1. How much are these adverts costing the European taxpayer?

2. In which countries and in how many languages are these adverts being shown?

3. What other advertising methods has the Commission used to promote EU enlargement?

4. How much has each of these advertising measures cost the European taxpayer?

5. From which budget lines has the money been taken to fund these campaigns?

Question for written answer E-002647/12
to the Commission
Daniël van der Stoep (NI)
(8 March 2012)

Subject: Cinematic propaganda for the European Union

At the time this question was being written, one commercial with a plot based on a misplaced European superiority complex had already been withdrawn from distribution.

People who went to Dutch cinemas this weekend have drawn my attention to another commercial, however.

These people were treated, even at children's films, to an advert glorifying the European Union and its candidate countries.

The illusion is being created that these candidate countries deserve to join the European Union just as much as the current Member States because they also have shiny office buildings.

Does the Commission share my opinion that the aforesaid commercial attempts to put across a superficial, simplified and incorrect message to the public by creating the impression that the candidate countries are just as qualified to join the EU as the current Member States, purely on the basis of outward similarities? If not, why not?

I would also like an explanation as to the intended impact of this campaign.

In order to be able to judge whether the intended impact justifies the means employed, I would also like to receive a statement of the cost of the commercial and details of where and how frequently it is broadcast.

Question for written answer E-002701/12
to the Commission
Paweł Robert Kowal (ECR)
(8 March 2012)

Subject: Assessing the effectiveness of an advert promoting the European Union's enlargement policy

Less than a week ago, the Commission released a video promoting the enlargement of the European Union, which was considered by many to have racist overtones. After several days and numerous complaints, the video was withdrawn from official circulation on the Internet.

What conclusions has the Commission drawn from this experience and what does it intend to do in future to avoid such situations?

What is the Commission's assessment of the effectiveness of such videos, considering that, according to press reports, this one cost EUR 127 000?

Can the Commission confirm that the video cost EUR 127 000?

Question for written answer E-002885/12
to the Commission
Angelika Werthmann (NI)
(15 March 2012)

Subject: Racist video

A video made by the Commission as part of a campaign to advertise the benefits of admitting new Member States has been withdrawn by the Commission from the YouTube website.

The video, intended to promote the benefits of EU enlargement, shows three men from various ethnic minorities using different threatening martial arts skills to surround a young white woman dressed in a yellow jumpsuit similar to that worn by the heroine in the *Kill Bill* Hollywood hit movies.

Many people have complained on social media sites that this video is racist and sexist.

1. Why did the Commission withdraw this video?

2. Furthermore, why did the Commission produce this video (only to then withdraw it)?

3. How expensive was the production of this video?

Joint answer given by Mr Füle on behalf of the Commission
(27 April 2012)

As part of its information and communication activities, the Commission implemented an audiovisual campaign aiming to raise citizens' awareness about EU enlargement and the candidates and potential candidates, in line with established EU policy. Within this campaign, video clips were produced and distributed, each with different target audiences, distribution channels and objectives. In terms of production costs, EUR 127 397.78 was committed for 'Growing together' and EUR 92 832.51 for 'So similar, so different, so European'. EUR 312000 was committed for online distribution, covering all Member States. No television advertising time was bought.

The clip 'So similar, so different, so European' targets general audiences in the Member States. Its objective is to familiarise EU citizens with the candidates and potential candidates. EUR 445 000.00 was committed for cinema distribution, which covered over 3 000 screens over a period of 7-10 days in seven Member States, thus ensuring some 3 075 225 potential viewers. The clip 'Growing together' targeted, through social networks and new media, young audiences (16-24). The Commission obviously regrets that this clip was perceived as offensive by some citizens. We continue to believe that it is necessary to use different communication channels and products, including social media, to inform different audiences. In particular for products distributed online, we will further endeavour to ensure the clarity of the message to be conveyed.

The contract for this campaign was awarded following a competition among a pool of contractors invited to tender as part of an existing Framework Contract.

Please also see previous answers to Questions E-005907/2011, E-5908/2011, E-00522/2012, E-00523/2012 ([1]).

([1]) Questions parlementaires.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002275/12
aan de Commissie
Barry Madlener (NI)
(29 februari 2012)

Betreft: TV-reportage „Een vandaag" inzake ESM

1. In de reportage van „Een vandaag" werd gesteld dat het bestuur van het ESM absolute macht geniet. Waarop berust haar democratische legitimatie eigenlijk?

2. De Nederlandse bijdrage aan het ESM bedraagt 5,7 %, maar uit de brief die minister De Jager naar de Kamer zond naar aanleiding van diens jongste overleg op 20 februari met de overige ministers van Financiën van de eurozone, blijkt dat de Nederlandse „verdeelsleutel" is gestegen naar 6,12 %. Hoe verklaart de Commissie dit verschil?

3. Een vooraanstaand lid van de Nederlandse Rekenkamer, de heer K. V., waarschuwt voor het gebrek aan externe controle op de uitgaven van het ESM en de weinig transparante informatievoorziening. Dit is niet in overeenstemming met internationale controlestandaarden. Kan de Commissie dit uitleggen?

4. Waarom vindt stemming binnen het ESM nu ineens plaats met een lichte vorm van gekwalificeerde meerderheid, waar voorheen telkens met unanimiteit werd beslist?

5. Wat zijn de financiële gevolgen voor de overige deelnemende landen, in het bijzonder voor Nederland en Duitsland, indien zwakke eurozone landen als Spanje en Italië niet aan hun financiële verplichtingen uit hoofde van het ESM-Verdrag kunnen voldoen?

Antwoord van de heer Rehn namens de Commissie
(15 juni 2012)

De Commissie zou eraan willen herinneren dat het ESM-verdrag tussen een aantal lidstaten is gesloten buiten het kader van de EU.

1. Het ESM-orgaan waarbij de uiteindelijke beslissingsbevoegdheid berust, is de Raad van gouverneurs, die overeenkomstig het ESM-verdrag toezicht houdt op de werkzaamheden van de Raad van bewind en besluiten neemt. De Raad van gouverneurs is samengesteld uit regeringsleden van de ESM-leden die verantwoordelijkheid dragen voor financiën en aan hun respectieve parlementen verantwoording moeten afleggen.

2. De bijdrage van de lidstaten aan het ESM is gebaseerd op de bijdragesleutel van het ESM ([1]). Volgens deze sleutel zal Nederland 5,7 % aan het ESM bijdragen. Het cijfer van 6,12 % stemt overeen met het huidige aandeel van de Nederlandse garantietoezegging in de EFSF nadat Griekenland, Portugal en Ierland uit de faciliteit zijn gestapt als garantiegevers ([2]).

3. In het ESM-verdrag zijn regelingen ingebouwd om een externe controle/audit te garanderen en om de verantwoordingsplicht en transparantie van het ESM te versterken. Wat de transparantie betreft, moet de Raad van gouverneurs het jaarverslag toegankelijk maken voor de nationale parlementen en hoge controle-instanties van de ESM-leden en voor de Europese Rekenkamer (artikel 30, lid 5, van het ESM-verdrag). Wat de externe controle/audit betreft, zijn onafhankelijke externe auditors verantwoordelijk voor de certificering van de jaarrekening (artikel 29 van het ESM-verdrag) ([3]).

4. Een besluit tot verlening of tenuitvoerlegging van financiële bijstand wordt in beginsel genomen in onderlinge overeenstemming, met eenparigheid van stemmen van de leden die aan de stemming deelnemen. Er wordt echter gebruikgemaakt van een spoedprocedure met gekwalificeerde meerderheid van stemmen indien de Commissie en de ECB beide concluderen dat als niet dringend een besluit wordt genomen of financiële bijstand wordt verleend, zulks de economische en financiële stabiliteit van de eurozone in gevaar kan brengen.

5. De aansprakelijkheid van de ESM-leden is beperkt tot hun aandeel in het kapitaal.

([1]) Vermeld in bijlage 1 bij het ESM-verdrag.
([2]) Een dergelijk uitstapmechanisme voor landen die bijstand ontvangen, bestaat niet voor het ESM. De ESM-sleutel bevat een klein tijdelijk correctiemechanisme om te vermijden dat arme lidstaten van de eurozone worden benadeeld.
([3]) Bovendien kan het ESM-auditcomité overeenkomstig artikel 30, lid 3, van het ESM-verdrag op eigen initiatief onafhankelijke audits uitvoeren met betrekking tot gelijk welk specifiek onderwerp.

(English version)

Question for written answer E-002275/12
to the Commission
Barry Madlener (NI)
(29 February 2012)

Subject: TV report on *EenVandaag* regarding ESM

1. It was stated in a report on *EenVandaag* that the ESM's board of directors enjoys absolute power. What are its actual democratic credentials?

2. The Netherlands contributes 5.7 % to the ESM. However, according to the letter sent by Minister De Jager to the Dutch Lower House following his latest consultation on 20 February 2012 with the other finance ministers from the euro area, it seems that the Dutch contribution has risen to 6.12 %. How does the Commission explain this difference?

3. A leading member of the Dutch Court of Auditors, Mr K.V., warns of the lack of external control over the ESM's spending and little transparency when it comes to providing information. This does not comply with international control standards. Can the Commission explain this?

4. Why is it that, all of a sudden, voting within the ESM now occurs with a light form of qualified majority, whereas before, decisions were made unanimously?

5. What are the financial consequences for the other participating countries, in particular for the Netherlands and Germany, if the euro area's weak countries, such as Spain and Italy, are unable to fulfil their financial commitments under the ESM Treaty?

Answer given by Mr Rehn on behalf of the Commission
(15 June 2012)

The Commission would like to remind that the ESM treaty has been concluded between some Member States (MS) outside the framework of the EU.

1. The ultimate decision body of the ESM is the Board of Governors, which oversees the activities of the Board of Directors and take decisions as provided for by the ESM Treaty. It is composed of members of the governments of the ESM Members who have responsibility for finance and who are accountable before their respective parliaments.

2. The MS contribution in the ESM is based on the contribution key of the ESM ([1]). According to this key, the Netherlands will contribute 5.7 % to the ESM. The 6.12 % corresponds to the current share of the Dutch guarantee commitment in the EFSF, after Greece, Portugal and Ireland have stepped out as guarantors ([2]).

3. There are arrangements foreseen in the ESM Treaty in order to guarantee external control/audit and in order to enhance accountability and transparency of the ESM. With regard to transparency, the Board of Governors shall make the annual report accessible to the national parliaments and supreme audit institutions of the ESM Members and the European Court of Auditors (Article 30.5 of ESM Treaty). In terms of external control/audit, independent external auditors are responsible for performing the certification of the annual financial statements (Article 29 of ESM Treaty) ([3]).

4. The adoption of a decision to grant or implement financial assistance is in principle taken by mutual agreement requiring the unanimity of the members participating in the vote. However, an emergency procedure requiring qualified majority voting shall be used where the Commission and the ECB both conclude that the failure to urgently adopt a decision or grant financial assistance would threaten the economic and financial stability of the euro area.

5. The exposure of ESM Members is limited to their capital share.

([1]) Detailed in Annex a of the ESM Treaty.
([2]) Such step-out mechanism for countries receiving assistance does not exist for the ESM. The ESM key contains a small temporary correction mechanisms to avoid penalising poor euro area Member States.
([3]) Moreover, according to Article 30.3 of the ESM treaty, the ESM Board of Auditors can take the initiative of conducting independent audits on any specific topic.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002276/12
do Komisji
Filip Kaczmarek (PPE)
(29 lutego 2012 r.)

Przedmiot: Sytuacja uchodźców z Mali

Około 44 tysięcy osób musiało opuścić swoje domy w wyniku starć między grupami Tuaregów a siłami zbrojnymi Mali, które rozpoczęły się w połowie stycznia 2012 r. Uchodźcy uciekają do sąsiednich państw, między innymi Nigru, Burkina Faso czy Mauretanii.

Zdaniem Czerwonego Krzyża i organizacji pozarządowych ludność opuszcza swoje domy w pośpiechu, często bez środków do życia. Podczas ucieczki ginie wiele zwierząt hodowlanych, pogarszając obecną i przyszłą sytuację uchodźców. Konsekwencje przemocy potęgują dostatecznie złą sytuację tej części Afryki, która nieustannie nawiedzana jest suszami oraz wynikającymi z nich kryzysami żywnościowymi. Wiele organizacji pomocowych działających w regionie prognozuje poważny kryzys żywnościowy w 2012 r. spowodowany usychaniem zbóż i stratami w chowie zwierząt po suchej porze deszczowej.

W związku z powyższym zwracam się z zapytaniem:

Czy i jakie kroki Komisja zamierza podjąć w celu pomocy uchodźcom z Mali?

Odpowiedź udzielona przez komisarz Kristalinę Georgijewą w imieniu Komisji
(3 maja 2012 r.)

W wyniku konfliktu zbrojnego, trwającego od 17 stycznia 2012 r. na północy Mali między armią malijską a rebeliantami tuareskimi, do ucieczki ze swoich domów zmuszonych zostało ponad 200 tys. osób. Blisko 100 tys. z nich zostało wysiedlonych w obrębie kraju. Pozostali znaleźli schronienie w sąsiednich krajach, przede wszystkim w Nigrze, Mauretanii i Burkina Faso. Wiele z tych osób pochodzi z obszarów, które już znajdują się w bardzo trudnym położeniu oraz borykają się z brakiem żywności w wyniku kryzysu żywnościowego w regionie Sahelu, wywołanego bardzo niskimi plonami i wysokimi cenami żywności. Zakłada się, że na skutek zamachu stanu dokonanego w Bamako dnia 21 marca 2012 r. liczba wysiedleńców wzrośnie.

Komisja przyjęła właśnie decyzję o udzieleniu pomocy kryzysowej w wysokości 9 mln EUR, która zostanie przeznaczona na pomoc ofiarom konfliktu zbrojnego w północnym Mali. Pomoc ta będzie miała na celu zaspokojenie najbardziej pilnych potrzeb, takich jak schronienie, dostęp do żywności, wody i infrastruktury sanitarnej oraz opieka zdrowotna. W jej udzielaniu będą pośredniczyć agencje ONZ, organizacje działające w ramach Czerwonego Krzyża oraz międzynarodowe organizacje pozarządowe. Wspomniane 9 mln EUR to kolejne środki przyznane przez Komisję, gdyż w odpowiedzi na kryzys żywnościowy w regionie Sahelu w 2012 r. Komisja udzieliła już pomocy humanitarnej w wysokości 123,5 mln EUR, z czego 14 mln EUR przeznaczyła na działania prowadzone w Mali.

(English version)

Question for written answer E-002276/12
to the Commission
Filip Kaczmarek (PPE)
(29 February 2012)

Subject: Situation of refugees from Mali

Around 44 000 people have left their homes as a result of clashes between Tuareg groups and Mali's armed forces, which began in mid-January 2012. The refugees are fleeing to neighbouring countries, including Niger, Burkina Faso and Mauritania.

In the opinion of the Red Cross and non-governmental organisations, the local people are leaving their homes in haste, often without the means to survive. Many domestic animals die during the refugees' flight, making their current and future situation even worse. The consequences of the violence are exacerbating an already-strained situation in this part of Africa, which is plagued by incessant droughts and resulting food crises. Many aid organisations operating in the region are predicting a major food crisis in 2012, as a result of crop failures and losses of domestic animals following a dry rainy season.

With this in mind, is the Commission planning to take any steps to help the refugees from Mali? If so, what will the steps be?

Answer given by Mrs Georgieva on behalf of the Commission
(3 May 2012)

The fighting since 17 January 2012 in northern Mali between the Malian army and Touareg rebels has forced over 200,000 people to flee their homes. Nearly 100,000 of these are internally displaced in Mali. The rest have sought refuge in neighbouring countries, primarily Niger, Mauritania and Burkina Faso. Many of these people are from areas already considered highly vulnerable and food insecure as a consequence of the Sahel food crisis caused by poor harvests and high food prices. The number of displaced is expected to rise as a result of the attempted coup in Bamako on 21 March 2012.

The Commission has just adopted an Emergency Decision allocating EUR 9 million to assist the victims of the fighting in northern Mali. This assistance, which will be channelled through UN agencies, the Red Cross family and international NGOs, will help alleviate the most urgent needs in shelter, access to food, water and sanitation and healthcare. This EUR 9 million of funding is additional to the EUR 123.5 million in humanitarian aid that the Commission has already allocated in response to the Sahel food crisis in 2012, of which EUR 14 million has been directed to operations in Mali.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002277/12
do Komisji
Sławomir Witold Nitras (PPE)
(29 lutego 2012 r.)

Przedmiot: Ukryte zadłużenie państw UE z tytułu przyszłych świadczeń emerytalnych

W Polsce po decyzji rządu, by wydłużyć i zrównać wiek emerytalny kobiet i mężczyzn, rozgorzała debata dotycząca całego systemu zabezpieczającego przyszłych emerytów. Jednym z argumentów, by reformować, a co za tym idzie zwiększać przyszłe wpływy z tytułu składek, jest fakt, że każde z państw, które posiadało lub wciąż posiada repartycyjny system emerytalny, nagromadziło ogromne zobowiązania z tego tytułu. Ten dług będzie znacząco obciążał budżet państw, co z pewnością odbije się na jakości życia obywateli.

W związku z tym pragnę zadać szanownej Komisji następujące pytania:

1. Czy szanowna Komisja posiada wyliczenia dotyczące wysokości wyżej wspomnianego długu w relacji do PKB krajów UE w formie liczby absolutnej oraz jako symulacji rocznych dotacji z budżetów do systemów emerytalnych?

2. Jak szanowna Komisja ocenia zagrożenie związane z tym zadłużeniem?

3. Czy Komisja będzie starała się w ramach semestru europejskiego rekomendować środki zaradcze państwom najbardziej zadłużonym z tego tytułu? Jeżeli tak, to jakie?

4. Jaką rolę w reformowaniu tego zjawiska ma Europejska Rada ds. Ryzyka Systemowego?

Odpowiedź udzielona przez komisarza Olliego Rehna w imieniu Komisji
(25 kwietnia 2012 r.)

1. EUROSTAT planuje wprawdzie zbieranie danych dotyczących długu ukrytego w ramach zmian europejskiego systemu rachunków (ESA) ([1]), ale Komisja nie będzie opierać swoich ocen przyszłej wydolności publicznych systemów emerytalnych na tego typu danych. Komisja stosuje w swojej ocenie systemów emerytalnych i stabilności budżetowej bardziej kompleksowe podejście, uwzględniające zarówno dochody, jak i wydatki systemów emerytalnych, a także rozliczenia międzyokresowe przyszłych okresów.

2. Komisja i Grupa Robocza ds. Starzenia się Społeczeństw przy EPC ([2]) przygotowują co 3 lata sprawozdanie na temat starzenia się społeczeństw, w którym szacują skutki budżetowe prognozowanych wydatków związanych z tym trendem demograficznym, w tym emerytur. Zagrożenia dla finansów publicznych są następnie oceniane w odrębnym sprawozdaniu na temat stabilności budżetowej, które zawiera również prognozy dotyczące relacji długu sektora instytucji rządowych i samorządowych do PKB w 50-letnim horyzoncie czasowym, odzwierciedlające przewidywany wzrost wydatków związanych ze starzeniem się społeczeństwa przy założeniu niezmiennego kursu polityki ([3]).

3. W kontekście europejskiego semestru Komisja zaleca reformy strukturalne systemów emerytalnych w celu ograniczenia wzrostu przyszłych wydatków. Zalecenia te opierają się na sprawozdaniu dotyczącym stabilności budżetowej i na specyficznej sytuacji danego państwa. Jak podkreślono w AGS na lata 2011 i 2012 ([4]) oraz w białej księdze dotyczącej emerytur, skutecznym sposobem zapewnienia stabilności systemów emerytalnych jest uzależnienie wieku emerytalnego od wydłużania się średniego dalszego trwania życia.

4. ERRS ([5]) jest odpowiedzialna za dozór makroostrożnościowy nad systemem finansowym w Unii, mający na celu zapobieganie ryzykom systemowym dla stabilności finansowej, wynikającym ze zmian w obrębie systemu finansowego lub ograniczania takich ryzyk, oraz mając na względzie zmiany sytuacji makroekonomicznej. Jej zadaniem nie jest monitorowanie ukrytych zobowiązań wynikających z publicznych programów świadczeń, takich jak emerytury lub renty, ale działanie na rzecz sprawnego funkcjonowania rynku wewnętrznego.

([1]) Zostaną one wprowadzone w życie do 2014 r.
([2]) Komitet Polityki Gospodarczej.
([3]) Kolejne sprawozdanie na temat starzenia się społeczeństwa powinno zostać opublikowane w maju, a kolejne sprawozdanie na temat stabilności budżetowej przed końcem bieżącego roku.
([4]) Roczna analiza wzrostu gospodarczego.
([5]) Europejska Rada ds. Ryzyka Systemowego.

(English version)

Question for written answer E-002277/12
to the Commission
Sławomir Witold Nitras (PPE)
(29 February 2012)

Subject: Hidden debt of EU Member States due to future pension benefits

Following the Polish Government's decision to extend and equalise the retirement age for women and men, a debate has been raging in the country on the entire system for guaranteeing income for future pensioners. One argument in favour of reform, and consequently in favour of increasing future income from contributions, is the fact that every one of the Member States that has had or still has a pay-as-you-go pensions system has accumulated massive debts as a result. This debt will be a significant burden on these countries' budgets, which will undoubtedly have an impact on the quality of life of the people living there.

1. Does the Commission have any figures on the level of the abovementioned debt in relation to GDP in EU Member States, both as an absolute value and as simulated annual budget payments to pension systems?

2. What is the Commission's assessment of the threat associated with this debt?

3. Within the framework of the European semester, will the Commission recommend remedial measures to the Member States most burdened by such debt? If so, what will these measures be?

4. What is the European Systemic Risk Board's role with regard to addressing this situation?

Answer given by Mr Rehn on behalf of the Commission
(25 April 2012)

1. While Eurostat plans to collect data on implicit debt as part of the revision of ESA ([1]) the Commission will not base its assessment of the future viability of public pension systems on such figures. The Commission assesses pension systems and fiscal sustainability using a more comprehensive approach considering both revenues and expenditures of pension systems and taking also into account future accruals.

2. The Commission and the EPC ([2]) Ageing Working Group produce every three years an Ageing Report in which the fiscal impact of projected ageing-related expenditures, including pensions, is assessed. The risk to public finances is then assessed in a separate Sustainability Report which also contains projections of the general government debt-to-GDP ratio at a 50-year horizon, reflecting the projected increases in age-related expenditure based on unchanged policies ([3]).

3. The Commission recommends, in the context of the European semester, structural reforms to pension systems to curb future expenditure increases. The recommendations are based on the Sustainability Report and on country-specific factors. As highlighted in the 2011 and 2012 AGS ([4]) and the White Paper on pensions, an effective way to ensure the sustainability of pension systems is to link the retirement age to increases in life expectancy.

4. The ESRB ([5]) is responsible for the macro-prudential oversight of the financial system within the Union in order to contribute to the prevention or mitigation of systemic risks to financial stability that arise from developments within the financial system and taking into account macroeconomic developments. Its role is not to monitor implicit liabilities arising from public entitlement programmes such as pensions, but to contribute to the smooth functioning of the internal market.

([1]) To be implemented by 2014.
([2]) Economic Policy Committee.
([3]) The next Ageing Report will be published in May, and the next Sustainability Report before the end of this year.
([4]) Annual Growth Survey.
([5]) European Systemic Risk Board.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002278/12
à Comissão (Vice-Presidente / Alta Representante)
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(29 de fevereiro de 2012)

Assunto: VP/HR — Sanções da UE ao Irão

A decisão da UE de aplicação de sanções ao Irão representa, indiscutivelmente, uma escalada na postura de confrontação e de conflito que, seguindo os EUA, tem vindo a ser promovida pela UE.

Esta decisão surge na sequência da deslocação de vultuosos meios militares para o Golfo Pérsico e estreito de Ormuz, bem como de reiteradas violações do espaço aéreo iraniano, atribuídas pelas autoridades iranianas a países como Israel e EUA. Neste quadro, quando se impunham esforços para uma solução política do conflito, opta-se antes pela confrontação, por retirar espaço ao diálogo e à negociação diplomática.

Ademais, as razões invocadas para a aplicação das sanções são profundamente contraditórias, face ao que tem sido a postura da UE em relação a outros países da região, nomeadamente Israel.

Solicitamos à Alta Representante/Vice-Presidente da Comissão Europeia que nos informe sobre o seguinte:

1. Por que razão optou a UE por uma postura de escalada no conflito com o Irão, em lugar de procurar uma solução política, pacífica e negociada, para o conflito?

2. Por que razão foi boicotado o acordo sobre troca de combustível nuclear alcançado entre o Irão, o Brasil e a Turquia, em 2010?

3. Que avaliação foi feita das consequências desta decisão da UE para os países europeus mergulhados numa situação de profunda crise económica?

4. À luz dos motivos invocados para as sanções ao Irão, como justifica o facto de a UE desenvolver relações de estreita cooperação económica e militar com Israel, país não signatário do Tratado de Não Proliferação, única potência nuclear na região, que ocupa ilegalmente territórios da Palestina, do Líbano e Síria e que, reiteradamente, age à margem e contra os mais elementares princípios do Direito Internacional? Não considera que estamos perante uma política de dois pesos e duas medidas?

5. Que medidas tomou até à data para promover o desmantelamento do ilegal arsenal nuclear israelita e, assim, a criação de uma zona livre de armas nucleares no Médio Oriente?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(23 de maio de 2012)

1. A UE continua a apostar numa solução diplomática pela via das negociações. A UE sempre teve uma posição com duas vertentes: combinar incentivos e pressão.

2. A Declaração Brasil-Irão-Turquia, ou Declaração de Teerão, de maio de 2010, não tinha em conta as preocupações da comunidade internacional quanto à natureza do programa nuclear do Irão.

3. Não há dúvida de que a proibição das importações de petróleo iraniano tem consequências para a UE e os seus Estados-Membros. Foi por esse motivo que a decisão de proibição gradual das importações de petróleo iraniano se faz acompanhar de um processo de ajustamento ao qual será dada a prioridade necessária.

4. Como se afirma no Plano de Ação relativo à Política Europeia de Vizinhança (PEV) UE-Israel, a UE e Israel desenvolvem o diálogo e a cooperação no domínio da não proliferação com base, respetivamente, na Estratégia da União Europeia contra a proliferação de armas de destruição maciça (dezembro de 2003) e a Visão de Israel sobre os objetivos a longo prazo da segurança regional e o processo de controlo de armas no Médio Oriente (1992), em função da situação. Por conseguinte, as duas partes cooperam no domínio da não proliferação, nomeadamente dando cumprimento à Resolução 1540/04 do Conselho de Segurança das Nações Unidas, assegurando a plena observância e execução a nível nacional das obrigações internacionais existentes e promovendo a adesão, a execução e o reforço de outros instrumentos internacionais pertinentes, regimes de controlo das exportações e acordos regionais.

5. A UE sempre promoveu a criação de uma zona livre de armas de destruição maciça no Médio Oriente, tendo contribuído de forma concreta para as discussões sobre o processo que deverá conduzir à criação dessa zona, organizando, por exemplo, um seminário sobre o tema em de julho de 2011.

(English version)

Question for written answer E-002278/12
to the Commission (Vice-President/High Representative)
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(29 February 2012)

Subject: VP/HR — EU sanctions against Iran

There is no doubt that the EU's decision to impose sanctions on Iran marks an escalation in the attitude of confrontation and conflict which the EU, following the example of the United States, has been advocating.

This decision comes after the movement of significant military resources to the Persian Gulf and the Strait of Hormuz as well as repeated violations of Iranian airspace, for which the Iranian authorities blame Israel and the United States, among others. Instead of seeking a political solution to the conflict, as it is imperative to do at this juncture, the option being favoured is confrontation, reducing the scope for dialogue and diplomatic negotiation.

Moreover, the reasons put forward for the imposition of sanctions are profoundly at odds with the attitude that the EU has been taking to other countries in the region, particularly Israel.

1. Why has the EU chosen to escalate the conflict with Iran rather than attempting to achieve a peaceful negotiated political solution?

2. What was the reason for the boycott of the nuclear fuel swap agreement between Iran, Brazil and Turkey in 2010?

3. Has the EU weighed up the consequences of this decision for the European countries mired in a serious economic crisis? What are its conclusions?

4. In light of the reasons given for the sanctions against Iran, how can the EU justify developing close economic and military ties with Israel, a country that is not a signatory to the Non-Proliferation Treaty, the only nuclear power in the region, which is illegally occupying parts of Palestine, Lebanon and Syria, and which repeatedly acts on the fringes of, and contrary to, the most elementary principles of international law? Does she not believe that all this amounts to a policy of double standards?

5. What measures has she taken to date to promote the dismantling of the illegal Israeli nuclear arsenal with a view to establishing a nuclear weapons-free zone in the Middle East?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(23 May 2012)

1. The EU remains determined to work for a diplomatic solution through negotiations. It has always followed a double-track approach, combining incentives with pressure.

2. The Brazil-Iran-Turkey Tehran Declaration of May 2010 did not address the concerns of the international community on the nature of the Iranian nuclear programme.

3. It is clear that in particular the measure to ban the import of Iranian oil has an effect on the EU and its Member States. It is for this reason that the decision to introduce a phased ban on the import of Iranian oil is accompanied by a process of adjustment which is given the necessary priority.

4. As stated in the EU-Israel European Neighbourhood Policy (ENP) Action Plan, the EU and Israel develop their dialogue and cooperation in the field of Non-proliferation on the basis respectively of the 'EU Strategy against proliferation of weapons of mass destruction (December 2003)' and 'Israel's vision on the long-term goals of regional security and arms control process in the Middle East (1992)', as appropriate. Accordingly, they cooperate on non-proliferation, including through implementing UNSC resolution 1540/04, fully complying with and implementing at national level their existing international obligations and consider the promotion of adherence, implementation, accession and strengthening of other relevant international instruments, export control regimes or regional arrangements.

5. The EU has always promoted the establishment of a WMD free zone in the Middle East and has practically contributed to discussions aimed at facilitating a process leading to the establishment of a zone, including through a seminar on this issue organised in July 2011.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002279/12
à Comissão
João Ferreira (GUE/NGL)
(29 de fevereiro de 2012)

Assunto: Estudos sobre a capacidade da frota dos Estados-Membros e financiamento da recolha de dados

Na proposta de regulamento relativo à Política Comum de Pescas, apresentada pela Comissão, está previsto o estabelecimento de um sistema obrigatório de concessões de pesca transferíveis concebido para ser um «importante propulsor do ajustamento da capacidade da frota» e desempenhar um papel fundamental na gestão da pesca, ao evitar a sobrepesca, e na redução da capacidade da frota.

Defende também a Comissão que para «um bom funcionamento da gestão das pescas, é indispensável dispor de dados fiáveis e completos» sobre os stocks piscatórios.

Assim, pergunta-se à Comissão:

1. Quando foi realizado o último estudo sobre a capacidade da frota dos Estados-Membros?

2. Quais foram os resultados desse estudo?

3. Que dados científicos possui sobre a sobrecapacidade de pesca nos Estados-Membros?

4. Que meios financeiros foram disponibilizados aos Estados-Membros para a recolha desses dados?

5. Está disponível para propor o reforço destes meios, aumentando a comparticipação comunitária na recolha de dados?

Resposta dada por Maria Damanaki em nome da Comissão
(13 de abril de 2012)

Em 12 de dezembro de 2011, o Tribunal de Contas Europeu publicou um relatório especial relativo à sobrecapacidade ([1]). O Tribunal concluiu que as medidas em vigor não conseguiram reduzir a sobrecapacidade da frota da UE. É necessária uma nova abordagem.

No contexto do Relatório Anual da Frota de Pesca, os Estados-Membros são convidados a fazer uma avaliação qualitativa anual do equilíbrio entre a capacidade de pesca e as possibilidades de pesca. Para tal, devem calcular indicadores biológicos, económicos, sociais e técnicos como descrito nas orientações sobre a capacidade da frota ([2]). No relatório para a sessão plenária de novembro de 2011, o CCTEP concluiu que, devido à complexidade dos fatores a tomar em consideração (biológicos, económicos e sociais), não é possível medir ou atribuir um valor quantitativo ao equilíbrio ou desequilíbrio em si mesmos. Em contrapartida, uma avaliação qualitativa e descritiva do grau de equilíbrio ou desequilíbrio é útil quando efetuada pelo Estado-Membro com base em dados factuais.

O quadro para a recolha de dados ([3]) especifica os dados científicos que devem ser recolhidos pelos Estados-Membros. No âmbito do regulamento em questão, foi prestado apoio no montante de 48 milhões de euros em 2011 ([4]) e prevê-se um montante de 47,5 milhões de euros em 2012 e de 49 milhões de euros para 2013.

([1]) Relatório Especial n.° 12/2011: «As medidas da UE contribuíram para adaptar a capacidade das frotas de pesca às possibilidades de pesca disponíveis?».

([2]) Orientações para uma melhor análise do equilíbrio entre as capacidades de pesca e as possibilidades de pesca, versão de 2008.

([3]) Regulamento (CE) n.° 199/2008 do Conselho, de 25 de fevereiro de 2008, relativo ao estabelecimento de um quadro comunitário para a recolha, gestão e utilização de dados no setor das pescas e para o apoio ao aconselhamento científico relacionado com a política comum das pescas, JO L 60 de 5.3.2008, p. 1.
— Regulamento (CE) n.° 665/2008 da Comissão, de 14 de julho de 2008, que estabelece as regras de execução do Regulamento (CE) n.° 199/2008 do Conselho relativo ao estabelecimento de um quadro comunitário para a recolha, gestão e utilização de dados no setor das pescas e para o apoio ao aconselhamento científico relacionado com a política comum das pescas, JO L 186 de 15.7.2008, p. 3.
— Decisão da Comissão, de 18 de dezembro de 2009, que adota um programa comunitário plurianual para a recolha, gestão e utilização de dados no setor das pescas para o período de 2011/2013, JO L 60 de 5.3.2008, p. 1.

([4]) 2011/446/UE: Decisão de Execução da Comissão, de 11 de julho de 2011, relativa à participação financeira da União, em 2011, nos programas nacionais de recolha, gestão e utilização de dados no setor das pescas de 15 Estados-Membros (Bulgária, Alemanha, Estónia, Irlanda, França, Itália, Chipre, Letónia, Lituânia, Malta, Polónia, Portugal, Roménia, Eslovénia e Finlândia) [notificada com o número C(2011) 4918], JO L 191 de 22.7.2011, p. 23; 2011/703/UE: Decisão de Execução da Comissão, de 10 de outubro de 2011, relativa à participação financeira da União, em 2011, nos programas nacionais de recolha, gestão e utilização de dados no setor das pescas de seis Estados-Membros (Bélgica, Dinamarca, Grécia, Países Baixos, Suécia e Reino Unido) [notificada com o número C(2011) 7142]; 2011/843/UE: Decisão de Execução da Comissão, de 13 de dezembro de 2011, relativa à participação financeira da União, em 2011, no programa nacional do Reino de Espanha de recolha, gestão e utilização de dados no setor das pescas [notificada com o número C(2011) 9318].

Na proposta relativa ao Fundo Europeu dos Assuntos Marítimos e das Pescas para 2014/2020, a Comissão propõe que seja disponibilizado um montante total de 358 milhões de euros para apoio à recolha de dados e que se aumente a taxa de cofinanciamento dos atuais 50 % para 65 %.

(English version)

Question for written answer E-002279/12
to the Commission
João Ferreira (GUE/NGL)
(29 February 2012)

Subject: Studies on the Member States' fleet capacity and financing of data collection

The Commission proposal for a regulation on the common fisheries policy provides for the introduction of an obligatory system of transferable fishing concessions, designed to be a 'major driver for fleet capacity adjustment' and to play a key role in managing fisheries by preventing overfishing and reducing fleet capacity.

The Commission also maintains that 'reliable and complete data' on fish stocks 'are central to well-functioning fisheries management'.

1. When was the last study carried out on the Member States' fleet capacity?

2. What were the findings of that study?

3. What scientific data does the Commission have on fishing overcapacity in the Member States?

4. What funds have been made available to the Member States for collecting those data?

5. Is the Commission willing to propose an increase in these funds in order to provide a more substantial EU contribution for data collection?

Answer given by Ms Damanaki on behalf of the Commission
(13 April 2012)

On 12 December 2011 the European Court of Auditors published their special report on overcapacity ([1]). The Court concluded that current measures have failed to reduce overcapacity of the EU fleet. A new approach is needed.

In the context of the annual fleet report, Member States are requested to make an annual qualitative assessment of the balance between fishing capacity and fishing opportunities. To do so, Member States are requested to calculate biological, economic, social and technical indicators as described in the fleet capacity guidelines ([2]). STECF concluded in its plenary report of November 2011 that balance or imbalance itself cannot be measured or given a quantitative value, due to the complexity of the factors to be taken into account (biological, economic and social). Instead, a qualitative descriptive assessment of the degree of balance or imbalance executed by the Member State is useful when based on evidence.

The Data Collection Framework ([3]) specifies which scientific data must be collected by Member States. Under this regulation support has been provided to the amount of EUR 48 million in 2011 ([4]), EUR 47.5 million foreseen in 2012 and EUR 49 million foreseen for 2013.

In its proposal for the European Maritime and Fisheries Fund for 2014-2020 the Commission proposes to provide a total of EUR 358 million for support for data collection and to increase the co-financing rate from 50 % (currently) to 65 %.

([1]) Special report No 12: 'Have EU measures contributed to adapting the capacity of the fishing fleets to available fishing opportunities'.
([2]) Guidelines for an improved analysis of the balance between fishing capacity and fishing opportunities, version 2008.
([3]) Council Regulation (EC) 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy, OJ L 60, 5.3.2008, p. 1.
Commission Regulation (EC) No 665/2008 of 14 July 2008 laying down detailed rules for the application of Council Regulation (EC) No 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy, OJ L 186, 15.7.2008, p. 3-5.
Commission decision of 18 December 2009 adopting a multiannual Community programme for the collection, management and use of data in the fisheries sector for the period 2011-2013, OJ L 60, 5.3.2008, p. 1-12.
([4]) 2011/446/EU: Commission Implementing Decision of 11 July 2011 on the Union financial contribution to national programmes of 15 Member States (Bulgaria, Germany, Estonia, Ireland, France, Italy, Cyprus, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovenia and Finland) in 2011 for the collection, management and use of data in the fisheries sector (notified under document C(2011) 4918), OJ L 191, 22.7.2011, p. 23-24; 2011/703/EU Commission Implementing Decision of 10 October 2011 on the Union financial contribution to national programmes of six Member States (Belgium, Denmark, Greece, the Netherlands, Sweden and the United Kingdom) in 2011 for the collection, management and use of data in the fisheries sector (notified under document C(2011) 7142); 2011/843/EU Commission Implementing Decision of 13 December 2011 on the Union financial contribution to national programme of the Kingdom of Spain in 2011 for the collection, management and use of data in the fisheries sector (notified under document C(2011) 9318).

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002281/12
à Comissão
Inês Cristina Zuber (GUE/NGL)
(29 de fevereiro de 2012)

Assunto: Apoio a Associação de Moradores

A Associação de Moradores de Massarelos, concelho do Porto, é uma instituição de utilidade pública com atividade legalizada desde 1976 e que tem como objetivo contribuir para a resolução dos problemas da população da zona ribeirinha de Massarelos. Como os próprios indicam, desde a sua fundação, esta associação desenvolveu uma atividade em prol da comunidade ao nível da habitação, no apoio à infância e à terceira idade, na promoção de atividades culturais e desportivas. No entanto, devido a uma situação económica difícil, a associação encontra-se em risco de terminar a sua atividade se não tiver os apoios necessários.

Assim, solicito à Comissão que me informe do seguinte:

Que programas servem e que apoios podem ser dados a esta Associação, tendo em conta a sua importante atividade comunitária, e o seu papel no desenvolvimento social, cultural e económico da população envolvente?

Resposta dada por Johannes Hahn em nome da Comissão
(16 de abril de 2012)

As diversas atividades desenvolvidas pela Associação de Moradores de Massarelos, como referidas pela Senhora Deputada, podem ser elegíveis para cofinanciamento a título dos programas «Norte 2007/2013» (Fundo Europeu de Desenvolvimento Regional) e «Potencial Humano» (Fundo Social Europeu).

Em conformidade com o princípio da gestão partilhada aplicado na gestão da política de coesão, as autoridades nacionais são responsáveis pela seleção e execução dos projetos. Por conseguinte, a Comissão sugere que a Senhora Deputada contacte diretamente as autoridades de gestão responsáveis pelos programas supracitados:

Gabinete de Gestão do Programa Operacional Regional do Norte:
Rua Rainha D. Estefânia, n.° 251, 4150-304 Porto
Tel.: +351 226 086 300
Fax: +351 226 061 489
E-mail: novonorte@ccdr-n.pt
Website: www.novonorte.qren.pt

POPH — Norte:
Rua Direita do Viso, n.° 120, 4269-002 Porto
Tel.: +351 226 167 730
Fax: + 351 226 167 769
E-mail: norte@poph.qren.pt
Website: www.poph.qren.pt

(English version)

Question for written answer E-002281/12
to the Commission
Inês Cristina Zuber (GUE/NGL)
(29 February 2012)

Subject: Support for Massarelos Residents' Association

Massarelos Residents' Association is a non-profit-making body that has been legally active since 1976, whose purpose is to help resolve the problems affecting the people of the Oporto riverside municipality of Massarelos. In the words of its members, the association has, since its foundation, worked for the community in the areas of housing, support from childhood to retirement, and promotion of cultural and sporting activities. However, owing to its difficult financial situation, it may have to cease operating if it does not get the support it needs.

What programmes could be used to help this association and what support can it be given, in view of its important community activity and its role in the social, cultural and economic development of the surrounding population?

Answer given by Mr Hahn on behalf of the Commission
(16 April 2012)

The range of activities of the Massarelos Residents' Association, as referred to by the Honourable Member, could be eligible for co-financing under the programmes 'Norte 2007-2013' (European Regional Development Fund) and 'Human Potential' (European Social Fund).

Within the framework of the shared management principle used in administering cohesion policy, the national authorities are responsible for project selection and implementation. The Commission, therefore, suggests that the Honourable Member contact directly the managing authorities responsible for the programmes concerned:

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Rua Rainha D. Estefânia, 251, 4150-304 Porto
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Tel.: +351 226 167 730
Fax: + 351 226 167 769
E-mail: norte@poph.qren.pt
Website: www.poph.qren.pt

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002282/12
à Comissão
Inês Cristina Zuber (GUE/NGL)
(29 de fevereiro de 2012)

Assunto: Impacto ambiental da atividade da Savinor

A Savinor é uma empresa, sediada no concelho da Trofa, cuja atividade se centra na transformação de produtos de origem animal, empregando mais de 200 trabalhadores.

Por razões inerentes à sua atividade, ao longo dos tempos tem estado confrontada com as consequências da emissão de odores dos produtos que recebe para transformação.

A atual administração da empresa tem procedido a diversos investimentos com vista à redução dos impactos da sua atividade no plano ambiental e das consequências da emissão de odores na qualidade de vida da população.

As intervenções em curso têm sido acompanhadas por diversas entidades oficiais, designadamente a Câmara Municipal da Trofa e a Comissão de Coordenação e Desenvolvimento da Região Norte, e estão orçamentadas em 4,5 milhões de euros.

Ao que conseguimos apurar, estes investimentos têm sido realizados sem qualquer financiamento do Governo português ou da União Europeia.

Assim, solicito à Comissão que me informe do seguinte:

1. Conhece a Comissão a situação da empresa e os impactos ambientais da sua atividade?

2. Que programas de apoio e/ou linhas de crédito existem no plano comunitário para apoio à intervenção em curso com vista à redução dos impactos da atividade da Savinor no ambiente e na qualidade de vida da comunidade envolvente?

Resposta dada por Janez Potočnik em nome da Comissão
(17 de abril de 2012)

1. A Comissão não tem conhecimento da situação da empresa nem das questões evocadas pela Senhora Deputada.

2. No que respeita aos eventuais programas e/ou linhas de crédito a nível da UE para apoio à intervenção em curso com vista à redução dos impactos da atividade da Savinor no ambiente e na qualidade de vida da comunidade envolvente, não compete ao Fundo Europeu de Desenvolvimento Regional financiar este tipo de atividade.

(English version)

Question for written answer E-002282/12
to the Commission
Inês Cristina Zuber (GUE/NGL)
(29 February 2012)

Subject: Environmental impact of Savinor's activity

Savinor, a company based in the municipality of Trofa, processes products of animal origin and employs over 200 workers.

For reasons inherent in its activity, it has had to deal over the years with the consequences of the emission of odours from the products sent to it for processing.

The current board has made several investments with a view to reducing the environmental impact of the company's activity and the effects of the odoriferous emissions on the local people's quality of life.

The measures in progress have been monitored by several official bodies, including Trofa Municipal Council and the Norte Regional Coordination and Development Committee, and their cost is estimated at EUR 4.5 million.

As far as we can tell, these investments have been made without any financing from the Portuguese Government or the European Union.

1. Is the Commission aware of the company's situation and the environmental impact of its activity?

2. What support programmes and/or lines of credit are in place at EU level to facilitate the ongoing measures with a view to reducing the impact of Savinor's activity on the environment and on the quality of life of the surrounding community?

Answer given by Mr Potočnik on behalf of the Commission
(17 April 2012)

1. The Commission is not aware of the situation of this company and the issues raised by the Honourable Member.

2. Regarding the possible programmes and/or credit lines existing at EU level to support the ongoing intervention to reduce the impacts of Savinor's activity on the environment and quality of life of the surrounding community, European Regional Development Fund cannot fund this kind of activity.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002283/12
adresată Comisiei
Petru Constantin Luhan (PPE)
(29 februarie 2012)

Subiect: Reducerea sarcinilor administrative pentru întreprinderile mici

În noiembrie 2011, Comisia Europeană a anunțat că va pune în practică o nouă abordare pentru a se asigura că UE răspunde mai bine nevoilor întreprinderilor mici. Una dintre măsurile puse în practică din ianuarie 2012 se referă la consolidarea proceselor prin care microîntreprinderile și alte tipuri de IMM-uri sunt consultate în momentul revizuirii regulamentelor UE existente și al elaborării de noi acte legislative europene.

Având în vedere că, în prezent, se dezbat o serie de reglementări pentru perioada de programare 2014-2020, cum va fi asigurată consultarea întreprinderilor mici? Are în vedere Comisia un anumit proces de consultare care să asigure participarea și implicarea întreprinderilor mici în actualul proces de programare?

Răspuns dat de dl Tajani în numele Comisiei
(25 aprilie 2012)

Comisia se angajează ferm să garanteze că principiul „a gândi mai întâi la scară mică” este pus în aplicare în mod eficient în toate propunerile sale majore relevante pentru întreprinderi, nu doar prin evaluarea impactului asupra întreprinderilor mici, ci și prin garantarea faptului că IMM-urile interesate, în special microîntreprinderile, sunt implicate îndeaproape în elaborarea politicilor.

Astfel cum s-a stabilit în raportul din noiembrie 2011, Comisia îmbunătățește utilizarea instrumentelor de consultare existente, incluzând liste de IMM-uri în Rețeaua întreprinderilor europene, ceea ce contribuie la implicarea întreprinderilor mici.

Pentru a primi direct de la antreprenori informații cu privire la aspectele legate de UE, Comisia organizează, de asemenea, conferințe în statele membre special pentru a aborda problemele IMM-urilor și ale microîntreprinderilor. În plus, Comisia va organiza o adunare anuală a IMM-urilor pentru a mobiliza organizațiile europene și naționale de IMM-uri să pună în aplicare „Small Business Act” pentru Europa, să promoveze schimbul de bune practici și să consolideze dialogul între acestea.

În cele din urmă, începând cu 1 ianuarie 2012, respondenții au 12 săptămâni pentru a reacționa la consultările scrise lansate de Comisie (în loc de 8 săptămâni, cum era anterior).

(English version)

Question for written answer E-002283/12
to the Commission
Petru Constantin Luhan (PPE)
(29 February 2012)

Subject: Reducing administrative burdens for small businesses

In November 2011, the European Commission announced that it would implement a new approach to ensure that the EU was better responding to the needs of small businesses. One measure, implemented in January 2012, involves consolidating the processes by which micro-enterprises and other types of SMEs are consulted when existing EU regulations are revised and when new European legislation is drafted.

Taking into account that a raft of regulations is currently being debated for the 2014-2020 programming period, how will consultation with small businesses be guaranteed? Does the Commission have in mind a particular consultation process that will guarantee the participation and involvement of small businesses in the current planning process?

Answer given by Mr Tajani on behalf of the Commission
(25 April 2012)

The Commission is strongly committed to ensure that the 'Think Small First' principle is effectively implemented in all its major business-relevant proposals, not only through assessing impacts on small business but also by ensuring that SME stakeholders, in particular micro-enterprises, are closely involved in policymaking.

As set out in the November 2011 report, the Commission is making better use of existing consultation tools, including SME panels within the European Enterprise Network, which help reach small enterprises.

To get first-hand information from entrepreneurs on EU-related issues, the Commission is also organising conferences in Member States dedicated to listening to problems of SMEs and micro-businesses. Moreover, the Commission will organise an annual SME Assembly to mobilise European and national SME organisations to implement the Small Business Act for Europe, promote the exchange of good practices and foster dialogue between them.

Finally, as from 1 January 2012, respondents have 12 weeks to react to written consultations launched by the Commission (instead of 8 weeks previously).

(Dansk udgave)

Forespørgsel til skriftlig besvarelse P-002285/12
til Kommissionen
Ole Christensen (S&D)
(29. februar 2012)

Om: Vedrørende navnestriden »Cold Hawaii«

»Cold Hawaii« er navnet på et geografisk område beliggende i Danmark omkring Thy. Siden 1996 har den nordjyske surfklub NASA (North Atlantic Surf Association) i Klitmøller, Danmark, været den drivende kraft bag udviklingen af surfmiljøet under navnet Cold Hawaii.

Et tysk firma fik 22. december 2011 tilsagn fra EU's Kontor for Harmonisering i det Indre Marked om at få navnet Cold Hawaii registreret i EU inden for varegrupperne tøj og smykker. En EU-registrering af navnet Cold Hawaii kan medføre, at andre personer end det tyske firma — heriblandt lokale der har været med til at opbygge og skabe anerkendelse omkring Cold Hawaii-navnet — vil blive forhindret i at have navnet påtrykt tøj og/eller smykker.

NASA gjorde rettidigt indsigelse mod det tyske firmas anmodning om registreringen, men har ikke fået medhold i indsigelsen. I begrundelsen for indsigelsen har NASA påpeget, at navnet Cold Hawaii er blevet anvendt i flere sammenhænge inden det tyske firmas registrering af navnet. NASA har sammen med kommunen i Thy udarbejdet en masterplan for Cold Hawaii (»Cold Hawaii — masterplan for surfing i Thy«), ligesom der er blevet afholdt PWA World Cup i wave performance i 2010 og 2011 i området under navnet Cold Hawaii (Cold Hawaii PWA World Cup). Inden anmodningen om registreringen er der desuden solgt tøj i kommercielt regi under navnet Cold Hawaii af firmaet Plasma Boardriding.

Vil Kommissionen tage initiativ til at undersøge, hvorledes navnet Cold Hawaii — der er kendt blandt en stor del af den danske befolkning samt andre steder i Europa og verden og i forvejen anvendt i forskellige kommercielle og ikke-kommercielle sammenhænge — kan blive underlagt regler, som i værste fald vil forhindre andre end det pågældende tyske firma i at bruge navnet i kommercielt regi?

Svar afgivet på Kommissionens vegne af Michel Barnier
(27. marts 2012)

Kommissionen ønsker at gøre det ærede medlem opmærksom på, at Kommissionen ikke kan gribe ind i registreringsproceduren for EF-varemærker på Kontoret for Harmonisering i det Indre Marked.

Harmoniseringskontoret, som er ansvarligt for registreringen af EF-varemærker, er uafhængigt i tekniske spørgsmål og har juridisk selvstændighed. Inden for disse rammer er det således op til Harmoniseringskontoret at vurdere, om de foreliggende oplysninger kan hindre registrering af et navn som »Cold Hawaii« som EF-varemærke. Hindringerne for registrering er beskrevet nærmere i artikel 7 og 8 i Rådets forordning (EF) nr. 207/2009 om EF-varemærker ([1]), som yderligere fastsætter, at afgørelser truffet af Harmoniseringskontorets undersøgere og forskellige afdelinger kan påklages til Harmoniseringskontorets appelkammer, hvis afgørelser igen kan indbringes for Den Europæiske Unions Domstol.

Rådets forordning om EF-varemærker fastsætter desuden, at når en ansøgning om registrering af EF-varemærke er bekendtgjort, kan enhver fysisk eller juridisk person skriftligt fremsætte bemærkninger med angivelse af hindringerne for, at varemærket ex officio bør udelukkes fra registrering. Efter registreringen kan enhver fysisk eller juridisk person indgive en begæring til Harmoniseringskontoret om, at varemærket erklæres ugyldigt, især hvor der foreligger absolutte hindringer for registrering af varemærket.

([1]) EUT L 78 af 24.3.2009, s. 1.

(English version)

Question for written answer P-002285/12
to the Commission
Ole Christensen (S&D)
(29 February 2012)

Subject: Dispute over the name 'Cold Hawaii'

'Cold Hawaii' is the name of an area in Denmark around Thy. Since 1996, the North Jutland surf club NASA (North Atlantic Surf Association) in Klitmøller, Denmark, has been the driving force behind developing the surfing environment under the name 'Cold Hawaii'.

On 22 December 2011, a German company received an assurance from the EU Office for Harmonisation in the internal market with regard to registering the name 'Cold Hawaii' in the EU under the classifications for clothing and jewellery. EU registration of the name 'Cold Hawaii' may mean that parties other than the German company — including local people who have helped build up and create recognition for the 'Cold Hawaii' name — will be prevented from having the name printed on clothing and/or jewellery.

Within the time limit, NASA lodged an objection to the German company's registration application, but the objection was not upheld. In its reasons for objecting, NASA pointed out that the name 'Cold Hawaii' had been used in many contexts before the German company registered the name. NASA, together with the municipality of Thy, has developed a master plan for 'Cold Hawaii' ('Cold Hawaii' — master plan for surfing in Thy) and the PWA World Cup in wave performance was also held in the area in 2010 and 2011 under the name 'Cold Hawaii' (Cold Hawaii PWA World Cup). In addition, before the registration application, clothing was also sold commercially by the company Plasma Boardriding under the name 'Cold Hawaii'.

Will the Commission act and look into how the name 'Cold Hawaii' — which is known across much of Denmark, as well as elsewhere in Europe and the rest of the world and which has been used previously in various commercial and non-commercial contexts — can be made subject to rules which, in the worst-case scenario, will prevent any party other than the Germany company concerned from using the name commercially?

Answer given by Mr Barnier on behalf of the Commission
(27 March 2012)

The Commission would like to draw the Honourable Member's attention to the fact that it cannot interfere in the process for registration of Community trade marks at the Office for Harmonisation in the internal market (OHIM).

The OHIM, which is responsible for registering Community trade marks, is independent in relation to technical matters and has legal autonomy. Within this framework, it is for OHIM to consider the grounds that may justify a refusal to register a name like 'Cold Hawaii' as a Community trade mark. These grounds for refusal are detailed in Article 7 and 8 of Council Regulation (EC) No 207/2009 on the Community Trade Mark [1], which provides additionally, that an appeal shall lie from decisions of the examiners and of the various divisions of the OHIM to the Boards of Appeal of the OHIM, whose decisions are, in turn, appealable before the Court of Justice of the European Union.

The Community Trade Mark Regulation provides as well that following the publication of a Community trade mark application, any natural or legal person may submit written observations, explaining on which grounds the trade mark shall not be registered *ex officio,* while after registration, any natural or legal person may submit an application to OHIM for a declaration that a Community trade mark is invalid where in particular, it was registered in spite of the existence of an absolute ground for refusal.

[1] OJ L 78, 24.3.2009, p. 1.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-002286/12
an die Kommission
Jan Philipp Albrecht (Verts/ALE)
(29. Februar 2012)

Betrifft: Klauseln über die Vorratsspeicherung und Offenlegung von Daten

Die Kommission arbeitet derzeit an einer Überarbeitung der Richtlinie 2006/24/EG über die Vorratsspeicherung von Daten, die bei der Bereitstellung öffentlich zugänglicher elektronischer Kommunikationsdienste oder öffentlicher Kommunikationsnetze erzeugt oder verarbeitet werden, auch Vorratsdatenspeicherungsrichtlinie genannt.

Einige Mitgliedstaaten haben aus verfassungsrechtlichen, rechtlichen und politischen Gründen Schwierigkeiten, diese Richtlinie in einzelstaatliches Recht umzusetzen.

Es gibt verschiedene Beispiele von EU-Recht zur Harmonisierung einzelstaatlicher Rechtsvorschriften, wo bestimmte Grundrechte nur bei Inkrafttreten berührt werden (z. B. Artikel 1 2003/641/EG, Artikel 25 2011/92/EU, Artikel 9 ff. 2006/123/EG, Artikel 5 2001/29/EG, Artikel 15 ehemals 2002/58/EG).

1. Ist es nach Ansicht der Kommission rechtlich möglich, die Vorratsdatenspeicherungsrichtlinie 2006/24/EG dahin gehend zu ändern, dass die Vorratsdatenspeicherung in der EU nicht länger zwingend vorgeschrieben ist, und um nationale Vorratsspeicherungssysteme, falls vorhanden, zu regulieren und zu beschränken?

2. Prüft die Kommission diese Option im Rahmen ihrer derzeitigen Bewertung und Folgenabschätzung der Richtlinie? Falls nicht, warum nicht?

Antwort von Frau Malmström im Namen der Kommission
(19. April 2012)

Hinsichtlich der Frage des Herrn Abgeordneten nach der Möglichkeit einer optionalen Anwendung der Richtlinie über die Vorratsspeicherung von Daten muss betont werden, dass dies aus folgenden Gründen nicht möglich ist:

Das EU-Recht ist entsprechend den Grundsätzen der Gleichbehandlung und der einheitlichen Anwendung in allen Mitgliedstaaten einheitlich anwendbar. Ausnahmen für einzelne Mitgliedstaaten sind nur möglich, wenn diese im Primärrecht vorgesehen sind. Entsprechend den gegenwärtigen Vertragsbestimmungen gilt dies nicht für die Richtlinie über die Vorratsspeicherung von Daten. Da diese Richtlinie in der gesamten EU umzusetzen ist, würde es bei einer optionalen Vorratsspeicherung zu einer Wiedereinführung von Hemmnissen für den Binnenmarkt kommen.

Da es keine Ausnahmen gibt, die sich direkt aus dem Primärrecht herleiten, kann das Sekundärrecht Ausnahmen zugunsten des betreffenden Mitgliedstaates vorsehen, wenn spezifische objektiv unterschiedliche Umstände vorliegen. Der Kommission sind keine derartigen objektiv unterschiedlichen Umstände bekannt, die im Falle der Vorratsdatenspeicherung eine Ausnahme von diesem Grundsatz rechtfertigen könnten. Die Tatsache, dass einige Mitgliedstaaten aus verfassungsrechtlichen, juristischen oder politischen Gründen Schwierigkeiten hatten, diese Richtlinie in einzelstaatliches Recht umzusetzen, kann nicht als Rechtfertigung für eine derartige Ausnahme herangezogen werden. Optionale Maßnahmen mit offenkundigen Konsequenzen für das Recht auf Datenschutz und Privatsphäre würden im Gegenteil dem Bürger gemeinsame Mindeststandards für diese Grundrechte in der EU vorenthalten.

(English version)

Question for written answer P-002286/12
to the Commission
Jan Philipp Albrecht (Verts/ALE)
(29 February 2012)

Subject: Data retention and opening clauses

The Commission is currently preparing a revision of Directive 2006/24/EC on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks, also known as the Data Retention Directive.

Some Member States have difficulties, for constitutional, legal and political reasons, in transposing this directive into national law.

There are various examples of EC law harmonising national legislation interfering with fundamental rights only where it is in place (e.g. Article 1 2003/641/EC, Article 25 2011/92/EU, Article 9 pp. 2006/123/EC, Article 5 2001/29/EG, Article 15 ex-2002/58/EC).

1. In the Commission's opinion, is it legally possible to amend the Data Retention Directive 2006/24/EC to no longer make blanket communications data retention mandatory throughout the EU, and to regulate and restrict national retention schemes where such exist?

2. Is the Commission examining this option in the context of its current evaluation and impact assessment of the directive? If not, why not?

Answer given by Ms Malmström on behalf of the Commission
(19 April 2012)

With regard to the question of the Honourable Member on the possibility of having an optional application of the Data Retention Directive, it needs to be underlined that this is not possible for the following reasons:

EC law is equally applicable in all Member States in line with the principles of equal treatment and uniform application. Opt-outs for individual Member States are only possible when they are foreseen in primary law. In line with current Treaty provisions, these are not applicable for the data retention directive. Given that the data retention directive has to be applied in the entire EU, any optional retention would reintroduce obstacles to the internal market.

In absence of exemptions flowing directly form primary law, secondary law can foresee derogations in favour of the Member State in question subject to specific objectively different circumstances. The Commission is not aware of any such objectively different circumstances which might justify derogation from this principle in the case of data retention. The fact that some Member States may have had constitutional, legal or political difficulties in transposing the directive could not constitute a justification for such a derogation. On the contrary, to render optional any measure with obvious implications for the right to data protection and privacy would deprive the citizen of common minimum standards for those fundamental rights across the EU.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002287/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(29 de febrero de 2012)

Asunto: Seguridad alimentaria europea

En los últimos 10 años las importaciones de carne han ido en aumento. Estas producciones no han cumplido la normativa europea aunque Europa cada vez ha sido más exigente (OGM, hormonas, harinas de carne, residuos medicamentosos, bienestar animal).

A la luz de lo anterior y teniendo en cuenta los enlaces expuestos ([1]),

¿Es coherente que la Unión Europea abandone una parte de sus producciones que cumplen con todos los reglamentos sanitarios y alimentarios y se exponga a la dependencia cada vez mayor del suministro de carne procedente del mercado exterior?

Respuesta del Sr. Cioloş en nombre de la Comisión
(23 de abril de 2012)

Las normas rigurosas de la UE en materia de seguridad alimentaria, salud animal, bienestar animal o conservación del medio ambiente reflejan nuestros valores sociales y son el resultado de un proceso legislativo en el que participan el Parlamento Europeo y el Consejo. Los datos comerciales no demuestran indicios de que dichas normas afecten negativamente a la producción de la UE.

De hecho, la UE es una exportadora neta de carne con una autosuficiencia del 105 % para todos los tipos de carne. Únicamente depende tradicionalmente de las importaciones de terceros países en el caso de la carne de ovino y caprino, con una autosuficiencia del 80 %. La UE es la primera exportadora mundial de carne de porcino, con un volumen de exportación de tres millones de toneladas. Estas exportaciones aumentaron un 13 % el año pasado.

([1]) http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para25
http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para40
http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para42
http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para49

(English version)

Question for written answer E-002287/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(29 February 2012)

Subject: European food safety

Over the last 10 years, meat imports have been on the increase. Although European requirements have been increasingly stringent (regarding GMOs, hormones, meat meal, residues of medicinal products and animal welfare), these imports have not met European standards.

In light of the above and taking into account the links shown ([1]):

Is it logical that the European Union should abandon part of its production, which fully complies with the health and food regulations, and be exposed to an ever-increasing dependence on meat supplied from external markets?

Answer given by Mr Cioloş on behalf of the Commission
(23 April 2012)

EU high standards on food safety, animal health, animal welfare or environmental protection reflect our social values and are the result of a legislative process involving the European Parliament and the Council. Trade data show that there is no evidence that these standards negatively affect EU production.

In fact, EU is a net exporter of meat with a self sufficiency of 105 % over all types of meat. Only for sheep and goats meat the EU has a self sufficiency of 80 % and is traditionally depending on imports from third countries. The EU is the world's biggest exporter of pigmeat with an export volume of three million tonnes. These exports increased by 13 % last year.

([1]) http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para25; http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para40; http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para42; http://www.magrama.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/#para49

(Versión española)

Pregunta con solicitud de respuesta escrita E-002288/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(29 de febrero de 2012)

Asunto: Igualdad de trato irrespectivo de la lengua utilizada

El pasado sábado 25 de febrero trascendió en ámbitos periodísticos la noticia de que un ciudadano europeo, natural de la isla de Mallorca, fue denunciado por un Guardia Civil por hablarle en catalán ([1]).

El joven estaba participando en una manifestación contra la monarquía en el Estado español.

Parece ser que el agente dijo al joven: «va a tener usted que hablarme en castellano». El joven se negó a cambiar de lengua y posteriormente el agente le explicó que era de Málaga y que por lo tanto no entendía el catalán y, posteriormente, el joven cambió al castellano.

Esto no evitó que el agente denunciara al joven por «falta de respeto a la autoridad».

La Constitución Española en su artículo 14 contiene disposiciones en contra de cualquier clase de discriminación. Asimismo, según el artículo 2 del Tratado de Lisboa, en el cual se ponen de relieve cuáles son los fundamentos de la Unión, el respeto al Estado de Derecho, así como la protección de los derechos de las minorías, son nombrados como valores fundamentales. También en su artículo 10 se manifiesta que la Unión luchará contra cualquier discriminación por motivos de «convicciones» personales. Por otro lado, según el artículo 21 de la Carta de Derechos Fundamentales: «1. Se prohíbe toda discriminación, y en particular la ejercida por razón de sexo, raza, color, orígenes étnicos o sociales, características genéticas, lengua, religión o convicciones, opiniones políticas o de cualquier otro tipo, pertenencia a una minoría nacional, patrimonio, nacimiento, discapacidad, edad u orientación sexual.».

1. ¿Tendrá en cuenta la Comisión la posibilidad de introducir elementos contra la discriminación lingüística en la reforma de la Directiva sobre igualdad de trato (COM(2008)0426)?

Respuesta de la Sra. Reding en nombre de la Comisión
(23 de abril de 2012)

Las Directivas sobre igualdad de trato de la UE, así como el proyecto de Directiva al que se refiere Su Señoría, no contemplan la discriminación por razón de lengua, ya que su base jurídica (artículo 19 del Tratado de Funcionamiento de la Unión Europea) no incluye la lengua entre las características protegidas. La Unión Europea sólo puede actuar dentro de los límites de las atribuciones que le son conferidas por los Tratados.

([1]) http://www.meneame.net/story/guardia-civil-pone-denuncia-joven-hablarle-catalan-manifestacion.

(English version)

Question for written answer E-002288/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(29 February 2012)

Subject: Equal treatment irrespective of language used

On 25 February 2012, it was reported in media circles that an officer in the Guardia Civil police force had filed a complaint against an EU citizen from the island of Majorca for speaking to him in Catalan ([1]).

The young man in question was taking part in a protest against the monarchy in Spain.

It appears that the police officer said to the young man: 'You are going to have to speak to me in Spanish'. When the young man refused to switch languages, the police officer explained to him that he was from Malaga and, therefore, did not understand Catalan. The young man then switched to Spanish.

This did not stop the police officer from filing a complaint against the young man for 'lack of respect for authority'.

Article 14 of the Spanish Constitution contains provisions against discrimination of any kind. Likewise, Article 2 of the Treaty of Lisbon, which sets out the founding principles of the Union, states that its fundamental values include respect for the rule of law and the protection of the rights of minorities. Article 10 of the Treaty also states that the Union will combat any discrimination for reasons of personal 'beliefs'. Moreover, Article 21 of the Charter of Fundamental Rights states: '1. Any discrimination based on any ground, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited'.

1. Will the Commission consider introducing provisions against linguistic discrimination in the reform of the Equal Treatment Directive (COM(2008) 0426)?

Answer given by Mrs Reding on behalf of the Commission
(23 April 2012)

The EU Equal Treatment Directives, as well as the draft Directive referred to by the Honourable Member, do not cover discrimination on grounds of language, as their legal basis — Article 19 of the Treaty on the Functioning of the European Union — does not include language among the protected characteristics. The European Union can only act within the limits of the powers conferred on it by the Treaties.

([1]) http://www.meneame.net/story/guardia-civil-pone-denuncia-joven-hablarle-catalan-manifestacion.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002289/12
an die Kommission
Michael Cramer (Verts/ALE)
(29. Februar 2012)

Betrifft: Nichtdiskriminierung von Menschen mit eingeschränkter Mobilität in Autoreisezügen

Die DB AutoZug GmbH befördert im nationalen und internationalen Eisenbahnverkehr Fahrgäste ausschließlich gemeinsam mit ihrem Personenkraftwagen oder mit ihrem Motorrad. Fahrgäste, die aufgrund ihrer Behinderung keine Fahrerlaubnis erhalten und somit kein Fahrzeug führen dürfen, sind von der Fahrt in Autoreisezügen somit ausgeschlossen, obwohl auf vielen internationalen Verbindungen nur dieser Zugtyp eine durchgehende Fahrt ohne Umsteigen erlaubt, was für Menschen mit eingeschränkter Mobilität oftmals Voraussetzung für das Reisen mit der Bahn ist.

1. Inwiefern ist die Nichtbeförderung von Menschen, die aufgrund ihrer Behinderung kein Fahrzeug führen können, mit dem Recht auf diskriminierungsfreie Beförderung nach Artikel 10 der Verordnung (EG) Nr. 1371/2007 vereinbar?

2. Verstößt die DB AutoZug GmbH nach Meinung der Kommission gegen geltendes EU-Recht?

Antwort von Herrn Kallas im Namen der Kommission
(19. April 2012)

1. Das Angebot des Autoreisezugs ist als Dienst zu verstehen, der es Auto- oder Motorradfahrern ermöglicht, mit ihrem Personenkraftwagen oder mit ihrem Motorrad zu reisen. Der Betreiber hat deshalb entschieden, diesen Dienst nicht für Personen anzubieten, die ohne Personenkraftwagen oder Motorrad reisen. Daher sind Fahrgäste mit eingeschränkter Mobilität, die ohne PKW oder Motorrad reisen möchten, gegenüber anderen Fahrgästen, die ohne Fahrzeug reisen, nicht diskriminiert. Die DB AutoZug GmbH verstößt demnach offenbar nicht gegen die Verordnung (EG) Nr. 1371/2007 ([1]).

2. Aus Sicht der Kommission verstößt die DB AutoZug GmbH folglich nicht gegen EU-Recht.

([1]) Verordnung (EG) Nr. 1371/2007 des Europäischen Parlaments und des Rates vom 23. Oktober 2007 über die Rechte und Pflichten der Fahrgäste im Eisenbahnverkehr, ABl. L 315 vom 3.12.2007, S. 14.

(English version)

Question for written answer E-002289/12
to the Commission
Michael Cramer (Verts/ALE)
(29 February 2012)

Subject: Non-discrimination of people with reduced mobility on motorail trains

DB AutoZug caters solely for passengers making national and international rail journeys together with their car or motorcycle. Persons who are precluded by their disability from obtaining a driving licence, and thus from driving any type of vehicle, cannot therefore travel on motorail trains, despite the fact that on many international routes these are the only trains which offer direct services, something that is often essential for people with reduced mobility wishing to travel by rail.

1. To what extent is the refusal to carry people who are unable to drive a car as a result of their disability compatible with the right to non-discriminatory transport under Article 10 of Regulation (EC) No 1371/2007?

2. In the Commission's view, is DB AutoZug in breach of current EC law?

Answer given by Mr Kallas on behalf of the Commission
(19 April 2012)

1. The motorail train service has to be understood as a service allowing people with car or motorcycle to be transported by train with their car or motorcycle. The operator has therefore chosen not to open it to anybody travelling without a car or motorcycle. Hence passengers with reduced mobility (PRMs) seeking to travel without a car or motorcycle are not discriminated against compared to other passengers wanting to travel without a vehicle. Therefore DB AutoZug does not seem to be in breach of Regulation (EC) No 1371/2007 ([1]).

2. For the abovementioned reason, from the Commission's view, DB AutoZug cannot be considered in breach of EC law.

([1]) Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passenger rights and obligations, OJ L 315, 3.12.2007, p. 14.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002290/12
an die Kommission
Ingeborg Gräßle (PPE)
(29. Februar 2012)

Betrifft: Neues Logo der Kommission und von OLAF

Zu Beginn des Jahres 2012 wurde das neue Logo der Europäischen Kommission vorgestellt. Es wurde von einer Werbeagentur erstellt und hat laut Presseberichten 135 000 EUR gekostet. In diesem Zusammenhang ergeben sich folgende Fragen:

1. Welche zusätzlichen Kosten entstehen außerdem durch die Umstellung auf das neue Logo?

2. Was passiert mit den Dokumenten, Briefbögen und Visitenkarten, auf denen sich noch das alte Logo befindet? Wie lange wird eine mögliche Übergangsphase dauern?

3. OLAF hat ebenfalls ein neues Logo erhalten. Wie hoch sind die Kosten für Entwurf und Umstellung? Wie lange dauert hier die Übergangsphase?

Antwort von Frau Reding im Namen der Kommission
(24. April 2012)

Die Kommission ist dabei, die zur Beantwortung der Frage benötigten Informationen zusammenzustellen. Die Ergebnisse wird sie baldmöglichst mitteilen.

Ergänzende Antwort von Frau Reding im Namen der Kommission
(12. Juni 2012)

Die Kommission möchte die Frau Abgeordnete auf ihre Antwort auf die schriftliche Anfrage E-000510/2012 von Herrn Hartong ([1]) verweisen.

Das am 1. Februar 2012 von OLAF eingeführte Logo wurde intern mit Unterstützung des Amts für Veröffentlichungen der Europäischen Union ohne externe Kosten entwickelt. Es gab keine Übergangsphase; das neue Logo wurde ab dem Datum seiner Einführung verwendet.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002290/12
to the Commission
Ingeborg Gräßle (PPE)
(29 February 2012)

Subject: New Commission and OLAF logos

The new Commission logo was launched at the beginning of 2012. It was designed by an advertising agency and, according to press reports, cost EUR 135 000. The following questions arise in this context:

1. What additional costs will be incurred as a result of the change to the new logo?

2. What is to happen to the documents, letterheads and business cards carrying the old logo? How long will any transitional phase last?

3. OLAF has also been given a new logo. How much will the design process and changeover cost? How long will the transitional phase last in this case?

Preliminary answer given by Mrs Reding on behalf of the Commission
(24 April 2012)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

Supplementary answer given by Mrs Reding on behalf of the Commission
(12 June 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-510/2012 by Mr Hartong ([1]).

The logo introduced by OLAF on 1 February 2012 was developed in-house, with the assistance of the Publication Office of the European Union without external costs. There was no transitional phase; the refreshed logo has been used as from the date of its introduction.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002292/12
to the Commission
Jacek Olgierd Kurski (EFD)
(29 February 2012)

Subject: Mutually exclusive criteria for recruitment of staff to the EU institutions

The Staff Regulations require the EU institutions to recruit staff according to two criteria: prospective officials must be 'of the highest standard of ability, efficiency and integrity' and must be 'recruited on the broadest possible geographical basis'. These two criteria are likely to be frequently mutually exclusive.

Let us imagine a situation where ten candidates enter a competition for five places on a reserve list for recruitment to the EU institutions. Of these ten candidates, five are Polish and five come from various other Member States. Let us imagine that the five Poles are the most capable and qualified candidates and achieve the highest marks in the competition.

Would the European Personnel Selection Office put all five Polish candidates on the reserve list, as their superior performance in the competition would merit? If so, how would EPSO and the recruiting institutions explain the failure to recruit on the broadest possible geographical basis? If not, how would the refusal of a place on the list for the lower placed Poles (who still performed better than the five other candidates) be justified? What explanation would be given to these high performing candidates, excluded merely because of their nationality?

Answer given by Mr Šefčovič on behalf of the Commission
(16 April 2012)

EPSO is aware of the obligation to recruit on the widest possible geographical basis, noting that the Staff Regulations prohibit reservation of posts for nationals of any Member State, and merit and competence relevant to the function shall be the main criteria for appointment. EPSO uses high-quality, competency-based selection procedures, placing all candidates on an equal footing once the procedure is underway. The number of candidates admitted to each competition stage is set out in the competition notice and depends on the number of successful candidates per competition/field, decided in advance by the institutions. It is not based on the number of applicants nor their nationality, except for competitions organised in the context of enlargement, and following a Council regulation containing derogating rules to that effect. In principle there are sufficient laureates on reserve lists to potentially allow staff recruited to reach a balanced level. Reasons for geographical imbalance vary and can to a considerable extent be attributed to factors over which EPSO has no control, such as the relative strength of labour markets in Member States and salaries, proximity to the places of activity of the institutions, and the image of the European Union. Together with the institutions, EPSO constantly monitors the geographical composition of competitions and addresses situations where the number of applications is sub-optimal. EPSO has put in place an effective communication strategy to attract quality applications from across the EU. This includes digital marketing and social media, and close collaboration with national governments to spread information. EPSO also put in place a programme of 45 EU Careers student 'Ambassadors' from 26 Member States, who promote careers with the EU on campuses.

(English version)

Question for written answer E-002293/12
to the Commission
Catherine Bearder (ALDE)
(29 February 2012)

Subject: Polytunnel planning guidance

Over the last five years, several planning applications have been made in the UK for the construction of polytunnels on a large scale (greater than 40 hectares). Under UK law, it is not clearly defined to what extent polytunnels can be considered 'permitted development' or subject to planning regulations, including the EIA Directive (85/337/EEC).

Existing case law is limited, but a landmark Court of Appeal ruling (R (on the application of Wye Valley Action Association Ltd) v Herefordshire Council (National Farmers' Union intervening)) in 2011 concluded that polytunnels 'for intensive agricultural purposes' were only required to be subject to the EIA Directive if located on 'uncultivated land or semi-natural areas'.

Polytunnels have unknown effects on the water table, reduce soil quality as a result of the pesticides and herbicides used and have high landscape and visual impacts.

In light of this, can the Commission confirm if they are aware of the status of polytunnel developments in other Member States' planning systems? Furthermore, can the Commission indicate any action they have taken or will be taking in order to provide guidance to Member States on the inclusion of polytunnels under Annex A of the EIA Directive?

Answer given by Mr Potočnik on behalf of the Commission
(17 April 2012)

There is no legal obligation for Member States to inform the Commission on any planning systems concerning polytunnel developments in agriculture. Furthermore construction of polytunnels is not included as such in the project list of the Environmental Impact Assessment (EIA) Directive 2011/92/EU ([1]). Annex II of the above Directive, under the group of projects in 'Agriculture, Silviculture and Aquaculture' provides that the EIA should be considered for 'projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes'. Therefore the provisions of the EIA Directive would be applicable as correctly indicated in the Court Ruling referred to by the Honourable Member only if polytunnels are planned to be constructed in such areas for the promotion of intensive agriculture.

The Commission does not intend for the time being to review the existing guidance on the application of the EIA Directive ([2]).

([1]) OJ L 26, 28.1.2012, p. 1.
([2]) http://ec.europa.eu/environment/eia/eia-support.htm

(English version)

Question for written answer E-002294/12
to the Commission
Catherine Bearder (ALDE)
(29 February 2012)

Subject: Shooting of children at Gaza-Israel border

Between March 2010 and December 2011 an organisation called 'Defence for Children International' documented the shooting of 30 Palestinian children on the Gaza-Israel border. Worryingly, 67 % of these children were on or outside the 300-metre exclusion zone set up by the Israeli army. It is clear that this is prohibited by the Geneva Convention relative to the Protection of Civilian Persons in Time of War (the Fourth Geneva Convention).

In light of this, can the Commission confirm whether it was aware of these incidents? Furthermore, can it indicate any action it has taken or will be taking in order to assist in the prevention of these unacceptable shootings?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(10 May 2012)

The High Representative/Vice-President Ashton is fully aware of this issue. She has shown unequivocal support for the children of Gaza, in particular during her frequent visits there. Possible infringement on the rights of children by Israel is a matter of serious concern which is closely monitored by the Commission, in particular via the EU Delegations in Tel Aviv and East Jerusalem.

The EU has reported on the situation of Palestinian children in the annual European Neighbourhood Policy Progress Reports on Israel. Furthermore, these matters are regularly and thoroughly discussed in bilateral contacts with the Israeli authorities, at working level, most recently during the September 2011 EU-Israel informal working group on human rights and the December 2011 EU-Israel sub-committee on political dialogue and cooperation, and at political level, in the framework of the EU-Israel Association Council last held in February 2011. The EU has urged Israel to address shortcomings and possible violations of the rights of Palestinian children.

These matters are and will remain a high priority among the human rights issues that the EU follows in its relations with Israel.

(English version)

Question for written answer E-002295/12
to the Commission
Pat the Cope Gallagher (ALDE)
(29 February 2012)

Subject: Status of the Late Payment Directive

Can the Commission outline the current status of Directive 2011/7/EU, which has to be transposed into national law by Member States by 2013, replacing Directive 2000/35/EC on combating late payments?

Can the Commission specify Ireland's position in relation to the transposition of this directive?

Answer given by Mr Tajani on behalf of the Commission
(11 April 2012)

Directive 2011/7/EU will have to be transposed by Member States by 16 March 2013 at the latest. However, considering the significant impact of late payments on the competitiveness of European enterprises, Vice-President Antonio Tajani personally invited Member States, by letter of 24 October 2011, to step up their efforts at national level for transposition and implementation of the directive by early 2012, on a voluntary basis.

With the view to assisting Member States in the challenging task of an early transposition, the Commission called a first meeting of the Late Payment Expert Group, to which all Member States are invited, on 3 February 2012. On that occasion, some Member States already announced, such as the Netherlands, their intention to transpose the directive by the end 2012. As regards Ireland, its representative in the Expert Group informed the Commission that they are aiming for adoption within the deadline fixed by the directive.

To date no Member States have communicated their national measures to transpose Directive 2011/7/EU to the Commission.

(English version)

Question for written answer E-002296/12
to the Council (President of the European Council)
Andrew Henry William Brons (NI)
(29 February 2012)

Subject: PCE/PEC — Bilderberg

Thank you for your reply E-011763/2011.

With reference to point 6, who were these members of other EU institutions, and who were the members of the national governments?

With reference to point 8, could I have the basis and/or a transcript of Mr Van Rompuy's overview of the current economic situation and the measures being taken by the EU?

Reply
(30 April 2012)

The list of participants at this meeting is available on the Bilderberg website.

Bilderberg publishes no transcripts of its meetings, where discussions are informal and not on the record. No resolutions are proposed and no policy statements issued at its conferences.

(English version)

Question for written answer E-002297/12
to the Commission
Andrew Henry William Brons (NI)
(29 February 2012)

Subject: UK citizens renouncing their citizenship

How may UK citizens renounce their citizenship of the European Union?

Does the Commission agree that a simple renunciation to the relevant department of the Commission from a UK citizen would be sufficient?

If the Commission seeks to thwart such a renunciation by UK citizens, which would embrace the obligations and privileges that it considers are conferred on UK citizens, will it explain the reason?

Answer given by Mrs Reding on behalf of the Commission
(2 April 2012)

According to European law (Article 20 TFEU), every person holding the nationality of a Member State shall automatically be a citizen of the Union. Citizenship of the Union is additional to and does not replace national citizenship. As citizenship of the Union does not exist independently from citizenship of a Member State, it cannot be acquired nor renounced upon independently from national citizenship.

(English version)

Question for written answer E-002298/12
to the Commission
Chris Davies (ALDE)
(29 February 2012)

Subject: Allocation of quota to small-scale fishing fleets

Will the Commission explain its role and that of Member States in determining what share of annual quotas for fisheries shall be allocated to small-scale fishing fleets?

What powers, if any, does the Commission possess to allocate an increased share of quota to small-scale fishing fleets?

Can the Commission provide, by way of illustration, examples of a Member State that has allocated a very significant share of a fisheries quota to small-scale fishing vessels, and examples where decisions taken nationally have resulted in only small shares of quotas being so allocated?

Answer given by Ms Damanaki on behalf of the Commission
(19 April 2012)

Each Member State decides on the method of allocating the annual quotas assigned to it by the Council for vessels flying its flag. The Commission does not have any role in determining the allocation method.

On the basis of a proposal from the Commission, the Council fixes the total allowable catches and allocates it to Member States as fishing opportunities in the form of quotas or effort based on relative stability. The Commission does not possess powers to allocate an increased share of quota to small scale fishing fleets.

Quota allocation is managed differently in different Member States. Quota allocations may be issued to different groupings of vessels such as members of individual producer organisations (PO) who manage the quota, groups of large scale vessels which are not fishing against quotas managed by POs, and the small scale fleet. In some cases, for the small scale fleet, a system of 'under-pinning' may apply, which involves 'topping up' the allocations for this group to a guaranteed minimum level if their allocation, based on a fixed quota unit, would otherwise be below that level.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002299/12
alla Commissione
Fiorello Provera (EFD)
(29 febbraio 2012)

Oggetto: Tossicodipendenza e sfruttamento minorile nel Pakistan nordoccidentale

Il 26 febbraio l'*Associated Press ha richiamato l*'attenzione sul dilagante problema della tossicodipendenza nella città pakistana di Peshawar. Secondo un abitante della città, l'eroina è venduta a meno di 0,20 dollari a dose e Peshawar è il luogo più economico al mondo per comprare la sostanza. Il 90 % dell'oppio del mondo proviene dall'Afghanistan, entra poi in Pakistan e porta alla dipendenza quasi quattro milioni di persone. Si stima che a Peshawar settemila bambini siano senza casa. Secondo il direttore di un convitto caritatevole per ragazzi, molti bambini sono reclutati dai talebani: «A volte i militanti portano i bambini nel Waziristan settentrionale, insegnano loro a diventare kamikaze e a volte li drogano: il bambino potrebbe anche non sapere che salterà in aria». Un bambino che frequenta la scuola è stato nelle mani dei talebani in passato, che lo hanno torturato e obbligato a imparare a memoria il Corano.

La *Dost Foundation* è un ente caritatevole che sostiene un convitto strutturato come casa famiglia, frequentato da trentadue ragazzi, tutti maschi. Rimangono nella scuola almeno tre mesi per «disintossicarsi» dalla loro esperienza. Purtroppo molti di loro sono tossicodipendenti per via endovenosa e hanno contratto il virus dell'AIDS. Il problema dell'AIDS in Pakistan sta peggiorando: il settanta per cento della popolazione è sotto i trent'anni.

1. È la Commissione a piena conoscenza dell'impatto dei narcotici a basso prezzo nei territori del Pakistan nordoccidentale?

2. Quali risorse sta la Commissione destinando al sostegno degli enti di beneficenza e delle fondazioni come la *Dost Foundation* che in Pakistan assistono i giovani esposti ad essere strumentalizzati da gruppi militanti come i talebani?

3. Può la Commissione offrire altri esempi di come sta contribuendo, nel concreto, a prevenire l'estremismo fra i giovani in altri paesi?

Risposta data dall'Alta Rappresentante/Vicepresidente Ashton a nome della Commissione
(23 maggio 2012)

L'UE è consapevole dell'impatto delle droghe in Pakistan e nelle aree al confine con l'Afghanistan. In Pakistan transita ogni anno droga proveniente dall'Afghanistan per un valore di circa 4 miliardi di USD. È risaputo che l'influenza dei talebani e le rotte del narcotraffico che attraversano l'area generano fondi che vengono poi destinati ai ribelli.

Sulla base dell'impegno UE a lungo termine a sostegno del Pakistan, gli Stati membri e il Pakistan hanno appena approvato un nuovo quadro politico: il piano d'impegno quinquennale. Secondo gli orientamenti del piano in materia di sicurezza, la cooperazione e il dialogo sulle misure di contrasto al narcotraffico sono una priorità. Nel frattempo, L'UE e due Stati membri (la Finlandia e i Paesi Bassi) forniscono sostegno all'UNICEF e a diverse ONG che operano in Pakistan per aiutare i giovani a rischio di delinquenza, recuperare i bambini già coinvolti in episodi di delinquenza e responsabilizzare i giovani nella lotta contro l'abuso di sostanze stupefacenti e la diffusione di malattie a trasmissione sessuale. Le attività in Pakistan dell'Iniziativa europea per la democrazia e i diritti dell'uomo sono indirizzate, tra l'altro, alla protezione dei minori e lo stanziamento annuale per il periodo 2011-2013 ammonta a 900 000 EUR.

L'UE adotta un approccio globale e a lungo termine per affrontare le problematiche dei minori coinvolti nei conflitti armati, un impegno riaffermato nella strategia di attuazione degli orientamenti dell'Unione europea sui bambini e i conflitti armati riveduta nel 2010. Dare voce ai minori coinvolti nei conflitti armati e fornire loro delle alternative è un aspetto fondamentale nelle politiche dell'UE. In quest'ambito, l'Unione finanzia numerosi progetti, come ad esempio quello promosso nelle Filippine dal «Centro di riabilitazione e associazione per i diritti dei minori nel sudest asiatico» che mira a fornire assistenza psico-sociale ai bambini coinvolti nei conflitti armati, informare e accrescere la consapevolezza sui diritti umani e incoraggiare campagne contro il reclutamento dei bambini.

(English version)

Question for written answer E-002299/12
to the Commission
Fiorello Provera (EFD)
(29 February 2012)

Subject: Child drug abuse and exploitation in northwest Pakistan

On 26 February, the Associated Press reported on the rampant problem of drug addiction in the Pakistani city of Peshawar. According to one resident, heroin sells for less than USD 0.20 a high, and is the cheapest place in the world to buy the substance. Ninety percent of the world's opium comes from Afghanistan, whence it is brought into Pakistan. There, in turn, it has resulted in the creation of up to four million addicts. In Peshawar, there are an estimated seven thousand homeless children. According to the manager of a charity boarding school for boys, many boys are recruited by the Taliban: 'Sometimes the militants take these boys to North Waziristan and teach them to be suicide bombers, and sometimes they give the children drugs and the child might not even know that he is going to be blown up'. One boy attending the school had previously been in the hands of the Taliban, who tortured him and forced him to memorise the Koran.

The Dost Foundation, a family-run charity which supports the boarding school, has 32 boarders, all boys. They stay in the school for at least three months in order to 'detox' from their experience. Unfortunately, many of them are intravenous drug users and some have the AIDS virus. The problem of AIDS in Pakistan, seventy percent of whose population is aged under 30, is getting worse.

1. Is the Commission fully aware of the impact of cheap narcotics in Pakistan's north-western territories?

2. What resources is the Commission earmarking to support charities and foundations inside Pakistan, such as the Dost Foundation, which assist young people who are vulnerable to exploitation by militant groups such as the Taliban?

3. Can the Commission offer other specific examples of how it is helping to prevent extremism among young people in other countries?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission.
(23 May 2012)

The EU is aware of the impact of drugs in Pakistan and in the areas bordering Afghanistan. Pakistan is a transhipment point for an estimated USD 4 billion of drugs originating from Afghanistan annually. It is widely recognised that Taliban influence and drug routes crossing the area generate funds channelled for insurgents.

Based on EU commitment to support Pakistan for the long-term, Member States and Pakistan have endorsed a new political framework — the five-year Engagement Plan. Under the Plan's security heading, cooperation and dialogue on counter-narcotics are a priority. In the meantime, the EU and two Member States (Finland and the Netherlands) provide support to Unicef and a range of non-governmental organisations (NGOs) in Pakistan working to support juveniles at risk of delinquency, rehabilitation of delinquent children, youth empowerment to combat substance abuse and Sexually Transmitted Diseases. The actions from the European initiative for democracy and human rights (EIDHR) in Pakistan are focused *inter alia* on child protection. The annual allocation for 2011-2013 is EUR 900 000.

The EU is committed to a comprehensive, long-term approach to children affected by armed conflict, as reiterated in the 2010 Revised Implementation Strategy to the EU Guidelines on children and armed conflict. Giving voice to children affected by armed conflict and providing alternatives to those children is an essential part of EU policy. The EU provides funding to numerous projects in this area. In the Philippines for example a project by ARCSEA ([1]) aims to provide psycho-social assistance to children affected by armed conflict; educate and raise awareness about human rights and encourage advocacy against child recruitment.

([1]) Rehabilitation Centre and Association for the Rights of Children in Southeast Asia.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002300/12
alla Commissione
Fiorello Provera (EFD)
(29 febbraio 2012)

Oggetto: Cristiani turchi oggetto di discriminazione

Nel febbraio 2012, il servizio di informazione cristiano Compass Direct ha riferito che i cristiani in Turchia continuano a essere oggetto di discriminazione da parte di altri cittadini turchi e di funzionari governativi di grado inferiore e di diffamazione sia nei libri scolastici, sia nei mass media. A gennaio l'Association of Protestant Churches (Associazione delle chiese protestanti) del paese ha pubblicato la sua relazione annuale, nella quale indica che, nonostante alcuni miglioramenti, si rileva ancora una «radice di intolleranza» nella società turca nei confronti dei non musulmani.

Nel 2011 sono stati documentati almeno dodici attacchi contro i cristiani: le chiese sono state assalite e i membri sono stati picchiati perché condividevano la stessa fede, ma nessun aggressore è stato incriminato. In alcune zone del paese i responsabili delle chiese sono costretti a «vivere sotto una sorta di protezione della polizia». Alcuni hanno guardie del corpo e almeno due di loro dispongono di una linea diretta con l'unità di protezione della polizia; durante le funzioni religiose varie chiese hanno bisogno di un servizio di protezione.

Un membro dell'associazione ha affermato che gran parte del problema risiede nel fatto che il governo turco non ammetterà l'esistenza del problema e affronterà gli attacchi ai cristiani come incidenti isolati. La relazione inoltre indica il ministro dell'educazione turco come responsabile dell'aumento dei pregiudizi e dell'intolleranza verso i cristiani.

Si pensa che le persone mettano in dubbio l'«identità turca» dei cittadini cristiani, al fine di giustificarne gli attacchi. Secondo altri, i cristiani sono intenzionati a distruggere il paese dall'interno. Nel 2007 tre cristiani sono stati torturati e uccisi nella provincia turca di Malatya e i loro omicidi sono stati collegati agli estremisti nazionalisti. Il procedimento penale relativo a tali omicidi è tuttora senza una sentenza della corte.

1. È la Commissione a conoscenza delle notizie relative a una crescente discriminazione contro i gruppi cristiani in Turchia? Ritiene che i casi di un sentimento anti-cristiano siano in aumento in Turchia?

2. Quali misure sta adottando per incoraggiare il governo turco a creare un ambiente inclusivo per tutte le minoranze religiose in Turchia?

3. Ad oggi, quali metodi ha la Commissione adottato al fine di monitorare la situazione dei gruppi religiosi in Turchia?

Risposta data da Štefan Füle a nome della Commissione
(23 aprile 2012)

La Commissione ha sollevato in più occasioni il problema delle discriminazioni compiute nei confronti delle comunità non mussulmane, facendovi riferimento anche nelle sue relazioni, ad esempio nella relazione del 2011 sui progressi compiuti dalla Turchia (pagg. 30-31).

La Commissione discute periodicamente di tutte queste problematiche con le autorità turche.

In quanto paese candidato all'adesione all'UE e membro della convenzione europea dei diritti dell'uomo, la Turchia deve tutelare i diritti dell'uomo e le libertà fondamentali dei suoi cittadini, conformemente alle disposizioni della suddetta convenzione e della giurisprudenza della Corte europea dei diritti dell'uomo.

(English version)

Question for written answer E-002300/12
to the Commission
Fiorello Provera (EFD)
(29 February 2012)

Subject: Turkish Christians subject to discrimination

In February 2012, the Christian news service Compass Direct reported that Christians in Turkey continue to suffer discrimination from other Turkish citizens and lower-level government officials, and vilification in both school books and news media. In January, the country's Association of Protestant Churches released its annual report in which it notes that while there have been some improvements, there is still a 'root of intolerance' in Turkish society towards non-Muslims.

In 2011, there were at least twelve attacks documented against Christians. Church members have been beaten for sharing their faith, while church buildings have been attacked. None of the attackers have been charged. In some parts of the country, church leaders have to 'live under some sort of police protection'. A number of church leaders have bodyguards, and at least two have a direct line to a police protection unit, and during worship services several churches require police protection.

One associate of the organisation said that much of the problem lies in the fact that the Turkish government won't admit that there is a problem and treat the attacks on Christians as isolated incidents. The report also cites the country's Ministry of Education as being responsible for building up prejudice and intolerance towards Christians.

It is thought that some individuals question the 'Turkishness' of Christian nationals in order to justify their attacks. Others believe Christians are determined to destroy the country from within. In 2007, three Christians were tortured and killed in the Turkish province of Malatya and their murders were linked to nationalist extremists. To date, the criminal case into the murders continues without a court ruling.

1. Is the Commission aware of reports of increased discrimination against Christian groups in Turkey? Does the Commission believe that cases of anti-Christian sentiment are on the rise in Turkey?

2. What steps is the Commission taking to encourage the Turkish government to create an inclusive environment for all of Turkey's religious minorities?

3. At present, what methods has the Commission adopted in order to monitor the situation of religious groups in Turkey?

Answer given by Mr Füle on behalf of the Commission
(23 April 2012)

The Commission has raised the issue of discrimination against non-Muslim communities on a number of occasions and has reported on them, most recently in the Turkey 2011 Progress Report (pages 30-31).

The Commission regularly discusses all these issues with the Turkish authorities.

Turkey, as a country negotiating accession to the EU and a party to the ECHR, needs to guarantee the fundamental rights and freedoms of all its citizens in line with the provisions of the European Convention on Human Rights and the case-law of the European Court of Human Rights.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002301/12
alla Commissione
Fiorello Provera (EFD)
(29 febbraio 2012)

Oggetto: Bestiame contagiato dal virus di Schmallenberg

A fine febbraio, i notiziari della BBC hanno annunciato che il virus di Schmallenberg è in crescita nel numero di difetti di nascita e di aborti che colpiscono il bestiame inglese. L'infezione è stata identificata sia nei bovini che negli ovini. La National Farmers' Union inglese ha segnalato che si sono registrati casi prima in Belgio, nei Paesi Bassi e in Germania l'anno scorso, ma che sono stati «sottovalutati». Si ritiene che il virus si diffonda attraverso i moscerini, le zanzare e le zecche, ma che non colpisca gli esseri umani, dato confermato dal Centro europeo per la prevenzione e il controllo delle malattie. In Inghilterra si sono rilevate tracce del virus nelle regioni del Wiltshire, del West Berkshire e del Gloucestershire. Fra gli effetti sugli animali come pecore e mucche figurano agnelli non nati, deformità e una bassa produzione di latte. Il virus si diffonde alla placenta causando danni al feto in sviluppo e provocando così le deformità. Si stima che l'entità della malattia sarà chiara a marzo e aprile, la stagione in cui nasceranno gli agnelli.

Un portavoce della *Farmers' Union ha affermato che il problema è che il virus è sconosciuto*. «Potenzialmente, potrebbe essere estremamente grave; dipende da quanto è diffuso». Dal momento che il virus è nuovo, è difficile stabilire come si diffonderà. Nelle fattorie già colpite, fra il dieci e il cinquanta per cento degli agnelli è morto a causa dell'infezione. Non esiste ancora un vaccino per il virus e potrebbero essere necessari fino a due anni per produrne uno. Il 17 febbraio la Commissione, insieme agli Stati membri, ha rilasciato una dichiarazione nella quale « sottolinea che le conoscenze a disposizione sul virus Schmallenberg indicano che il suo impatto sulla salute degli animali è molto minore rispetto a quello della febbre catarrale ovina». La febbre ovina è causata dal virus patogeno responsabile della morte di milioni di pecore e di capre nel Regno Unito, diffusosi attraverso i moscerini e alla fine debellato.

1. È la Commissione a conoscenza dell'entità del problema rappresentato dal virus di Schmallenberg fra il bestiame inglese?

2. Quali sono le azioni concrete intraprese al fine di valutare il virus e sviluppare quindi un vaccino per la protezione del bestiame europeo?

3. Quali sono i rischi che il virus di Schmallenberg rappresenta per il bestiame del continente europeo in paesi come l'Italia?

4. Esistono azioni che gli allevatori possono intraprendere per prevenire la diffusione del virus?

Risposta congiunta data da John Dalli a nome della Commissione
(26 aprile 2012)

In relazione alle interrogazioni relative all'infezione da virus di Schmallenberg virus (SBV) la Commissione rinvia gli onorevoli deputati alle proprie risposte alle interrogazioni scritte E-000544/2012, E-001855/2012 e P-002477/2012 ([1]).

La Commissione coordina (e prevede di sostenere finanziariamente) gli studi scientifici volti a raccogliere le ulteriori informazioni scientifiche necessarie per definire eventuali misure per il controllo da adottarsi a livello di Stato membro o a livello di UE. Le priorità identificate riguardano la patogenesi del SBV, la sua epidemiologia e gli strumenti diagnostici. Tali informazioni sono necessarie per poter iniziare lo sviluppo di un vaccino. Al momento attuale, tuttavia, non è possibile prevedere quando diverrà disponibile un vaccino efficace.

La Commissione ha chiesto all'Autorità europea per la sicurezza alimentare (EFSA) di raccogliere i dati epidemiologici di cui dispongono gli Stati membri e di valutare l'impatto dell'infezione da SBV sulla salute degli animali, sulla produzione di animali e sul benessere degli animali. Ciò servirà a far luce sull'impatto e sui rischi dell'infezione nell'intero territorio dell'UE, Italia compresa.

Attualmente non sono in atto né sono previste misure UE a restrizione dei movimenti del bestiame. Si raccomanda che gli allevatori segnalino alle autorità competenti tutte le anomalie significative osservate nei capi di bestiame e seguano le indicazioni delle autorità veterinarie degli Stati membri.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002301/12
to the Commission
Fiorello Provera (EFD)
(29 February 2012)

Subject: Schmallenberg livestock virus

In late February, BBC News reported that the Schmallenberg virus is on the rise, as reflected in the number of birth defects and miscarriages among British livestock. The infection has been identified in both cattle and sheep. The UK's National Farmers' Union warned that cases first emerged in Belgium, the Netherlands and Germany last year, but that they were 'under-reported'. The virus is believed to be spread by midges, mosquitoes and ticks, but it does not affect humans, which is confirmed by the European Centre for Disease Prevention and Control. In England, traces of the virus have emerged in Wiltshire, West Berkshire and Gloucestershire. The effects on animals such as sheep and cows include unborn lambs, deformities and low milk yields. The virus spreads into the placenta, causing damage to the developing foetus, which causes the deformities. The extent of the disease is expected to become apparent during the lambing season in March and April.

A spokesman for the National Farmers' Union said the problem is that the virus is an unknown quantity. 'Potentially, it could be extremely serious depending on how widespread it is'. As the virus is new, it is difficult to know how it will spread. On farms that are already affected, between 10 % and 50 % of lambs are being lost to the infection. There is no vaccine for the virus, and it could take up to two years to develop one. On 17 February 2012, the Commission released a statement, together with the Member States, in which it emphasised that 'the knowledge available on the Schmallenberg virus shows that its impact on animal health is much less than the one caused by bluetongue'. Bluetongue is caused by the pathogenic virus that caused the deaths of millions of sheep and goats in the UK, which was spread through midges and was eventually eradicated.

1. Is the Commission aware of the extent of the Schmallenberg virus problem among British livestock?

2. What practical steps are being taken to assess the virus in order to formulate a vaccine to protect European livestock?

3. What are the risks that the Schmallenberg virus poses to continental livestock in countries such as Italy?

4. Are there any steps that can be taken by farmers in order to prevent the spread of the virus?

Question for written answer E-002593/12
to the Commission
Kay Swinburne (ECR)
(6 March 2012)

Subject: Schmallenberg virus

I am concerned about the rapid spread of the Schmallenberg virus across a number of EU Member States and the devastating effect it is having on farmers' livestock, including still births and congenital deformities. To date, seven Member States have confirmed their livestock being infected, including the UK where 83 farms have been infected. Worryingly, the number of infected livestock is expected to increase with the calving season approaching.

Since this midge-spread disease knows no boundaries, my farming community believes that it is only a matter of time before this disease will infect Welsh livestock. This will have a damaging economic impact on farming industries that have already been hard hit in recent years. I would therefore be grateful if the Commission could answer the following questions:

1. Can the Commission outline what EU-wide strategy will be implemented to curb the spread of this disease?

2. Can the Commission explain what research is being carried out in order to try and find a possible cure, such as the development of a field test to identify infected animals?

3. Is there a proposal to fund research into a suitable vaccine?

Question for written answer E-002649/12
to the Commission
John Bufton (EFD)
(8 March 2012)

Subject: Measures to impede and prevent the SBV virus

Will the Commission ensure that any measures taken to impede and prevent the virus are based on the best possible understanding of its science and epidemiology, will involve the fullest possible cooperation with farmers and are as practical as possible in terms of both fighting the virus and minimising the impact upon farmers and their animals?

Question for written answer E-002650/12
to the Commission
John Bufton (EFD)
(8 March 2012)

Subject: Fighting the Schmallenberg virus effectively

Given the widely held supposition that Schmallenberg is vector-borne, will the Commission avoid onerous and ineffective restrictions on animal movements?

Joint answer given by Mr Dalli on behalf of the Commission
(26 April 2012)

In relation to the questions raised on the Schmallenberg virus (SBV) infection, the Commission would refer the Honourable Members to its answers to Written Questions E-000544/2012, E-001855/2012 and P-002477/2012 ([1]).

The Commission is coordinating (and it plans to financially support) scientific studies to gather further scientific information, required for possible future control measures to be adopted either at Member State level or at EU level. The identified priorities refer to the pathogenesis of SBV, its epidemiology and diagnostic tools. This information is required before initiating the development of a vaccine. At this stage, however, it cannot be predicted when an effective vaccine could become available.

The European Food Safety Authority (EFSA) has been requested by the Commission to collect epidemiological data from Member States and to assess the impact of SBV infection on animal health, animal production and animal welfare. This will bring clarity on the impact and the risks of this infection in the entire EU, including Italy.

Currently EU restriction measures on animal movement are not in place and are not foreseen. It is recommended that farmers report to the competent authority any significant abnormality observed in their animals and follow the advice defined by the Member States' veterinary authorities.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002302/12
to the Commission
Iliana Malinova Iotova (S&D)
(29 February 2012)

Subject: Cooperation and Verification Mechanism

In its Interim report on the Progress in Bulgaria under the Cooperation and Verification Mechanism, published in February 2012, the Commission discussed donations to police. More specifically it states that 'the practice of donations to police still raises questions regarding accountability and financial transparency, notably the risk of circumventing public procurement rules'.

1. Can the Commission elaborate on the issue of 'circumventing public procurement rules'?

2. Can the Commission state whether there have been specific cases where the 'circumventing [of] public procurement rules' has occurred?

Answer given by Mr Barroso on behalf of the Commission
(10 April 2012)

The Commission's report on Bulgaria of 8 February 2012 in the framework of the Cooperation and Verification Mechanism (CVM) took note of the measures taken by the Bulgarian authorities with a view to tightening the rules on donations to the police and to enhance transparency of such donations. These measures were taken notably in response to a reference in the Commission's CVM report of 20 July 2011.

While acknowledging steps taken, the Commission drew the attention of the Bulgarian authorities to the general principles of accountability and financial transparency and to the obligation for all public authorities to apply public procurement rules. This statement is based on an analysis carried out by the Commission services of cases which present risks in these areas. The Commission will continue to monitor this issue in the coming months and will address it further with the Bulgarian authorities.

(English version)

Question for written answer E-002303/12
to the Commission
Syed Kamall (ECR)
(29 February 2012)

Subject: Bankruptcy proceedings in Switzerland of Lehman Brothers Finanz

A constituent has contacted me to bring to my attention the fact that there are many small retail investors in Europe who are struggling to recover lost investments in Lehman Brothers made prior to its collapse.

Although there has apparently been significant positive progress in unwinding investments in most parts of the bank, my constituent informs me that there is one entity — Lehman Brothers Finanz (LBF) in Switzerland — which has yet to reach any settlement. This block could undermine bankruptcy proceedings and worsen the position of investors in the UK and across Europe.

1. Is the Commission aware of the problem with LBF, and has it had any discussions with any regulatory authorities in Switzerland, and in particular the Swiss Financial Market Supervisory Authority FINMA, about this case? If not, does the Commission plan to raise it?

2. Does the Commission believe that actions by LBF could be in breach of Switzerland's obligations under EU-Swiss agreements?

3. How does the Commission propose to protect European investors who are potentially being harmed by LBF's actions?

Answer given by Mr Barnier on behalf of the Commission
(27 April 2012)

1. Following the Honourable Member's request, the Commission has enquired with the Swiss authorities regarding the matter of Lehman Brothers Finance in Switzerland.

2. The Swiss authorities have explained that Lehman Brothers Finance Switzerland had no client activities and only provided intra-group services to other members of the Lehman Brothers group worldwide. As far as the liquidation proceedings are concerned, the Swiss authorities acknowledge that these have indeed proven difficult and time-consuming due to the complexity of the case. However, they also signal positive developments and the prospect of settlement of the last outstanding claims in a foreseeable future.

3. Based on the information available, the Commission has no indications that would suggest a breach of any international agreements involving or impacting the European Union. From the available information, this seems to be largely a matter between Switzerland and the USA.

(English version)

Question for written answer E-002304/12
to the Commission
Syed Kamall (ECR)
(29 February 2012)

Subject: FSA: alleged irresponsibility with regard to product intervention

I have been contacted by a constituent who believes that the FSA has acted irresponsibly in how it has communicated its concerns regarding the life settlements sector in the UK.

He tells me that on 28 November 2011, the FSA made several highly emotive comments describing life settlement products as 'toxic', 'death-bonds', and 'Ponzi-like'. Whilst my constituent recognises the FSA's stated mission is to protect consumers and promote market stability, he questions whether this is an appropriate method of achieving those ends.

Can the Commission confirm:

1. Whether it is aware of the specific type of product in question and the FSA's announcements in November 2011?

2. Whether it believes protecting consumers would be better dealt with by ensuring a high level of transparency and disclosure about specific products, rather than effectively banning them from the market place?

3. Whether it believes such an alarmist tone was in fact counterproductive, in that it caused serious concern amongst many investors?

4. Whether it feels that the FSA's approach to product regulation is going beyond what is accepted practice under MiFID 1 and whether it would recommend such behaviour is discouraged in future?

Answer given by Mr Barnier on behalf of the Commission
(26 April 2012)

1. National competent authorities are not required to communicate to the European Commission supervisory actions they carry out and the tools they adopt to address specific problems.

2. Transparency and disclosure are important to help investors making informed investment decisions. Rules to this end are contained in present and forthcoming legislation. For instance, in addition to requiring firms to provide fair, clear and not misleading information, Directive 2004/39/EC on markets in financial instruments (MiFID) provides further obligations as regards the provision of investment services, such as assessing the suitability of the investment against knowledge and experience, financial situation and investment objectives of the client when advice is provided. The review of MiFID ([1]) strengthens this framework, including through the regulation of harmonised product intervention powers for national regulators and ESMA to prohibit or restrict the distribution of products threatening investor protection.

3-4. The existing MiFID does not prevent national competent authorities from warning intermediaries and investors about certain products or issues or from issuing guidance and recommendations to them. Moreover, it is worth mentioning that, based on available information, traded life policy investments often take the form of unregulated collective schemes. In this respect, the directive on Alternative Investment Funds Managers (Directive 2011/61/EC ([2])) contains rules in the sense that it only harmonises the distribution of AIF to professional clients and thus allows Member States to apply stricter rules for retail distribution within their territories.

([1]) http://ec.europa.eu/internal_market/securities/isd/mifid_en.htm
([2]) OJ L 174, 1.7.2011.

(English version)

Question for written answer E-002305/12
to the Commission
Syed Kamall (ECR)
(29 February 2012)

Subject: Somalian refugees at the Lutsk detention centre in Ukraine

I have been contacted by a constituent who is concerned about the situation of a group of Somalian refugees who are on hunger strike at the Lutsk detention centre in Ukraine.

Can the Commission confirm:

1. if it is aware of the hunger strikes at this detention centre;

2. what discussions it has had with the Ukrainian government about fixing its system for processing asylum-seekers in order to bring it into line with international standards;

3. if it will make representations to the Ukrainian government about issuing temporary residence permits to Somalian refugees, who are now being routinely re-arrested and detained by the police?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 June 2012)

The EU Delegation to Ukraine has been closely following developments related to the situation of Somali refugees in the Volyn and Chernihiv regions of Ukraine. It has been in contact with the authorities, UNHCR, IOM and local NGOs in order to support the efforts to resolve the situation. The hunger strike has now ended and steps are taken to ensure efficient consideration of every refugee/complementary protection application.

In the longer term, our aim is to ensure that the asylum issue is tackled through a comprehensive reform, building the right capacities at national level. The EU is supporting this process with significant assistance, including through a Regional Protection Programme. Furthermore, two custody centres for foreign nationals were refurbished and opened with EU support in 2008. The EU has also been financing projects providing legal, social, medical and material support. Lawyers from partner NGOs consult migrants on their rights and advise on procedures including applications for asylum.

Home affairs issues, including asylum are regularly discussed with Ukraine, including in yearly meetings of the EU-Ukraine Justice and Home Affairs Ministerial and Subcommittee. An Action Plan on Visa Liberalisation which was presented to Ukraine on 22 November 2010 contains specific benchmarks on asylum policy. The progress reports on the implementation by Ukraine of the action plan on Visa Liberalisation are available online ([1]).

([1]) http://ec.europa.eu/homeaffairs/news/intro/docs/20110920/UA%20VLAP%201st%20Progress%20Report%20SEC%202011 %201076_F_EN_DOCUMENT_TRAVAIL_SERVICE.pdf
http://ec.europa.eu/home-affairs/news/intro/docs/20120209/UA%202nd%20PR%20VLAP%20SWD%202012 %2010 %20FINAL.pdf

(English version)

Question for written answer E-002306/12
to the Commission
Vicky Ford (ECR)
(29 February 2012)

Subject: Pan-European serious offenders' register

I am writing to you following a recent case in the region I represent. A man was recently charged for assaulting a woman and for multiple other offences. It subsequently emerged that he had previously been convicted of rape in another EU member state. This person had entered the UK without, as far as I can ascertain, any need to notify UK police of his previous convictions. In the UK, if a person has been convicted of a serious sexual offence, his or her name will be placed on database known as the 'sex offenders' register'. This allows local police to be aware of the location of serious offenders.

I understand that ensuring privacy and safeguarding civil liberties are of great importance, and should be respected, but so is protecting vulnerable people.

Can the Commission let me know what it is doing to establish a database which would share information on serious offenders between different Member States?

Answer given by Ms Malmström on behalf of the Commission
(4 May 2012)

A way of alerting other Member States to specific persons is provided by the Schengen Information System (SIS). The UK has stated its intention to join the second generation SIS (SIS II). SIS II will contain alerts on persons for discrete or specific checks. An alert can be created by a Member State where there is a clear indication that a person intends to commit a serious criminal offence or where an overall assessment, in particular on the basis of past offences, gives reason to suppose that the person will also commit serious offences in the future. Therefore, a Member State can ensure that police services in other Member States are able to locate such a person, report on circumstances and share information.

The rules on free movement of European Union (EU) citizens allow a Member State to require an incoming EU citizen to report their presence within their territory within a reasonable period of time or, for periods of residence for longer than three months, to register with relevant authorities (Directive 2004/38, Article 8). In order to ascertain whether the person is a danger for public security, the Member State may request the Member State of origin and, if need be, other Member States to provide information concerning any previous police record (Article 27(3)). Previous convictions cannot in themselves be grounds for restricting free movement on the grounds of public policy or public security (Article 27(2)) but can be used on a case by case basis to prevent the entry of an individual on the territory of another Member State.

Furthermore, the European Criminal Records Information System (ECRIS), expected to become operational on 27 April 2012, will allow for an efficient electronic exchange between Member States of information extracted from criminal records.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002308/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(29 febbraio 2012)

Oggetto: VP/HR — Laicismo in calo in Tunisia

Nell'ottobre 2011 in Tunisia si sono tenute le prime elezioni parlamentari dopo la caduta del presidente Zine El Abedine Ben Ali. Il partito islamico Ennahda ha ottenuto il 41 % dei voti. Tuttavia, il fondatore e presidente del partito Rashid Ghannouchi ha un passato discutibile. Ha appoggiato l'invasione di Saddam Hussein e l'annessione del Kuwait nel 1990 e si considera un allievo dell'Ayatollah iraniano Khomeini. Martin Kramer, esperto di Medio Oriente del Washington Institute for Near East Policy, lo ha definito «il maggiore islamista in Occidente». Nel 1990, in occasione di una conferenza islamica, Ghannouchi aveva affermato che: «Il più grande pericolo per la civilizzazione, la religione e la pace nel mondo è rappresentato dall'amministrazione degli Stati Uniti. Gli Stati Uniti sono il grande Satana»

Molti sono i segni che indicano che il partito Ennahda non è favorevole a coltivare i valori laici. Nabil Karoui, proprietario del canale televisivo tunisino Nessma TV, è indagato per blasfemia dopo aver mandato in onda il film d'animazione franco-iraniano *Persepolis*. La sua abitazione è stata oggetto di un attacco salafita con bombe molotov e 140 avvocati hanno deposto accuse contro di lui per «violazione dei valori sacri» e per «disturbo della quiete pubblica». Karoui rischia cinque anni di prigione. Secondo il *New York Times*, Ghannouchi ha risposto affermando di sostenere il «diritto dei tunisini di denunciare questo attacco alla loro religione». Il 20 febbraio Aridha Chaabia, della lista popolare, il terzo maggiore partito dell'assemblea costituente tunisina, ha proposto di redigere una bozza di costituzione basata sul diritto islamico. Se la proposta dovesse ottenere l'approvazione del 60 % dei parlamentari, potrebbe essere accettata senza bisogno di un referendum popolare.

1. È l'Alto Rappresentante a conoscenza ed è preoccupata delle segnalazioni relative alla crescita dell'islamismo nella sfera politica e pubblica in Tunisia?

2. Se le autorità tunisine continueranno a non rispettare il diritto dei cittadini di libera espressione delle loro opinioni e delle loro convinzioni, considererà l'Alto Rappresentante l'eventualità di imporre condizioni più rigide relative all'invio di aiuti e privilegi dell'UE in Tunisia?

3. È l'Alto Rappresentante entrata in contatto con le autorità tunisine competenti in merito alle summenzionate questioni? In caso affermativo, quali sono stati gli esiti?

4. È soddisfatta dell'andamento delle riforme democratiche in Tunisia?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(10 maggio 2012)

L'Unione europea segue da vicino il processo di transizione democratica in corso in Tunisia ed ha accolto con favore i progressi compiuti grazie, in particolare, all'organizzazione di elezioni democratiche, che hanno portato alla creazione di un'assemblea costituente.

L'UE è consapevole delle preoccupazioni espresse da diversi gruppi della società civile e partiti politici rispetto alle violente azioni condotte da gruppi estremisti «salafisti» e alla mancanza di una reazione ferma da parte delle autorità.

Il sostegno dell'Unione europea alla Tunisia si basa sui principi definiti nelle comunicazioni dell'8 marzo 2011 «Un partenariato per la democrazia e la prosperità condivisa con il Mediterraneo meridionale» e del 25 maggio 2011 «Una risposta nuova ad un vicinato in mutamento», tra cui il principio «more for more», in base al quale in un quadro di responsabilità reciproca, ai paesi partner che hanno registrato i migliori risultati nel processo di consolidamento delle riforme vengono messi a disposizione aiuti più consistenti in termini di assistenza finanziaria, miglioramento della mobilità e accesso al mercato unico dell'UE.

L'Unione europea intrattiene un dialogo politico con le autorità tunisine, nell'ambito del quale viene apertamente discussa la questione delle riforme democratiche. L'Unione europea ha ripetutamente espresso la volontà di sostenere la transizione democratica e segue da vicino la situazione, mantenendo i contatti con le autorità e con i rappresentanti della società civile. Con le autorità tunisine, l'UE ha avviato un dialogo sulla riforma del settore della sicurezza ed ha espresso la propria disponibilità ad assistere il paese nell'effettiva attuazione degli impegni ONU nel campo del rispetto dei diritti umani. L'UE continuerà ad utilizzare i suoi strumenti di cooperazione per sostenere le attività dei rappresentanti della società civile impegnati a promuovere il rispetto dei diritti umani e delle libertà fondamentali.

(English version)

Question for written answer E-002308/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(29 February 2012)

Subject: VP/HR — Secularism on the decline in Tunisia

In October 2011 Tunisia held its first parliamentary elections since the fall of President Zine al-Abidine Ben Ali. The Islamist Ennahda party captured 41 % of the vote. However, the party's founder and chairman, Rashid Ghannouchi, has a controversial past. He supported Saddam Hussein's invasion and annexation of Kuwait in 1990 and considers himself a pupil of Iran's Ayatollah Khomeini. Middle East expert Martin Kramer, of the Washington Institute for Near East Policy, has called Ghannouchi 'the most prominent Islamist in the West'. In 1990 he announced at an Islamic conference that: 'The greatest danger to civilisation, religion and world peace is the United States Administration. It is the Great Satan.'

There are many indicators that the Ennahda party is not in favour of cultivating secular values. The owner of the Tunisian channel Nessma TV, Nabil Karoui, is on trial for blasphemy after he screened the French-Iranian animated film *Persepolis*. His house was attacked by a Salafist mob using Molotov cocktails, and 140 lawyers filed lawsuits against him for 'violating sacred values' and 'disturbing public order'. Karoui could spend up to five years in prison. According to the *New York Times*, Ghannouchi responded by saying he supports 'Tunisians' right to denounce this attack on their religion'. On 20 February 2012 Aridha Chaabia, or Popular List, the third-largest party in Tunisia's constituent assembly, proposed drafting a constitution based on Islamic law. If the proposal wins the support of 60 % of parliamentarians, it could pass without a referendum.

1. Is the Vice-President/High Representative aware of, and concerned about, reports that Islamism is on the rise in Tunisia's political and public sphere?

2. If the Tunisian authorities continue to disregard the right of citizens freely to express their opinions and beliefs, will the VP/HR consider placing stricter conditions on the transfer of EU aid and privileges to Tunisia?

3. Has the VP/HR engaged with the relevant Tunisian authorities on any of the aforementioned issues? If so, what have been some of their responses?

4. Is the VP/HR satisfied with the pace of democratic reforms in Tunisia?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(10 May 2012)

The EU is following the democratic transition in Tunisia closely and has welcomed the progress made notably through the holding of democratic elections leading to the establishment of a Constituent Assembly.

The EU is aware of concerns raised by several civil society groups and political parties against violent actions carried out by extremist 'salafist' groups and the lack of a strong reaction from the authorities.

The EU support to Tunisia is based on the principles set out in the communications of 8 March 2011 'A partnership for democracy and shared prosperity with the Southern Mediterranean' and 25 May 2011 'A new response to a changing Neighbourhood', including the 'more for more' principle, under which increased support in terms of financial assistance, enhanced mobility, and access to the EU Single Market is to be made available, on the basis of mutual accountability, to those partner countries most advanced in the consolidation of democratic reforms and respect for human rights and fundamental freedoms.

The EU has a political dialogue with the Tunisian authorities where the issue of democratic reforms is openly discussed. The EU has repeatedly expressed its willingness to support democratic transition. It is following the situation closely and is in contact with the authorities and civil society actors on such issues. The EU has started a dialogue with the Tunisian authorities on the reform of the security sector and has expressed its readiness to accompany the country in the effective implementation of UN commitments in the field of respect for human rights. The EU will continue to use its cooperation instruments to support the activities of civil society actors, in their efforts to promote respect of human rights and fundamental freedoms.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002310/12
alla Commissione
Carlo Fidanza (PPE) e Licia Ronzulli (PPE)
(29 febbraio 2012)

Oggetto: L'intolleranza ereditaria al fruttosio (Hereditary Fructose Intolerance — HFI)

L'intolleranza ereditaria al fruttosio (Hereditary Fructose Intolerance — HFI) è una malattia genetica rara, diffusa principalmente in Europa e nel Nordamerica con un'incidenza di circa 1:20000. È causata da una deficienza dell'attività dell'enzima aldolasi B, presente normalmente nel fegato, nei reni e nell'intestino tenue, e responsabile del metabolismo del fruttosio.

Tale insufficienza causa l'accumulo di fruttosio in questi organi, interferendo con l'attività di numerosi altri metaboliti epatici e inibendo la trasformazione del glicogeno e la sintesi del glucosio.

L'intolleranza può provocare forti crisi ipoglicemiche, danni al fegato, disfunzioni renali, coma e morte.

Considerando:

— che il fruttosio e gli altri ingredienti (saccarosio, sorbitolo (E420), zucchero invertito, sciroppo di glucosio, lactitolo (E966), maltitolo (E965), isomaltitolo (E953)) nocivi per chi è affetto da intolleranza ereditaria al fruttosio (Hereditary Fructose Intolerance — HFI) non sono inclusi nella lista degli allergeni (allegato II) del regolamento 1169 del 2011 in materia di etichettatura alimentare, nonostante condizionino pesantemente la vita degli intolleranti;

— la difficoltà degli intolleranti al fruttosio a seguire una dieta priva di fruttosio e a condurre una vita normale in mancanza di un'informazione completa sulle etichette degli alimenti;

— la sensibilità della Commissione nei confronti dei consumatori e delle persone affette da altre intolleranze alimentari;

si interroga la Commissione per sapere:

1. quando e come intende eventualmente rivedere la lista presente nell'allegato II includendo il fruttosio e gli altri ingredienti sopraccitati;

2. se intende prendere misure nei confronti delle società produttrici che si rifiutano di fornire informazioni certe ai malati che ne fanno richiesta;

3. in che modo intende tutelare le persone affette da tale patologia.

Risposta data da John Dalli a nome della Commissione
(23 aprile 2012)

La legislazione dell'UE prevede un riesame della lista degli allergeni e, se necessario, il suo aggiornamento sulla base delle conoscenze scientifiche più recenti. Al momento attuale non si dispone di dati scientifici che corroborino l'inclusione del fruttosio nella lista summenzionata.

Su richiesta dell'Irlanda l'autorità europea per la sicurezza alimentare (EFSA) ha appena iniziato la valutazione dei dati scientifici esistenti sull'allergenicità in Europa, compresa la valutazione della lista UE degli allergeni. La Commissione esaminerà il parere dell'EFSA una volta che questo sarà disponibile e valuterà la necessità di aggiornare di conseguenza la lista UE di allergeni. Per tale motivo non è possibile prevedere attualmente se e quando le sostanze menzionate dagli onorevoli deputati saranno incluse nell'allegato II del regolamento (UE) n. 1169/2011 ([1]). Il parere scientifico dell'EFSA è atteso per la fine di quest'anno.

([1]) Regolamento (UE) n. 1169/2011 del Parlamento europeo e del Consiglio, del 25 ottobre 2011, relativo alla fornitura di informazioni sugli alimenti ai consumatori, che modifica i regolamenti (CE) n. 1924/2006 e (CE) n. 1925/2006 del Parlamento europeo e del Consiglio e abroga la direttiva 87/250/CEE della Commissione, la direttiva 90/496/CEE del Consiglio, la direttiva 1999/10/CE della Commissione, la direttiva 2000/13/CE del Parlamento europeo e del Consiglio, le direttive 2002/67/CE e 2008/5/CE della Commissione e il regolamento (CE) n. 608/2004 della Commissione, GU L 304 del 22.11.2011, pag.18.

Inoltre, conformemente alla legislazione vigente dell'UE in tema di etichettatura ([2]), tutti gli ingredienti, compresi quelli cui fanno riferimento gli onorevoli deputati, devono essere citati sull'etichetta dell'alimento nella lista degli ingredienti.

Gli Stati membri hanno la responsabilità di far rispettare la normativa alimentare dell'UE e di verificare, mediante l'organizzazione di controlli ufficiali, che le pertinenti disposizioni della stessa siano rispettate dagli operatori economici.

([2]) Direttiva 2000/13/CE del Parlamento europeo e del Consiglio, del 20 marzo 2000, relativa al ravvicinamento delle legislazione degli Stati membri concernenti l'etichettatura e la presentazione dei prodotti alimentari, nonché la relativa pubblicità, GU L 109 del 6.5.2000, pag. 29.

(English version)

Question for written answer E-002310/12
to the Commission
Carlo Fidanza (PPE) and Licia Ronzulli (PPE)
(29 February 2012)

Subject: Hereditary fructose intolerance (HFI)

HFI is a rare genetic disease, occurring mainly in Europe and North America, with an incidence of approximately 1:20 000. It is caused by a deficiency in the action of the aldolase B enzyme, which is normally present in the liver, kidneys and small intestine and which is responsible for metabolising fructose.

This deficiency causes fructose to accumulate in these organs, interfering with the action of numerous other hepatic metabolites and inhibiting the transformation of glycogen and the synthesis of glucose.

This intolerance can cause major hypoglycaemic crises, liver damage, kidney malfunction, coma and death.

Since:

— fructose and other ingredients (saccharose, sorbitol (E420), invert sugar, glucose syrup, lactitol (E966), maltitol (E965), isomaltitol (E953)) that are harmful to those suffering from HFI are not included on the list of allergens (Annex II) in Regulation 1169 of 2011 on food labelling, despite the fact that they have a major effect on the life of those who are intolerant;

— people intolerant to fructose experienced difficulties in following a fructose-free diet and having a normal life if complete information is not given on food labels;

— the Commission has been alert to consumers and people suffering from other dietary intolerances;

Can the Commission state:

1. when and how it intends to review the list given in Annex II to include fructose and the other ingredients mentioned above;

2. whether it intends to take steps against producers who refuse to provide reliable information to sufferers requesting it;

3. how it intends to protect people suffering from this condition?

Answer given by Mr Dalli on behalf of the Commission
(23 April 2012)

The EU legislation foresees a re-examination of the allergens' list and, when necessary, its updating based on the most recent scientific knowledge. At this stage, there is no available scientific data to support the inclusion of the fructose into the aforesaid allergens' list.

On the request of Ireland, the European Food Safety Authority (EFSA) has just started the assessment of the existing scientific data on allergenicity in Europe, including the evaluation of the EU list of allergens. The Commission will examine the opinion of EFSA once available, and, assess the need for updating the EU list of allergens accordingly. Therefore, it is not possible to anticipate at present whether and when the substances mentioned by the Honourable Member will be added to the Annex II of Regulation (UE) No 1169/2011 ([1]). The scientific opinion of EFSA is expected by the end of this year.

Moreover, according to the current EU labelling legislation ([2]) any ingredient, including those referred to by the Honourable Member, has to be mentioned on the food label in the list of ingredients.

Member States are responsible for the enforcement of EU food law and verify, through the organisation of official controls, that the relevant requirements thereof are fulfilled by business operators.

([1]) Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, OJ L 304, 22.11.2011, p. 18.

([2]) Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs, OJ L 109, 6.5.2000, p. 29.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002311/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(29 febbraio 2012)

Oggetto: Sequestro di 8 tonnellate di sigarette al porto di Bari

Oltre otto tonnellate di sigarette di contrabbando, contenute in un tir appena sbarcato nel porto di Bari dalla motonave «Superfast II» proveniente dalla Grecia, sono state sequestrate dai militari della Guardia di finanza che hanno anche arrestato il conducente dell'automezzo, un cittadino greco di 32 anni. L'operazione è stata condotta in collaborazione con funzionari dell'ufficio delle dogane.

L'autista dovrà rispondere di contrabbando internazionale di sigarette. Il carico di sigarette, se immesso sul mercato clandestino, avrebbe fruttato alle organizzazioni criminali circa due milioni di euro. Nel corso dei primi due mesi dell'anno i militari della Guardia di finanza del gruppo Bari hanno sequestrato nel porto del capoluogo pugliese complessivamente 14 tonnellate di sigarette di contrabbando.

Alla luce dei fatti sopraesposti, può pertanto la Commissione far sapere:

1. se è a conoscenza dell'operazione della Guardia di finanza al porto di Bari;

2. se intende fornire un quadro generale e dati statistici sul numero dei controlli e sulle operazioni delle forze dell'ordine che vengono effettuate nelle dogane europee;

3. se intende coordinare l'azione degli Stati membri nel controllo delle dogane e degli scali portuali commerciali?

Risposta data da Algirdas Šemeta a nome della Commissione
(3 maggio 2012)

1. Il 21 febbraio 2012 la Guardia di Finanza ha informato l'Ufficio europeo per la lotta antifrode (OLAF) del sequestro di oltre otto tonnellate di sigarette effettuato a Bari il giorno precedente.

Dal 1997 gli Stati membri comunicano all'OLAF, su base trimestrale, la quantità totale di sigarette e mezzi di trasporto sequestrati per contrabbando.

Dal 2003 inviano inoltre informazioni sui sequestri di sigarette superiori a un determinato limite. L'OLAF coordina le operazioni doganali congiunte (ODC) e, se necessario, lo svolgimento di indagini sul contrabbando di sigarette su larga scala condotte dalle autorità di contrasto nazionali. Tali attività sono riportate nella relazione annuale dell'OLAF per il 2010 ([1]).

Inoltre, il piano d'azione della Commissione del giugno 2011 ([2]) contro il contrabbando di sigarette e alcolici lungo il confine orientale dell'UE prevede misure concrete per contrastare le considerevoli perdite di gettito fiscale per l'UE e i suoi Stati membri.

Alla Grecia è dato pieno sostegno nella lotta contro il contrabbando di sigarette, la frode e la corruzione.

2. I dati sui controlli e sulle operazioni effettuate dalle forze dell'ordine alle dogane sono conservati dai singoli Stati membri.

3. Le operazioni di controllo delle merci in entrata nell'UE da paesi terzi sono condotte dalle autorità doganali degli Stati membri sulla base di un'analisi dei rischi ([3]). Per sostenere queste attività e garantire controlli alle frontiere esterne equivalenti basati su analisi dei rischi, la Commissione promuove lo scambio e la condivisione di informazioni relative ai rischi tra le autorità doganali attraverso il sistema elettronico doganale di gestione dei rischi (CRMS). Nel rispetto della ripartizione istituzionale dei compiti, la Commissione e le amministrazioni doganali nazionali conducono in questo ambito una serie di attività finanziate dal programma Dogana 2013.

([1]) http://ec.europa.eu/anti_fraud/documents/reports-olaf/rep_olaf_2010_en.pdf
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0791:FIN:EN:PDF.
([3]) Articolo 13 del regolamento (CE) n. 2913/1992.

(English version)

Question for written answer E-002311/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(29 February 2012)

Subject: Seizure of eight tonnes of cigarettes at the port of Bari

More than eight tonnes of contraband cigarettes in an HGV that had just reached the port of Bari aboard the *Superfast II* motor vessel arriving from Greece have been seized by Guardia di Finanza officers, who also arrested the vehicle's driver, a 32-year-old Greek citizen. The operation was carried out in cooperation with customs officials.

The driver will be charged with international cigarette smuggling. The lorryload of cigarettes would have been worth approximately EUR 2 million to criminal organisations if they had reached the black market. During the first two months of the year, Guardia di Finanza officers seized a total of 14 tonnes of smuggled cigarettes at the port of Bari, which is the capital of the Apulia region.

In light of these facts, can the Commission state:

1. whether it is aware of the operation by the Guardia di Finanza at the port of Bari;

2. whether it intends to provide a general overview and statistical data on the number of checks and operations carried out by police forces at European customs points;

3. whether it intends to coordinate the actions of Member States to monitor customs points and commercial ports?

Answer given by Mr Šemeta on behalf of the Commission
(3 May 2012)

1. On 21 February 2012 the Guardia di Finanza informed the European Anti-Fraud Office (OLAF) about the seizure the previous day of more than 8 tonnes of smuggled cigarettes in Bari.

Since 1997 Member States have informed OLAF on a quarterly basis of the total amount of cigarettes and means of transport seized for smuggling. Since 2003, they have provided OLAF with information on seizures of cigarettes above a certain threshold. OLAF coordinates Joint Customs Operations (JCOs) and where appropriate coordinates investigations into large scale cigarette smuggling conducted by the national law enforcement authorities. These activities are reflected in OLAF's annual operational report for the year 2010 ([1]).

Moreover, the Commission's Action Plan of June 2011 ([2]) to fight against cigarette and alcohol smuggling along the European Union (EU) Eastern Border sets out concrete steps to combat significant losses of revenue for the EU and its Member States. Full support is also given to Greece in the fight against cigarette smuggling, fraud and corruption.

2. Data on police checks and operations at customs points is held by individual Member States.

3. Customs control actions on goods entering the EU from third countries are carried out by Member State customs authorities on the basis of risk analysis ([3]). In support of these activities and with the aim of ensuring equivalent risk based controls across the external frontier, the Commission already supports that customs authorities exchange and share risk related information through the electronic customs risk management system (CRMS). While respecting the institutional division of tasks, the Commission and national customs administrations carry out a range of relevant activities funded by the Customs 2013 programme.

([1]) http://ec.europa.eu/anti_fraud/documents/reports-olaf/rep_olaf_2010_en.pdf
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2011:0791:FIN:EN:PDF.
([3]) Article 13 of Regulation (EC) No 2913/1992.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002318/12
aan de Commissie
Barry Madlener (NI)
(29 februari 2012)

Betreft: Corrupt Tsjaad krijgt 229 miljoen euro van EU

1. Is de Commissie bekend met de ontwikkelingshulp van de EU aan Tsjaad ([1]), de corruptie-index van Transparency International ([2]) en het bericht „Minister tegen corruptie weg om corruptie" ([3])?

2. Kan de Commissie concreet aangeven wat er met de 229 miljoen euro van de EU in Tsjaad gebeurt?

3. Is de Commissie met de PVV van mening dat het volstrekt ongepast is om ontwikkelingshulp te geven aan Tsjaad, aangezien dit land in de corruptie-index van Transparency International op een schaal van 1 tot 10 slechts een 2.0 scoort, wat betekent dat het zéér corrupt is?

4. Wat vindt de Commissie ervan dat Ahmadaye al Hassan, de Tsjaadse anti-corruptieminister die zélf corrupt is, honderdduizenden euro's aan ontwikkelingshulp van de EU in eigen zak heeft gestoken? Is de Commissie ertoe bereid onmiddellijk alle ontwikkelingshulp aan Tsjaad te stoppen? Zo neen, hoe kan de Commissie dan verzekeren dat het EU-geld voortaan wél goed terecht komt?

Antwoord van de heer Piebalgs namens de Commissie
(23 april 2012)

De Commissie is bekend met het verslag van Transparency International, dat een hoge corruptie-index aangeeft voor Tsjaad.

Het tiende Europees Ontwikkelingsfonds financiert in Tsjaad projecten voor plattelandsontwikkeling, goed bestuur, infrastructuur en gezondheidszorg voor een totaalbedrag van 328 miljoen euro. De werkwijzen van de Commissie voor de besteding van financiële middelen zijn transparant. Ook het toekennen van contracten en subsidies gebeurt op een transparante manier. De uitbetalingen worden pas uitgevoerd na de controle van het verslag van de verdragspartner. Alle programma's worden onderworpen aan onafhankelijke audits. Het minste vermoeden van corruptie leidt onmiddellijk tot het uitvoeren van controles. Krachtens artikel 7 van Verordening (EG) nr. 1073/1999 ([4]) kan het Europees Bureau voor fraudebestrijding een onderzoek inleiden en passende maatregelen nemen.

Tsjaad kampt met een gebrek aan goed bestuur. De EU is van mening dat het daarom nog belangrijker is in dit land actief te blijven via programma's voor ontwikkelingshulp en via een politieke dialoog in het kader van artikel 8 van de overeenkomst van Cotonou. Het programma ter ondersteuning van het bestuur (waaronder het beheer van de overheidsfinanciën) en het programma ter ondersteuning van de justitiële hervorming beogen een verbetering van het economische bestuur.

Er zijn onlangs tuchtrechtelijke maatregelen genomen tegen verschillende hoge ambtenaren, waaronder de arrestatie van de minister van Volksgezondheid. Na zijn vrijlating heeft deze het land verlaten, waarna zijn mandaat is overgenomen door de minister van Justitie, die nu dus de twee portefeuilles combineert. De EU volgt deze ontwikkelingen op de voet.

([1]) http://ec.europa.eu/europeaid/where/acp/country-cooperation/chad/chad_en.htm
([2]) http://cpi.transparency.org/cpi2011/results/.
([3]) http://www.telegraaf.nl/buitenland/11558380/__Minister_weg_om_corruptie__.html
([4]) PB L 136 van 31.5.1999.

(English version)

Question for written answer E-002318/12
to the Commission
Barry Madlener (NI)
(29 February 2012)

Subject: Corrupt Chad gets EUR 229 million from the EU

1. Is the Commission familiar with the issue of the EU's development aid to Chad ([1]), Transparency International's corruption index ([2]) and the newspaper report entitled 'Anti-corruption minister sacked for corruption' ([3])?

2. Can the Commission specify what is being done with the EU's EUR 229 million in Chad?

3. Does the Commission agree with the PVV that it is absolutely inappropriate to give development aid to Chad, given that, on a scale of 1 to 10, that country scores just 2.0 on Transparency International's corruption index, meaning it is extremely corrupt?

4. What view does the Commission take of the fact that Ahmadaye al Hassan, Chad's anti-corruption minister, has pocketed hundreds of thousands of euros in EU development aid? Is the Commission prepared to immediately stop all development aid to Chad? If not, how can the Commission ensure that, from now on, the EU funding is used for its intended purpose?

(Version française)

Réponse donnée par M. Piebalgs au nom de la Commission
(23 avril 2012)

La Commission a bien connaissance du rapport de Transparency International qui dénonce un index de corruption très élevé au Tchad.

Le 10e FED au Tchad (total de 328 millions d'euros) finance des projets dans le secteur rural, de la bonne gouvernance, des infrastructures et de la santé. Les procédures de la Commission permettent de garantir une transparence dans l'utilisation de ses financements. Les contrats et subventions sont attribués de manière transparente. Les paiements sont réalisés suite à la vérification des rapports fournis par la partie contractante. Tous les programmes font l'objet d'audits indépendants. Toute suspicion de corruption conduit immédiatement à des opérations de contrôle. En accord avec l'article 7 du règlement 1073/1999 ([4]), l'Office européen de lutte antifraude peut ouvrir une enquête et prendre des mesures appropriées.

Le Tchad souffre d'un manque de bonne gouvernance. L'Union européenne considère qu'il est d'autant plus important de rester présent dans ce pays afin de contribuer à améliorer cette situation à travers son dialogue politique dans le cadre de l'article 8 de l'accord de Cotonou et à travers ses programmes d'aide au développement. Le programme d'appui à la gouvernance, avec le volet finances publiques, et le programme d'appui à la réforme de la justice visent une amélioration de la gouvernance économique.

Un certain nombre de hauts fonctionnaires ont été récemment l'objet d'actions disciplinaires, parmi lesquelles l'arrestation du Ministre de l'assainissement public. Ce dernier a été ensuite relâché et a quitté le pays, son mandat a été repris par le Ministre de la Justice, qui à l'heure actuelle cumule les deux portefeuilles. L'Union européenne reste attentive aux suites de ces destitutions.

([1]) http://ec.europa.eu/europeaid/where/acp/country-cooperation/chad/chad_en.htm
([2]) http://cpi.transparency.org/cpi2011/results/
([3]) http://www.telegraaf.nl/buitenland/11558380/__Minister_weg_om_corruptie__.html
([4]) JO L 136 du 31.5.1999.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002321/12
aan de Commissie
Bas Eickhout (Verts/ALE), Kathleen Van Brempt (S&D), Ivo Belet (PPE) en Frieda Brepoels (Verts/ALE)
(29 februari 2012)

Betreft: Containerverlies zeeschepen

Jaarlijks vallen zo'n 3 000-4 000 containers overboord van zeeschepen. Ze vormen een gevaar voor de scheepvaart, maar kunnen ook problemen opleveren voor het milieu, zeker als het containers met gevaarlijke stoffen betreft. De afgelopen jaren hebben onderzoeken aangetoond dat het overboord vallen wordt veroorzaakt door menselijk falen zoals bevestigingen van containers die niet goed zijn uitgevoerd of zijn gedaan met verouderd materiaal, scheepsontwerpen die niet aangepast zijn aan grote vrachten en een slechte verdeling van de gewichten van containers op een schip.

Bijkomend probleem is dat een container die overboord gaat samen met de inhoud meteen alle waarde verliest vanwege de impact van het zoute zeewater. Er gaat dus niet alleen een grote hoeveelheid containers overboord, maar ze worden nauwelijks geborgen omdat daar geen enkele economische stimulans of wettelijk afdwingbare verplichting toe is.

1. Beschikt de Commissie over schattingen van het aantal containers dat in de EU-wateren overboord van zeeschepen gaat?

2. Is er een verplichting voor rederijen om zich te verzekeren tegen potentiële milieu- en gezondheidsgevolgen van het verlies van containers?

3. Bestaat er een Europese verplichting tot het uitvoeren van controles op de kwaliteit van de bevestiging van containers aan boord? Beschikt de Commissie over gegevens over de mate waarin dergelijke controles gebeuren?

4. In welke gevallen kan het recupereren van overboord gegane containers afgedwongen worden en kunnen de kosten verhaald worden op de rederij?

5. Overweegt de Commissie verdere regelgeving die het overboord gaan van containers moet aanpakken? Wordt daarbij ook gedacht aan systemen van waarborging of verzekeringen waardoor rederijen moeten betalen voor elke container die de eindbestemming niet bereikt?

Antwoord van de heer Kallas namens de Commissie
(29 maart 2012)

1. De Commissie kent verschillende schattingen over dat aantal en verwijst de geachte Parlementsleden naar de verklaring die zij heeft afgelegd in het debat over mondelinge vraag 0115/10 ([1]) „Op zee verloren containers en schadevergoeding" tijdens de plenaire vergadering van het Parlement van september 2010.

2. Overeenkomstig artikel 4 van Richtlijn 2009/20/EG ([2]) moeten scheepseigenaren hun schepen verplicht verzekerd hebben wanneer die schepen een haven van een lidstaat binnenvaren, behoudens beperkingen op grond van het geldende internationale recht ([3]).

3. Overeenkomstig artikel 13 en bijlage IV van Richtlijn 2009/16/EG ([4]) omvatten havenstaatinspecties die worden uitgevoerd op schepen die EU-havens binnenvaren met name dit veiligheidsaspect.

4. In de Europese wetgeving is geen bepaling opgenomen betreffende een verplichting tot het bergen van overboord geslagen containers en betreffende de daarmee gepaard gaande kosten. Artikel 17 van Richtlijn 2002/59/EG ([5]) bevat wel een verplichting voor de kapiteins van schepen om onmiddellijk aan het kuststation melding te maken van de in hun rechtsgebieden drijvende containers. Op basis daarvan kunnen de kuststaten de nodige maatregelen treffen om het risico te beperken; dat betekent echter ook dat de betrokken kuststaten bevoegd zijn voor de uitvoering van de berging. Het Verdrag inzake het opruimen van wrakken ([6]) zal in de

([1]) Beschikbaar op http://www.europarl.europa.eu/QP-WEB/application/search.do?language=NL.
([2]) PB L 131 van 28.5.2009, blz. 128-131.
([3]) Protocol van 1996 bij het Verdrag inzake de beperking van de aansprakelijkheid voor maritieme vorderingen van 19 november 1976, goedgekeurd op 2 mei 1996 (IMO).
([4]) PB L 131 van 28.5.2009, blz. 57-100. Zie met name punt 33 van bijlage IV. „Handleiding voor het vastzetten van lading".
([5]) PB L 208 van 5.8.2002, blz. 10-27.
([6]) Internationaal Verdrag van Nairobi inzake het opruimen van wrakken, goedgekeurd op 18 mei 2007 (IMO), moet nog worden geratificeerd.

toekomst ook van toepassing zijn op overboord geslagen containers; ondertussen zijn er reeds verzekeringsmaatschappijen die de in dat verdrag vereiste dekking bieden.

5. Momenteel bestaan er geen plannen van de Commissie om de bestaande wetgeving aan te vullen met oplossingen voor het probleem van overboord geslagen containers.

(English version)

Question for written answer E-002321/12
to the Commission
Bas Eickhout (Verts/ALE), Kathleen Van Brempt (S&D), Ivo Belet (PPE) and Frieda Brepoels (Verts/ALE)
(29 February 2012)

Subject: Containers lost from sea-going ships

Approximately 3 000-4 000 containers fall off sea-going ships each year. They pose a navigation hazard and can also create environmental problems, especially if they contain dangerous substances. Studies from recent years have shown that containers fall overboard as a result of human error, such as failure to properly secure containers or use of obsolete materials for this purpose, ships that are not adapted for large cargo and poor distribution of container weight on board.

An additional problem is that an overboard container and its contents immediately lose all value due to the salty sea water. Therefore, not only do many containers fall overboard, but they are hardly ever salvaged because there is no economic incentive or legally enforceable obligation to do so.

1. Does the Commission have any estimates as to the number of containers that fall off ships in EU waters?

2. Are shipping companies obliged to insure themselves against possible environmental and health consequences of container loss?

3. Is there a European obligation to inspect the quality of the fastening of containers? Does the Commission have information about the extent to which such inspections occur?

4. In which cases can the recovery of overboard containers be enforced and can the costs be recovered from the shipping company?

5. Is the Commission considering further legislation to address the issue? Is there a plan to set up guarantee or insurance systems in which shipping companies must pay for containers that do not reach the final destination?

Answer given by Mr Kallas on behalf of the Commission
(29 March 2012)

1. The Commission is aware of different estimates as to that number and would refer the Honourable Members to its statement during the debate on Oral Question 0115/10 ([1]) 'Containers lost at sea and compensation' at the Parliament's Plenary Session of September 2010.

2. Under Article 4 of Directive 2009/20/EC ([2]) shipowners are obliged to have insurance covering their vessels when entering Member State ports, subject to limitations under existing international law ([3]).

3. In accordance with Article 13 and Annex IV of Directive 2009/16/EC ([4]) port-State inspections carried out on ships entering EU ports specifically include this safety aspect.

4. There is no provision in EC law referring to an obligation for recovery of overboard containers and relevant costs. Article 17 of Directive 2002/59/EC ([5]) establishes an obligation for ship masters to immediately report to coastal stations containers drifting within their zones of jurisdiction. On that basis, coastal States can take the necessary measures to alleviate the hazard; yet, that also means that the discretion for enforcement of recovery lies with coastal States concerned. In the future, the Wreck Removal Convention ([6]) will cover containers lost overboard; while, insurance clubs already provide the cover required under the Convention.

5. There is currently no plan on the part of the Commission to supplement existing legislation addressing the issue of lost containers.

([1]) Available at http://www.europarl.europa.eu/QP-WEB/application/search.do.
([2]) OJ L 131, 28.5.2009, p. 128-131.
([3]) Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims of 19.11.1976, adopted 2.5.1996 (IMO).
([4]) OJ L 131, 28.5.2009, p. 57-100. See specifically clause 33 of Annex IV on 'cargo securing manual'.
([5]) OJ L 208, 5.8.2002, p. 10-27.
([6]) Nairobi International Convention on the Removal of Wrecks, adopted 18.5.2007 (IMO), pending ratification.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002326/12
à Comissão
Nuno Teixeira (PPE)
(29 de Fevereiro de 2012)

Assunto: Esclarecimentos sobre o texto dos novos Tratados na área da política económica e monetária

Considerando que:

A União Europeia atravessa uma fase de grandes e sérias dificuldades ao nível económico e financeiro, com alguns Estados-Membros a aplicarem severas medidas de austeridade para o equilíbrio e saneamento das contas públicas e cumprimento das metas dos sucessivos Pactos de Estabilidade e Crescimento;

O Presidente da Comissão Europeia, José Manuel Durão Barroso, no seu discurso sobre o Estado da União, em setembro de 2011, no Parlamento Europeu, defendeu um aprofundamento do método «comunitário», com maior poder interventivo das instituições europeias na saída da crise e no relançamento da economia;

Nos últimos tempos, várias iniciativas foram tomadas, de entre as quais são de destacar a criação do Semestre Europeu, os sucessivos Pactos de Estabilidade e Crescimento, o Mecanismo Europeu para a Estabilidade Financeira e o Fundo Europeu para a Estabilidade Financeira e o pacote legislativo com regras para o controlo dos défices excessivos e para a prevenção dos desequilíbrios macroeconómicos;

Para além destas medidas, foram recentemente negociados dois Tratados, o Tratado sobre a Estabilidade, Coordenação e Governação que está previsto ser assinado em março e entrar em vigor a 1 de janeiro de 2013, após a ratificação por um número mínimo de 12 Estados-Membros, e o Tratado que cria o Mecanismo Europeu de Estabilidade, assinado a 2 de fevereiro e que entrará em vigor em julho deste ano;

Pergunta-se à Comissão:

1. Como serão os vários mecanismos anteriormente criados e as regras do direito derivado nesta matéria (como o «six pack») articulados com os Tratados recentemente negociados e brevemente em vigor?

2. Como explica o texto do artigo 16.° do Tratado sobre a Estabilidade, Coordenação e Governação que prevê que, dentro de cinco anos, o seu conteúdo deve ser incorporado no enquadramento legal da União Europeia?

3. Qual é, então, o lugar deste Tratado na hierarquia de normas europeias?

4. Como vê o facto de as instituições europeias, e nomeadamente a Comissão, não terem legitimidade para interpor um recurso no Tribunal de Justiça, em caso de incumprimento por parte de um Estado-Membro do referido Tratado, cabendo essa legitimidade apenas aos Estados-Membros, e em contraste com o artigo 258.°, segundo parágrafo, do TFUE?

Resposta dada por José Manuel Barroso em nome da Comissão
(16 de abril de 2012)

1. No que respeita ao Tratado que institui o MEE ([1]), a Comissão adotou uma proposta de regulamento com base no artigo 136.° do TFUE ([2]) que contém disposições para uma supervisão reforçada dos Estados-Membros que beneficiarem de assistência financeira, nomeadamente por parte do MEE. Desta forma, a aplicação do tratado que institui o MEE será plenamente coordenada com a supervisão das políticas económicas e orçamentais dos Estados-Membros realizada no âmbito da UE.

Além disso, o Conselho Europeu adotou a Decisão 2011/199/UE com o objetivo de acrescentar um novo n.° 3 ao artigo 136.° do TFUE, a fim de clarificar que os Estados-Membros cuja moeda seja o euro podem criar um mecanismo de estabilidade como o MEE.

O Tratado sobre a Estabilidade, Coordenação e Governação na União Económica e Monetária indica explicitamente que este é apenas aplicável quando compatível com os Tratados da UE (artigo 2.°).

([1]) Mecanismo Europeu de Estabilidade.
([2]) COM(2011) 819 final.

Além disso, prevê-se que a aplicação dos princípios deste tratado será, tanto quanto possível, levada a cabo através da adoção de disposições de direito derivado da União.

2. Como a Comissão não foi parte no Tratado sobre a Estabilidade, não tem competência para fornecer explicações acerca do artigo 16.° desse Tratado. No entanto, na medida em que esta disposição deverá permitir integrar o conteúdo do Tratado no direito da União, a Comissão é favorável à mesma.

3 e 4. O Tratado sobre a Estabilidade é um acordo internacional celebrado entre 25 Estados-Membros da União. Sendo que o Tratado sobre a Estabilidade não faz parte do direito da União, o Tribunal de Justiça da UE não tem competência para assegurar o respeito do mesmo com base no TFUE. Não obstante, foi atribuída uma competência específica ao Tribunal, tal como previsto no artigo 273.° do TFUE.

(English version)

Question for written answer E-002326/12
to the Commission
Nuno Teixeira (PPE)
(29 February 2012)

Subject: Clarifications on the text of the new treaties in the field of economic and monetary policy

The European Union is going through a period of major and serious economic and financial problems, with some Member States having to implement severe austerity measures to balance and consolidate public finances and to meet the targets of successive Stability and Growth Pacts.

The President of the European Commission, José Manuel Durão Barroso, in his State of the Union address in September 2011 to the European Parliament, advocated deepening of the 'Community Method' with greater powers of intervention for the European institutions in overcoming the crisis and boosting the economy.

Several initiatives have been adopted recently, including in particular the creation of the European Semester, successive Stability and Growth Pacts, the European Financial Stabilisation Mechanism and the European Financial Stability Facility, and the legislative package with rules for controlling excessive deficits and for the prevention of macroeconomic imbalances.

In addition to these measures, two treaties were negotiated recently, the Treaty on Stability Coordination and Governance, due to be signed in March and to enter into force on 1 January 2013, following ratification by a minimum of 12 Member States, and the Treaty establishing the European Stability Mechanism, which was signed on 2 February and which will enter into force in July of this year.

Can the Commission answer the following questions:

1. How will the various mechanisms previously created and the legal rules in this respect (such as the 'six pack') be coordinated with the recently negotiated treaties that will soon be in force?

2. How does it explain the text of Article 16 of the Treaty on Stability, Coordination and Governance, which states that its substance must be incorporated into the legal framework of the European Union within five years?

3. What is this Treaty's place in the hierarchy of European laws?

4. How does it view the fact that the European institutions, and the Commission in particular, have no right to seek redress before the Court of Justice if a Member State fails to abide by the said Treaty, and only the Member States have this right, contrary to Article 258(2) of the Treaty on the Functioning of the European Union?

(Version française)

Réponse donnée par M. Barroso au nom de la Commission
(16 avril 2012)

1. Concernant le traité instituant l'ESM ([1]), la Commission a adopté une proposition de règlement basée sur l'article 136 TFUE ([2]) qui contient des dispositions en vue d'une surveillance renforcée des États membres qui bénéficieraient d'une assistance financière notamment par l'ESM. De cette façon, l'application du traité instituant l'ESM sera pleinement coordonnée avec la surveillance des politiques économiques et budgétaires des États membres menée au sein de l'UE.

Par ailleurs, le Conseil européen a adopté la décision 2011/199/UE en vue d'ajouter à l'article 136 TFUE un nouveau paragraphe 3 afin de clarifier que les États membres dont la monnaie est l'euro peuvent créer un mécanisme de stabilité tel que l'ESM.

Le traité sur la stabilité, la coordination et la gouvernance au sein de l'Union économique et monétaire spécifie explicitement qu'il ne s'applique que dans la mesure où il est compatible avec les traités UE (article 2).

Par ailleurs, il est prévu que la mise en œuvre des principes de ce traité se fera autant que possible par l'adoption de dispositions de droit dérivé de l'Union.

([1]) European Stability Mechanism.
([2]) COM(2011)819 final.

2. La Commission n'étant pas partie au traité sur la stabilité, elle n'est pas compétente pour fournir des explications sur l'article 16 de ce traité. Toutefois, dans la mesure où cette disposition devrait permettre d'intégrer le contenu du traité dans le droit de l'Union, la Commission y est favorable.

3 et 4. Le traité sur la stabilité est un accord international conclu entre 25 États membres de l'Union. Étant donné que le traité sur la stabilité ne fait pas partie du droit de l'Union, la Cour de justice de l'UE n'est pas compétente pour en assurer le respect sur la base du TFUE. Une compétence spécifique a néanmoins été attribuée à la Cour, ainsi que le permet l'article 273 TFUE.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002329/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(29 februarie 2012)

Subiect: Ajutoare de minimis pentru cultivatorii de legume

Fermierii cultivatori de legume în sere și solarii din România au fost în ultimele săptămâni puternic afectați de căderile masive de zăpadă. Până în acest moment sunt afectate, potrivit unor date preliminarii, 80 ha sere și 280 ha solarii. Comisia este rugată să precizeze dacă ar putea accepta majorarea temporară a nivelului maxim permis pentru acordarea unor fonduri din ajutoarele de minimis în favoarea acestor fermieri.

Răspuns dat de dl Cioloș în numele Comisiei
(28 martie 2012)

Autoritățile române au deja posibilitatea să acorde un ajutor de minimis care poate atinge 7 500 EUR pentru fiecare beneficiar și pentru fiecare perioadă de trei ani fiscali, în limitele unui cuantum maxim stabilit, pentru România, la 98 685 000 EUR pentru aceeași perioadă, conform dispozițiilor Regulamentului (CE) nr. 1535/2007 al Comisiei ([1]). Creșterea temporară a acestor plafoane pentru fermierii care au suferit pierderi din cauza condițiilor climatice nefavorabile nu este posibilă din cauza faptului că plafoanele au fost stabilite pe baza unor calcule concepute să stabilească până la ce nivel pot fi acordate ajutoarele fără să se producă o denaturare a concurenței.

Autorităților române le rămân însă la dispoziție și alte posibilități de a acorda ajutoare pentru agricultori, precum ajutoarele pentru compensarea daunelor provocate de condițiile climatice nefavorabile, cu respectarea condițiilor de la articolul 11 din Regulamentul (CE) nr. 1857/2006 al Comisiei ([2]) (ajutoare care acoperă 80% sau 90% din pierderi în funcție de tipul zonei, în situațiile în care daunele depășesc 30% din producția normală).

([1]) JO L 337, 21.12.2007, p. 35.
([2]) JO L 358, 16.12.2006, p. 3.

(English version)

Question for written answer E-002329/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(29 February 2012)

Subject: De minimis aid for market gardeners

Market gardeners who grow vegetables in greenhouses and solariums in Romania have been greatly affected in recent weeks by the massive snowfalls there. To date, 80 ha of greenhouses and 280 ha of solariums have been affected, according to initial information. Could the Commission state whether it can grant a temporary increase in the maximum permitted levels for *de minimis* aid for these farmers?

(Version française)

Réponse donnée par M. Cioloş au nom de la Commission
(28 mars 2012)

Les autorités roumaines ont déjà la possibilité d'accorder une aide de minimis pouvant atteindre 7 500 euros par bénéficiaire et par période de trois exercices fiscaux, dans les limites d'un montant maximal fixé, pour la Roumanie, à 98 685 000 euros pour la même période, conformément aux dispositions du règlement (CE) nº 1535/2007 de la Commission ([1]). Il n'est pas possible d'augmenter temporairement ces plafonds pour les agriculteurs qui ont subi des pertes à cause de conditions climatiques défavorables, étant donné qu'ils ont été fixés sur la base de calculs visant à déterminer jusqu'à quel niveau des aides peuvent être accordées sans qu'il y ait distorsion de concurrence.

Les autorités roumaines disposent toutefois d'autres possibilités d'accorder des aides aux agriculteurs: il leur est ainsi loisible d'accorder des aides pour la compensation de pertes dues à des conditions climatiques défavorables, dans le respect des conditions de l'article 11 du règlement (CE) nº 1857/2006 de la Commission ([2]) (aides couvrant 80 % ou 90 % des pertes selon le type de zone, lorsque les pertes dépassent 30 % de la production normale).

([1]) JO L 337 du 21.12.2007, p. 35.
([2]) JO L 358 du 16.12.2006, p. 3.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002330/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(29 februarie 2012)

Subiect: Ajutoare de minimis pentru apicultori

Din cauza vremii extrem de friguroase din această iarnă, a viscolului și a ninsorilor abundente, albinele nu au putut părăsi stupii pentru „zborurile de curățare", prin urmare există un risc ridicat de a se îmbolnăvi de nosemoză, boală care nu poate fi combătută eficient cu medicamentele autorizate în UE. Crescătorii de albine estimează pierderi de până 40% până la primăvară. Comisia este rugată să precizeze dacă ar putea accepta majorarea temporară a nivelului maxim permis pentru acordarea unor fonduri din ajutoarele de minimis în favoarea apicultorilor.

Răspuns dat de dl Cioloş în numele Comisiei
(2 aprilie 2012)

Autoritățile române au deja posibilitatea să acorde un ajutor *de minimis* care poate atinge 7 500 EUR pentru fiecare beneficiar și pentru fiecare perioadă de trei ani fiscali, în limitele unui cuantum maxim stabilit, pentru România, la 98 685 000 EUR pentru aceeași perioadă, conform dispozițiilor din Regulamentul (CE) nr. 1535/2007 al Comisiei ([1]). Creșterea temporară a acestor plafoane pentru fermierii care au suferit pierderi din cauza bolilor sau a fenomenelor meteorologice nefavorabile nu este posibilă din cauza faptului că plafoanele au fost fixate pe baza unor calcule concepute să stabilească până la ce nivel pot fi acordate ajutoarele fără să se producă o denaturare a concurenței.

Autorităților române le rămân însă la dispoziție și alte posibilități de acordare a ajutoarelor pentru fermieri, precum ajutoarele pentru compensarea daunelor provocate de fenomenele meteorologice nefavorabile, cu respectarea condițiilor de la articolul 11 din Regulamentul (CE) nr. 1857/2006 al Comisiei ([2]) (ajutoare care acoperă 80% sau 90% din pierderi în funcție de tipul zonei, în situațiile în care daunele depășesc 30% din producția normală), dacă se dovedește că daunele au fost provocate de o boală a cărei apariție a fost generată de condițiile climatice, sau cu respectarea articolului 10 din același regulament (ajutoare care acoperă 100% din pierderi) dacă apariția bolii nu a fost generată de condițiile climatice.

([1]) JO L 337, 21.12.2007, p. 35.
([2]) JO L 358, 16.12.2006, p. 3.

(English version)

Question for written answer E-002330/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(29 February 2012)

Subject: De minimis aid for beekeepers

Owing to the extremely cold weather, blizzards and heavy snowfalls this winter, bees were unable to leave their hives for 'cleansing flights'. As a result, there is a high risk that they will develop nosemosis, a disease that cannot be efficiently treated with the medicines authorised in the EU. Beekeepers estimate bee losses of 40 % by the spring. Can the Commission therefore state whether it could grant a temporary increase in the maximum permitted levels for the granting of *de minimis* aid in favour of beekeepers?

(Version française)

Réponse donnée par M. Cioloş au nom de la Commission
(2 avril 2012)

Les autorités roumaines ont déjà la possibilité d'accorder une aide *de minimis* pouvant atteindre 7 500 euros par bénéficiaire et par période de trois exercices fiscaux, dans les limites d'un montant maximal fixé, pour la Roumanie, à 98 685 000 euros pour la même période, conformément aux dispositions du règlement (CE) nº 1535/2007 de la Commission ([1]). Il n'est pas possible d'augmenter temporairement ces plafonds pour les agriculteurs qui ont subi des pertes à cause de maladies ou de conditions climatiques défavorables, étant donné qu'ils ont été fixés sur la base de calculs visant à déterminer jusqu'à quel niveau des aides peuvent être accordées sans qu'il y ait distorsion de concurrence.

Les autorités roumaines disposent toutefois d'autres possibilités d'accorder des aides aux agriculteurs: il leur est ainsi loisible d'accorder des aides pour la compensation de pertes dues à des conditions climatiques défavorables, dans le respect des conditions de l'article 11 du règlement (CE) nº 1857/2006 de la Commission ([2]) (aides couvrant 80 % ou 90 % des pertes selon le type de zone, lorsque les pertes dépassent 30 % de la production normale), s'il est avéré que les pertes sont dues à une maladie consécutive aux conditions climatiques, ou dans le respect de l'article 10 du même règlement (aide couvrant 100 % des pertes), si la maladie n'est pas due auxdites conditions.

([1]) JO L 337 du 21.12.2007, p. 35.
([2]) JO L 358 du 16.12.2006, p. 3.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002358/12
adresată Consiliului
Monica Luisa Macovei (PPE)
(1 martie 2012)

Subiect: Măsuri pentru consolidarea încrederii reciproce dintre statele membre în contextul cooperării judiciare în materie penală

Articolul 82 alineatul (1) din Tratatul privind funcționarea UE prevede principiul recunoașterii reciproce ca punct de plecare pentru cooperarea judiciară în materie penală. Recunoașterea reciprocă, la rândul său, se bazează înainte de toate pe încrederea reciprocă între sistemele judiciare ale statelor membre. Cu toate acestea, încrederea nu ar trebui să fie considerată a fi de la sine înțeleasă într-un domeniu al justiției caracterizat prin diversitate și eterogenitate, astfel cum a demonstrat implementarea mandatului european de arestare. Prin instrumentele ulterioare de cooperare judiciară, care se bazează de asemenea pe principiul recunoașterii reciproce, decalajul de încredere dintre sistemele de justiție ale statelor membre devine o chestiune de interes primar.

Punerea în aplicare a principiului recunoașterii reciproce necesită sisteme judiciare care sunt la fel de fiabile și care au același nivel de calitate și integritate.

Cum intenționează Consiliul să sprijine consolidarea încrederii reciproce dintre sistemele de justiție penală ale statelor membre?

Răspuns
(30 aprilie 2012)

Începând cu concluziile Consiliului European de la Tampere din 15-16 octombrie 1999, principiul recunoașterii reciproce a fost considerat ca o piatră de temelie a cooperării judiciare în cadrul Uniunii. După cum subliniază distinsa deputată, acest principiu este consacrat la articolul 82 alineatul (1) din TFUE privind cooperarea judiciară în materie penală.

Succesul aplicării acestui principiu depinde în mare parte de încrederea reciprocă între autoritățile, serviciile și factorii de decizie din diferitele statele membre. Programul de la Stockholm adoptat de Consiliul European în cadrul reuniunii sale din 10 și 11 decembrie 2009 ([1]), care stabilește programul-cadru multianual în spațiul de libertate, securitate și justiție pentru perioada 2010-2014, prevede că „Uniunea ar trebui să consolideze în continuare încrederea reciprocă în sistemele juridice ale statelor membre prin instituirea drepturilor minime, după cum este necesar pentru dezvoltarea principiului recunoașterii reciproce, și prin stabilirea unor norme minime privind definirea infracțiunilor și a sancțiunilor, astfel cum este definit în tratat". În Programul de la Stockholm sunt identificate mai multe domenii pentru consolidarea încrederii reciproce, incluzând formarea, evaluarea, dezvoltarea de rețele, punerea în aplicare a instrumentelor existente și implicarea eficace a agențiilor UE precum Eurojust sau rețelele judiciare europene.

Concluziile Consiliului din 7 și 8 octombrie 2010 ([2]) vizează asigurarea urmăririi consecințelor în ceea ce privește aplicarea instrumentelor UE de punere în aplicare a principiului recunoașterii reciproce a hotărârilor judiciare în materie penală de către statele membre.

În plus, Programul de la Stockholm prevede că protecția drepturilor persoanelor suspectate și acuzate în procedurile penale este o valoare fundamentală a Uniunii, care este esențială pentru menținerea încrederii reciproce între statele membre și pentru încrederea publică la nivelul Uniunii.

Programul prevede în continuare că, în domeniul dreptului penal, ar putea fi necesară o abordare orizontală cu privire la anumite probleme recurente, în special apropierea, acolo unde este necesar, a dreptului material și procedural, care ar facilita recunoașterea reciprocă. În ultimii câțiva ani, protecția drepturilor fundamentale, inclusiv garanțiile procedurale, a beneficiat de o atenție sporită și a generat o serie de inițiative legislative.

În plus, au fost înființate mecanisme de evaluare inter pares pentru a spori și mai mult înțelegerea în rândul profesioniștilor din statele membre a specificităților sistemelor și procedurilor juridice naționale.

Ar trebui să se ia act și de sporirea activităților agențiilor și organismelor europene, precum Europol, Eurojust și Rețeaua judiciară europeană, care sprijină autoritățile competente din statele membre în activitățile lor operaționale, îmbunătățind în continuare înțelegerea reciprocă și partajarea celor mai bune practici între profesioniști.

([1]) JO C 115, 4.5.2010, p.1-38.
([2]) 13403/1/10 REV 1.

Consiliul ar dori să reamintească, de asemenea, concluziile sale din 27 octombrie 2011 ([3]) privind formarea judiciară europeană, care se referă la o serie de inițiative și instrumente disponibile la nivelul UE și la nivel național în scopul formării magistraților. Consiliul încurajează Comisia și statele membre să își continue eforturile în vederea îmbunătățirii în continuare a cunoștințelor privind dreptul UE și, de asemenea, să partajeze cele mai bune practici, consolidând în acest fel încrederea reciprocă între profesioniști.

În cele din urmă, Consiliul ar dori să menționeze „Raportul final privind a patra rundă a evaluărilor reciproce cu tema «Aplicarea practică a mandatului european de arestare și procedurile corespunzătoare de predare între statele membre»" ([4]) înaintat de Consiliu Parlamentului în 2009 ([5]). Conform raportului, profesioniștii intervievați în statele membre au avut o atitudine foarte pozitivă față de mandatul european de arestare și față de aplicarea acestuia și, în general, mandatul european de arestare funcționează în mod eficient. Din aceste considerații reiese, în opinia Consiliului, că nu există un „deficit de încredere" între sistemele de justiție ale statelor membre, după cum este sugerat de distinsa deputată.

([3]) JO C 361/7, 10.12.2011.
([4]) 8302/4/09.
([5]) Disponibil pe site-ul internet al Consiliului.

(English version)

Question for written answer E-002358/12
to the Council
Monica Luisa Macovei (PPE)
(1 March 2012)

Subject: Measures to strengthen mutual trust among Member States in the context of judicial cooperation in criminal matters

Article 82(1) of the Treaty on the Functioning of the EU provides for the principle of mutual recognition as a starting point for judicial cooperation in criminal matters. Mutual recognition, in turn, relies primarily on mutual confidence among the judicial systems of the Member States. Trust, however, should not be taken for granted in an area of justice characterised by diversity and heterogeneity, as the implementation of the European Arrest Warrant has illustrated. With the subsequent instruments of judicial cooperation, which are also based on the mutual recognition principle, the confidence gap among Member States' justice systems is becoming a matter of primary concern.

The implementation of the mutual recognition principle requires judiciaries which are equally reliable and share the same level of quality and integrity.

How does the Council intend to support the consolidation of mutual trust among the Member States' criminal justice systems?

Reply
(30 April 2012)

Since the Tampere European Council conclusions of 15-16 October 1999, the principle of mutual recognition has been seen as a cornerstone of judicial cooperation within the Union. As the Honourable Member points out, this principle is enshrined in Article 82(1) of the TFEU on judicial cooperation in criminal matters.

The success of the application of this principle depends largely on the mutual trust between authorities, services and decision-makers in the different Member States . The Stockholm programme adopted by the European Council at its meeting of 10 and 11 December 2009 ([1]), which sets the multiannual framework programme in the area of freedom, security and justice for 2010-2014, states that 'the Union should continue to enhance mutual trust in the legal systems of the Member States by establishing minimum rights as necessary for the development of the principle of mutual recognition and by establishing minimum rules concerning the definition of criminal offences and sanctions as defined by the Treaty'. Several areas are identified in the Stockholm Programme for strengthening mutual trust, including training, evaluation, developing networks, implementation of existing instruments, and effective involvement of EU agencies such as Eurojust or European Judicial Networks.

The Council conclusions of 7 and 8 October 2010 ([2]) aims at ensuring the follow-up of the implementation of EU instruments implementing the principle of mutual recognition of judicial decisions in criminal matters by the Member States.

Furthermore, the Stockholm Programme provides that the protection of the rights of suspected and accused persons in criminal proceedings is a fundamental value of the Union, which is essential in order to maintain mutual trust between the Member States and public confidence in the Union.

It adds that, in the field of criminal law, there may be a need for a horizontal approach regarding certain recurring problems, in particular the approximation, where necessary, of substantive and procedural law which would facilitate mutual recognition. Over the last few years, the protection of fundamental rights, including procedural safeguards, has been given increasing attention and led to a number of legislative initiatives.

In addition, peer evaluation mechanisms have been put in place in order further to enhance the understanding among Member-State practitioners of the specificities of national legal systems and procedures.

Note should also be taken of the increase in activities of European agencies and bodies such as Europol, Eurojust and the European Judicial Network which assist the competent authorities of the Member States in their operational activities, further enhancing the mutual understanding and sharing of best practices between practitioners.

([1]) OJ C115, 4.5.2010, p.1-38.
([2]) 13403/1/10 REV 1.

The Council would also recall its conclusions of 27 October 2011 ([3]) on European Judicial Training, which refer to a number of initiatives and tools available at EU and national levels for the purposes of training of the judiciary. The Council encourages the Commission and the Member States to continue their efforts with a view to further improving knowledge of EC law and also to share best practices and thus build up mutual trust between the practitioners.

Finally, the Council would refer to the 'Final report on the fourth round of mutual evaluations — the practical application of the European Arrest Warrant and corresponding surrender procedures between Member States' ([4]) forwarded by the Council to the Parliament in 2009 ([5]). According to the report, the practitioners interviewed in the Member States had a very positive view of the EAW and its application and, in general, the EAW is operating efficiently. It follows from these considerations, in the view of the Council, that there is no 'confidence gap' among the Member States' justice systems, as is suggested by the Honourable Member.

([3]) OJ C 361/7 of 10.12.2011.
([4]) 8302/4/09.
([5]) Available on the Council's website.

(Version française)

Question avec demande de réponse écrite E-002363/12
à la Commission
Michèle Striffler (PPE)
(1er mars 2012)

Objet: Transport, au sein de l'Union Européenne, des animaux destinés à l'abattage — qualité de la viande et information des consommateurs

Le règlement (CE) nº 1/2005 relatif à la protection des animaux pendant le transport ne traite pas de la durée maximale de trajet et ni de l'espace prévu pour les animaux destinés à l'abattage lors de leur transport. Selon ce règlement, ces questions doivent faire l'objet d'une nouvelle proposition de la part de la Commission. Or, actuellement aucune proposition n'a été présentée par la Commission, ce qui autorise notamment le transport de bovins, d'ovins ou de caprins pendant plus de 14 heures d'affilée sans abreuvement.

Par ailleurs, le métabolisme musculaire des animaux est très sensible aux réactions de stress avant l'abattage. De mauvaises conditions de transport ou de déchargement augmentent la réactivité comportementale de l'animal et accroissent fortement son niveau de stress, ce qui diminue considérablement la qualité de la viande.

De plus, à l'heure actuelle, l'étiquetage concernant le pays d'origine de la viande n'est pas systématique. Par exemple, un porc élevé dans un pays européen ou autre peut, s'il est transporté et abattu en Italie obtenir l'appellation «Jambon de Parme». Cette pratique inacceptable trompe donc gravement le consommateur.

La Commission compte-t-elle, dans l'intérêt des consommateurs européens et des animaux destinés à l'abattage, présenter une proposition législative qui prenne en compte la durée de huit heures comme durée maximale de transport autorisée au sein de l'Union Européenne?

Compte-t-elle enfin, dans l'intérêt des consommateurs européens et des animaux destinés à l'abattage, présenter des mesures pour rendre obligatoire l'étiquetage du lieu de naissance, d'élevage et d'abattage des animaux?

Réponse donnée par M. Dalli au nom de la Commission
(20 avril 2012)

Le règlement (CE) n° 1/2005 relatif à la protection des animaux pendant le transport ([1]) comporte des dispositions spécifiques en ce qui concerne les durées de transport et l'espace disponible pour les principales espèces animales.

La Commission a récemment adopté un rapport relatif au bien-être des animaux pendant le transport ([2]), dans lequel elle conclut que la législation de l'Union européenne n'est pas correctement appliquée. Par conséquent, la Commission s'emploie actuellement à faire appliquer les règles existantes et n'envisage pas de proposition visant à modifier le règlement.

Des dispositions concernant l'indication obligatoire de l'origine existent déjà pour certains produits ([3]). La mention de l'origine n'est pas obligatoire pour les autres aliments, sauf dans les cas où son omission serait susceptible d'induire le consommateur en erreur ([4]).

En outre, toute indication volontaire pouvant être considérée comme une mention d'origine devra, à partir de décembre 2014, être conforme aux règles de l'Union européenne régissant l'information des consommateurs sur les denrées alimentaires ([5]). Selon ces règles, le pays d'origine d'une denrée alimentaire transformée qui n'est pas entièrement obtenue dans un seul pays est celui dans lequel l'aliment a subi sa dernière transformation substantielle. Si son principal ingrédient est d'une autre origine, cette information doit également être fournie. La nouvelle législation étend l'obligation d'indication de l'origine aux viandes porcines, ovines, caprines et aux viandes de volaille, qu'elles soient fraîches, réfrigérées ou congelées. S'agissant des autres denrées alimentaires, le législateur a chargé la Commission d'établir deux rapports sur la mention obligatoire du lieu d'origine, l'un en ce qui concerne les types de viande autres que la viande bovine, porcine, ovine, caprine et la viande de volaille, pour le mois de décembre 2014, et l'autre en ce qui concerne la viande utilisée comme ingrédient, pour le mois de décembre 2013.

([1]) Règlement (CE) nº 1/2005 du Conseil relatif à la protection des animaux pendant le transport; JO L 3 du 5.1.2005, p. 1.
([2]) Rapport de la Commission au Parlement européen et au Conseil sur l'incidence du règlement (CE) nº 1/2005 du Conseil relatif à la protection des animaux pendant le transport. COM(2011)700 final.
([3]) Par exemple en ce qui concerne le miel, les fruits et légumes, les œufs, le poisson, les viandes bovines fraîches, réfrigérées ou congelées, et l'huile d'olive.
([4]) Directive 2000/13/CE relative au rapprochement des législations des États membres concernant l'étiquetage et la présentation des denrées alimentaires ainsi que la publicité faite à leur égard, JO L 109 du 6.5.2000, p. 29.
([5]) Règlement (UE) nº 1169/2011 concernant l'information des consommateurs sur les denrées alimentaires, JO L 304 du 22.11.2011, p. 18.

Quant à l'exemple du jambon de Parme, et si tant est que soit visée la dénomination «Prosciutto di Parma», il s'agit là d'une appellation d'origine protégée dont ne peut bénéficier que la viande issue de porcs nés, élevés et abattus dans une zone limitée d'Italie.

(English version)

Question for written answer E-002363/12
to the Commission
Michèle Striffler (PPE)
(1 March 2012)

Subject: Transport of animals for slaughter within the EU — meat quality and consumer information

Regulation (EC) No 1/2005 on the protection of animals during transport does not deal with maximum travel time or space allowances during transport of animals for slaughter. According to this regulation, these arrangements should be subject to a new proposal by the Commission. However, currently no proposal has been presented by the Commission, and this means that the transport of cattle, sheep and goats for more than 14 hours at a time without water is permitted.

Furthermore, the muscular metabolism of the animals is very sensitive to stress reactions before slaughter. Poor conditions of transport or unloading increase the animals' behavioural reactivity and cause significant increases in their stress levels, which reduces the quality of the meat considerably.

Furthermore, at present, there is no systematic labelling of the country of origin of the meat. For example, a pig reared in a European or other country can, if it is transported and slaughtered in Italy, obtain the designation 'Parma ham'. This unacceptable practice seriously misleads the consumer.

Does the Commission intend, in the interests of European consumers and of animals intended for slaughter, to present a legislative proposal setting eight hours as the maximum transport time authorised within the European Union?

Finally, does it intend, in the interests of European consumers and of animals intended for slaughter, to put forward measures to make labelling of the places of birth, rearing and slaughter of animals compulsory?

Answer given by Mr Dalli on behalf of the Commission
(20 April 2012)

Regulation (EC) No 1/2005 on the protection of animals during transport ([1]) contains specific provisions regarding journey times and space allowances for the main livestock species.

The Commission recently adopted a report on animal welfare during transport ([2]) which concluded that EU legislation is not properly enforced. The Commission is therefore focusing on ensuring proper enforcement of the existing rules, and is not considering a proposal to change the regulation.

Mandatory origin provisions are already in place for certain products ([3]). With regard to other foods, the information of its origin is not mandatory, unless its omission could mislead the purchaser ([4]).

In addition, any voluntary statement that can be considered as an indication of origin should, from December 2014, comply with the EU rules on food information to consumers ([5]). According to these rules, the country of origin of processed foods not wholly obtained in one single country corresponds to the country of the last substantial transformation of the food. If its primary ingredient originates from a different place, information on this should be also provided. The new legislation also extends the mandatory origin labelling to fresh, chilled or frozen swine, sheep, goats and poultry meats. With regard to other foods, the legislators committed the Commission to produce by December 2014 a report on mandatory origin labelling covering types of meat other than beef, swine, sheep, goat and poultry meat, and by December 2013 a report on mandatory origin labelling of meat used as an ingredient.

As regards the example of Parma ham and insofar as this refers to the designation 'Prosciutto di Parma' this is a Protected Denomination of Origin for which only meat from pigs born, reared and slaughtered in a restricted area of Italy can qualify.

([1]) Council Regulation (EC) No 1/2005 on the protection of animals during transport, OJ L 3, 5.1.2005, p. 1.
([2]) Report from the Commission to the European Parliament and the Council on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport, COM(2011) 700 final.
([3]) For instance for honey, fruit and vegetables, eggs, fish, fresh, chilled or frozen beef and veal and olive oil.
([4]) Directive 2000/13/EC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs, OJ L 109, 6.5.2000, p. 29.
([5]) Regulation (EU) No 1169/2011 on the provision of food information to consumers, OJ L 304, 22.11.2011, p. 18.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002375/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(1º marzo 2012)

Oggetto: Invecchiamento e dinamiche pensionistiche in Europa

Nei principali paesi europei l'accesso alla pensione di vecchiaia è previsto a 65 anni sia per gli uomini che per le donne, ma in molti casi è già previsto un aumento graduale fino a 67/68 anni. L'Italia — secondo i dati del *Joint Report on Pensions 2010* della Commissione europea riportati nel rapporto annuale dell'Inps — è l'unico paese nel quale si mantiene il divario di genere (60 anni per le donne e 65 per gli uomini nel settore privato, mentre nel settore pubblico l'età pensionabile per le donne giunge a 61 anni ma è previsto l'innalzamento a 65 anni nel 2012), mentre nel Regno Unito è già previsto l'adeguamento per le donne all'età degli uomini (65) entro il 2020. In Francia uomini e donne vanno ancora a riposo a 62 anni, ma è previsto un aumento dell'età di 4 mesi all'anno per andare a regime nel 2018.

In Italia, all'età di accesso al pensionamento si deve poi aggiungere un anno ulteriore previsto dalla finestra «mobile» (18 mesi per gli autonomi) inserita nella manovra correttiva del 2010, oltre agli aumenti legati all'aspettativa di vita. Per le donne è previsto un aumento dell'età di vecchiaia molto graduale (dal 2014 al 2026). Per l'Italia c'é poi la possibilità di uscire dal lavoro con la pensione di anzianità (in un'età anticipata rispetto a quella della vecchiaia) a 60 anni con 36 anni di contributi (61 gli autonomi), età alla quale va comunque aggiunta la finestra mobile.

Alla luce di quanto esposto, e vista la disparità di trattamento in ciascun regime nazionale, può la Commissione europea fornire un dato completo e aggiornato della situazione pensionistica di tutti gli Stati membri dell'Unione europea, con annesse le diverse regole vigenti in ogni paese?

Può inoltre la Commissione far sapere se esistono, e in caso affermativo quali sono, politiche di armonizzazione europee che permettano alle diverse politiche nazionali pensionistiche di livellare le principali disparità?

Risposta data da Laszlo Andor a nome della Commissione
(18 aprile 2012)

Le informazioni richieste sono reperibili nel libro bianco della Commissione «Un'agenda dedicata a pensioni adeguate, sicure e sostenibili» ([1]).

La tabella riportata nell'allegato 3 fornisce dettagli sull'età pensionistica legale applicata negli Stati membri e sulle recenti riforme dei sistemi pensionistici o sugli sviluppi previsti per il futuro.

In questo ambito non sono state adottate misure europee d'armonizzazione: la fissazione dell'età pensionistica legale rientra nelle responsabilità degli Stati membri. Anche se la situazione varia tra paese e paese, la Commissione, nelle analisi annuali per la crescita relative agli anni 2011 e 2012 e nel libro bianco sulle pensioni, ha sollecitato gli Stati membri ad aumentare l'età legale per la pensione e a correlarla con la speranza di vita. Ciò contribuirebbe a raggiungere il giusto equilibrio tra la durata della vita lavorativa e quella della vita pensionistica.

Raccomandazioni specifiche per paese concernenti le pensioni sono state indirizzate a 16 Stati membri nel contesto del semestre europeo 2012. Altri cinque Stati membri hanno concordato riforme in tema di pensioni nel contesto dei loro memorandum d'intesa. Dettagli esaurienti nel merito sono riportati nell'allegato 3 del libro bianco.

([1]) (COM(2012)55 definitivo del 16 febbraio 2012): http://ec.europa.eu/social/main.jsp?langId=it&catId=89&newsId=1194&furtherNews=yes

(English version)

Question for written answer E-002375/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(1 March 2012)

Subject: Ageing population and pension reform in Europe

In most major European countries, the statutory retirement age is 65 for both men and women. In many states, however, a gradual increase to 67/68 is already being planned. According to information contained in the Commission's Joint Report on Pensions 2010, as referred to in the Italian National Institute of Social Insurance's (INPS) annual report, Italy is the only country in which a gender divide still exists (a retirement age of 60 for women and 65 for men in the private sector, whilst in the public sector the retirement age for women is 61, although this is set to rise to 65 in 2012). In the United Kingdom, the retirement age for women is set to be brought into line with that for men (65) by 2020, whilst in France, the retirement age for men and women is 62, although this is set to rise by four months per year until 2018, when it will match that of other states.

Italians must work, a further year (18 months for the self-employed) beyond the statutory retirement age in keeping with the *finestra mobile* ('sliding window') system introduced as part of the provisions amending the 2010 budget; this comes on top of the increases linked to life expectancy. For women, a very gradual increase (over the period from 2014 to 2026) in the retirement age is planned. Italians can also retire with a full state pension at 60 years of age (61 for self-employed people) if they have completed 36 years of contributions, although the *finestra mobile* adjustment still applies.

In the light of this, and given the disparities between national systems, could the Commission supply complete and up-to-date information on the pension provisions in all the EU Member States, including the various rules in force in each country?

Furthermore, could the Commission state what, if any, European harmonisation measures are being implemented in an effort to reduce the main disparities between national pension policies?

Answer given by Mr Andor on behalf of the Commission
(18 April 2012)

The information requested can be found in the Commission White Paper 'An Agenda for Adequate, Safe and Sustainable Pensions' ([1]).

The table in Annex A provides details of the statutory pension ages applicable in the Member States and of recent pension reforms or future developments.

No European harmonisation measures are adopted in this field: the setting of statutory pension ages is the responsibility of the Member States. While national situations vary, the Commission, in the 2011 and 2012 Annual Growth Surveys and in the White Paper on pensions, called on the Member States to increase the statutory pension age and link it to developments in longevity. This would help in striking the right balance between the time people spend in work and the time they spend in retirement.

Country-Specific Recommendations for pensions were addressed to 16 Member States as part of the 2011 European Semester. Pension-related reforms were agreed by a further five Member States as part of their Memoranda of Understanding. Full details are available in Annex A to the White Paper.

([1]) COM(2012) 55 final, of 16 February 2012: http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1194&furtherNews=yes

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002377/12
do Komisji
Małgorzata Handzlik (PPE)
(1 marca 2012 r.)

Przedmiot: Import z krajów trzecich dwoin bydlęcych do produkcji osłonek kolagenowych przeznaczonych do spożycia przez ludzi

Produkty pochodzenia zwierzęcego, jak na przykład dwoina bydlęca, nie są dostępne na rynku europejskim w wystarczającej ilości, a także odpowiedniej jakości dla producentów europejskich . Dlatego też możliwość importowania tych produktów z krajów trzecich jest naturalną odpowiedzią na popyt w Unii Europejskiej. Ze względów bezpieczeństwa oczywiste jest, że tak sprowadzane produkty muszą spełniać pewne wymogi weterynaryjne. Brak odpowiedniej regulacji w tym przedmiocie uniemożliwia zakup produktów pochodzenia zwierzęcego i jest tym samym barierą w handlu międzynarodowym.

Producenci europejscy, szczególnie w Polsce, napotykają obecnie na przeszkody w zakupie dwoin bydlęcych z państw trzecich, takich jak Brazylia, Argentyna, Stany Zjednoczone Ameryki, Rosja, Białoruś, Ukraina, Serbia czy Chorwacja, które są podstawowym surowcem do produkcji osłonek kolagenowych, przeznaczonych do spożycia przez ludzi, szeroko wykorzystywanych w przemyśle mięsnym.

W związku z powyższym problemem, chciałabym zapytać Komisję:

1. Kiedy zakończy prace nad ustanowieniem w prawodawstwie UE odpowiednich wymagań weterynaryjnych dla przywozu tego typu produktów pochodzenia zwierzęcego z krajów trzecich?

2. Czy do czasu stworzenia odpowiedniej listy krajów trzecich, z których będzie można przywozić do UE surowiec pochodzenia zwierzęcego do produkcji kolagenu przeznaczonego do spożycia przez ludzi, Komisja proponuje rozwiązanie przejściowe, tak aby przedsiębiorcy nie ponosili szkody z powodu braku odpowiednich przepisów i mogli sprowadzać przedmiotowe produkty na teren UE?

Odpowiedź udzielona przez komisarza Johna Dallego w imieniu Komisji
(26 kwietnia 2012 r.)

Świadectwo zdrowia UE ustanowiono w celu uregulowania przywozu surowców do produkcji kolagenu do spożycia przez ludzi ([1]). Wykazy UE dotyczące kwalifikujących się państw i zakładów nie zostały jeszcze sporządzone. W odstępstwie, obowiązującym do dnia 1 stycznia 2014 r. ([2]), wskazano, że wymienione wykazy mają pochodzić z zainteresowanych państw członkowskich.

Projekt przepisów zawierający wykaz UE dotyczący kwalifikujących się państw, w odniesieniu do których państwa członkowskie zezwalają na przywóz surowców do produkcji kolagenu do spożycia przez ludzi, ma zostać w najbliższej przyszłości przedstawiony pod głosowanie w ramach Stałego Komitetu ds. Łańcucha Żywnościowego i Zdrowia Zwierząt. W projekcie tym określone zostaną również przepisy szczegółowe dotyczące zdrowia zwierząt w celu zminimalizowania ewentualnego ryzyka.

Ponadto wykaz UE dotyczący zakładów w państwach trzecich kwalifikujących się do wysyłki do Unii surowców pochodzenia zwierzęcego do produkcji kolagenu i żelatyny, przeznaczonych do spożycia przez ludzi, wejdzie w życie nie później niż w dniu 1 stycznia 2014 r. i będzie sporządzony na podstawie aktualnych wykazów państw członkowskich.

([1]) Dodatek III do załącznika VI do rozporządzenia Komisji WE nr 2074/2005 z dnia 5 grudnia 2005 r. ustanawiającego środki wykonawcze w odniesieniu do niektórych produktów objętych rozporządzeniem (WE) nr 853/2004 i do organizacji urzędowych kontroli na mocy rozporządzeń (WE) nr 854/2004 oraz (WE) nr 882/2004, ustanawiającego odstępstwa od rozporządzenia (WE) nr 852/2004 i zmieniającego rozporządzenia (WE) nr 853/2004 oraz (WE) nr 854/2004 (Dz.U. L 338 z 22.12.2005, str. 27).

([2]) Rozporządzenie Komisji (WE) nr 1162/2009 z dnia 30 listopada 2009 r. ustanawiające środki przejściowe do celów wykonania rozporządzeń (WE) nr 853/2004, (WE) nr 854/2004 oraz (WE) nr 882/2004 Parlamentu Europejskiego i Rady (Dz.U. L 314 z 1.12.2009, s. 10).

(English version)

Question for written answer E-002377/12
to the Commission
Małgorzata Handzlik (PPE)
(1 March 2012)

Subject: Import from third countries of split cowhides for the production of collagen casings intended for human consumption

Products of animal origin, such as split cowhide, are not available on the European market in sufficient quantities or at an adequate level of quality for European producers. For this reason, importing such products from third countries would be a natural response to demand in the European Union. For reasons of safety, it is obvious that such products must meet certain veterinary requirements. The lack of adequate regulations in this matter prevents products of animal origin from being purchased and is, therefore, a barrier to international trade.

European producers, especially in Poland, are currently facing obstacles when buying split cowhides from third countries, such as Brazil, Argentina, the United States, Russia, Belarus, Ukraine, Serbia and Croatia. Split cowhides are the basic raw material for the production of collagen casings intended for human consumption, which are widely used in the meat industry.

In this connection, I would like to ask the Commission:

1. When will work be completed on enshrining in EC law appropriate veterinary requirements for the importation of such products of animal origin from third countries?

2. Until such time as a list of third countries from which raw materials of animal origin may be imported for the production of collagen intended for human consumption is compiled, does the Commission propose an interim solution to prevent entrepreneurs from incurring losses owing to the lack of appropriate regulations, and to enable them to import the products at issue into the EU?

Answer given by Mr Dalli on behalf of the Commission
(26 April 2012)

In order to regulate imports of raw materials for the production of collagen for human consumption, the EU health certificate has been established ([1]). EU-lists of eligible countries and establishments have not yet been laid down. A derogation, in force up to 1 January 2014 ([2]), states that the lists shall be those of the Member State concerned.

A draft legislation containing the EU list of eligible countries from which Member States shall authorise the import of raw materials for the production of collagen for human consumption is expected to be presented for vote in the Standing Committee on the food chain and animal health in the near future. It shall also lay down specific provisions on animal health to minimise the possible emanating risk.

Finally, an EU list of establishments in third countries eligible to send to the Union raw materials of animal origin for the production of collagen and gelatine for human consumption shall enter into force no later than 1 January 2014 based on the current lists of the Member States.

([1]) Appendix III to Annex VI to Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27).

([2]) Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council (OJ L 314, 1.12.2009, p. 10).

(English version)

Question for written answer E-002383/12
to the Commission
Pat the Cope Gallagher (ALDE)
(1 March 2012)

Subject: Rules and regulations governing the application of social security schemes to employed frontier workers

Can the Commission outline in detail the rules governing the application of social security schemes to employed frontier workers and their families moving within the European Union, when no prior agreement exists between the relevant Member States?

Can the Commission outline the position the Irish and UK Governments have taken on this issue?

Can the Commission outline in detail the impact this has on frontier workers in the border region of Northern Ireland and the Republic of Ireland?

Answer given by Mr Andor on behalf of the Commission
(26 April 2012)

The social security rules that apply to frontier workers and their families moving within the European Union are laid down in Regulation (EC) No 883/2004 ([1]) and the implementing Regulation (EC) No 987/2009 ([2]). In cases which concern more than one Member State, the regulations stipulate which Member State's social security legislation applies. As a general rule, however, workers are covered by the social security legislation of the Member State in which they work, regardless of where they reside or where their employer is based. Inactive family members are in principle subject to the legislation of the Member State of residence.

Special rules apply for sickness and unemployment benefit. Applications for unemployment benefit from frontier workers are to be lodged in the Member State of residence. The Commission's proposal ([3]) to amend Regulations (EC) Nos 883/2004 and 987/2009 introduces a new provision for self-employed frontier workers whereby, if the Member State of residence has no insurance system in place, the Member State of last activity pays the unemployment benefit.

The Council reached agreement on a general approach on 1 December 2011 ([4]). For the positions of the UK and Irish Governments, the Commission would refer the Honourable Member to the statements entered in the Council minutes ([5]). The impact of the proposal for the UK and Ireland is limited, since the provisions would apply to self-employed frontier workers only.

([1]) Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1.
([2]) Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, OJ L 284, 30.10.2009, p. 1.
([3]) COM(2010) 794 final of 20 December 2010, OJ C 94, 26.3.2011, p. 7.
([4]) See Council conclusions of 1 and 2 December 2011 at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/126530.pdf
([5]) See Council Document 17998/11 ADD 1 at: http://register.consilium.europa.eu/pdf/en/11/st17/st17998-ad01.en11.pdf

(English version)

Question for written answer E-002389/12
to the Commission
Nick Griffin (NI)
(1 March 2012)

Subject: Value of art pieces in institutional buildings

Can the Commission clarify if in its working buildings there are any paintings and/or art pieces?

If so, how many?

Has the use of taxpayers' money to establish such collection ever been submitted to a vote?

How much in total was paid for the collection?

What is its current estimated worth?

Who decides which paintings to buy?

Does a set of guidelines exist for the European institutions as buyers?

If so, can the Commission provide me with a copy?

Is the acquisition programme continuing and, if so, how much has been allocated for purchase in 2012?

Answer given by Mr Šefčovič on behalf of the Commission
(19 April 2012)

The Commission does not acquire artwork, and there is no budget to do so.

The works or art in its Brussels buildings are either temporary, on loan, exhibitions or donations.

In Luxembourg, there are no paintings or other pieces of art acquired by the Commission services on the inventory administrated by the Commission services.

The Commission has hosted the 'Berlaymont Summa Artis' contemporary art collection since 2005. The collection is a loan by all Member States and is displayed in public areas of the Berlaymont building. It contains approximately 350 works of art and will stay in the Berlaymont until the end of the Barroso II Commission (2014). The artworks are transported into (and out of) the Commission premises at the expense of the Member States. The insurance of the works for the duration of the loan, EUR 5 000 annually, is the only expense paid for by the Commission.

So far very few works of art have been donated to the Commission. These are either protocol gifts received by Commissioners and redirected to the Protocol service, or work donated by artists. The Commission accepts these if the conservation, installation and exhibition conditions are acceptable and involve no extra costs.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002399/12
an die Kommission
Franziska Keller (Verts/ALE) und Michael Cramer (Verts/ALE)
(1. März 2012)

Betrifft: Freihändige Vergabe vom „Elektronetz Nord“ in Sachsen-Anhalt

Die Landesregierung von Sachsen-Anhalt hat am 30.11.2011 in freihändiger Vergabe einen Dienstleistungsauftrag für das „Elektronetz Nord“ in Sachsen-Anhalt an die DB Regio AG vergeben und dies am 2.12.2011 im Supplement zum Amtsblatt der Europäischen Union bekannt gegeben. Der Verband der privaten Bahnen „mofair“ hat gegen diesen Vertrag mit Datum vom 29.12.2011 Beschwerde bei der Europäischen Kommission eingelegt. Die Verfasser wenden sich an die Kommission mit ausdrücklicher Bitte um einzelne Beantwortung jeder Frage:

1. Ist die oben genannte freihändige Vergabe für das „Elektronetz Nord“ vereinbar mit Art. 5, Abs. 6 der VO (EG) Nr. 1370/2007? Ist die Begründung der sachsen-anhaltischen Landesregierung für eine freihändige Vergabe mit dem Argument einer „vorteilhaften Gelegenheit“ aus Sicht der Kommission ausreichend?

2. Ist die Begründung der freihändigen Vergabe durch die besonderen Konditionen zur Beschaffung von Doppelstockwaggons aus Sicht der Kommission hinreichend?

3. Bis wann wird die Kommission eine Entscheidung über die Einleitung eines förmlichen Verfahrens zur Prüfung der oben genannten Beschwerde von „mofair“ fällen?

4. Würde das unter Frage 3 genannte Verfahren, sobald es eingeleitet ist, aufschiebende Wirkung für die Gültigkeit des Vertrages zwischen dem Land Sachsen-Anhalt und der DB Regio AG haben? Wenn nein, warum nicht?

5. In ihrer Antwort auf die Kleine Anfrage des Abgeordneten Christoph Erdmenger (Drucksache 6/830) verweigert die Landesregierung Sachsen-Anhalt Auskünfte zu den Preisen verschiedener Dienstleistungsaufträge im Eisenbahnverkehr. Wie bewertet die Kommission die Transparenz der gewährten Vertragskonditionen mit Blick auf die Förderung des Wettbewerbs im EU-Binnenmarkt?

Antwort von Herrn Barnier im Namen der Kommission
(2. Mai 2012)

1. Die Mofair-Beschwerde wird von der Kommission derzeit geprüft. Sie bezieht sich in erster Linie auf die Anwendung der EU-Richtlinie 2004/18/EG ([1]) über die Vergabe öffentlicher Aufträge. Soweit die Verordnung Nr. 1370/2007 ([2]) Anwendung findet, berechtigt deren Artikel 5 Absatz 6 die zuständigen Behörden zur Direktvergabe öffentlicher Bahndienstleistungsaufträge, solange nationale Rechtsvorschriften dem nicht im Wege stehen. Nach Informationen der Kommission sind nach deutschem Recht Ausschreibungen vorgeschrieben. Die Kommission kann jedoch nicht beurteilen, ob die nationalen Gesetze von den deutschen Behörden eingehalten wurden.

2. Ob es mit dem EU-Recht vereinbar ist, eine Direktvergabe mit dem Hinweis auf eine besondere Gelegenheit zur Anschaffung von Doppelstockwagen zu begründen, hängt davon ab, inwieweit dieses EU-Recht anwendbar ist.

3. Sollte die Kommission einen etwaigen Verstoß gegen EU-Recht feststellen, wird sie die Bundesrepublik Deutschland über das informelle EUPilot-System kontaktieren und Informationen sowie eine rechtliche Bewertung anfordern. Nach Abschluss dieses Verfahrens würde gegebenenfalls über die Einleitung eines förmlichen Vertragsverletzungsverfahrens entschieden.

4. Ein Vertragsverletzungsverfahren nach den Artikeln 258 bis 260 AEUV wegen Verletzung der EU-Vergabevorschriften führt nicht automatisch zu einer Aussetzung des zwischen Sachsen-Anhalt und der DB Regio AG geschlossenen Vertrags.

([1]) Richtlinie 2004/18/EG des Europäischen Parlaments und des Rates vom 31. März 2004 über die Koordinierung der Verfahren zur Vergabe öffentlicher Bauaufträge, Lieferaufträge und Dienstleistungsaufträge, ABl. L 134 vom 30.4.2004, S. 114-240.

([2]) Verordnung (EG) Nr. 1370/2007 des Europäischen Parlaments und des Rates vom 23. Oktober 2007 über öffentliche Personenverkehrsdienste auf Schiene und Straße und zur Aufhebung der Verordnungen (EWG) Nr. 1191/69 und (EWG) Nr. 1107/70 des Rates, ABl. L 315 vom 3.12.2007, S. 1-13.

5. Über eine Weigerung der Landesregierung Sachsen-Anhalt, dem Abgeordneten Erdmenger Auskünfte zu den Bahndienstleistungsaufträgen zu erteilen, sind der Kommission keine Einzelheiten bekannt. Sie kann daher nicht beurteilen, ob eine solche Weigerung gegen EU-Recht verstößt. Für Bahndienstleistungsaufträge im Sinne von Anhang II Teil B der Richtlinie 2004/18/EG sind allerdings ausschließlich die Artikel 23 und Artikel 35 Absatz 4 maßgeblich. Letzterer schreibt u. a. vor, dass der Preis des besten Angebots veröffentlicht werden muss.

(English version)

Question for written answer E-002399/12
to the Commission
Franziska Keller (Verts/ALE) and Michael Cramer (Verts/ALE)
(1 March 2012)

Subject: Private-treaty contract for the 'Elektronetz Nord' northern electric rail network service in Saxony-Anhalt

On 30 November 2011, the regional government of Saxony-Anhalt concluded a private-treaty contract with DB Regio AG for the provision of the 'Elektronetz Nord' northern electric rail network service in Saxony-Anhalt, announcing this on 2 December 2011 in the Supplement to the *Official Journal of the European Union*. 'Mofair', the German association of private railway operators, complained to the European Commission about this contract on 29 December 2011. The above Members would appreciate it if the Commission would answer each of the following questions separately:

1. Is the aforementioned private treaty contract for the 'Elektronetz Nord' northern electric rail network service compatible with Article 5(6) of Commission Regulation (EC) No 1370/2007? In the view of the Commission, is the explanation of the Saxony-Anhalt regional government that a private-treaty contract is justified because it represents an 'advantageous opportunity' sufficient?

2. In the view of the Commission, is the justification of the private-treaty contract by reference to the special terms for procuring double-decker carriages sufficient?

3. By what date will the Commission decide on the initiation of a formal procedure to investigate the 'mofair' complaint?

4. Would the procedure mentioned in question 3, once initiated, have the effect of suspending the validity of the contract between Saxony-Anhalt and DB Regio AG? If not, then why not?

5. In its answer to the short question from MEP Christoph Erdmenger (document 6/830), the regional government of Saxony-Anhalt refuses to provide details of the prices for various rail service contracts. How does the Commission assess the transparency of the contractual conditions offered with regard to the promotion of competition within the EU internal market?

Answer given by Mr Barnier on behalf of the Commission
(2 May 2012)

1. The Commission currently analyses the Mofair-complaint. It concerns mostly the application of European Union (EU) Public Procurement Directive 2004/18/EC ([1]). Should Regulation 1370/2007 ([2]) be applicable, its Article 5(6) empowers competent authorities to directly award public service contracts for rail unless national legislation prohibits it. According to information available to the Commission German legislation requires the respect of competitive procedures. The Commission is not competent, however, to assess whether German authorities have complied with national law.

2. Whether the reference to the special opportunity to buy double-decker carriages to justify a direct award is compatible with European law will depend on the extent European law is applicable.

3. Should the Commission conclude on a possible breach of EC law, it shall contact the Federal Republic of Germany through the informal EUPilot system requesting information and a legal assessment. After this procedure a decision would be taken on the eventual opening of a formal infringement procedure.

4. An infringement procedure under Article 258 to 260 TFEU based on the violation of EU rules on public procurement does not have the automatic effect to suspend the validity of the contract between Saxony-Anhalt and DB Regio AG.

([1]) Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, OJ L 134, 30.4.2004, p. 114-240.
([2]) Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70, OJ L 315, 3.12.2007, p. 1-13.

5. The Commission is not aware of the details of a refusal of the regional government of Saxony-Anhalt to disclose to MEP Erdmenger details of rail service contracts. It therefore cannot assess the compatibility of such a refusal with EC law. However, rail service contracts falling within the scope of Annex II B of Directive 2004/18/EC are subject solely to Article 23 and Article 35(4). The latter includes in principle the obligation to publish the price of the winning tender.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002407/12
aan de Commissie
Barry Madlener (NI)
(1 maart 2012)

Betreft: Turkije begint te boren in Noord-Cyprus

1. Is de Commissie bekend met het bericht dat Turkije begint te boren naar gas en olie in Noord-Cyprus?

2. Is de Commissie met de PVV van mening dat het boren door Turkije in Noord-Cyprus illegaal is aangezien Turkije het noorden van Cyprus illegaal bezet? Zo neen, waarom niet?

3. Is de Commissie bereid om Turkije aan te spreken op en/of stappen te ondernemen tegen Turkije naar aanleiding van de boringen in Noord-Cyprus? Zo ja, welke stappen? Zo neen, waarom niet?

4. Is de Commissie met de PVV van mening dat al het gas en olie dat eventueel gevonden wordt ook toebehoort aan de Cyprioten van Griekse afkomst in tegenstelling tot de Turken die claimen dat dit niet zo is? Zo neen, waarom niet?

Antwoord van de heer Füle namens de Commissie
(10 april 2012)

De Commissie is op de hoogte van het project voor de onshore-olie— en gasexploratie in het noordelijke deel van Cyprus.

Wat de interactie tussen beide gemeenschappen betreft, verwijst de Commissie naar de recente conclusies van de Raad van 5 december 2011, die onderstrepen „dat Turkije zich ondubbelzinnig dient in te zetten voor goed nabuurschap en voor de vreedzame regeling van geschillen conform het Handvest van de Verenigde Naties en, indien nodig, door een beroep op het Internationaal Gerechtshof. In deze context verklaart de Unie ernstig bezorgd te zijn en wijst zij erop dat het belangrijk is dat elke soort bedreiging of maatregel tegen een lidstaat, elke bron van wrijvingen of maatregel die afbreuk kan doen aan de betrekkingen van goed nabuurschap of de vreedzame regeling van geschillen kan bemoeilijken, wordt vermeden."

De Commissie zal er bij alle belanghebbenden op blijven aandringen in deze zin te handelen.

De Commissie deelt de mening van president Christofias, die herhaaldelijk benadrukte dat de opbrengst van de exploratie van natuurlijke rijkdommen zou moeten worden verdeeld onder de twee gemeenschappen. Dit is van belang voor beide gemeenschappen en kan een stimulans vormen om werkelijk vooruitgang te boeken naar een alomvattende regeling.

(English version)

Question for written answer E-002407/12
to the Commission
Barry Madlener (NI)
(1 March 2012)

Subject: Turkey begins drilling in Northern Cyprus

1. Is the Commission familiar with the report that Turkey is beginning to drill for gas and oil in Northern Cyprus?

2. Does the Commission agree with the PVV that drilling by Turkey in Northern Cyprus is illegal, since Turkey is illegally occupying the northern part of Cyprus? If not, why not?

3. Is the Commission prepared to speak to Turkey and/or take action against Turkey as a result of the drilling in Northern Cyprus? If so, what action? If not, why not?

4. Does the Commission agree with the PVV that any gas and oil found also belongs to Cypriots of Greek origin, despite claims by the Turks to the contrary? If not, why not?

Answer given by Mr Füle on behalf of the Commission
(10 April 2012)

The Commission is aware that there are plans for onshore gas/oil explorations in the northern part of Cyprus.

As regards the interaction between both communities, the Commission refers to the recent Council conclusions of 5 December 2011, which underline 'that Turkey needs to commit itself unequivocally to good neighbourly relations and to the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice. In this context, the Union expresses serious concern and urges the avoidance of any kind of threat or action directed against a Member State, or source of friction or actions, which could damage good neighbourly relations and the peaceful settlement of disputes'.

The Commission will continue calling on all stakeholders to act in this sense.

The Commission shares the views of President Christofias who has repeatedly stressed that the revenue of any natural resource exploration should be shared between the two communities. This is of interest for both communities and can create an incentive to achieve real progress toward a comprehensive settlement.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002409/12
aan de Commissie
Auke Zijlstra (NI)
(1 maart 2012)

Betreft: Roadmap 2050

Ik dank commissaris Oettinger voor zijn antwoorden op mijn vragen over de „energy roadmap 2050" (E-000124/2012).

In zijn antwoord geeft commissaris Oettinger aan dat de energieprijzen tot 2030 zullen stijgen en dat daarna nieuwe energiesystemen in lagere prijzen kunnen resulteren.

1. Heeft de Commissie de kosten van nieuwe energiesystemen doorgerekend?

2. Van welke cijfers is de Commissie daarbij uitgegaan?

3. Met welke prijzen vergelijkt de Commissie de prijzen van de nieuwe energiesystemen (lagere prijzen dan wat?)?

4. Welke energiesystemen heeft de Commissie op het oog als zij het heeft over nieuwe energiesystemen?

De Commissie geeft in de tweede alinea van haar antwoord aan dat uiteindelijk de consumenten de kosten van de diensten en verbruikte producten zullen dragen. In een open en transparante markt betekent dit dat de consument de energieprijs betaalt die het produceren en leveren van de energie kost.

5. Geeft de Commissie daarmee aan dat de subsidies op (duurzame) energiedragers komen te vervallen? Zo ja, op welke termijn zal de Commissie deze subsidies opheffen?

6. Geeft de Commissie hiermee aan dat de fiscale belasting van energiedragers komt te vervallen? Zo ja, op welke termijn zal de Commissie maatregelen treffen om energieheffingen op te heffen?

Antwoord van de heer Oettinger namens de Commissie
(26 april 2012)

De scenario's in het Stappenplan Energie 2050 dienen ter illustratie; er worden twee scenario's op basis van „huidige tendensen" en vijf strategieën voor een koolstofarme economie geanalyseerd.

De aannamen die bij het maken van de modellen zijn gebruikt, worden omschreven in de effectbeoordeling en de bijbehorende bijlagen ([1]). De aannamen zijn gebaseerd op actuele databases en verscheidene onderzoeken, en worden regelmatig vergeleken met die van andere toonaangevende instellingen, zoals het Internationaal Energieagentschap (IEA).

Aangezien de prijzen voor fossiele brandstoffen over de hele wereld stijgen, kunnen nieuwe energiesystemen die zijn gebaseerd op verschillende koolstofarme technologieën (duurzame energiebronnen, kernenergie, energiecentrales op fossiele brandstoffen met systemen voor het afvangen en opslaan van CO_2) ertoe leiden dat de prijzen dalen. Algemeen gezegd zou door het overstappen op een koolstofarme economie de afhankelijkheid van ingevoerde fossiele brandstoffen afnemen, zodat de gevoeligheid voor prijsschommelingen van die brandstoffen terugloopt.

Steunregelingen zijn ook na 2020 eventueel nog nodig om ervoor te zorgen dat de markt de ontwikkeling en toepassing van nieuwe technologieën aanmoedigt, maar zullen geleidelijk worden afgebouwd zodra de technologieën en aanvoerketens tot wasdom zijn gekomen en marktproblemen zijn opgelost. Om efficiënt gebruik van energie te bevorderen, is er een gedragsverandering nodig, waarvoor verschillende maatregelen nodig blijven, zoals belastingvoordelen, subsidies en advies ter plekke door deskundigen.

([1]) http://ec.europa.eu/energy/energy2020/roadmap/index_en.htm

(English version)

Question for written answer E-002409/12
to the Commission
Auke Zijlstra (NI)
(1 March 2012)

Subject: Energy Road Map 2050

I would like to thank European Commissioner Oettinger for his answer to my questions about Energy Roadmap 2050 (E-000124/2012).

In his answer, Commissioner Oettinger indicates that energy prices will rise until 2030 and then new energy systems may lead to lower prices.

1. Has the Commission calculated the costs of new energy systems?

2. Which figures has the Commission used for this purpose?

3. With which prices does the Commission compare the prices of the new energy systems? (Lower prices in comparison with what other prices?)

4. Which energy systems does the Commission mean when it talks about new energy systems?

The Commission indicates in the second paragraph of its answer that consumers will ultimately bear the costs of the services and products consumed. In an open and transparent market, this means that the consumer pays the price equal to the cost of producing and supplying the energy.

5. Does the Commission mean that the subsidies for (sustainable) energy carriers will be dropped? If so, when will the Commission drop these subsidies?

6. Does the Commission mean that the tax levy on energy carriers will lapse? If so, when will the Commission take measures to abolish energy taxes?

Answer given by Mr Oettinger on behalf of the Commission
(26 April 2012)

The scenarios in the Energy Roadmap 2050, being of an illustrative nature, analyse two 'current trends' scenarios and five decarbonisation scenarios.

The assumptions used in the modelling are described in the impact assessment (IA) and its annexes ([1]). Assumptions are based on current databases, various studies and are regularly compared to other leading institutions such as, for example, the International Energy Agency (IEA).

As energy prices for fossil fuels are rising worldwide, new energy systems based on various low-carbon technologies (renewables, nuclear energy, fossil fuel power plants with Carbon Capture and Storage (CCS)) can lead to lower prices. Overall, under decarbonisation, exposure to fossil fuel price volatility would drop as import dependency falls.

Support schemes could continue to be necessary beyond 2020 to ensure that the market encourages the development and deployment of new technologies and will need to be phased out as technologies and supply chains mature and market failures are resolved. For energy efficiency, incentives to change behaviour, such as taxes, grants or on-site advice by experts will continue to be needed.

([1]) http://ec.europa.eu/energy/energy2020/roadmap/index_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002427/12
an die Kommission
Angelika Werthmann (NI)
(1. März 2012)

Betrifft: Rückgabe von Kunstwerken

Das kulturelle Erbe der EU und ihrer Mitgliedstaaten hat im Laufe der Jahrhunderte infolge von Kriegen, Invasionen und Kolonisierung gelitten.

Zu viele Kunstwerke befinden sich auch heute noch nicht an ihrem ursprünglichen Platz, sondern an anderen Orten in Europa oder auf anderen Kontinenten.

Das Schicksal des künstlerischen Erbes Europas darf nicht der Willkür oder der Großzügigkeit von Privatleuten überlassen werden.

Ebenso ist es nicht akzeptabel, dass manche nationale Organisationen Geld aufbringen müssen, um ihre Kunst zurückzukaufen.

Der Grundsatz der Solidarität scheint mit der oben beschriebenen Situation und den durch die wirtschaftliche Lage Europas verursachten wirtschaftlichen Zwängen nicht in Einklang zu stehen.

Wie beabsichtigt die Kommission dafür zu sorgen, dass Kunstwerke zur Förderung des gemeinsamen kulturellen Erbes Europas in die Mitgliedstaaten, aus denen sie stammen, zurückgeführt werden?

Antwort von Frau Vassiliou im Namen der Kommission
(26. April 2012)

Die Kommission räumt dem kulturellen Erbe einen hohen Stellenwert ein. Allerdings hat die Europäische Union im Kulturbereich nur begrenzte Befugnisse. Gemäß Artikel 167 des Vertrags über die Arbeitsweise der Europäischen Union (AEUV) beschränkt sich die Tätigkeit der Union darauf, die Zusammenarbeit zwischen den Mitgliedstaaten zu fördern und erforderlichenfalls deren Tätigkeit zu unterstützen und zu ergänzen, u. a. im Hinblick auf Erhaltung und Schutz des kulturellen Erbes von europäischer Bedeutung.

Die Richtlinie 93/7/EWG des Rates über die Rückgabe von unrechtmäßig aus dem Hoheitsgebiet eines Mitgliedstaats verbrachten Kulturgütern dient der Stärkung des Binnenmarktes. Sie wurde zu dem Zeitpunkt angenommen, als die Binnenschranken fielen (1. Januar 1993). Ein Schwerpunkt dieser Richtlinie liegt darauf, das Grundprinzip des freien Warenverkehrs gemäß Artikel 34 und 35 AEUV mit dem Schutz des nationalen Kulturguts nach Maßgabe von Artikel 36 AEUV in Einklang zu bringen. Die Richtlinie gilt für Kulturgüter, die als „nationales Kulturgut" eingestuft wurden und am oder nach dem 1. Januar 1993 unrechtmäßig aus dem Hoheitsgebiet eines Mitgliedstaats verbracht wurden. Sie sieht Regelungen für die Zusammenarbeit und ein Verfahren für die Rückgabe solcher Güter vor.

Im letzten Bericht über die Anwendung der Richtlinie 93/7/EWG aus dem Jahr 2009 wurde festgehalten, dass die Richtlinie überarbeitet werden muss, um die Rückgabe von Kulturgütern wirksamer zu gestalten ([1]). Die Kommission prüft derzeit verschiedene Möglichkeiten für ein Tätigwerden der EU und legt gegebenenfalls bis Ende 2012 einen Vorschlag für die Überarbeitung der genannten Richtlinie vor.

([1]) http://ec.europa.eu/enterprise/policies/single-market-goods/regulated-sectors/cultural-goods/

(English version)

Question for written answer E-002427/12
to the Commission
Angelika Werthmann (NI)
(1 March 2012)

Subject: Restitution of art pieces

The cultural heritage of the EU and its Member States has suffered over the centuries from the consequences of wars, invasions and colonisation.

Far too many art pieces are still found at different locations both in and outside the EU.

The fate of Europe's art heritage cannot be left to chance or to the generosity of private bidders.

It is equally unacceptable that some national organisations have to collect money to re-purchase their countries' art.

The above situation and the economic constraints arising from the economic situation facing the EU would appear to be at odds with the principle of solidarity.

How does the Commission intend to ensure that art pieces are returned to their Member State of origin, so as to promote Europe's common cultural heritage?

Answer given by Ms Vassiliou on behalf of the Commission
(26 April 2012)

The Commission holds cultural heritage to be of high importance. However, the European Union has limited competence in the cultural field. Article 167 of the Treaty on the Functioning of the European Union (TFEU) specifies that action by the Union is limited to encouraging cooperation between Member States and, if necessary, supporting and implementing their action, *inter alia*, with a view to the conservation and safeguarding of cultural heritage of European significance.

Council Directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a Member State is a measure in support of the internal market. It was adopted when internal frontiers were abolished on 1 January 1993. One of its main objectives is to reconcile the fundamental principle of free movement of goods, as laid down by Articles 34 and 35 of the TFEU, with the protection of national treasures, as set out in Article 36 of the TFEU. The directive, which applies to cultural objects classified as 'national treasures' unlawfully removed from the territory of a Member State on or after 1 January 1993, provides for cooperation mechanisms and a procedure for returning such objects.

The last reviewing report on the application of Directive 93/7/EEC concluded in 2009 that the directive needs to be revised to make it more effective for the return of cultural objects ([1]). Currently, the Commission is examining the various options for EU action and, if appropriate, it will put forward a proposal to revise the directive by the end of 2012.

([1]) http://ec.europa.eu/enterprise/policies/single-market-goods/regulated-sectors/cultural-goods/

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002446/12
προς την Επιτροπή
Kriton Arsenis (S&D)
(2 Μαρτίου 2012)

Θέμα: Νέα επιστημονικά στοιχεία δικαιολογούν την απαγόρευση της χρήσης της δισφαινόλης Α (BPA)

Νέες μελέτες έρχονται να προστεθούν σε μια σειρά ολοένα αυξανόμενων επιστημονικών στοιχείων από διάφορες έρευνες που καταδεικνύουν την επικινδυνότητα της δισφαινόλης Α (BPA) για τη δημόσια υγεία. Ισπανοί ερευνητές (Soriano et al., 2012) διαπίστωσαν ότι η BPA ακόμη και σε πολύ μικρές συγκεντρώσεις (<1ppb) διπλασιάζει την ινσουλίνη που εκκρίνει το πάγκρεας οδηγώντας σε παχυσαρκία και διαβήτη. Σε πειράματα με ανθρώπινα κύτταρα στο εργαστήριο, η απόκριση εμφανίστηκε πιο ισχυρή απ' ότι στα ποντίκια. Τα ευρήματα της έρευνας αποδεικνύουν ξεκάθαρα ότι η BPA δρα ως ορμονικός διαταράκτης μιμούμενη τη δράση των οιστρογόνων, ενώ τεκμηριώνεται ότι η BPA πρέπει να θεωρείται παράγοντας κινδύνου για πρόκληση μεταβολικών διαταραχών στον άνθρωπο. Πρόσφατη επιδημιολογική έρευνα που διεξήχθη στην Κίνα σε 3 390 ενήλικους από 40 χρόνων και άνω, έδειξε θετική συσχέτιση της BPA με γενική παχυσαρκία, κοιλιακή παχυσαρκία και αντίσταση στην ινσουλίνη (Wang et al., 2012). Επιπλέον, έρευνα των Kandaraki et al., (2010) συνδέει τη BPA με το σύνδρομο των πολυκυστικών ωοθηκών. Συγκεκριμένα, οι ερευνητές μελετώντας 71 γυναίκες με σύνδρομο πολυκυστικών ωοθηκών διαπίστωσαν ότι, σε σχέση με υγιείς γυναίκες ίδιας ηλικίας και βάρους, είχαν υψηλότερα επίπεδα της BPA στο αίμα τους.

Η Επιτροπή σε προηγούμενη ερώτησή μου (E-007861/2011) απάντησε ότι «βασιζόμενη στις σημερινές γνώσεις δεν θεωρεί ότι τα νομικά μέτρα, εκτός της απαγόρευσης της BPA σε βρεφικά μπιμπερό, είναι επιστημονικά δικαιολογημένα». Τόνισε ωστόσο, ότι «θα επανεξετάσει τη θέση της αν προκύψουν νέα σχετικά επιστημονικά στοιχεία». Οι πρόσφατες προαναφερθείσες έρευνες παρέχουν αρκετά στοιχεία στην Επιτροπή ώστε να εφαρμόσει την αρχή της προφύλαξης και να απαγορεύσει τη χρήση της BPA.

Λαμβάνοντας υπόψη τα ανωτέρω ερωτάται η Επιτροπή:

1. Είναι εν γνώσει της οι παραπάνω έρευνες;

2. Προτίθεται υπό το φως των νέων επιστημονικών στοιχείων να απαγορεύσει τη BPA και σε άλλες χρήσεις εκτός των βρεφικών μπιμπερό, ώστε να διαφυλάξει τη δημόσια υγεία από την έκθεση στον ορμονικό διαταράκτη BPA;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(3 Απριλίου 2012)

Η Επιτροπή γνωρίζει την έρευνα και η ΕΑΑΤ έχει ξεκινήσει πρόγραμμα παρακολούθησης των επιστημονικών εξελίξεων σχετικά με τη δισφαινόλη Α.

Η Επιτροπή παραπέμπει τον κύριο βουλευτή στο πρώτο μέρος της απάντησής της στη γραπτή ερώτηση E-010732/2011 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB

(English version)

Question for written answer E-002446/12
to the Commission
Kriton Arsenis (S&D)
(2 March 2012)

Subject: New scientific data justifying the ban on the use of bisphenol A (BPA)

New studies are adding to a constantly growing body of scientific research findings demonstrating the danger of bisphenol A to public health. Spanish researchers (Soriano et al., 2012) have shown that BPA, even in very small concentrations (<1 ppb), doubles the insulin that the pancreas produces, leading to obesity and diabetes. In experiments carried out on human cells in the laboratory, this response manifested itself even more strongly than in mice. The results of this research show very clearly that BPA acts as a hormone disruptor, mimicking the effects of oestrogen, and proves that BPA must be regarded as a dangerous product causing metabolic disruption in humans. Recent epidemiological research carried out in China on 3 390 adults aged 40 and over shows a definite connection between BPA and general obesity, abdominal obesity and resistance to insulin (Wang et al., 2012). In addition, research by Kandaraki et al. (2010) links BPA with polycystic ovary syndrome. Specifically, research on 71 women with polycystic ovary syndrome has shown that these women had higher levels of BPA in their blood than healthy women of the same age and weight.

The Commission answered my previous question (E-007861/2011) by saying that 'based on the current knowledge the Commission does not think that legal measures beyond the ban of BPA in infant feeding bottles are scientifically justified'. However, it emphasised that it 'would reconsider its position if new relevant scientific data emerge'. The recent studies mentioned above provide enough data to the Commission for it to apply the precautionary principle and ban the use of BPA.

In view of this:

1. Is the Commission aware of the above research?

2. In light of this new scientific data, does it intend to ban BPA for use other than in infant feeding bottles, in order to protect public health from exposure to the hormone disruptor BPA?

Answer given by Mr Dalli on behalf of the Commission
(3 April 2012)

The Commission is aware of the study and EFSA has an ongoing programme of monitoring of scientific developments on Bisphenol A.

The Commission would refer the Honourable Member to the first part of its reply to Written Question E-010732/2011([1]).

([1]) http://www.europarl.europa.eu/QP-WEB.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002484/12
προς την Επιτροπή
Niki Tzavela (EFD)
(5 Μαρτίου 2012)

Θέμα: Ακατάλληλα εμφυτεύματα

Εκατοντάδες χιλιάδες ασθενείς στον κόσμο μπορεί να έχουν εκτεθεί σε σημαντικά ποσοστά τοξικών μετάλλων λόγω ελαττωματικών εμφυτευμάτων ισχίου, μολονότι ο κίνδυνος αυτός ήταν γνωστός, προειδοποιούν σήμερα έπειτα από κοινή τους έρευνα η Βρετανική Ιατρική Επιθεώρηση (BMJ) και το BBC.

Η γαλλική εφημερίδα Le Figaro αποκαλύπτει επίσης ότι τα εμφυτεύματα ισχίου ASR που κατασκευάζονται από την DePuy Orthopaedics, θυγατρική της αμερικανικής Johnson & Johnson, τα οποία αποσύρθηκαν το 2009 από την αμερικανική και την αυστραλιανή αγορά, συνέχισαν να πωλούνται στη Γαλλία ως τον Ιούλιο του 2010.

Λαμβάνοντας υπόψη ότι τα εμφυτεύματα ισχίου, όπως τα εμφυτεύματα στήθους, βρίσκονται μεταξύ των ιατρικών αναλωσίμων και ως εκ τούτου δεν υπόκεινται στους ίδιους περιορισμούς με τα φάρμακα για την κυκλοφορία τους στην αγορά, ερωτάται η Επιτροπή σε ποιες ενέργειες μπορεί να προβεί ώστε να προστατευθούν οι ασθενείς στα κράτη μέλη της.

Κοινή απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(13 Απριλίου 2012)

Ούτε η Επιτροπή ούτε οι αρμόδιες αρχές των κρατών μελών ενημερώθηκαν το 2009 σχετικά με την απόσυρση από την αγορά της Αυστραλίας και των ΗΠΑ προθεμάτων ASR από μέταλλο για εμφυτεύματα ισχίου της εταιρίας DePuy. Η Επιτροπή επιδιώκει να βελτιώσει την ανταλλαγή πληροφόρησης με τους μεγαλύτερους εμπορικούς εταίρους της σχετικά με θέματα ασφαλείας που αφορούν ιατρικά εξαρτήματα στο πλαίσιο του πρόσφατα συσταθέντος διεθνούς φόρουμ για ιατρικά εξαρτήματα (International Medical Device Regulators Forum (IMDRF)) και μέσω διμερών διακανονισμών περί τήρησης του απορρήτου.

Επί του παρόντος, εξετάζεται η τροποποίηση των κανόνων που διέπουν τον διορισμό, την παρακολούθηση και τη λειτουργία των κοινοποιημένων φορέων καθώς επίσης και η επισκόπηση των μέτρων για τη βελτίωση της εποπτείας και της επιτήρησης της αγοράς στο πλαίσιο της αναθεώρησης του ευρωπαϊκού ρυθμιστικού πλαισίου για τα ιατρικά εξαρτήματα· η αναθεώρηση αυτή είχε προβλεφθεί στο πρόγραμμα εργασίας της Επιτροπής για το 2012 ([1]) ακόμα και πριν προκύψουν τα περιστατικά με τα ιατρικά εξαρτήματα της PIP και της DePuy.

Η Επιτροπή θεωρεί ότι μια διαδικασία έγκρισης εξαρτημάτων με σκοπό τη διάθεσή τους στην αγορά δεν θα μπορούσε να παρεμποδίσει τη σκόπιμη απάτη που διαπράττουν οι κατασκευαστές, όπως συνέβη με τα εμφυτεύματα στήθους της PIP.

Για περισσότερες εξηγήσεις, η Επιτροπή επιθυμεί να παραπέμψει το Αξιότιμο Μέλος στην απάντηση που εδόθη στην γραπτή ερώτηση P-001438/2012 ([2]).

([1]) COM(2011)777 τελικό της 15.11.2012.
([2]) http://www.europarl.europa.eu/QP-WEB

(Version française)

Question avec demande de réponse écrite E-002455/12
à la Commission
Gilles Pargneaux (S&D)
(2 mars 2012)

Objet: Vers une affaire de prothèses défectueuses pour les hanches

Les prothèses de hanche ASR fabriquées par DePuy Orthopaedics (filiale de la société américaine Johnson & Johnson), retirées des marchés australien et américain en 2009, ont continué à être vendues jusqu'en juillet 2010 en France.

Cette décision tardive a été motivée par la réception par les cliniques et les hôpitaux français d'une série de lettres de la division orthopédique en charge de la commercialisation de ces prothèses en juillet 2010. Ces lettres leur demandaient de ne plus poser leur produit. Deux mois plus tard, un nouveau courrier, plus alarmant, conseillait aux médecins de pratiquer des séries d'examens, de type IRM ou scanner, sur les patients présentant des symptômes.

Les prothèses ASR ont la particularité d'associer un couple de métal sur métal, un modèle réputé plus résistant que les autres associations à base de céramique, mais qui a l'inconvénient, du fait des frottements, de libérer des particules métalliques dans l'os et le sang des patients. Ces prothèses ont également montré un taux de remplacement plus important que d'autres.

Au total, selon DePuy, le nombre de patients ayant reçu une prothèse ASR en Europe est d'approximativement 40 000 et de 380 en France.

La Commission peut-elle indiquer si elle a été informée en 2009 du retrait des prothèses ASR des marchés américain et australien?

Les services de la Commission rédigent, actuellement, un règlement sur les dispositifs médicaux visant à accroître la surveillance de marché et à augmenter les capacités des organismes notifiés qui délivrent aux fabricants le certificat CE.

À la lumière des récentes affaires de prothèses défectueuses (ASR et PIP), la Commission envisage-t-elle maintenant de garantir le contrôle préalable d'un dispositif médical avant d'accorder son autorisation de mise sur le marché? Un contrôle préalable aurait-t-il pu empêcher la mise sur le marché des implants mammaires PIP et des prothèses ASR?

Réponse commune donnée par M. Dalli au nom de la Commission
(13 avril 2012)

Ni la Commission ni les autorités compétentes des États membres n'ont été informées en 2009 du rappel, sur les marchés australien et américain, des prothèses de la hanche ASR métal sur métal fabriquées par DePuy. La Commission s'efforce d'améliorer l'échange d'informations avec ses principaux partenaires commerciaux sur les questions de sécurité liées aux dispositifs médicaux dans le contexte de *l'International Medical Device Regulators Forum* (Forum des autorités de régulation des dispositifs médicaux), qui a été créé récemment, et par l'intermédiaire de dispositions bilatérales de confidentialité.

Une modification des règles régissant la désignation, le contrôle et le fonctionnement des organismes notifiés ainsi que des mesures destinées à renforcer la vigilance et la surveillance du marché sont en cours d'examen à l'occasion de la révision du cadre réglementaire de l'Union européenne sur les dispositifs médicaux, qui a été intégrée dans le programme de travail de la Commission pour 2012 ([1]) avant même que ne surviennent les incidents liés aux dispositifs médicaux PIP et DePuy.

La Commission estime qu'une procédure d'autorisation de mise sur le marché ne permettrait pas d'éviter la fraude intentionnelle commise par un fabricant comme dans le cas des implants mammaires PIP.

En outre, la Commission invite l'auteur de la question à prendre connaissance de la réponse à sa question écrite n° P-001438/2012 ([2]).

([1]) COM(2011) 777 final du 15.11.2012.
([2]) http://www.europarl.europa.eu/QP-WEB

(English version)

Question for written answer E-002455/12
to the Commission
Gilles Pargneaux (S&D)
(2 March 2012)

Subject: Concerning a case of defective hip replacements

The ASR hip replacements manufactured by DePuy Orthopaedics (a subsidiary of the US company Johnson & Johnson), withdrawn from the Australian and US markets in 2009, continued to be sold in France until July 2010.

This late decision was prompted by the receipt in July 2010 by French clinics and hospitals of various letters from the orthopaedic division responsible for marketing these replacements. These letters asked them to cease using their product. Two months later, a new, more alarming communication advised doctors to carry out a series of MRI examinations or CT scans on patients presenting symptoms.

The particular feature of ASR replacements is that they have metal on metal joints. This model is considered to be more resistant than other ceramic-based combinations, but it has the disadvantage, as a result of friction, of releasing metallic particles into patients' bones and blood. The replacement rate for these hip replacements has also been higher than for others.

In total, according to DePuy, approximately 40 000 patients have received an ASR replacement in Europe, 380 of them in France.

Can the Commission state whether it was informed in 2009 of the withdrawal of ASR replacements from the US and Australian markets?

The Commission is currently drafting a regulation on medical devices designed to increase market surveillance and the capacities of the notified bodies which issue CE certificates to manufacturers.

In the light of the recent cases of defective replacements (ASR and PIP), is the Commission now planning to require prior checks of medical devices before granting authorisation for them to be placed on the market? Could a prior check have prevented the PIP breast implants and the ASR hip replacements from being placed on the market?

Question for written answer E-002484/12
to the Commission
Niki Tzavela (EFD)
(5 March 2012)

Subject: Unsuitable implants

Hundreds of thousands of patients worldwide may have been exposed to significant quantities of toxic metals due to defects in hip implants, even though this risk was known, the British Medical Journal and the BBC warned today, following joint research.

The French newspaper *Le Figaro* has also revealed that the ASR hip implants produced by DePuy Orthopaedics, a subsidiary of the American firm Johnson & Johnson, had been withdrawn from the American and Australian markets in 2009 but were still on sale in France until July 2010.

Given that hip implants, like breast implants, fall into the medical consumables category and therefore are not subject to the same marketing restrictions as medicines, what action can the Commission take to protect patients in EU Member States?

Joint answer given by Mr Dalli on behalf of the Commission
(13 April 2012)

Neither the Commission nor the competent authorities of the Member States were informed in 2009 of the recall of DePuy's ASR metal-on-metal hip joint replacements from the Australian and US markets. The Commission is striving to improve information exchange with its major trading partners on safety issues related to medical devices in the context of the recently set up International Medical Device Regulators Forum (IMDRF) and through bilateral confidentiality arrangements.

A modification of the rules governing the designation, monitoring and functioning of Notified Bodies as well as measures to improve vigilance and market surveillance are under consideration in the context of the revision of the EU regulatory framework for medical devices, which had been included in the 2012 Commission Work Programme ([1]) even before the incidents with medical devices of PIP and DePuy occurred.

The Commission considers that a marketing authorisation procedure would not prevent deliberate fraud committed by a manufacturer as in the case of PIP breast implants.

For additional explanations, the Commission would refer the Honourable Members to its answer to Written Question P-001438/2012 ([2]).

([1]) COM(2011) 777 final, 15.11.2012.
([2]) http://www.europarl.europa.eu/QP-WEB

(Version française)

Question avec demande de réponse écrite E-002457/12
à la Commission
Sandrine Bélier (Verts/ALE) et Yannick Jadot (Verts/ALE)
(2 mars 2012)

Objet: Problèmes de financement de l'initiative Natura 2000 en France

Le financement de la gestion et de l'animation des sites Natura 2000 est primordial pour une mise en œuvre optimale des directives 92/43/CEE et 79/409/CEE, dites directives Habitats et Oiseaux, et le renforcement du réseau Natura 2000 dans l'Union européenne. Or, de nombreux élus locaux nous ont fait part de leurs préoccupations quant aux problèmes financiers auxquels ils doivent faire face dans ce contexte.

Ces problèmes sont de deux ordres. Les structures de gestion sont confrontées à des retards de paiement pouvant aller jusqu'à deux ans et ont à supporter des avances de trésorerie importantes. Ces retards ne concernent pas seulement Natura 2000; les mêmes problèmes ont été observés en ce qui concerne le versement des mesures agro-environnementales. Ces retards semblent être liés à des délais d'instruction de plus en plus longs, accentués par une complexification administrative.

Par ailleurs, la programmation des financements affectés à l'animation des sites Natura 2000 est annuelle, et les montants de ces enveloppes sont connus tardivement chaque année. Cela ne permet pas d'apporter une visibilité suffisante aux structures de fonctionnement.

Les retards de paiement et l'annualité des financements fragilisent ces structures mais rendent également les postes de chargé de mission qui en dépendent particulièrement précaires. En fin de compte, c'est l'ensemble de l'initiative Natura 2000, outil phare de l'Union européenne pour la protection de la biodiversité, qui est affaiblie.

À la suite des interpellations formulées par de nombreux acteurs et élus locaux sur ces questions de financement, la Commission peut-elle répondre aux questions suivantes?

1. Est-elle au courant des problèmes d'instruction et de paiements auxquels se heurte actuellement en France le financement de la gestion des sites Natura 2000?

2. Envisage-t-elle une action auprès des autorités françaises afin de mettre fin à ces retards de paiement et d'assurer une mise en œuvre effective des directives européennes relevant de Natura 2000?

3. Des engagements financiers pluriannuels pourraient-ils être envisagés afin de garantir la stabilité des équipes œuvrant pour Natura 2000, de créer les conditions favorables à la bonne marche des structures de gestion locales et d'assurer la pérennité de l'initiative Natura 2000?

4. Il était prévu que la Commission délivre une nouvelle communication sur le financement du réseau Natura 2000 à la fin de l'année 2011. Cette communication est-elle toujours à l'ordre du jour?

Réponse donnée par M. Potočnik au nom de la Commission
(7 mai 2012)

La gestion des sites Natura 2000 en France est cofinancée, entre autres, par le Fonds européen agricole pour le développement rural (Feader), à travers le Programme de Développement Rural Hexagonal. Les mesures agri-environnementales (mesure 214I) soutiennent la mise en œuvre de mesures de gestion concrètes dans ce domaine, et sont mises en œuvre sur une période de cinq ans. La mesure 323A vise à soutenir l'élaboration de plans de gestion et à promouvoir leur mise en œuvre. La mesure 227B «investissements non productifs, contrats Natura 2000» prévoit aussi des versements en relation avec Natura 2000. Elle peut être mise en œuvre au moyen d'engagements annuels ou pluriannuels avec les organismes chargés de ces tâches.

Les fonds sont gérés par les autorités françaises dans le respect des règles du Feader. Aucun retard de paiement n'a été officiellement notifié à la Commission. Si cela devait se produire, la Commission se mettrait en contact avec les autorités françaises.

La Commission européenne a publié un document de travail concernant le financement de Natura 2000 ([1]) au mois de décembre 2011. Ce document indique aux autorités des États membres plusieurs possibilités pour soutenir les sites Natura 2000.

([1]) http://ec.europa.eu/environment/nature/natura2000/financing/docs/consultation.pdf

La Commission a invité les États membres à recourir au cadre d'action prioritaire requis par la directive «Habitats» ([2]), cette méthode étant la plus appropriée pour assurer la planification stratégique nécessaire à la gestion des sites Natura 2000.

Ces documents pourraient également servir de base aux projets intégrés proposés dans le cadre du nouvel instrument LIFE.

([2]) JO L 206 du 22.7.1992, p. 1.

(English version)

Question for written answer E-002457/12
to the Commission
Sandrine Bélier (Verts/ALE) and Yannick Jadot (Verts/ALE)
(2 March 2012)

Subject: Funding problems with the Natura 2000 initiative in France

Funding for the management and promotion of Natura 2000 sites is vital for optimum implementation of Directives 92/43/EEC and 79/409/EEC, known as the Habitats and Birds Directives, and the strengthening of the Natura 2000 network in the European Union. Many locally elected representatives have told us of their concerns regarding the financial problems they have to deal with in this context.

These problems are of two kinds. Management bodies face payment delays that may be as long as two years and have to make significant advances of funds. These delays do not affect Natura 2000 alone; the same problems have been seen in relation to payments for agri-environmental measures. These delays seem to be connected with increasingly long processing times and are made worse by the ever more complex administration.

In addition, the allocation of funding for the promotion of the Natura 2000 sites is determined on an annual basis, and the amounts of these allocations are known only late each year. That does not provide sufficient visibility to the operating bodies.

The delays in payment and the fact that funding is determined on an annual basis weaken these bodies and also make the positions of policy officers, who are dependent on these, particularly precarious. In the end, it is the Natura 2000 initiative as a whole, the European Union's flagship tool for the protection of biodiversity, which is being weakened.

Following the questions from many stakeholders and locally elected representatives on these funding issues, can the Commission answer the following questions:

1. Is it aware of the current processing and payment problems in France in connection with the funding of the management of Natura 2000 sites?

2. Does it envisage taking action with the French authorities in order to end these payment delays and ensure the effective implementation of the European directives on Natura 2000?

3. Could multiannual financial commitments be envisaged in order to guarantee stability for the teams working for Natura 2000, create conditions facilitating the sound operation of local management bodies and ensure the sustainability of the Natura 2000 initiative?

4. There was a plan for the Commission to issue a new communication on the funding of the Natura 2000 network at the end of 2011. Is this communication still on the agenda?

Answer given by Mr Potočnik on behalf of the Commission
(7 May 2012)

The management of Natura 2000 sites in France is, among others, co-funded by the European Agricultural Fund for Rural Development (EARDF), through the French Rural Development Program ('Programme de Développement Rural Hexagonal'). Agri-environmental measures (Measure 214I) support the implementation of concrete management measures in the field, and are implemented over a five-year period. The measure 323A aims to support the establishment of management plans and the promotion of their implementation. Measure 227B — 'investissements non-productifs — contrats Natura 2000' also provides payments linked to Natura 2000. It may be executed through annual or multiannual commitments with the bodies in charge of such tasks.

The funds are managed by the French authorities within the framework of the rules of the EARDF. No payment delay has been officially reported to the Commission. If it happened the Commission would refer to the French authorities.

The European Commission issued a staff working paper on financing Natura 2000 ([1]) in December 2011. This paper outlined a number of possibilities for authorities in Member States to support Natura 2000 sites. The Commission has called on Member States to use the Priority Action Framework required by the Habitats Directive ([2]) as the most appropriate way to ensure the strategic planning required to manage Nature 2000 sites. These could also form the basis of the Integrated Projects proposed under the new LIFE instrument.

([1]) http://ec.europa.eu/environment/nature/natura2000/financing/docs/financing_natura2000.pdf
([2]) OJ L 206, 22.7.1992.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002458/12
alla Commissione
Giommaria Uggias (ALDE)
(2 marzo 2012)

Oggetto: Accreditamento di enti EVS da parte dell'Agenzia SALTO

A partire dal round 2 del 2011, la partecipazione ai progetti dell'azione 2 (Servizio Volontario Europeo) del programma «Gioventù in Azione» da parte dei paesi dell'area Caucasica ed ex Sovietica confinanti con l'Unione europea è stata subordinata al loro accreditamento come enti di invio o accoglienza da parte dell'Agenzia SALTO.

La guida del programma, sia nella versione 2011 che in quella 2012 appena pubblicata, prevede che la domanda di accreditamento debba essere presentata «almeno sei settimane» prima della presentazione delle richieste di finanziamento.

Nonostante tutte le agenzie nazionali e l'EACEA si siano finora attenute strettamente a tale termine, l'Agenzia SALTO sembra non rispettare affatto il termine di sei settimane. Gli enti che hanno richiesto l'accreditamento fra agosto ed ottobre 2011 a tutt'oggi non hanno ricevuto informazioni, né tantomeno sono state svolte le previste interviste informative.

Come intende intervenire la Commissione per evitare che il prolungarsi dei tempi di accreditamento da parte dell'Agenzia SALTO determini la possibilità di coinvolgere volontari ed enti dei suddetti paesi confinanti con l'Unione europea nell'azione «Servizio Volontario Europeo»?

Risposta data da Androulla Vassiliou a nome della Commissione
(3 maggio 2012)

Il gran numero di domande di accreditamento ricevute negli ultimi 15 mesi (198) ha determinato una situazione per cui SALTO non ha ancora potuto esaminare tali domande entro il termine indicativo di 6 settimane. Esso però segnala che tutti gli organismi i quali hanno deposto una domanda di accreditamento tra l'agosto e l'ottobre 2011 hanno ricevuto una risposta al più tardi il 25 gennaio 2012 che ha consentito loro di presentare una domanda di sovvenzione per la scadenza del 1o febbraio 2012.

Per far fronte al notevole aumento delle domande di accreditamento, quale registrato nel corso degli ultimi mesi, SALTO sta prendendo le disposizioni necessarie per aumentare le risorse umane destinate all'analisi delle domande. La Commissione intende monitorare la situazione.

(English version)

Question for written answer E-002458/12
to the Commission
Giommaria Uggias (ALDE)
(2 March 2012)

Subject: Accreditation of European Voluntary Service (EVS) organisations by the SALTO agency

As from round 2 of 2011, participation in action 2 (EVS) projects in the 'Youth in Action' programme by countries in the Caucasus and former Soviet Union countries bordering the European Union, has been subject to their accreditation by the SALTO agency as sending or host organisations.

The programme guide, both in the 2011 and 2012 version that has just been published, establishes that applications for accreditation must be presented 'at least six weeks' prior to submitting funding applications.

Despite the fact that all the national agencies and the EACEA have thus far complied strictly with these terms, the SALTO agency would appear not to be respecting the six-week deadline. The organisations that requested accreditation between August and October 2011 have not yet received information, nor have the envisaged informative interviews been conducted.

What action does the Commission intend to take to prevent the delay in accreditation times on the part of the SALTO agency from affecting the possibility of involving voluntary workers and organisations from the aforementioned countries bordering the European Union in European Voluntary Service activity?

(Version française)

Réponse donnée par M^me^ Vassiliou au nom de la Commission
(3 mai 2012)

Le nombre important des demandes d'accréditation reçues au cours des 15 derniers mois (198) a créé une situation où le SALTO n'a pas toujours pu analyser ces demandes dans le délai indicatif de 6 semaines. Toutefois, il signale que tous les organismes ayant déposé une demande d'accréditation entre août et octobre 2011 avaient reçu une réponse au plus tard le 25 janvier 2012, leur permettant de déposer une demande de subvention pour l'échéance du 1^er^ février 2012.

Pour faire face à l'accroissement notable des demandes d'accréditation, tel que constaté au cours des derniers mois, le SALTO est en train de prendre des dispositions pour augmenter les ressources humaines affectées à l'analyse de ces demandes. La Commission entend assurer un suivi de la situation.

(English version)

Question for written answer E-002464/12
to the Commission
Nicole Sinclaire (NI)
(2 March 2012)

Subject: National social security legislation

Re: amendment of Regulation (EC) No 883/2004 on the coordination of social security systems ([1]) and Regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 ([2]).

Member States frequently amend their national social security legislation. As a consequence, the references made to national legislation in EU legislation coordinating social security systems can become outdated, which will create legal uncertainty for stakeholders when applying the regulations in question.

The references in Regulations (EC) No 883/2004 and (EC) No 987/2009 therefore need to be updated in order correctly to reflect legal changes at national level and changes in the social security situation. The regulations can be updated only by means of a regulation. The aforementioned proposal seeks to update these regulations.

Can the Commission show that these procedures do not lead to over-regulation, which may adversely affect access to entitlements for SMEs or self-employed people under their national legislation?

Answer given by Mr Andor on behalf of the Commission
(23 April 2012)

The Honourable Member's point about the procedure for updating the annexes to Regulations (EC) Nos 883/2004 ([3]) and 987/2009 ([4]) in order to take changes to national legislation into account is indeed valid.

Article 92 of Regulation (EC) No 987/2009 provides that Annexes 1 to 5 to that regulation and Annexes VI to IX to Regulation (EC) No 883/2004 may already be amended by a Commission regulation at the request of the Administrative Commission on the Coordination of Social Security Systems. The other Annexes to these Regulations are updated by amending Regulations of the Council and the Parliament on a regular basis.

This regular updating of the annexes of the regulation is necessary to reflect changes in national legislation. Without such regular adaptations, the correct application of the EU social security coordination provisions to stakeholders, such as SMEs or self-employed persons, might be hampered.

The Commission is currently reflecting on possibilities to further facilitate the current procedures. However, any change to the procedural situation would require an amendment to those Regulations.

([1]) OJ L 166, 30.4.2004, p. 1.
([2]) OJ L 284, 30.10.2009, p. 1.
([3]) Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1.
([4]) Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, OJ L 284, 30.10.2009, p. 1.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002475/12
aan de Commissie
Auke Zijlstra (NI)
(2 maart 2012)

Betreft: Commissie dreigt met strafprocedure tegen Nederland

De Europese Commissie dreigt met een strafprocedure tegen Nederland als het de nieuwe regels voor arbeidsmigratie niet aanpast. Nederland wil arbeidsmigranten na 3 maanden kunnen uitzetten als zij in die tijd geen werk hebben gevonden. Maar volgens de Europese wetgeving hebben arbeidsmigranten minimaal 6 maanden de tijd om een baan te vinden of te bewijzen dat zij „een serieuze kans maken" op werk.

De Commissie heeft er ook bezwaar tegen dat Nederland EU-burgers die buiten Nederland wonen maar in Nederland werken, geen recht op sociale zekerheid wil geven.

1. Is de Commissie bekend met het bericht „Strafprocedure EU dreigt om migratie" ([1])?

2. Is de Commissie met de PVV van mening dat iemand die 2 maal per week, dus 24 maal in 3 maanden, naar een baan solliciteert, voldoende kans maakt op werk? Op grond waarvan kan iemand die 2 maal per week, dus maar liefst 48 maal in 6 maanden, solliciteert bewijzen nog kans te maken op het krijgen van een baan?

3. Is de Commissie met de PVV van mening dat een sociaal vangnet een integraal onderdeel van normale arbeidsverhoudingen is? Zo ja, waarop baseert de Commissie dat? Zo neen, waarom niet?

4. Welke visie heeft de Commissie op de houdbaarheid van het sociale stelsel van een relatief klein land, zoals Nederland, met aldus relatief veel buitenlandse arbeiders? Hoe beoordeelt de Commissie de houdbaarheid?

5. Prevaleert naar mening van de Commissie het vrije verkeer van arbeid óf de houdbaarheid van het sociale stelsel? Waarop baseert de Commissie haar mening?

Antwoord van de heer Andor namens de Commissie
(26 april 2012)

De Commissie is op de hoogte van het verslag „Strafprocedure EU dreigt om migratie" ([2]).

Conform the EU-wetgeving ([3]) en de jurisprudentie van het Hof van Justitie ([4]) heeft een werkzoekende het recht om een redelijke termijn in het gastland te verblijven en er naar werk te zoeken, zolang hij/zij kan bewijzen dat hij/zij nog steeds werk zoekt en een reële kans maakt te worden aangeworven. Of de persoon in kwestie aan deze criteria voldoet, moet per geval worden beoordeeld, met inachtneming van alle bijzondere omstandigheden. Het is dus niet mogelijk om van deze voorwaarde een algemene regel te maken die specificeert hoe vaak iemand moet solliciteren.

Op het gebied van de sociale zekerheid en de sociale bescherming van werknemers wordt het optreden van de lidstaten door de EU ondersteund en aangevuld ([5]). Het recht van de Unie beperkt de bevoegdheid van de lidstaten om hun socialezekerheidsstelsels in te richten niet. De lidstaten moeten echter bij de uitoefening van die bevoegdheid het recht van de Unie eerbiedigen, en met name de bepalingen van het VWEU betreffende het vrij verkeer van werknemers en die betreffende de vrijheid van elke burger van de Europese Unie om te reizen en te verblijven op het grondgebied van de lidstaten ([6]).

([1]) NRC Handelsblad, 29 februari 2012, blz. 1.
([2]) NRC Handelsblad, 29 februari 2012, blz. 1.
([3]) Richtlijn 2004/38/EG van het Europees Parlement en de Raad van 29 april 2004 betreffende het recht van vrij verkeer en verblijf op het grondgebied van de lidstaten voor de burgers van de Unie en hun familieleden.
([4]) Met name arrest van 26 februari 1991, Antonissen, C-292/89, Jurispr. blz. I-00745.
([5]) Overeenkomstig art. 153 VWEU.
([6]) Arrest van 23 november 2000, Elsen, C-135/99, Jurispr. blz. I-10409, punt 33.

Nederland heeft in vergelijking met het gemiddelde van de EU-15 ([7]) een lager percentage residerende niet-onderdanen ([8]): 0,5 % van de Nederlandse bevolking bestaat uit onderdanen van EU-10-landen ([9]) (het EU-15-gemiddelde is 0,6 %), 0,1 % uit EU-2-onderdanen ([10]) (het EU-15-gemiddelde is 0,7 %) en 2,1 % van de buitenlandse ingezetenen in Nederland is afkomstig uit derde landen (het EU-15-gemiddelde is 4,7 %).

Buitenlandse werknemers dragen ten volle bij aan belasting- en socialezekerheidsstelsels. De Commissie heeft geen bewijs ontvangen dat zij meer sociale voordelen genieten dan nationale onderdanen en het vrij verkeer van werknemers heeft dan ook geen negatieve impact op de duurzaamheid van het socialezekerheidsstelsel.

([7]) De lidstaten van de EU-15 zijn: België, Denemarken, Duitsland, Finland, Frankrijk, Griekenland, Ierland, Italië, Luxemburg, Nederland, Oostenrijk, Portugal, Spanje, het Verenigd Koninkrijk en Zweden.

([8]) Migratiestatistieken van Eurostat, aangevuld met Eurostat EU LFS, nationale gegevensbronnen en schattingen van DG Werkgelegenheid, sociale zaken en inclusie, zoals opgenomen in „Employment and Social Developments in Europe 2011", beschikbaar op: http://ec.europa.eu/social/main.jsp?catId=738&langId=nl nl& pubId=6176.

([9]) De EU-10-lidstaten zijn: Cyprus, Estland, Hongarije, Letland, Litouwen, Malta, Polen, Slovenië, Slowakije en Tsjechië.

([10]) De EU-2-landen zijn Bulgarije en Roemenië.

(English version)

Question for written answer E-002475/12
to the Commission
Auke Zijlstra (NI)
(2 March 2012)

Subject: Commission threatens criminal proceedings against the Netherlands

The European Commission is threatening to bring criminal proceedings against the Netherlands if it does not amend the new rules on labour migration. The Netherlands wants to be able to deport labour migrants after three months if they have not found work within that period. According to European legislation, however, labour migrants have at least six months to find a job or to prove that they 'have a serious chance' of finding work.

The Commission also objects to the Netherlands not wanting to give any entitlement to social security to EU citizens who live outside of the Netherlands but work in the Netherlands.

1. Is the Commission familiar with the report 'Strafprocedure EU dreigt om migratie' [EU threatens criminal proceedings over migration]? ([1])

2. Does the Commission agree with the PVV that a person who applies for a job two times a week, thus 24 times in three months, has a sufficient chance of finding work? On what basis can a person who applies for a job two times a week, thus a full 48 times in six months, prove that he/she still has a chance of getting a job?

3. Does the Commission agree with the PVV that a social safety net is an integral part of normal labour relations? If so, on what does the Commission base this view? If not, why not?

4. How does the Commission view the sustainability of a social security scheme of a relatively small country, such as the Netherlands, with a relatively large number of foreign workers? How does the Commission assess this sustainability?

5. In the Commission's view, what should prevail: the free movement of labour or the sustainability of the social security scheme? On what does the Commission base its opinion?

Answer given by Mr Andor on behalf of the Commission
(26 April 2012)

The Commission is familiar with the report 'Strafprocedure EU dreigt om migratie' ([2]).

According to EC law ([3]) and the case-law of the Court of Justice ([4]), a jobseeker is entitled to reside in the host Member State and look for a job there for a reasonable period of time, as long as he/she provides evidence that he/she is continuing to seek employment and that he/she has a genuine chance of being engaged. Whether the person concerned fulfils these criteria needs to be assessed on a case-by-case basis, taking all the particular circumstances into account. It is therefore not possible to specify this condition in a form of a general rule as to how often a person needs to apply for a job.

In the field of social security and social protection of workers, the EU supports and supplements the activities of the Member States ([5]). Union law does not limit the power of the Member States to organise their social security schemes. However, when exercising that power, the Member States must comply with Union law and, in particular, the TFEU provisions on freedom of movement for workers or again the freedom of every citizen of the European Union to move and reside in the territory of the Member States ([6]).

([1]) *NRC Handelsblad*, 29 February 2012, page 1.
([2]) *NRC Handelsblad*, 29 February 2012, page 1.
([3]) Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of Citizen of the Union and their family members to move and reside freely within the territory of the Member States.
([4]) In particular in Case *Antonissen*, C-292/89, 26 February 1991.
([5]) According to Article 153 TFEU.
([6]) Case C-135/99 *Elsen* [2000] ECR I-10409, paragraph 33.

The Netherlands has a comparatively lower number of resident non-nationals than the EU-15 ([7]) average ([8]): 0.5 % of the Dutch population are nationals from EU-10 ([9]) countries (the EU-15 average is 0.6 %), 0.1 % are EU-2 ([10]) nationals (the EU-15 average is 0.7), while 2.1 % of foreign residents in the Netherlands come from third countries (the EU-15 average is 4.7 %).

Foreign workers are fully contributing to tax and social security systems. The Commission has not received any evidence that they receive more social benefits than nationals and therefore there is no negative impact of free movement of workers on the sustainability of the social security scheme.

([7]) EU-15 Member States are: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and United Kingdom.

([8]) Eurostat migration statistics, supplemented by Eurostat EU LFS, national data sources and estimates from DG Employment, Social Affairs and Inclusion, as presented in Employment and Social Developments in Europe 2011, available at: http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=6176

([9]) EU-10 Member States are: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

([10]) EU-2 countries are Romania and Bulgaria.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002480/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(5 Μαρτίου 2012)

Θέμα: Νεανική και γυναικεία επιχειρηματικότητα στην Ελλάδα

Σύμφωνα με τα τελευταία δημοσιοποιημένα στοιχεία της Ελληνικής Στατιστικής Αρχής, τόσο οι νέοι έως 34 ετών όσο και οι γυναίκες συνολικά αποτελούν δύο πληθυσμιακές ομάδες που πλήττονται σημαντικά από την ανεργία. Η έντονη δυστοκία της ελληνικής αλλά και της ευρωπαϊκής αγοράς εργασίας στη δημιουργία νέων θέσεων απασχόλησης καθιστά τη στοχευμένη ανάπτυξη της επιχειρηματικότητας των δύο αυτών κατηγοριών, αφενός, βασική προϋπόθεση μεγέθυνσης της ευρωπαϊκής οικονομίας και, αφετέρου, αναγκαία συνθήκη για την επίτευξη (ή τουλάχιστον την προσέγγιση) του διακηρυγμένου στόχου της Ευρωπαϊκής Στρατηγικής ΕΕ 2020 για 75 % απασχολησιμότητα. Σε αυτό το πλαίσιο και με δεδομένο ότι το ΕΣΠΑ αποτελεί το βασικό εργαλείο επιχειρηματικής ενεργοποίησης, ερωτάται η Επιτροπή:

1. Διαθέτει στοιχεία για τα ποσοστά απορρόφησης κονδυλίων του ΕΣΠΑ που σχετίζονται με τη νεανική και τη γυναικεία επιχειρηματικότητα από τα κράτη μέλη;

2. Επεξεργάζεται ή πρόκειται να επεξεργαστεί ένα ενιαίο ευρωπαϊκό σχέδιο δράσης για την άρση ενδεχόμενων αντικινήτρων που περιορίζουν είτε την πρόσβαση είτε και τη συμμετοχή των δύο αυτών κρίσιμων κατηγοριών στα εν λόγω προγράμματα;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(25 Απριλίου 2012)

Οι επενδύσεις για την προώθηση της επιχειρηματικότητας στον πληθυσμό συνολικά και όχι μόνο στους νέους και στις γυναίκες εμπίπτουν στο πεδίο εφαρμογής της βοήθειας που παρέχεται από τα διαρθρωτικά ταμεία και είναι ένας από τους στόχους του ελληνικού Εθνικού Στρατηγικού Πλαισίου Αναφοράς (ΕΣΠΑ).

1. Σύμφωνα με τον κανονισμό (ΕΚ) αριθ. 1083/2006 ([1]), και ιδίως το άρθρο 58, το οποίο καθορίζει τις γενικές αρχές για τα συστήματα διαχείρισης και ελέγχου των επιχειρησιακών έργων, η διαχείριση στων τελευταίων είναι αρμοδιότητα του οικείου κράτους μέλους. Κατά συνέπεια, η επιλογή των μεμονωμένων έργων αποτελεί ευθύνη της διαχειριστικής αρχής για τα ΕΠ σε κάθε κράτος μέλος. Για να πληροφορηθεί ο κύριος βουλευτής τον βαθμό απορρόφησης των κονδυλίων για κάθε έργο, μπορεί να έλθει σε επαφή είτε με τη Γενική Γραμματεία Επενδύσεων και Ανάπτυξης του Υπουργείου Ανάπτυξης, Ανταγωνισμού και Ναυτιλίας, που επιβλέπει τη διαχείριση του ΕΣΠΑ, ή με την ΕΥΣΕΚΤ ([2]), την υπηρεσία συντονισμού και παρακολούθησης των προγραμμάτων του Ευρωπαϊκού Κοινωνικού Ταμείου στην Ελλάδα.

2. Δεν είναι σαφές σε ποια «αντικίνητρα που περιορίζουν» αναφέρεται ο κ. βουλευτής. Η Επιτροπή χρειάζεται περισσότερα στοιχεία για να απαντήσει στην ερώτηση.

([1]) Κανονισμός (ΕΚ) αριθ. 1083/2006, της 11ης Ιουλίου 2006, περί καθορισμού γενικών διατάξεων για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης, το Ευρωπαϊκό Κοινωνικό Ταμείο και το Ταμείο Συνοχής και την κατάργηση του κανονισμού (ΕΚ) αριθ. 1260/1999, ΕΕ L 210 της 31.7.2006, σ. 25.

([2]) Κοραή 4, 10564 Αθήνα· τηλ. +30 210-5271400· φαξ +30 210-5271420· ιστότοπος: www.esfhellas.gr· διεύθυνση ηλεκτρονικού ταχυδρομείου: eysekt@mou.gr

(English version)

Question for written answer E-002480/12
to the Commission
Konstantinos Poupakis (PPE)
(5 March 2012)

Subject: Business activity by young people and women in Greece

According to the most recent data published by the Greek Statistics Office, young people under the age of 34 and women as a whole are two population groups particularly affected by unemployment. Given the extreme difficulty regarding job creation on the Greek and European employment markets, specific measures to promote entrepreneurship in these two categories are essential for European economic growth and necessary to achieve (or at least approach) the 75 % employment objective stated in the Europe 2020 strategy. In this context, and given that the National Strategic Reference Framework (NSRF) is the fundamental tool for stimulating business activity:

1. Does the Commission have any information regarding the take-up of NSRF funding by Member States for the purpose of promoting entrepreneurship among young people and women?

2. Is it drawing up or will it draw up a single European action plan to remove any deterrents or obstacles to participation by these two crucial groups in the programmes in question?

Answer given by Mr Andor on behalf of the Commission
(25 April 2012)

Investments in promoting entrepreneurship among the population as a whole rather than just among young people and women falls within the scope of assistance provided by the Structural Funds and is one of the objectives of the Greek National Strategic Reference Framework (NSRF).

1. In accordance with Regulation (EC) 1083/2006 ([1]), and in particular Article 58 thereof, which lays down the general principles governing management and control systems for operational programmes (OPs), management of the latter is the responsibility of the Member State concerned. Consequently, the selection of individual projects is the responsibility of the managing authority for OPs in each Member State. To find out about the take-up of funding for individual projects, the Honourable Member should contact either the General Secretariat for investments and development of the Ministry of Regional Development, Competitiveness and Shipping, which oversees management of the NSRF, or EYSEKT ([2]), the coordination and monitoring authority for European Social Fund programmes in Greece.

2. It is unclear to what 'deterrents or obstacles' the Honourable Member is referring. The Commission would need more details in order to answer the question.

([1]) Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999, OJ L 210, 31.7.2006, p. 25.

([2]) 4 Korai Street, 10564 Athens; tel. +30 210-5271400; fax +30 210-5271420; website: www.esfhellas.gr; email: eysekt@mou.gr

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002482/12
προς την Επιτροπή
Niki Tzavela (EFD)
(5 Μαρτίου 2012)

Θέμα: Πρόγραμμα μετεκπαίδευσης δημοσίων υπαλλήλων

Ο ελληνικός δημόσιος τομέας χρειάζεται εκσυγχρονισμό, ιδιαίτερα σε αυτή τη δύσκολη οικονομική συγκυρία κατά την οποία πρέπει να γίνουν πολλές απολύσεις. Κατά τη διάρκεια της δεκαετίας του '90 εφαρμόστηκε το — συγχρηματοδοτούμενο από την ΕΕ — πρόγραμμα εκσυγχρονισμού του δημοσίου τομέα «Κλεισθένης».

Ερωτάται η Επιτροπή:

Θα μπορούσε να αναλάβει κάποια πρωτοβουλία η ΕΕ με σκοπό να καταρτιστούν ανάλογα προγράμματα εκσυγχρονισμού του ελληνικού δημοσίου τομέα και περαιτέρω κατάρτισης του προσωπικού που το στελεχώνει κατά τα πρότυπα του προγράμματος «Κλεισθένης» της δεκαετίας του '90;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(25 Απριλίου 2012)

Η προτεραιότητα «Ανάπτυξη των ανθρωπίνων πόρων στη δημόσια διοίκηση» στο επιχειρησιακό πρόγραμμα της ελληνικής διοικητικής μεταρρύθμισης (2007-13) που συγχρηματοδοτείται από το Ευρωπαϊκό Κοινωνικό Ταμείο ασχολείται αποκλειστικά με την κατάρτιση των δημόσιων υπαλλήλων στην Ελλάδα και τη βελτίωση της κατάρτισης που παρέχεται από το εθνικό κέντρο δημόσιας διοίκησης και αυτοδιοίκησης της Ελλάδας. Η προτεραιότητα αυτή, για την οποία χορηγήθηκαν 170 684 399 εκατομμύρια ευρώ, είχε τις καλύτερες επιδόσεις μεταξύ των άλλων προτεραιοτήτων στο επιχειρησιακό πρόγραμμα.

(English version)

Question for written answer E-002482/12
to the Commission
Niki Tzavela (EFD)
(5 March 2012)

Subject: Further training programme for civil servants

The Greek public sector is in need of modernisation, especially in these difficult economic times when mass redundancies have to be made. During the 1990s, the 'Kleisthenis' programme co-financed by the EU was implemented in order to modernise the civil service.

In view of this:

Could the EU initiate similar programmes for the modernisation of the Greek civil service and the further training of staff along the lines of the 'Kleisthenis' programme implemented in the 1990s?

Answer given by Mr Andor on behalf of the Commission
(25 April 2012)

The Development of Human Resources in Public Administration priority in the Greek Administrative Reform (2007-2013) operational programme part-financed by the European Social Fund is devoted exclusively to the training of Greek civil servants and to improving training provided by Greece's national centre for public administration and local authorities. EUR 170 684 399 has been allocated to the priority, which has performed best among those in the operational programme.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002489/12
à Comissão
João Ferreira (GUE/NGL)
(5 de março de 2012)

Assunto: Reprogramação de fundos estruturais

A Comissão Europeia admitiu a possibilidade de reprogramação de fundos estruturais, nomeadamente nos países alvo dos programas ditos de assistência financeira FMI-UE.

Relativamente a Portugal, solicito à Comissão que me informe sobre que fundos foram, até à data, reprogramados. Quais os programas e projetos envolvidos? Quais os montantes em causa em cada caso?

Resposta dada por Johannes Hahn em nome da Comissão
(13 de abril de 2012)

As intervenções dos fundos estruturais para o período de 2007/2013 podem ser reprogramadas, na sequência de um pedido por parte do Estado-Membro e da aprovação pela Comissão. Esta possibilidade aplica-se a todos os Estados-Membros e não apenas aos países que recebem assistência financeira ao abrigo dos programas do FMI-UE.

No que diz respeito a Portugal, a Comissão aprovou uma reprogramação global do Quadro de Referência Estratégico Nacional (QREN) em Dezembro de 2011, a fim de permitir adaptar melhor os programas à situação económica e financeira. A reprogramação incluiu os seguintes elementos:

— um aumento generalizado para 85 % das taxas de cofinanciamento (com algumas exceções) de ações prioritárias relacionadas com o investimento público, que levou a uma redução total dos requisitos do financiamento nacional relativamente ao período de 2007/2013, num montante superior a 2,5 mil milhões de euros;

— uma transferência de 331 milhões de euros provenientes do Fundo Europeu de Desenvolvimento Regional para o Fundo Social Europeu;

— uma revisão das prioridades no âmbito de alguns programas, a fim de aumentar a sua eficácia organizativa.

— alterações na carteira de investimentos em infra-estruturas dos transportes e do ambiente, devido ao cancelamento de grandes projetos de infra-estruturas de transportes. Os montantes financeiros correspondentes foram reafetados a programas e projetos.

Os reembolsos adicionais correspondentes, resultantes do aumento das taxas de cofinanciamento, já foram transferidos para Portugal.

Prevê-se uma reprogramação estratégica retificativa do QREN português em 2012.

(English version)

Question for written answer E-002489/12
to the Commission
João Ferreira (GUE/NGL)
(5 March 2012)

Subject: Reprogramming of structural funds

The Commission has stated that structural funds may be reprogrammed, in particular in countries receiving so-called financial assistance under IMF-EU programmes.

As regards Portugal, which funds have been reprogrammed to date? Which programmes and projects are involved? What are the amounts in question in each case?

Answer given by Mr Hahn on behalf of the Commission
(13 April 2012)

Structural Fund interventions for the 2007-2013 period can be reprogrammed, following a request from the Member State and the approval by the Commission. This is the case for all Member States and not only for those countries receiving financial assistance under IMF-EU programmes.

As regards Portugal, a global reprogramming exercise of the National Strategic Reference Framework (NSRF) was approved by the Commission in December 2011, to allow programmes to better address the economic and financial situation. The reprogramming included the following elements:

— a general increase of co-financing rates to 85 % (with some exceptions) for public investment related priority actions, which led to a total reduction of the national financing requirements, for the 2007-2013 period, of more than EUR 2.5 billion;

— a transfer of EUR 331 million from the European Regional Development Fund to the European Social Fund;

— a revision of priorities within certain programmes in order to increase organisational efficiency.

— changes in the transport and environment infrastructure investment portfolio, due to the cancellation of large transport infrastructure projects. The corresponding financial amounts were reallocated amongst programmes and projects.

The corresponding additional reimbursements, resulting from the increased co-financing rates, were already transferred to Portugal.

An additional strategic reprogramming of the Portuguese NSRF is planned for 2012.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris P-002490/12
adresată Comisiei
Claudiu Ciprian Tănăsescu (S&D)
(5 martie 2012)

Subiect: Impactul medicamentelor asupra mediului acvatic

O mare parte dintre principiile active ale medicamentelor pe care le consumăm sau le aruncăm sunt rezistente la tratamentul apelor uzate din stațiile de epurare. Din acest motiv, acestea ajung în râuri și mări unde acționează asupra faunei și florei acvatice, afectând înmulțirea peștilor sau omorând alte organisme vii.

În acest context salut inițiativa Comisiei (COM(2011)0876) de a interzice aruncarea anumitor substanțe farmaceutice utilizate în tratarea unor boli grave în apele de suprafață.

Totuși, doresc să întreb Comisa cum are în vedere să crească gradul de conștientizare al consumatorilor europeni cu privire la efectele directe și indirecte ale consumului lor de medicamente asupra mediului înconjurător?

Intenționează Comisia să creeze programe prin care să încurajeze un comportament responsabil atât al consumatorilor, cât și al farmaciilor astfel încât consumatorii să aleagă, dar și să poată să înapoieze la farmacii medicamentele pe care nu le utilizează sau al căror termen de prescripție a trecut, în loc să le arunce în pubelă sau în toalete?

Răspuns dat de dl Dalli în numele Comisiei
(2 aprilie 2012)

După cum este menționat în răspunsul Comisiei la întrebarea scrisă E-004499/2011 ([1]), Comisia lansează un studiu privind posibilele riscuri de efecte asupra mediului ale medicamentelor. Informații suplimentare cu privire la acest studiu sunt disponibile pe site-ul internet al Agenției executive pentru sănătate și consumatori ([2]).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([2]) http://ec.europa.eu/eahc/health/tenders_H12_2011.html

(English version)

Question for written answer P-002490/12
to the Commission
Claudiu Ciprian Tănăsescu (S&D)
(5 March 2012)

Subject: The impact of medicines on the aquatic environment

Most of the main active ingredients of the medicines that we consume or throw away are resistant to waste water treatment in sewage plants. For this reason, they get into rivers and seas where they impact on aquatic flora and fauna, affecting fish reproduction or killing other living organisms.

In this context, I welcome the initiative of the Commission (COM(2011) 0876) to prohibit the disposal in surface water of specific pharmaceutical substances used in the treatment of serious illnesses.

In view of this:

How does the Commission envisage raising the level of awareness amongst European consumers with respect to the direct and indirect effects of their medication consumption on the surrounding environment?

Does it intend to create programmes to encourage responsible behaviour, both by consumers and by pharmacists, giving consumers a choice and enabling them to return unused medicines or medicines whose expiry date has been exceeded to pharmacies, instead of throwing them in the bin or down the toilet?

Answer given by Mr Dalli on behalf of the Commission
(2 April 2012)

As explained in the Commission's answer to Written Question E-004499/2011 ([1]), the Commission is launching a study on the possible risks of environmental effects of medicinal products. More information on this study is available on the website of the Executive Agency for Health and Consumers ([2]).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([2]) http://ec.europa.eu/eahc/health/tenders_H12_2011.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-002491/12
a la Comisión
María Muñiz De Urquiza (S&D), Antonio Masip Hidalgo (S&D), Iratxe García Pérez (S&D), Inés Ayala Sender (S&D), Miguel Angel Martínez Martínez (S&D), Sergio Gutiérrez Prieto (S&D), Teresa Riera Madurell (S&D) y Ricardo Cortés Lastra (S&D)
(5 de marzo de 2012)

Asunto: Sello de seguridad europeo para el carbón

Teniendo en cuenta que el carbón es una fuente energética fundamental para Europa, que forma parte del mix energético europeo con una presencia entorno al 20 %, sumando el de extracción autóctona y el importado, y vistas las grandes inversiones que han realizado algunas empresas mineras europeas en materia de seguridad, que se han traducido en un descenso radical y continuado de las cifras de siniestralidad laboral.

¿Se ha planteado la Comisión la posibilidad de introducir un sello de seguridad europeo que acredite al carbón extraído en minas que cumplen con los máximos criterios de seguridad?

¿Es consciente la Comisión de que parte del carbón importado en la UE es extraído en explotaciones mineras que no cumplen estrictos criterios de seguridad?

¿Cree la Comisión que una iniciativa así contribuiría a incentivar este esfuerzo por evitar la siniestralidad laboral en las explotaciones mineras?

Respuesta del Sr. Oettinger en nombre de la Comisión
(26 de abril de 2012)

La Comisión comparte el interés de Sus Señorías en garantizar altos niveles de seguridad en la minería del carbón tanto dentro como fuera de la UE. En la legislación de la UE existen importantes disposiciones relativas a la mejora de la salud y la seguridad de los trabajadores ([1]), tales como una Directiva relativa a la protección de los trabajadores de las industrias extractivas a cielo abierto o subterráneas ([2]).

Aunque existen normas internacionales para ciertos equipos o tecnologías utilizados en la minería del carbón (por ejemplo, relativas a la protección contra incendios), no existe a nivel internacional una normativa de seguridad relativa a la seguridad global de las operaciones de la minería del carbón que permita una clasificación de las minas individuales, por lo que la Comisión no está en condiciones de evaluar el grado de seguridad de la producción de carbón importado en la UE. Al no disponerse de esta clasificación a nivel internacional, cualquier medida unilateral encaminada a examinar y calificar la seguridad de las minas debería evaluarse en el marco del Acuerdo sobre Obstáculos Técnicos al Comercio de la Organización Mundial del Comercio. La Comisión promueve activamente una cooperación técnica en favor de tecnologías de la minería del carbón limpias y seguras en los diálogos bilaterales sobre energía y cuestiones sociales que mantiene con países productores de carbón, tales como India y China.

([1]) Directiva 89/391/CEE del Consejo, de 12 de junio de 1989, relativa a la aplicación de medidas para promover la mejora de la seguridad y de la salud de los trabajadores en el trabajo, DO L 183 de 29.6.1989.

([2]) Directiva 92/104/CEE del Consejo, de 3 de diciembre de 1992, relativa a las disposiciones mínimas destinadas a mejorar la protección en materia de seguridad y de salud de los trabajadores de las industrias extractivas a cielo abierto o subterráneas (duodécima Directiva específica con arreglo al artículo 16, apartado 1, de la Directiva 89/391/CEE), DO L 404 de 31.12.1992.

(English version)

Question for written answer E-002491/12
to the Commission
María Muñiz De Urquiza (S&D), Antonio Masip Hidalgo (S&D), Iratxe García Pérez (S&D), Inés Ayala Sender (S&D), Miguel Angel Martínez Martínez (S&D), Sergio Gutiérrez Prieto (S&D), Teresa Riera Madurell (S&D) and Ricardo Cortés Lastra (S&D)
(5 March 2012)

Subject: European safety stamp for coal

Coal is a key energy source for Europe, accounting for around 20 % of the European energy mix when domestic extraction and imports are combined. In view of the major investment that some European mining companies have made in safety, leading to a radical and continued decline in workplace accident figures:

Has the Commission considered the possibility of introducing a European safety stamp endorsing coal extracted in mines that meet the highest safety standards?

Does the Commission know what proportion of coal imported into the EU is extracted in mines that do not meet strict safety criteria?

Does the Commission believe that such an initiative would help encourage these efforts to reduce accident rates in mines?

Answer given by Mr Oettinger on behalf of the Commission
(26 April 2012)

The Commission shares the interest of the Honourable Members in ensuring high safety standards in coal mining both inside and outside the EU. Substantial provisions on the improvement of workers' health and safety exist in EC law ([1]), including a specific directive on the protection of workers in surface and underground mineral-extracting industries ([2]).

Whilst international standards for certain equipment or technologies used in coal mining do exist (e.g. fire protection), there is no internationally agreed safety standard with respect to the overall safety of a coal mining operation that would allow for a classification of individual mines, and therefore the Commission is not able to assess the degree of safety involved in the production of coal imported to the EU. With no such classification available at an international level, any unilateral measure for examining and rating the safety of mines would have to be assessed in the context of the World Trade Organisation's Agreement on Technical Barriers to Trade. The Commission actively encourages technical cooperation on clean and safe coal mining technologies in its bilateral energy and social dialogues with coal-producing countries such as India and China.

([1]) Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989.

([2]) Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC), OJ L 404, 31.12.1992.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002493/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(5 Μαρτίου 2012)

Θέμα: Οι επιπτώσεις της ανεργίας στη σωματική και ψυχική υγεία των πολιτών — διασύνδεση με ποσοστά εγκληματικότητας και θνησιμότητας

Σύμφωνα με τα τελευταία διαθέσιμα στοιχεία της Eurostat η ανεργία στην Ευρωζώνη φαίνεται να ανέρχεται σε 10,7 % τον Ιανουάριο του 2012, καταγράφοντας το υψηλότερο ιστορικά ποσοστό. Μελετώντας σε ποιές χώρες καταγράφονται τα υψηλότερα ποσοστά ανεργίας, είναι εμφανές ότι πρόκειται για χώρες που έχουν πληγεί ιδιαίτερα από την παγκόσμια κρίση και χώρες που έχουν ενταχθεί στον ευρωπαϊκό μηχανισμό στήριξης. Η Ισπανία και η Ελλάδα παρουσιάζουν τα υψηλότερα ποσοστά ανεργίας (23.3 και 19.9 -Νοέμβριος του 2011— αντίστοιχα), με έναν στους δύο νέους κάτω των 25 ετών να βρίσκεται εκτός απασχόλησης και στις δύο χώρες. Πιο συγκεκριμένα στην Ελλάδα η ανεργία σημειώνει τη μεγαλύτερη ετήσια αύξηση, αγγίζοντας σχεδόν τις 6 ποσοστιαίες μονάδες. Σε αυτό το πλαίσιο καταγράφεται μια αύξηση των εγκληματικών ενεργειών, των ψυχικών παθήσεων ακόμα και των θανάτων που σύμφωνα με διάφορες έρευνες έχουν άμεση σχέση με την ανεργία.

Με βάση τα παραπάνω ερωτάται η Επιτροπή:

1. Διαθέτει στοιχεία αναφορικά με τις επιπτώσεις της ανεργίας στην ψυχική και σωματική υγεία των ευρωπαίων πολιτών και στα ποσοστά θανάτου;

2. Υπάρχει διασύνδεση μεταξύ ανεργίας και ποσοστών εγκληματικών ενεργειών και με ποιό τρόπο; Διαθέτει σχετικά ποσοτικά στοιχεία για το τελευταίο έτος;

3. Τί απορροφητικότητα εμφανίζουν τα κράτη μέλη αναφορικά με τα κονδύλια που διατίθενται από τα διαρθρωτικά ταμεία για την καταπολέμηση της ανεργίας και πιο συγκεκριμένα χώρες όπως η Ελλάδα;

4. Ποιες δράσεις έχουν προωθηθεί για τη διαφύλαξη της ψυχικής και σωματικής υγείας των ανέργων σε ευρωπαϊκό επίπεδο; Προτίθεται η Επιτροπή να προχωρήσει σε περαιτέρω πρωτοβουλίες δεδομένης και της αλματώδους αύξησης του προβλήματος;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(26 Απριλίου 2012)

1. Οι στατιστικές της Ευρωπαϊκής Ένωσης για το εισόδημα και τις συνθήκες διαβίωσης (SILC) ([1]) και τα δεδομένα της έρευνας για το εργατικό δυναμικό στην ΕΕ δείχνουν ότι υπάρχει σύνδεση μεταξύ της ανεργίας και των χαμηλότερων του μέσου όρου επιπέδων σωματικής και ψυχικής υγείας. Η Επιτροπή δεν υπολογίζει τα δεδομένα της ΕΕ για το ποσοστό θνησιμότητας ανά καθεστώς απασχόλησης. Από έρευνες που υποστηρίζονται από το 7ο πρόγραμμα-πλαίσιο για την έρευνα προκύπτει ότι η αύξηση της ανεργίας συνεπάγεται, βραχυπρόθεσμα, μείωση της θνησιμότητας, αλλά μακροπρόθεσμα, αύξηση της θνησιμότητας. Γενικά, οι μακροπρόθεσμες επιπτώσεις είναι πολύ μεγαλύτερες ([2]). Η ψυχική υγεία και ο χώρος εργασίας αποτελούν βασική προτεραιότητα του ευρωπαϊκού συμφώνου για την ψυχική υγεία και την ευεξία και έχουν πλέον αναγορευτεί σε προτεραιότητα σε μια κοινή δράση η οποία περιλαμβάνεται στις προτεραιότητες χρηματοδότησης στο πλαίσιο της πρόσκλησης υποβολής προτάσεων για το πρόγραμμα υγείας το 2013.

2. Η Επιτροπή δεν διαθέτει, ούτε γνωρίζει εάν υπάρχουν γενικές και ευρωπαϊκής κλίμακας στατιστικές που να καταδεικνύουν τη συσχέτιση των ποσοστών ανεργίας με τον αριθμό των αξιόποινων πράξεων που διαπράττονται εντός της ΕΕ. Ωστόσο, υπάρχουν ανεπίσημα στοιχεία που δείχνουν ότι υπάρχει σαφής έλλειψη αιτιώδους συνάφειας μεταξύ της φτώχειας/ανεργίας και των ποσοστών εγκληματικότητας τα οποία συνδέονται, ιδίως, με την παγκόσμια οικονομική κρίση σε διάφορα κράτη ([3]).

([1]) Στατιστικές της ΕΕ για το εισόδημα και τις συνθήκες διαβίωσης.

([2]) Bender AK, Economou A, Theodossiou I. «The permanent and temporary impact of the unemployment rate on mortality: the European experience» (Οι μόνιμες και οι προσωρινές επιπτώσεις του ποσοστού ανεργίας στη θνησιμότητα: η ευρωπαϊκή εμπειρία). Σχέδιο HEALTHatWORK. 7ο πρόγραμμα-πλαίσιο. Συμφωνία επιχορήγησης 200716.

([3]) Στη Γαλλία, είναι γνωστό ότι το Département (διοικητικό διαμέρισμα) Creuse είναι το φτωχότερο διαμέρισμα ενώ ταυτόχρονα παρουσιάζει το χαμηλότερο ποσοστό εγκληματικότητας. Το 2010, μετά την κορύφωση της οικονομικής κρίσης, τα στοιχεία δείχνουν ότι στο Ηνωμένο Βασίλειο οι επονομαζόμενες «αναμενόμενες επιπτώσεις» της ύφεσης δεν εμφανίστηκαν, δεδομένου ότι τα ποσοστά της εγκληματικότητας είναι τα χαμηλότερα των 30 τελευταίων ετών. Τόσο η British Crime Survey (BCS) (βρετανική έρευνα για την εγκληματικότητα), όσο και ο αριθμός των παραβάσεων που καταγράφηκαν από την αστυνομία έδειξαν πτώση κατά 7% της συνολικής εγκληματικότητας το 2009. Οι μεγαλύτερες μειώσεις που κατέγραψε η αστυνομία αφορούσαν τις κλοπές αυτοκινήτων (-16%) και τις εγκληματικές φθορές (-11%). Σύμφωνα με την BCS, η μεγαλύτερη μείωση αφορούσε τις κλοπές (-21%) και τις διαρρήξεις (-12%). Ο αριθμός των αδικημάτων που καταγράφηκαν από την αστυνομία το 2009 (4,4 εκατ.) αντιπροσωπεύει μείωση κατά 340 000 το 2009· ο αριθμός είναι χαμηλότερος του αντίστοιχου επιπέδου που είχε καταγραφεί το 1997. http://www.guardian.co.uk/uk/2010/apr/22/crime-falls-despite-recession-figures. Στις ΗΠΑ, χώρα με 7 εκατομμύρια περισσότερους ανέργους που στερούνται πραγματικής κοινωνικής κάλυψης και στην οποία δεκάδες χιλιάδες οικογένειες έχασαν τα σπίτια τους, η μείωση των ποσοστών εγκληματικότητας είναι ακόμη πιο εντυπωσιακή. Στη Νέα Υόρκη, οι ανθρωποκτονίες (-19% το 2009) βρίσκονται στο χαμηλότερο επίπεδο από το 1964, ενώ το ίδιο ισχύει για την Ουάσιγκτον (ανθρωποκτονίες: -17%). Παρόμοια μείωση παρατηρείται στη Βοστώνη και στο Σαν Φρανσίσκο. Στην περιοχή του Λος Άντζελες, όπου το ποσοστό ανεργίας αυξήθηκε σε 12,3% το

3. Το σύνολο των ενδιάμεσων πληρωμών για τα ελληνικά προγράμματα που χρηματοδοτούνται από το ΕΚΤ (Ευρωπαϊκό Κοινωνικό Ταμείο) ανέρχεται σε 921 εκατομμύρια ευρώ, ή στο 21 % των κονδυλίων που διατίθενται για την παρούσα περίοδο προγραμματισμού. Οι πιστώσεις ανέρχονται σε περίπου 3,2 δισεκατομμύρια ευρώ, ή στο 72,5 % του προϋπολογισμού για την περίοδο 2007-2013. Η συνολική απορρόφηση των πιστώσεων του ΕΚΤ στην Ελλάδα είναι 23,4 %. Η χρησιμοποίηση των πόρων του ΕΚΤ για δράσεις σχετικά με την προώθηση της απασχόλησης και για την υποστήριξη ευάλωτων ομάδων είναι 44,9 % και 12,3 % αντίστοιχα. Συμπληρωματικά στοιχεία διατίθενται στον ιστοχώρο του ΕΚΤ ([4]).

4. Το πρόγραμμα «Ανάπτυξη των ανθρώπινων πόρων 2007-2013» που χρηματοδοτείται από το ΕΚΤ, πέρα από την υποστήριξη δράσεων που αποσκοπούν στην ανάπτυξη των προσόντων των εργαζομένων και στη διευκόλυνση της πρόσβασης ευάλωτων ομάδων στην απασχόληση, επικεντρώνεται και στην αναβάθμιση των υπηρεσιών ψυχικής υγείας, στην ανάπτυξη της πρωτοβάθμιας υγειονομικής περίθαλψης και στον εκσυγχρονισμό των δημόσιων υπηρεσιών υγείας.

2009 (δηλ. πολύ περισσότερο από τον μέσο όρο της χώρας), οι ανθρωποκτονίες μειώθηκαν κατά 25%· οι κλοπές αυτοκινήτων μειώθηκαν επίσης κατά 20%. Για το 2011 βλέπε: http://www.nytimes.com/11/05/24/us/24crime.html.

([4]) http://ec.europa.eu/esf/main.jsp?catId=31&langId=en.

(English version)

Question for written answer E-002493/12
to the Commission
Konstantinos Poupakis (PPE)
(5 March 2012)

Subject: The impact of unemployment on citizens' physical and mental health — the link with crime and mortality rates

According to the latest Eurostat data, the unemployment rate in the eurozone appears to stand at 10.7 % as of January 2012, the highest rate ever recorded. A scrutiny of the countries recording the highest unemployment rates will show that these are a) countries particularly affected by the global crisis and b) countries which have been included in the European support mechanism. Spain and Greece have the highest rates of unemployment (23.3 % and 19.9 % respectively, as of November 2011), with one in two young people under the age of 25 out of work in both countries. Specifically, unemployment in Greece has seen the highest annual increase — almost 6 %. In this context, an increase in criminal acts, mental illnesses and even deaths has been recorded which, according to various studies, is directly linked to unemployment.

In view of the above, will the Commission say:

1. Does it have any data on the impact of unemployment on the physical and mental health of European citizens and on mortality rates?

2. Is there a link between unemployment and the number of criminal acts, and how are they connected? Does it have the relevant quantitative data for last year?

3. What has been the take-up rate for Structural Fund resources to combat unemployment in Member States — in particular, countries such as Greece?

4. What actions have been promoted to protect the physical and mental health of unemployed people at European level? Does it intend to launch further initiatives, given the rapid worsening of the problem?

Answer given by Mr Andor on behalf of the Commission
(26 April 2012)

1. European Union (EU) SILC ([1]) and EU Labour Force Survey data show an association between unemployment and lower average levels of physical and mental health. The Commission does not calculate EU data on mortality rate by employment status. Research supported by the 7th Research Framework Programme shows that the temporary effect of an increase in unemployment is lower mortality; the permanent effect increased mortality, with the permanent effect is generally much larger ([2]). Mental health and the workplace is a key priority of the European pact on mental health and well being and is now taken up as a priority in a Joint Action which is included in the funding priorities for the 2013 call of the health programme.

2. The Commission is neither in possession of nor aware of any general and European wide statistics which establish a link between unemployment rates and the number of criminal acts committed within the EU. There is however anecdotal evidence of a clear lack of causality between poverty/unemployment and crime rates notably linked to the global financial crisis in various States ([3]).

([1]) EU Statistics on Income and Living Conditions.

([2]) Bender AK, Economou A, Theodossiou I. The permanent and temporary impact of the unemployment rate on mortality: the European experience. HEALTHatWORK project. 7th Framework Programme. Grant agreement 200716.

([3]) In France, the Creuse Département is known to be both the poorest and the one knowing the lowest crime rate. In 2010 after the peak of the financial crisis, figures in the UK show that 'so-called expected effects' of recession have not come as crime rates reach a 30-year low. Both the British Crime Survey (BCS) and the number of offences recorded by police show a 7% fall in overall crime in 2009. The biggest falls recorded by the police were in car crime (down 16%) and criminal damage (down 11%). On the BCS the largest falls were in theft from the person (down 21%) and burglary (down 12%). The number of offences recorded by the police in 2009, 4.4m, represents a fall of 340,000 in 2009, below the crime level recorded in 1997. http://www.guardian.co.uk/uk/2010/apr/22/crime-falls-despite-recession-figures
In the USA, a country counting 7 million more unemployed without real social cover and where several ten thousands of families lost their home, the drop in crime rates is even more telling. In New York, homicides (-19 % in 2009) at are their lowest since 1964, same for Washington DC (homicides -17 %). Similar drops are observed in Boston and San Francisco. In the Los Angeles county, where the unemployment rate rose of 12.3 % in 2009, (i.e. much more than at the national level), homicides fell of 25 %; cars thefts also fell off 20 %. For 2011 see: http://www.nytimes.com/2011/05/24/us/24crime.html.

3. The total interim payments for Greek ESF-financed (European Social Fund) programmes amounts to EUR 921 million, or 21 % of the allocation for the present programming period. Commitments amount to almost EUR 3.2 billion, or 72.5 % of the budget for 2007-2013. Total financial absorption for the ESF in Greece is 23.4 %. The take up for actions to promote employment and to support vulnerable groups is 44.9 % and 12.3 % respectively. Further data can be found on the ESF website ([4]).

4. The programme 'Development of Human Resources 2007-2013' financed by the ESF, apart from supporting actions designed to develop the qualifications of workers and facilitating access to employment for vulnerable groups, also focuses on the upgrading of mental health services, the development of primary healthcare and the modernisation of public health services.

([4]) http://ec.europa.eu/esf/main.jsp?catId=31&langId=en.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002494/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Μαρτίου 2012)

Θέμα: Αξιοποίηση του κοινοτικού προϋπολογισμού για την βελτίωση της ανταγωνιστικότητας στην Ελλάδα

Κατά το κλείσιμο του κοινοτικού προϋπολογισμού για το 2011 παρατηρήθηκε σε πολλά κράτη μέλη αυξημένος βαθμός δεσμεύσεων αλλά και πληρωμών σε αναπτυξιακούς τομείς κα και ιδίως στην έρευνα, στην ανταγωνιστικότητα, στην καινοτομία και στην Δια Βίου Μάθηση.

Ερωτάται η Επιτροπή:

1. Σε σύγκριση με τους εταίρους της, η Ελλάδα αποδείχθηκε ότι, κατά το 2011, έδωσε και αυτή περισσότερη έμφαση σε έργα των συγκεκριμένων τομέων;

2. Ποιες χώρες προσανατολίστηκαν περισσότερο στην αξιοποίηση πόρων για την αύξηση της ανταγωνιστικότητας της οικονομίας τους και ποιες λιγότερο;

Απάντηση του κ. Lewandowski εξ ονόματος της Επιτροπής
(25 Απριλίου 2012)

Η Επιτροπή αντιλαμβάνεται ότι η ερώτηση του Αξιότιμου Μέλους είναι σχετική με το ενημερωτικό σημείωμα «Εκτέλεση του προϋπολογισμού στο τέλος του 2011» που διαβίβασε στο Κοινοβούλιο ο αρμόδιος Επίτροπος για τον δημοσιονομικό προγραμματισμό και τον προϋπολογισμό στις 29 Φεβρουαρίου 2012, και συγκεκριμένα με την παράγραφο που περιγράφει την κατάσταση στον τομέα 1α «Ανταγωνιστικότητα για την ανάπτυξη και την απασχόληση» για τους τομείς πολιτικών όπως η έρευνα, η ανταγωνιστικότητα, η καινοτομία και η δια βίου μάθηση ([1]).

Η μεγάλη πλειοψηφία των προγραμμάτων του τομέα 1α «Ανταγωνιστικότητα για την ανάπτυξη και την απασχόληση» είναι σχετική με χρηματοδότηση που χορηγήθηκε απευθείας μέσω ανοικτής πρόσκλησης υποβολής προτάσεων ή προσκλήσεων εκδήλωσης ενδιαφέροντος που είχαν κυρίως ως στόχο διακρατικά σχέδια με πολλαπλούς δικαιούχους σε περισσότερα από ένα κράτη μέλη. Αυτό διαφέρει από τις δαπάνες που εντάσσονται στο πλαίσιο της πολιτικής της συνοχής όπου τα κονδύλια χορηγούνται στο κάθε κράτος μέλος και προγραμματίζονται από αυτό.

Η Επιτροπή δημοσιεύει κάθε χρόνο οικονομική έκθεση που περιέχει τις εκτιμήσεις δαπανών κατανεμημένες ανά τομέα του πολυετούς δημοσιονομικού πλαισίου και ανά κράτος μέλος βάσει της πραγματικής εκτέλεσης προϋπολογισμού. Η πιο πρόσφατη διαθέσιμη οικονομική έκθεση καλύπτει τις δαπάνες του έτους 2010 ([2]). Η οικονομική έκθεση για το έτος 2011 θα δημοσιευτεί τον Σεπτέμβριο του 2012.

([1]) INFO (2012) 16/4. Ενημερωτικό σημείωμα: «Εκτέλεση του προϋπολογισμού στο τέλος του 2011», σελίδα 5. http://ec.europa.eu/budget/library/biblio/documents/2011/implementation_2011_final_en.pdf.

([2]) http://ec.europa.eu/budget/library/biblio/publications/2010/fin_report/fin_report_10_en.pdf Βλέπε ειδικά τον πίνακα στη σελίδα 73.

(English version)

Question for written answer E-002494/12
to the Commission
Georgios Papanikolaou (PPE)
(5 March 2012)

Subject: Use of the Community budget to boost competitiveness in Greece

When EU budget accounts for 2011 were closed, it was found that many Member States had allocated more commitment and payment appropriations to development sectors, especially research, competitiveness, innovation and lifelong learning.

In view of the above, will the Commission say:

1. Is Greece one of the countries which were found to have concentrated more on projects in these specific sectors in 2011 than its partners?

2. Which countries were more and which less oriented towards using resources to boost their economic competitiveness?

Answer given by Mr Lewandowski on behalf of the Commission
(25 April 2012)

The Commission understands that the question of the Honourable Member refers to the Information Note 'Budget Implementation as at End 2011', transmitted to Parliament by the Commissioner in charge of financial programming and budget on 29 February 2012, and in particular on the paragraph describing the situation for Heading 1a 'Competitiveness for Growth and Employment' for policy areas such as research, competitiveness, innovation and lifelong learning ([1]).

The vast majority of the programmes under Heading 1a 'Competitiveness for Growth and Employment' covers funding directly granted through open call for proposals or calls for interest mostly aimed at transnational projects, with multiple beneficiaries in several member states. That differs from expenditure under Cohesion Policy where funds are allocated to and programmed by each member state.

The Commission publishes every year a Financial Report containing estimates of expenditure allocated by heading of the multiannual financial framework and by member state on the basis of the actual budget execution. The latest Financial Report available cover expenditure related to the year 2010 ([2]). The Financial Report covering the year 2011 will be published in September 2012.

([1]) INFO (2012) 16/4. Information Note: Budget Implementation as at End 2011, page 5.
http://ec.europa.eu/budget/library/biblio/documents/2011/implementation_2011_final_en.pdf

([2]) http://ec.europa.eu/budget/library/biblio/publications/2010/fin_report/fin_report_10_en.pdf
See in particular table on page 73.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002495/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Μαρτίου 2012)

Θέμα: Αξιοποίηση του κοινοτικού προϋπολογισμού για το έτος 2011

Σύμφωνα με την ανακοίνωση της Επιτροπής στις 29.2.2012, κατά τον προϋπολογισμό του 2011, παρά το ικανοποιητικό ποσοστό αξιοποίησης, 375 εκατομμύρια ευρώ παρέμειναν αναξιοποίητα.

Ερωτάται η Επιτροπή:

1. Είναι σε θέση να με ενημερώσει για τους τομείς όπου παρουσιάστηκε η απόκλιση των 375 εκατομμυρίων ευρώ;

2. Ποίοι είναι οι λόγοι αδυναμίας αξιοποίησης των συγκεκριμένων πόρων;

Απάντηση του κ. Lewandowski εξ ονόματος της Επιτροπής
(20 Απριλίου 2012)

1. Ο πίνακας 1 του ενημερωτικού σημειώματος «εκτέλεση του προϋπολογισμού στο τέλος του 2011» ([1]) παρουσιάζει κατανομή ανά τομέα του δημοσιονομικού πλαισίου για τα έτη 2007-2013 για το συνολικό ποσό των 375 εκατομμυρίων ευρώ που δεν χρησιμοποιήθηκαν το 2011 (σε πληρωμές). Οι πίνακες (2 έως 8) του ενημερωτικού σημειώματος παρέχουν τις ίδιες πληροφορίες ανά πρόγραμμα, με περισσότερες λεπτομέρειες. Αυτό το σημείωμα διαβιβάστηκε στον Πρόεδρο της Επιτροπής Προϋπολογισμών από τον Επίτροπο για θέματα προϋπολογισμού και δημοσιονομικού προγραμματισμού στις 29 Φεβρουαρίου 2012.

2. Στο τέλος του 2011, όπως αναφέρεται στην απάντηση προς την ερώτηση E-002497/2012 ([2]), η Επιτροπή έλαβε ασυνήθιστα μεγαλύτερο αριθμό αιτήσεων για πληρωμές απ' ό,τι τα προηγούμενα χρόνια. Θα μπορούσε να έχει πληρώσει περίπου 5 δισεκατομμύρια ευρώ περισσότερα για πολιτική συνοχής απ' όσα πλήρωσε, αν το είχαν επιτρέψει ο αριθμός των πιστώσεων πληρωμών του προϋπολογισμού του 2011 και οι κανόνες που εφαρμόζονται στις μεταβιβάσεις.

([1]) INFO(2012)16/4. http://ec.europa.eu/budget/library/biblio/documents/2011/implementation_2011_final_en.pdf
([2]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002495/12
to the Commission
Georgios Papanikolaou (PPE)
(5 March 2012)

Subject: Utilisation of 2011 Community budget resources

According to the Commission communication of 29 February 2012, despite satisfactory take-up rates, EUR 375 million from the 2011 budget has remained unused.

Will the Commission say:

1. It is in a position to say which sectors account for the EUR 375 million discrepancy?

2. Why was it not possible to use these specific resources?

Answer given by Mr Lewandowski on behalf of the Commission
(20 April 2012)

1. Table 1 of the Information Note 'Budget implementation as at end 2011' ([1]) shows a distribution by heading of the Financial Framework for 2007-2013 for a total of EUR 375 million not used in 2011 (payments). Tables (2-8) of the Information Note provide details of the same information per program. This note was transmitted by the Commissioner in charge of Financial Programming and Budget to the President of the Committee on Budgets on 29 February 2012.

2. At the end of 2011, as explained in the reply to Answer E-002497/2012 ([2]), the Commission received an unusually higher amount of payment requests than previous years. It could have paid about EUR 5 billion more for cohesion policy than was the case, had the level of payment appropriations in the 2011 budget and the rules applicable to transfers allowed for it.

([1]) INFO(2012)16/4, http://ec.europa.eu/budget/library/biblio/documents/2011/implementation_2011_final_en.pdf
([2]) http://www.europarl.europa.eu/QP-WEB/home.jsp .

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002496/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Μαρτίου 2012)

Θέμα: Ένταση των συνοριακών ελέγχων στην Ελλάδα για την καταπολέμηση της παράνομης μετανάστευσης

Στα Συμβούλια του Νοεμβρίου και του Δεκεμβρίου, η Ευρωπαϊκή Επιτροπή εξέφρασε την ανησυχία της για την επανεμφανιζόμενη μεγάλη πίεση από πλευράς παράτυπης μετανάστευσης στα εξωτερικά σύνορα της Ελλάδας, και έχει ζητήσει από την Ελλάδα να εντείνει τους συνοριακούς ελέγχους. Παράλληλα, ζήτησε από τα άλλα κράτη μέλη, τόσο σε επίπεδο Συμβουλίου όσο και κατά τις συνεδριάσεις του Διοικητικού Συμβουλίου της Frontex, να αυξήσουν τα επίπεδα υποστήριξης, καθώς και τους απαιτούμενους τεχνικούς και ανθρώπινους πόρους ώστε να εξασφαλιστεί η αποτελεσματική εκτέλεση των κοινών επιχειρήσεων για την αντιμετώπιση της κατάστασης.

Ερωτάται η Επιτροπή:

1. Παρατηρεί εντατικοποίηση της προσπάθειας των συνοριακών ελέγχων στην Ελλάδα;

2. Διαπιστώνει ότι τα άλλα κράτη μέλη προτίθενται να αυξήσουν τα επίπεδα υποστήριξής τους προς την Ελλάδα ώστε να επιτευχθεί η εκτέλεση των κοινών επιχειρήσεων;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(24 Απριλίου 2012)

Η Επιτροπή έχει αναλάβει πλήρη δέσμευση να συνεργαστεί με την Ελλάδα για την αποτελεσματική διαχείριση των εξωτερικών της συνόρων και την αντιμετώπιση της αυξημένης εισροής παράνομων μεταναστών. Η παροχή κάθε απαιτούμενης βοήθειας συνιστά σαφή έκφραση αλληλεγγύης προς ένα κράτος μέλος που αντιμετωπίζει δυσχερείς προκλήσεις.

Σε πρόσφατη τεχνική αποστολή, οι υπηρεσίες της Επιτροπής διαπίστωσαν ότι σημειώθηκε πρόοδος στη διαχείριση των συνόρων από άποψη ανάπτυξης ικανοτήτων, στελέχωσης και τεχνικού εξοπλισμού. Ο διορισμός εθνικού συντονιστή αρμόδιου για τη διαχείριση των συνόρων αναμένεται να διασφαλίσει τον καλύτερο συντονισμό των σχετικών δραστηριοτήτων. Η Επιτροπή χαιρετίζει επίσης τα σχέδια σύστασης εθνικής άρτια εκπαιδευμένης δύναμης συνοριοφυλάκων που θα μπορεί να αναπτυχθεί ταχέως στις περισσότερο πληττόμενες περιοχές. Ταυτόχρονα, είναι σημαντικό να συνεχιστεί κατά πιο διαρθρωτικό και μόνιμο τρόπο η αντιμετώπιση των ελλείψεων σε προσωπικό στην περιοχή του Έβρου.

Η Επιτροπή έχει επίσης ενισχύσει την υπό εκτέλεση κοινή χερσαία επιχείρηση «Ποσειδών», η οποία στοχεύει στον εντοπισμό παράνομων μεταναστών οι οποίοι επιχειρούν να διασχίσουν τα χερσαία σύνορα μεταξύ Ελλάδας και Τουρκίας, και κάλεσε τα κράτη μέλη να παράσχουν τους απαιτούμενους ανθρώπινους και τεχνικούς πόρους.

(English version)

Question for written answer E-002496/12
to the Commission
Georgios Papanikolaou (PPE)
(5 March 2012)

Subject: Intensification of border controls in Greece to combat illegal immigration

At the Council meetings in November and December, the Commission expressed its concern that Greece's external borders were once again under great pressure from irregular immigration and asked Greece to step up border controls. At the same time, it asked other Member States, both at Council level and at meetings of the Frontex Management Board, to increase the level of support and the necessary technical and human resources, in order to ensure the effective execution of joint operations to address the situation.

In view of the above, will the Commission say:

1. Has it noted any intensification of border controls in Greece?

2. Has it found that other Member States are prepared to increase levels of support for Greece in order to ensure that joint operations are a success?

Answer given by Ms Malmström on behalf of the Commission
(24 April 2012)

The Commission is fully committed to work alongside Greece to efficiently manage its external borders and cope with the increased influx of irregular migrants. Providing all support needed demonstrates a clear expression of solidarity towards a Member State facing difficult challenges.

During a recent technical mission, the Commission services took note of progress made on border management, from the capacity building, staffing and technical equipment point of view. The appointment of a National Coordinator responsible for border management should ensure better coordination of the relevant activities. The Commission also welcomes plans to establish a national pool of well-trained border guards who could be deployed quickly to the most affected areas. At the same, time it is important to continue to address staffing shortages in the Evros region in a more structural and permanent way.

The Commission has also supported a reinforcement of the ongoing Joint Operation Poseidon Land, which aims at intercepting irregular migrants crossing the land border between Greece and Turkey and has called on Member States to provide the necessary human and technical resources.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002497/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Μαρτίου 2012)

Θέμα: Περιορισμένη χρηματοδότηση έργων τα τιμολόγια των οποίων κατατέθηκαν τον Δεκέμβριο του 2011

Σύμφωνα με την Ευρωπαϊκή Επιτροπή, κατά την διάρκεια του Δεκεμβρίου του 2011, κατατέθηκαν από όλα τα κράτη μέλη της ΕΕ τιμολόγια για συγχρηματοδοτούμενα έργα συνολικής αξίας 15 δις ευρώ. Παρά ταύτα, πραγματοποιήθηκαν πληρωμές ύψους μόλις 4 δις, ενώ οι πληρωμές για τα υπόλοιπα μετατέθηκαν για το 2012.

Ερωτάται η Επιτροπή:

1. Για ποιο λόγο δεν πραγματοποιήθηκαν οι πληρωμές για το σύνολο των 15 δις ευρώ εντός του 2011; Η μετάθεση των πληρωμών για το 2012 αντιστοιχεί σε απώλεια πόρων για τα συγκεκριμένα έργα από τον προϋπολογισμό του 2011;

2. Καθώς οι εθνικοί προϋπολογισμοί και τα προγράμματα των εθνικών δημοσίων επενδύσεων ολοκληρώνονται στο τέλος του έτους και, επομένως, πολλά αιτήματα για πληρωμές έργων κατατίθενται στην Επιτροπή τον Δεκέμβριο, τι προτίθεται να κάνει η Επιτροπή ώστε να μην παρατηρείται περιορισμένος μόνο βαθμός ανταπόκρισης στα αιτήματα αυτά;

Απάντηση του κ. Lewandowski εξ ονόματος της Επιτροπής
(4 Απριλίου 2012)

1. Σύμφωνα με την απάντησή της στη γραπτή ερώτηση E-1679/2012 ([1]), κατά τη διάρκεια των τριών τελευταίων εβδομάδων του 2011, η Επιτροπή έλαβε αιτήσεις πληρωμών συνολικού ύψους περίπου 15 δισεκατ. ευρώ. Οι αιτήσεις αυτές υποβλήθηκαν από κράτη μέλη και αφορούν την πολιτική συνοχής. Τη συγκεκριμένη χρονική στιγμή, ήταν πολύ αργά για να προταθούν μεταφορές πιστώσεων. Επίσης, οι μεταφορές πιστώσεων μπορούσαν να καλύψουν μόνο μερικές εκατοντάδες εκατ. ευρώ, διότι δεν υπήρχαν αρκετά διαθέσιμα ποσά σε άλλες θέσεις του προϋπολογισμού. Στο τέλος τους έτους, έμειναν απλήρωτες αιτήσεις πληρωμών που αντιστοιχούν σε ποσό ύψους περίπου 11 δισεκατ. ευρώ, δηλαδή περίπου 5 δισεκατ. ευρώ παραπάνω από ό,τι το προηγούμενο έτος. Ωστόσο, το γεγονός ότι αυτές οι αιτήσεις πληρωμών θα γίνουν το 2012 δεν συνεπάγεται καμία απώλεια πόρων για τα συγκεκριμένα έργα.

2. Η Επιτροπή είναι της γνώμης ότι ο τακτικότερος ρυθμός υποβολής αιτήσεων πληρωμών καθόλη τη διάρκεια του έτους θα επιτρέψει την πιο ομαλή επεξεργασία τους και την ταχύτερη εκταμίευση, και ότι έτσι θα καταστεί δυνατή η πληρωμή μεγαλύτερου ποσοστού αιτήσεων στο πλαίσιο του συγκεκριμένου έτους, εάν υπάρχουν διαθέσιμες πιστώσεις πληρωμών. Για τον σκοπό αυτό, η Επιτροπή δεσμεύτηκε να ζητήσει από τα κράτη μέλη να καταβάλουν κάθε δυνατή προσπάθεια να υποβάλουν τις αιτήσεις πληρωμών τους σε πιο τακτικά χρονικά διαστήματα και κατά προτίμηση πριν από τις 31 Οκτωβρίου. Επίσης, θα ζητήσει από τα κράτη μέλη να παρέχουν πιο λεπτομερείς προβλέψεις σχετικά με το θέμα αυτό, ώστε να μπορεί να προβαίνει σε πιο σταθερές εκτιμήσεις των πιθανών ποσών των αιτήσεων πληρωμών που πρέπει να υποβάλλονται πριν από τις 31 Οκτωβρίου, καθώς και των αιτήσεων που ενδέχεται να σταλούν μεταξύ 1ης Νοεμβρίου και 31ης Δεκεμβρίου.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002497/12
to the Commission
Georgios Papanikolaou (PPE)
(5 March 2012)

Subject: Limited financing of projects for which invoices were submitted in December 2011

According to the Commission, during December 2011, all EU Member States submitted invoices for co-financed projects totalling EUR 15 billion. However, payments of just EUR 4 billion were made, with the remainder carried over to 2012.

In view of the above, will the Commission say:

1. Why were payments not made for the full EUR 15 billion in 2011? Will resources for co-financed projects be lost from the 2011 budget due to the deferral of payments to 2012?

2. As the accounts of national budgets and national public investment programmes are closed at the end of the year and many payment applications are therefore submitted to the Commission in December, what does it intend to do to avoid a limited response to such applications?

Answer given by Mr Lewandowski on behalf of the Commission
(4 April 2012)

1. As the Commission indicated in its answer to Written Question E-1679/2012 ([1]), there were some EUR 15 billion in payment claims received by the Commission during the last three weeks of the year 2011. These claims were made by Member States and concerned Cohesion policy. At that point in time, it was too late to propose transfers. Furthermore, transfers could have only covered a few hundred millions as there was no significant availability elsewhere in the budget. At the end of the year, payment claims for some EUR 11 billion remained unpaid, which is nearly EUR 5 billion more than last year. The fact that these payments claims will be made in 2012 does not however imply any loss of resources for individual projects.

2. The Commission is of the opinion that a more regular flow of payment claims throughout the year would allow for a smoother processing of applications and a quicker disbursement, allowing for a larger proportion of claims to be reimbursed in the same year if payment appropriations are available. In this respect, the Commission has undertaken to ask Member States to make all efforts to send in their payment requests more regularly and preferably before 31 October. It will also request Member States to provide more detailed forecasts on this issue, in order to be able to estimate more solidly the likely amount of payment requests to be sent before 31 October, as well as those likely to be sent between 1 November and 31 December.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002498/12
προς την Επιτροπή
Georgios Koumoutsakos (PPE)
(5 Μαρτίου 2012)

Θέμα: Καθεστώς θεώρησης εισόδου για Τούρκους επισκέπτες

Δεδομένης της δύσκολης οικονομικής κατάστασης στην οποία βρίσκεται η Ελλάδα και κυρίως η περιφέρειά της, οι οικονομικοί και εμπορικοί φορείς των νησιών του Ανατολικού Αιγαίου και των Δωδεκανήσων έχουν ζητήσει την άρση της θεώρησης εισόδου για Τούρκους τουρίστες που πραγματοποιούν επίσκεψη χωρίς διανυκτέρευση (daily trips), ενώ συζητούν ακόμα και τη δυνατότητα ανάλογου καθεστώτος με αυτό που ισχύει για τους επισκέπτες από κρουαζιερόπλοια για τους Τούρκους τουρίστες που πραγματοποιούν επίσκεψη έως και 48 ωρών.

Λαμβάνοντας υπόψη τις διατάξεις του Κανονισμού 539/2001 καθώς και την απάντηση της Επιτροπής στην ερώτηση E-002289/2011 σχετικά με την υποχρέωση της Τουρκίας να ευθυγραμμιστεί προς το κεκτημένο της ΕΕ για τις θεωρήσεις, που αναφέρει ότι «η Επιτροπή προτίθεται να εμβαθύνει το διάλογο με την Τουρκία σχετικά με τις θεωρήσεις, ώστε να προωθηθούν περαιτέρω οι σχέσεις μεταξύ λαών και, ειδικότερα, να εξεταστεί το ενδεχόμενο πρακτικών βελτιώσεων του καθεστώτος των θεωρήσεων για ορισμένες κατηγορίες», ερωτάται η Επιτροπή:

1. Θεωρεί ότι η άρση της θεώρησης εισόδου για Τούρκους τουρίστες των συγκεκριμένων κατηγοριών (χωρίς διανυκτέρευση ή διαμονή έως 48 ώρες) είναι συμβατή με την ισχύουσα ευρωπαϊκή νομοθεσία;

2. Θα θεωρούσε δυνατή κάποια εξαίρεση, δεδομένης της οικονομικής κατάστασης της Ελλάδας και της ανάγκης ενίσχυσης του τουριστικού κλάδου, ιδιαίτερα στην περιφέρεια;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(14 Μαΐου 2012)

Η κατάργηση της απαίτησης θεώρησης για ολόκληρη την περιοχή Σένγκεν για Τούρκους τουρίστες γενικώς, ή για ειδικές κατηγορίες Τούρκων τουριστών, θα προϋπέθετε την τροποποίηση, μέσω της συνήθους νομοθετικής διαδικασίας, του κανονισμού 539/2001.

Υπάρχουν, παρόλα αυτά, άλλες δυνατότητες οι οποίες θα μπορούσαν να εφαρμοστούν για να διευκολυνθεί η άφιξη Τούρκων τουριστών στα ελληνικά νησιά του Αιγαίου, συμπεριλαμβανομένης της ίδρυσης προσωρινών ελληνικών προξενείων σε θέρετρα της τουρκικής ακτής. Η Επιτροπή μελετά το ζήτημα μαζί με τις αρμόδιες ελληνικές αρχές με στόχο να βρεθούν νομικά ορθοί και πρακτικά εφικτοί τρόποι προώθησης του τουριστικού κλάδου στα νησιά αυτά.

(English version)

Question for written answer E-002498/12
to the Commission
Georgios Koumoutsakos (PPE)
(5 March 2012)

Subject: Visa regime for Turkish visitors

Given the current difficult economic situation in Greece and, in particular, its outlying regions, economic and commercial operators in the eastern Aegean and Dodecanese islands have requested the lifting of the entry visa requirement for Turkish tourists on day trips; they are also discussing the possibility of a regime similar to the one for visitors from cruise ships for Turkish tourists staying for less than 48 hours.

In view of the provisions of Regulation No 539/2001 and the Commission's answer to Question E-002289/2011 on Turkey's obligation to come into line with the EU *acquis* on visas, which states that 'the Commission intends to deepen the dialogue with Turkey on visas to further promote people-to-people contacts, in particular to consider practical improvements to the visa regime for certain categories', will the Commission say:

1. Does it believe that a lifting of visa requirements for specific categories of Turkish tourists (day trips or stays lasting under 48 hours) is compatible with current European legislation?

2. Does it consider that some derogations might be possible, given the economic situation in Greece and the need to support the tourist sector, especially in peripheral regions of Greece?

Answer given by Ms Malmström on behalf of the Commission
(14 May 2012)

The abolition of the visa requirement for the whole Schengen area for Turkish tourists in general or for specific categories of such tourists would require the amendment, through the normal legislative procedure, of Regulation 539/2001.

There are, however, other possibilities that could be implemented to facilitate the arrival to the Greek Aegean islands of Turkish tourists, including through the establishment of Greek temporary consular posts in resorts of the Turkish coast. The Commission is studying the matter together with the responsible Greek authorities with a view to finding legally sound and practically feasible ways to promote the tourism industry of such islands.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002499/12
à Comissão (Vice-Presidente/Alta Representante)
Ana Gomes (S&D)
(5 de março de 2012)

Assunto: VP/HR — Violações dos direitos humanos no Azerbeijão: o caso de Farhad e Rafig Aliyev

O antigo ministro para o desenvolvimento económico da República do Azerbaijão, Farhad Aliyev, e o seu irmão, Rafgig Aliyev, estão encarcerados desde 2005. Inicialmente, foram acusados de preparar um alegado golpe de estado, mas, depois, foram condenados com base em acusações forjadas de peculato e corrupção. A sua detenção foi sem dúvida motivada por razões políticas.

Ambos continuam detidos, pesem embora dois acórdãos distintos do Tribunal Europeu dos Direitos do Homem (TEDH), em que se conclui que a sua detenção foi ilegal e o seu julgamento padeceu de anomalias processuais.

1. Terá a Alta Representante conhecimento do caso de Farhad Aliyev e de Rafig Aliyev? Tenciona a Alta Representante abordar este assunto junto das autoridades do Azerbaijão?

2. Terá a Alta Representante conhecimento da projetada amnistia a ser decretada pelo Presidente Aliyev?

3. Tenciona a Alta Representante exercer pressão junto do Presidente do Azerbaijão para que inclua os nomes de Farhad Aliyev e Rafig Aliyev numa amnistia a decretar?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(11 de junho de 2012)

1. A Alta Representante/Vice-Presidente está ao corrente do caso. O TEDH concluiu que os direitos dos dois homens à «liberdade e à segurança» e à presunção de inocência foram violados. Embora a UE não seja ainda parte da CEDH, não podendo por conseguinte participar na supervisão da execução dos acórdãos, pode pedir ao Azerbaijão que faça o necessário para corrigir estas deficiências.

2. A Alta Representante/Vice-Presidente tinha conhecimento da amnistia prevista para o Novruz. A lista das 62 pessoas a amnistiar foi publicada em 15 de março, mas, infelizmente, os nomes de Farhad Aliyev e Rafig Aliyev não constam da lista.

3. O processo de perdão tem um caráter local, existindo, para o efeito, uma comissão do perdão que propõe uma lista de pessoas ao Presidente. A UE apenas pode referir, através dos seus contactos bilaterais, que um determinado caso chamou a sua atenção. Porém, para que um condenado possa ser perdoado tem de admitir, de alguma maneira, a sua culpa, o que os irmãos Aliyev recusam fazer.

Em termos mais gerais, a situação dos direitos humanos no Azerbaijão é uma fonte de preocupações. Aquando da visita do Comissário Štefan Füle a Baku, em 2 e 3 de abril, as preocupações da UE foram, uma vez mais, abordadas e o Azerbaijão foi encorajado a aproveitar a oportunidade do festival da canção da Eurovisão para melhorar a sua situação em matéria de direitos humanos e a sua imagem no estrangeiro. O relatório sobre os progressos da PEV no Azerbaijão, publicado em 15 de maio, avalia o grau de cumprimento dos compromissos assumidos pelo Azerbaijão no âmbito do Plano de Ação UE-Azerbaijão, incluindo no domínio da democracia e dos direitos humanos. Através da sua Delegação em Baku, a UE continuará a acompanhar a evolução do caso de Farhad e Rafiq Aliyev e a utilizar todos os instrumentos de diálogo político com o Azerbaijão para lhe transmitir as suas preocupações.

(English version)

Question for written answer E-002499/12
to the Commission (Vice-President/High Representative)
Ana Gomes (S&D)
(5 March 2012)

Subject: VP/HR — Human rights violations in Azerbaijan: the case of Farhad and Rafig Aliyev

The former Minister for Economic Development of the Republic of Azerbaijan, Farhad Aliyev, and his brother, Rafig Aliyev, have been imprisoned since 2005. They were initially charged with plotting an alleged coup d'état but were later convicted on fabricated charges regarding embezzlement and corruption. Their arrest was undoubtedly politically motivated.

Both continue to be detained despite two separate judgments from the European Court of Human Rights (ECHR) that conclude that their arrest was unlawful and that the trial was procedurally deficient.

1. Is the High Representative aware of the case of Farhad Aliyev and Rafig Aliyev? Will the High Representative address this matter with the Azerbaijani authorities?

2. Is the High Representative aware of a planned amnesty order to be issued by President Ilham Aliyev?

3. Will the High Representative press the President of Azerbaijan to include the names of Farhad Aliyev and Rafig Aliyev in the order or amnesty?

Answer given by High Representative /Vice-President Ashton on behalf of the Commission
(11 June 2012)

1. The High Representative/Vice-President is aware of the case. The ECHR found that the two men's right to 'liberty and security' and the presumption of innocence were violated. While the EU is not yet a party to the ECHR and can not participate in the supervision of the execution of the judgments, it can call on Azerbaijan to ensure that these shortcomings be corrected.

2. The High Representative/Vice-President was aware of the planned amnesty for novruz. The list of 62 people to be pardoned was published on 15 March. Unfortunately Farhad Aliyev and Rafig Aliyev are not part of it.

3. The pardon process is a local process, with a Pardon Commission proposing a list of people to the President. The EU can only suggest, through bilateral contacts, that a case has attracted its attention. But, in order to be pardoned, the convicts have to admit some degree of guilt, which the Aliyev brothers refuse to do.

In more general terms, the situation of human rights in Azerbaijan is a source of concern. On the occasion of Commissioner Fuele's visit to Baku on April 2-3 EU concerns were raised again and Azerbaijan was encouraged to use the window of opportunity of the Eurovision Song Contest to improve its human rights record and its image abroad. The ENP Progress Report on Azerbaijan, released on 15 May, will assess the compliance of Azerbaijan with its commitments taken in the EU-Azerbaijan Action Plan, including in the domain of democracy and human rights. The EU through the Delegation in Baku will continue to monitor future developments regarding the case of Farhad and Rafiq Aliyev and will use all instruments of political dialogue with Azerbaijan to convey its concerns.

(English version)

Question for written answer E-002501/12
to the Commission
David Campbell Bannerman (ECR)
(5 March 2012)

Subject: BBC World Service — state aid payments

Has the Commission reprimanded the UK Government over state aid payments through the Foreign and Commonwealth Office to the BBC World Service?

Question for written answer E-002502/12
to the Commission
David Campbell Bannerman (ECR)
(5 March 2012)

Subject: BBC World Service

Has the Commission received an application from the UK Government on state aid to the BBC World Service?

Joint answer given by Mr Almunia on behalf of the Commission
(7 May 2012)

The Commission has not received any notification from the United Kingdom Government on state aid to the BBC World Service, nor has it reprimanded the United Kingdom Government over state aid payments to the BBC World Service.

(English version)

Question for written answer E-002503/12
to the Commission
George Lyon (ALDE)
(5 March 2012)

Subject: CFP: Mixed fisheries

With respect to the:

— Commission proposal for a regulation on the common fisheries policy — COM(2011) 0425;

— Commission proposal for a regulation on the common organisation of the markets in fishery and aquaculture products — COM(2011) 0416;

— Commission proposal for a regulation on the European Maritime and Fisheries Fund — COM(2011) 0804,

can the Commission detail the measures, and quantify the funds, which are specifically intended to address the requirements of mixed-fisheries across the EU in the reform of the common fisheries policy?

Answer given by Ms Damanaki on behalf of the Commission
(23 April 2012)

The main principles under the Commission proposals for a regulation on the common fisheries policy ([1]) and for a regulation on the common organisation of the markets in fishery and aquaculture products ([2]) apply equally to all fisheries. Implementation of these instruments will take into account the specificities of the different fisheries, including mixed fisheries. This will be done in cooperation with stakeholders (for example the Producers Organisations and Advisory Councils) and by finding solutions that are adapted to the different sea basins.

The draft Regulation on the European Maritime and Fisheries Fund (EMFF) contains provisions which are expected to be particularly useful in mixed fisheries. This is the case of improving gear selectivity and reducing unwanted catches (Article 36), innovations linked to the elimination of discards and by-catches (Article 37), investments on board to make the best use of unwanted catches (Article 40), investments in fishing ports and landing sites to make the best use of unwanted catches (Article 41) and marketing measures improving the conditions for the placing on the market of unwanted catches (Article 71).

Concerning the quantification of the funds, it must be recalled that under the shared management system of funding, the allocation of funds for measures is subject to the operational programme which is established by the Member State concerned and agreed by the Commission. It is only at the stage of programming of the operational programme that the quantity of funds dedicated to a given measure can be identified. The timeline for this exercise will necessarily start after the adoption of the EMFF Regulation.

([1]) COM(2011)425, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0425:FIN:EN:PDF.
([2]) COM(2011)416, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0416:FIN:EN:PDF.

(English version)

Question for written answer E-002504/12
to the Commission
George Lyon (ALDE)
(5 March 2012)

Subject: CFP: Young fishermen and new entrants

With respect to the:

— Commission proposal for a regulation on the common fisheries policy — COM(2011) 0425;

— Commission proposal for a regulation on the common organisation of the markets in fishery and aquaculture products — COM(2011) 0416;

— Commission proposal for a regulation on the European Maritime and Fisheries Fund — COM(2011) 0804,

can the Commission detail the measures, and quantify the funds, which are specifically intended to be for the benefit of young fishermen and new entrants in the reform of the common fisheries policy?

Answer given by Ms Damanaki on behalf of the Commission
(19 April 2012)

The Commission's proposal for the future European Maritime and Fisheries Fund (EMFF) foresees a number of measures which apply to both fishermen active in the sector and to young people entering the sector. In particular, the EMFF proposals foresees a number of measures designed to make the sector attractive for young fishermen, by encouraging innovative activities that add value to fishery products and by improving working and safety conditions for fishermen.

In contrast with the current European Fisheries Fund (2007-2013), however, the EMFF does not include premiums for young fishermen to enter the sector, as the Commission considers that these sorts of measures provide artificial incentives for young people to enter a sector with economic difficulties and faced with ever decreasing shortages in fish stocks. Thus, the proposed EMFF focuses on measures designed to make the sector more economically viable and therefore naturally attractive for young fishermen.

Under the principle of shared management, Member States decide on the amount of funding they wish to allocate to certain measures, including the measures outlined above. Once the regulatory package has been adopted, Member States will draw up their programmes which will submitted to the Commission for adoption.

(English version)

Question for written answer E-002505/12
to the Commission
George Lyon (ALDE)
(5 March 2012)

Subject: EMFF: Storage facility funding

In the Commission's proposal for a new European Maritime and Fisheries Fund (COM(2011) 0804), the Commission identifies EUR 42-45 million under the 'shared management' budget for on-board and on-shore storage facilities.

What analysis has the Commission undertaken to establish that this funding is sufficient for the objectives of the CFP reform?

Can the Commission clarify how this funding shall be distributed and whether different fisheries will require different levels of funding?

Answer given by Ms Damanaki on behalf of the Commission
(16 April 2012)

The Commission's proposal for the common market Organisation for fisheries and aquaculture products (CMO) ([1]) introduces a change of focus from intervention to planning and management of producers' activities. In this vein the current six intervention mechanisms should be simplified to a single storage aid, which would be progressively phased out. The Commission's proposal for the European Maritime and Fisheries Fund (EMFF) provides for a phasing out of storage aid over five years, to facilitate a transition period towards a more innovative and market oriented approach.

The draft EMFF proposal foresees the earmarking of EUR 45 million to cover the phasing out process of storage aid, which will be reduced by 20 % per year over a period of five years. In the first year of the phasing out period, EUR 15 million would be ring-fenced for storage aid, equivalent to the same annual amount under the current system. The Commission considers that this amount is appropriate in both setting a ceiling at current levels at the beginning of the period and allow for a progressive phasing out of the aid. Article 17 of the draft EMFF proposal sets out the criteria under which the distribution would take place.

In its proposals, the Commission has not differentiated between fisheries in terms of compensation for storage aid. Storage aid deals with products listed in Annex II of the Commission proposal for the CMO and the level of compensation is determined in accordance with provisions of Articles 35 and 70 of this proposal.

([1]) COM(2011) 416 final.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002506/12
aan de Commissie
Sophia in 't Veld (ALDE)
(5 maart 2012)

Betreft: Amerikaanse toegang tot PNR-gegevens in computerreservatiesysteem Amadeus II

Het computerreservatiesysteem Amadeus heeft zijn hoofdkwartier in Madrid (Spanje) en zijn centrale databank in Erding (Duitsland). Daarnaast heeft het verschillende kantoren buiten de EU, waaronder een kantoor in Miami in het Amerikaanse rechtsstelsel. Alle Amadeus-kantoren in de wereld hebben toegang tot de PNR-gegevensdatabank in Erding.

1. Is de Commissie zich ervan bewust dat de autoriteiten in de VS via het Amadeus-kantoor aldaar PNR-gegevens kunnen opvragen die zijn opgeslagen in Europa (Erding), bijvoorbeeld door gebruik te maken van zogeheten National Security Letters? Is de Commissie zich ervan bewust dat dergelijke gegevensopvragingen niet worden gelogd, en dat Amadeus door de Amerikaanse autoriteiten tot geheimhouding kan zijn verplicht?

2. Is de Commissie van mening dat de autoriteiten van de VS hierdoor op elk moment, althans op ad-hocbasis, toegang zouden kunnen krijgen tot PNR-gegevens? Is de Commissie het ermee eens dat dit niet alleen gelijkstaat met de PULL-methode, maar deze zelfs te boven gaat, aangezien het het opvragen van alle PNR-gegevens mogelijk maakt en niet alleen op de gebieden die zijn gespecificeerd in de Overeenkomst tussen de EU en de VS, zonder de verplichting de opgevraagde gegevens te loggen? Is de Commissie het ermee eens dat de bepalingen betreffende PUSH en PULL en het loggen in de Overeenkomst tussen de EU en de VS daardoor in de praktijk volledig zinloos worden?

3. Is de Commissie het ermee eens dat er bij het opvragen van gegevens door de autoriteiten van een derde land via een in de EU gevestigde databank sprake is van een gegevensoverdracht naar een derde land? Weet de Commissie of Amadeus of vergelijkbare computerreservatiesystemen loggegevens bijhouden van dergelijke opvragingen? Zo niet, is de Commissie van mening dat dergelijke opvragingen in strijd zijn met de communautaire regelgeving voor de bescherming van persoonsgegevens?

4. Als er geen loggegevens worden bijgehouden van de hierboven beschreven opvragingen, is de Commissie het er dan mee eens dat burgers in dat geval geen mogelijkheid hebben om van hun recht tot verificatie en aanpassing van hun gegevens gebruik te maken?

5. Kan de Commissie een overzicht verschaffen van andere in de VS gevestigde computerreservatiesystemen die in een vergelijkbare positie verkeren als Amadeus? Kan de Commissie een overzicht verschaffen van de in Europa door computerreservatiesystemen opgeslagen PNR-gegevens, die derhalve beschikbaar zijn voor andere derde landen dan de VS?

Antwoord van mevrouw Malmström namens de Commissie
(26 maart 2012)

De ontwerpovereenkomst over PNR-gegevens tussen de EU en de Verenigde Staten heeft betrekking op de doorgifte van PNR-gegevens door luchtvaartmaatschappijen die passagiersvluchten uitvoeren tussen de EU en de VS, ongeacht waar die gegevens zijn opgeslagen.

De overeenkomst is in overeenstemming met de eisen van het Department of Homeland Security (DHS): zij voorziet namelijk in structurele en automatische doorgifte van PNR-gegevens voor alle vluchten met een link met de VS. De overeenkomst kent ook de mogelijkheid van ad-hocopvragingen in noodsituaties. DHS ontvangt alle PNR-gegevensbestanddelen die voor de rechtshandhaving essentieel zijn, met inbegrip van gevoelige gegevens. Bij de meest recente gezamenlijke toetsing bevestigde DHS dat het geen gebruik had gemaakt van of toegang nodig had gehad tot andere categorieën PNR-gegevens dan de toegestane. In deze context lijken specifieke rechterlijke bevelen of National Security Letters dan ook overbodig. De autoriteiten van de VS ontvangen de benodigde gegevens op basis van de PNR-overeenkomst tussen de EU en de VS.

National Security Letters kunnen worden uitgevaardigd krachtens de USA Patriot Act. Deze Act voorziet inderdaad in de mogelijkheid om diverse categorieën gegevens te verzamelen, waaronder PNR-gegevens. Wat PNR-gegevens betreft, zijn er echter uitvoeringsbepalingen die in overeenstemming worden gebracht met de van kracht zijnde PNR-overeenkomst tussen de EU en de VS.

Volgens informatie die de Commissie na de vraag van het geachte Parlementslid heeft ontvangen, houdt Amadeus gedurende een bepaalde termijn loggegevens bij van alle doorgiften van PNR-gegevens naar de autoriteiten van de VS, die varieert naargelang van de aard van de doorgifte. Het is dus mogelijk om achteraf na te gaan welke gegevens zijn doorgegeven en wanneer. Het Amerikaanse kantoor van Amadeus heeft geen toegang tot de PNR-gegevens en kan die niet aan de Amerikaanse autoriteiten doorgeven zonder tussenkomst van het hoofdkantoor van Amadeus in de EU.

Het is de Commissie bekend dat er op het grondgebied van de VS computerreservatiesystemen zijn waarin PNR-gegevens zijn opgenomen. Voor zover die gegevens betrekking hebben op vluchten tussen de EU en de VS, vallen zij onder de PNR-overeenkomst tussen de EU en de VS.

(English version)

Question for written answer E-002506/12
to the Commission
Sophia in 't Veld (ALDE)
(5 March 2012)

Subject: US access to PNR data in Computer Reservation System Amadeus II

The Amadeus Computer Reservation System has its headquarters in Madrid (Spain) and its central database in Erding (Germany). Additionally, it has several offices outside the EU, including an office in Miami, within US jurisdiction. All Amadeus offices around the world have access to the PNR data base in Erding.

1. Is the Commission aware that the US authorities may retrieve PNR data stored in Europe (Erding) through the Amadeus office in the US, for example by using National Security Letters? Is the Commission aware that such retrievals are not being logged, and that Amadeus may be sworn to secrecy by the US authorities?

2. Does the Commission consider this would allow the US authorities to access PNR data, at least on an ad hoc basis, at any given moment? Does the Commission agree that this is not only equivalent to the 'pull' method, but that it even exceeds 'pull', as it allows for the retrieval of all PNR data, not just the fields specified in the EU-US Agreement, without the obligation to log the retrievals? Does the Commission agree that this leaves the clauses on 'push and pull' and logging in the EU-US agreement completely meaningless in practice?

3. Does the Commission agree that data retrieved by the authorities of a third country from an EU located data base would constitute a transfer of data to a third country? Is the Commission aware if Amadeus or similar CRS are keeping logs of such retrievals? If not, does the Commission consider that such retrievals are a violation of EU data protection rules?

4. If no logs are being kept of the retrievals described above, would the Commission agree that citizens would have no means to exercise their rights to verify and correct their data?

5. Can the Commission provide an overview of other computer reservation systems with a presence in the US that would be in the same position as Amadeus? Can the Commission provide an overview of PNR data stored in Europe by CRS that are thus available to third countries other than the US?

Answer given by Ms Malmström on behalf of the Commission
(26 March 2012)

The draft EU-US PNR agreement covers PNR data transfers by air carriers operating passenger flights between the EU and the US regardless of where the data are stored.

The agreement corresponds to DHS requirements, as it provides for structural and automatic transfers of PNR on all flights with a US nexus. It also foresees a possibility for ad-hoc requests in emergency situations. DHS receives all PNR data elements that are crucial for law enforcement, including sensitive data. During the last joint review DHS, confirmed that they had not used or needed access to categories of PNR beyond those permitted. In this context, specific subpoenas or National Security Letters appear redundant. The US authorities receive the data needed on the basis of the EU-US PNR agreement.

National Security Letters may be issued on the basis of the US Patriot Act. This Act indeed provides for a possibility to collect different types of data, including PNR data. However, with regard to PNR it is implemented through detailed regulations which are made in line with any EU-US PNR agreement in force.

According to information received by the Commission following the question posed by the Honourable Member, Amadeus keeps logs of all transfers of PNR to the US authorities for specific periods of time, which vary depending on the type of transfer. Therefore, it is possible to trace back what data were transferred and when. The US office of Amadeus cannot access and transfer PNR data to the US authorities without involving the head office of Amadeus in the EU.

The Commission is aware of the existence in the US territory of some Computer Reservation Systems containing PNR data. As long as these data concern flights between the EU and the US, they are covered by the EU-US PNR agreement.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002509/12
alla Commissione
Giommaria Uggias (ALDE)
(5 marzo 2012)

Oggetto: Accordo UE-Marocco: quali le ragioni economiche?

Mercoledì 15 febbraio il Parlamento europeo ha dato il via libera all'accordo commerciale concluso dal Consiglio europeo con il Marocco. Molti prodotti agricoli e ittici saranno oggetto di libero scambio con una realtà, il Marocco, in cui i costi di produzione e di lavoro sono di gran lunga inferiori a quelli nell'UE e dove non c'è la stessa rigidità europea per quanto riguarda le norme in materia di tutela ambientale e di qualità dei prodotti.

1. Quali sono la ragioni economiche che hanno consentito di dare il via libera all'accordo?

2. È stata effettuata una valutazione d'impatto per i prodotti oggetto dell'accordo? In caso di risposta affermativa, quali sono stati i risultati al riguardo?

3. Come si inseriranno le produzioni marocchine nei mercati UE nei quali attualmente, e in certe «fasce» temporali, sono assorbite le produzioni nazionali?

4. Quali benefici potranno avere le esportazioni dell'Europa del Mediterraneo e quale valutazione è stata fatta sui singoli prodotti?

Risposta data da Dacian Cioloş a nome della Commissione
(7 maggio 2012)

L'accordo cui si riferisce l'onorevole parlamentare si inserisce nell'ambito del processo di Barcellona, che prevede la creazione di una zona di libero scambio nel bacino del Mediterraneo, in modo da favorire la crescita, la prosperità e la stabilità in questa regione. Nell'ambito del settore agricolo esso si basa su una *«continua liberalizzazione con un numero limitato di eccezioni e un calendario di attuazione graduale»*.

Nel dicembre 2005 il Consiglio ha dato mandato alla Commissione per negoziare tale accordo.

L'UE è il primo partner commerciale mondiale del Marocco, in quanto rappresenta il 60 % delle esportazioni e delle importazioni del Marocco (dati che si riferiscono al 2009). Il 58 % di tutti gli investimenti europei nella regione EUROMED viene realizzato in Marocco.

La bilancia commerciale UE è largamente positiva in tutti i settori. Le esportazioni dell'UE per il 2010 ammontano a circa 12,7 miliardi di EUR a fronte di circa 7,3 miliardi di EUR di importazioni. Il Marocco è già un importante mercato per le esportazioni dell'UE e diverrà anche più importante in futuro (attualmente la popolazione è di 32 milioni di abitanti, con un aumento annuale di circa l'1 %).

L'impatto sulla produzione europea sarà moderato. L'accordo tiene conto degli interessi dei produttori dell'UE, poiché tra l'altro mantiene il sistema dei prezzi d'entrata e dei contingenti tariffari per i prodotti sensibili (specialmente per i pomodori, per i quali l'aumento del quantitativo è stato limitato a 52 000 tonnellate in quattro anni e rappresenta meno dell'1 % della produzione interna dell'UE, ben al di sotto delle importazioni tradizionali dell'UE dal Marocco).

Inoltre, le misure di salvaguardia che rafforzano i meccanismi esistenti permettono all'UE, all'occorrenza, di restringere le importazioni dal Marocco.

L'accordo offre all'UE opportunità per espandere la propria quota di mercato in vari settori chiave degli interessi all'esportazione (agroindustria, ortofrutticoli, prodotti lattiero-caseari, oli e semi di olio, prodotti della pesca ecc.).

(English version)

Question for written answer E-002509/12
to the Commission
Giommaria Uggias (ALDE)
(5 March 2012)

Subject: EU-Morocco agreement: what are the economic reasons?

On Wednesday 15 February, the European Parliament gave the go-ahead for the trade agreement concluded by the European Council and Morocco. A great many agricultural and fish products will be subject to free trade with Morocco, where production and labour costs are far lower than those in the EU and where there is not the same strict European approach with regard to environmental protection and product quality standards.

1. What are the economic reasons behind the authorisation of the agreement?

2. Has an impact assessment been performed for the products subject to the agreement? If so, what was the outcome?

3. How will Moroccan products be integrated into EU markets into which, at present, and at certain times of the year, national products are more than sufficient?

4. What are the benefits of Mediterranean European exports and what assessment has been carried out on individual products?

Answer given by Mr Cioloş on behalf of the Commission
(7 May 2012)

This agreement takes place in the framework of the Barcelona process, which foresees the creation of a Free trade Area in the Mediterranean, in order to foster growth, prosperity and stability in the area. In agriculture sector, it is based on: 'Continuing reciprocal liberalisation with a selected number of exceptions and timetables for gradual implementation'.

Council gave to the Commission on December 2005 the mandate to negotiate this agreement.

EU is the first world trade partner of Morocco, representing 60 % of Morocco exports and imports (2009 data); 58 % of all European investment in the EUROMED region is used in Morocco.

The total EU trade balance of all sectors is largely positive. The 2010 EU exports counts for around EUR 12.7 billions versus around EUR 7.3 billion EU imports. Morocco is already an important market for EU exports and it will be even more important in the future (currently 32 million of habitants and enjoying a yearly increase of around 1 %).

The impact on European production will be moderate. This agreement takes into account the interests of EU producers, since among other things, it keeps the system of entry prices and tariff quotas for sensitive products (especially tomatoes, for which the quantitative increase was limited to 52,000 tons in four years and represents less than 1 % of EU domestic production, well below the traditional EU imports from Morocco).

Furthermore, safeguard measures strengthening existing mechanisms allow the EU to restrict imports from Morocco, if necessary.

For the EU the agreement provides opportunities in several key areas of export interests to expand its market share (the agro-industry, the fruit and vegetables, the dairy products, oils and oilseeds, fisheries …).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002510/12
alla Commissione
Barbara Matera (PPE) e Sergio Paolo Frances Silvestris (PPE)
(5 marzo 2012)

Oggetto: Ritardi nell'erogazione degli aiuti PAC in Italia

In Italia l'ente governativo responsabile dell'erogazione delle agevolazioni assicurative previste dall'articolo 68 del regolamento relativo alla politica agricola comune (PAC) è l'Agenzia per l'erogazioni in Agricoltura (AGEA). Le aziende agricole che hanno inserito la richiesta di contributo nella domanda unica per la PAC dovrebbero ricevere il contributo direttamente dall'AGEA.

Al momento si registrano numerosi ritardi nell'erogazione degli aiuti che costringono molte imprese agricole a una persistente e pesante esposizione finanziaria. Secondo la Coldiretti (organizzazione degli imprenditori agricoli a livello nazionale), gli aiuti non corrisposti si riferiscono in particolar modo a domande relative ad annualità che vanno dal 2006 al 2010 e che risultano non liquidate, pur non avendo alcuna anomalia.

Tali ritardi e i corrispondenti aiuti non erogati dagli uffici dell'AGEA riguardano per diversi produttori (creditori) cifre importanti di diverse decine di migliaia di euro, mettendo pertanto seriamente a rischio la loro attività.

In una condizione di difficoltà per tutta l'agricoltura è necessario sbloccare i pagamenti per non aggravare la situazione delle imprese agricole con un ulteriore elemento d'incertezza di natura finanziaria.

1. Alla luce di tali considerazioni, può la Commissione far sapere se è a conoscenza degli eccessivi ritardi nei tempi di erogazione dei contributi PAC e di come questi significhino per moltissime imprese un'esposizione finanziaria per lungo tempo e per cifre cospicue, con pesanti ripercussioni sui costi aziendali? Può indicare cosa è possibile fare nei riguardi dell'ente governativo italiano?

2. Di quali strumenti dispone la Commissione per esortare il governo italiano a prendere misure atte allo snellimento delle pratiche burocratiche, al fine di conseguire una rapida ed effettiva assegnazione delle agevolazioni assicurative così come previste dal regolamento sulla PAC?

Risposta data da Dacian Cioloş a nome della Commissione
(16 aprile 2012)

La Commissione non è a conoscenza dei presunti eccessivi ritardi nei tempi di erogazione dei contributi PAC in Italia e delle conseguenti ripercussioni finanziarie, in particolare per quanto concerne i pagamenti relativi alle misure assicurative di cui all'articolo 68.

Ai sensi dell'articolo 29, paragrafo 2, del regolamento (CE) n. 73/2009 del Consiglio, i pagamenti diretti devono essere versati in non più di due rate all'anno, tra il 1º dicembre e il 30 giugno dell'anno civile successivo.

In caso di pagamenti in ritardo, sono applicabili sanzioni nei confronti degli Stati membri. Inoltre, se venisse accertata una violazione sistematica dell'articolo 29, paragrafo 2, del regolamento (CE) n. 73/2009, la Commissione potrebbe avviare un procedimento di infrazione contro l'Italia. Tuttavia, dai fatti esposti dall'onorevole parlamentare, non è possibile allo stato attuale trarre tale conclusione.

(English version)

Question for written answer E-002510/12
to the Commission
Barbara Matera (PPE) and Sergio Paolo Frances Silvestris (PPE)
(5 March 2012)

Subject: Delays in the allocation of CAP aid in Italy

In Italy, the government organisation responsible for granting insurance concessions as laid down in Article 68 of the regulation on the CAP is the Italian Agricultural Payments Agency (AGEA). Farms that have applied for this as part of the CAP single payment should receive this contribution directly from the AGEA.

At present, there are many delays in the allocation of aid, which are forcing many agricultural businesses into persistent and substantial financial exposure. According to Coldiretti (the Italian national agricultural business organisation), the unpaid amounts relate in particular to applications made between 2006 and 2010, which have not been paid, despite there being no problems with the applications.

These delays, and the corresponding aid that has not been paid by the AGEA, total, for several producers (creditors), large sums running into the tens of thousands of euros, which is putting their businesses at serious risk.

In this difficult period for agriculture as a whole, the payments must be released to avoid exacerbating the situation for agricultural businesses by adding another element of financial uncertainty.

1. In view of these considerations, can the Commission state whether it is aware of the excessive delays in the allocation times for CAP contributions and of how these are resulting in long-term financial exposure for a great many businesses, for significant amounts, with major repercussions in terms of business costs? Can it specify what can be done as regards the Italian Government bodies?

2. What instruments does the Commission have to press the Italian Government to take steps to cut red tape in order to ensure a quick, effective allocation of insurance concessions, as established by the CAP regulation?

Answer given by Mr Cioloş on behalf of the Commission
(16 April 2012)

The Commission is not aware of the alleged excessive delays in the allocation times for CAP contributions in Italy and the resulting financial effects, in particular, with reference to payments concerning Article 68 insurance measures.

According to Article 29(2) of Council Regulation (EC) No 73/2009 direct payments must be made in up to two instalments per year within the period from 1 December to 30 June of the following calendar year.

Penalties to Member States for late payments are possible, moreover, if there is a proven systematic infringement of Article 29(2) of Regulation (EC) No 73/2009 an infringement procedure against Italy could be initiated by the Commission. But from the facts given by the Honourable Member it is not possible to draw this conclusion at this point in time.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002511/12
aan de Commissie
Esther de Lange (PPE)
(5 maart 2012)

Betreft: Nieuwe testmethode voor REACH die minder proefdieren behoeft

REACH vereist dat producenten van chemische stoffen die meer dan 1000 ton per jaar op de markt brengen, een deel van de gegevens moeten baseren op resultaten verkregen uit dierproeven. De tweegeneratie proef voor het bepalen van giftigheid voor de voortplanting vraagt zeer veel proefdieren.

Onlangs heeft de OESO een verbeterde versie van deze testmethode geaccepteerd (OECD 443) waarbij alleen de eerste generatie dieren gebruikt hoeft te worden. Hoewel deze test meer informatie oplevert en minder proefdieren vraagt omdat de tweede generatie dieren niet wordt meegenomen, schrijft ECHA de verbeterde test toch nog niet bindend voor op grond van juridische onzekerheid.

1. Is de Commissie op de hoogte van deze ontwikkeling omtrent de zogeheten „extended one test" (OECD 443) waardoor het aantal voor REACH te gebruiken proefdieren sterk verminderd kan worden?

2. Is de Commissie van mening dat bedrijven die hun verantwoordelijkheid nemen en een testvoorstel doen op basis van de nieuwe OECD 443, met kortere pre-mating periode, met de DNT/DIT cohorten en in beginsel zonder de tweede generatie, deze internationaal erkende testmethode moeten kunnen uitvoeren? Zo ja, bent u bereid ECHA hierop te instrueren? Zo nee, kunt u dan aangeven welke overwegingen u heeft om bedrijven niet toe te staan deze test uit te voeren?

3. Is de Commissie bereid om alle juridische onzekerheden die er mogelijk bestaan uit de weg te ruimen en indien nodig de bijlagen van REACH waarin een twee-generatie test wordt vereist voor bepaling van de reproductietoxiciteit aan te passen, opdat de OECD 443 de standaard testvereiste wordt?

4. Is de Commissie bereid de testmethodenrichtlijn bij de eerstvolgende aanpassing zodanig aan te passen dat de standaard wijze van uitvoering van de test zodanig is dat de tweede generatie niet standaard behoeft te worden getest? Zo ja, kunt u aangeven wanneer u dit gaat realiseren? Zo nee, waarom niet?

Antwoord van de heer Potočnik namens de Commissie
(27 april 2012)

De Commissie is op de hoogte van het OESO-testrichtsnoer (TG) 443, was actief betrokken in het OESO-proces en is er zich ten volle van bewust dat het testrichtsnoer minder proefdieren vereist voor bepaling van de reproductietoxiciteit. De Commissie volgt ook nauwlettend de lopende werkzaamheden van de OESO om een leidraad op te stellen ter ondersteuning van TG 443.

De Commissie heeft de TG uitvoerig besproken tijdens de vergadering van de bevoegde instanties voor REACH en de indeling en etikettering van stoffen (CARACAL). Daarnaast heeft de Commissie binnen CARACAL een ad-hocgroep van deskundigen inzake TG 443 ingesteld om de wetenschappelijke, juridische, regelgevings-, economische en praktische implicaties te onderzoeken en de Commissie advies te verstrekken over de eventuele invoering van deze TG voor REACH ([1]) en CLP ([2]). Eén van de belangrijkste taken van de ad-hocgroep van deskundigen bestond erin de Commissie te helpen om met kennis van zaken een besluit te treffen over de meest geschikte standaard-proefopzet. Momenteel analyseert de Commissie de feedback van de ad-hocgroep van deskundigen en overweegt zij de erkenning van TG 443 als testmethode die voldoet aan de REACH-voorschriften inzake informatieverstrekking. Dit houdt in dat alle met TG 443 samenhangende wetenschappelijke elementen, wettelijke voorschriften, kosten en praktische aspecten bij de beoordeling worden meegenomen. Bij dit beoordelingsproces wordt met betrekking tot een aantal wetenschappelijke aspecten de steun van het Comité risicobeoordeling van het ECHA gevraagd.

([1]) Verordening (EG) nr. 1907/2006 van het Europees Parlement en de Raad van 18 december 2006 inzake de registratie en beoordeling van en de autorisatie en beperkingen ten aanzien van chemische stoffen (REACH), tot oprichting van een Europees Agentschap voor chemische stoffen, houdende wijziging van Richtlijn 1999/45/EG en houdende intrekking van Verordening (EEG) nr. 793/93 van de Raad en Verordening (EG) nr. 1488/94 van de Commissie alsmede Richtlijn 76/769/EEG van de Raad en de Richtlijnen 91/155/EEG, 93/67/EEG, 93/105/EG en 2000/21/EG van de Commissie (PB L 396 van 30.12.2006).

([2]) Verordening (EG) nr. 1272/2008 van het Europees Parlement en de Raad van 16 december 2008 betreffende de indeling, etikettering en verpakking van stoffen en mengsels, tot wijziging en intrekking van de Richtlijnen 67/548/EEG en 1999/45/EG en tot wijziging van Verordening (EG) nr 907/2006 (PB L 353 van 31.12.2008).

De evaluatie door de Commissie moet leiden tot een beslissing om TG 443 al dan niet toe te passen en zo ja, onder welke vorm. Dit kan mogelijk resulteren in een wijziging van de REACH-bijlagen en in de opneming van TG 443 in de EU- testmethodenverordening. Zodra de besprekingen zijn afgelopen, zal de Commissie het ECHA op de hoogte brengen van haar beslissing.

(English version)

Question for written answer E-002511/12
to the Commission
Esther de Lange (PPE)
(5 March 2012)

Subject: New REACH test method that requires fewer experimental animals

REACH (Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals) requires that chemical substance manufacturers who market more than 1 000 tonnes a year must base part of their data on results obtained from animal tests. The two-generation test to determine reproductive toxicity requires a very large number of experimental animals.

The OECD has recently accepted an improved version of this test method (OECD 443), in which only the first generation of animals needs to be used. Even though this test generates more information and requires fewer experimental animals because the second generation of animals is not included, ECHA (the European Chemicals Agency) has not yet imposed a binding requirement to use the improved test due to legal uncertainty.

1. Is the Commission aware of this development relating to the so-called 'extended one test' (OECD 443), whereby the number of experimental animals to be used under REACH can be reduced considerably?

2. Is it the Commission's opinion that companies that act responsibly and draw up a test proposal on the basis of the new OECD 443, with a shorter pre-mating period, with the DNT/DIT (developmental neurotoxicity/developmental immunotoxicity) cohorts and, in principle, without the second generation, should be able to use this internationally-recognised test method? If so, is the Commission prepared to instruct ECHA accordingly? If not, can the Commission then indicate its reasons for not allowing companies to carry out this test?

3. Is the Commission prepared to remove all legal uncertainties that may exist and, if necessary, to amend the REACH annexes, which demand a two-generation test for determining reproductive toxicity, so that the OECD 443 becomes the standard test requirement?

4. Is the Commission prepared to amend the test methods directive in the next round of amendments in such a way that the standard method of testing will not require testing of the second generation? If so, can the Commission indicate when it will do this? If not, why not?

Answer given by Mr Potočnik on behalf of the Commission
(27 April 2012)

The Commission is aware of the OECD Test Guideline (TG) 443, was actively involved in the OECD process and is fully aware of the potential of the TG to reduce the number of animals used for assessment of reproductive toxicity. The Commission also follows closely the ongoing work at OECD to develop guidance in support of TG 443.

The Commission has extensively discussed this TG in the Meeting of the Competent Authorities for REACH and Classification and Labelling (CARACAL). Additionally, the Commission has set up a CARACAL ad-hoc TG 443 expert group to examine the scientific, legal, regulatory, economic and practical implications so as to inform the Commission in its consideration of implementing this TG for REACH ([1]) and CLP ([2]). One of the main purposes of the ad-hoc expert group was to aid the Commission to make an informed decision on the most appropriate default test design. The Commission is currently analysing the feedback from the ad-hoc expert group and is considering the implementation of this test method for fulfilling REACH information requirements. This consideration involves examining all the scientific elements, the legal requirements, and the costs and practicalities associated with TG 443 as part of the assessment. In this assessment process the support of ECHA Risk Assessment Committee is being sought on a number of scientific aspects.

([1]) Regulation (EC) No 1907/2006 of the Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, OJ L 396, 30.12.2006.

([2]) Regulation (EC) No 1272/2008 of the Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, OJ L 353, 31.12.2008.

The outcome of the Commission assessment will be a decision to implement TG 443 or not and its most appropriate design, entailing a possible amendment of REACH annexes and the incorporation of TG 443 into the EU Test Methods Regulation. Once its deliberations have concluded, the Commission will accordingly inform ECHA of its decision.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002512/12
aan de Commissie
Lambert van Nistelrooij (PPE)
(5 maart 2012)

Betreft: „Gele kaart" voor Belgoprocess Mol

In de EU lidstaten is in 2011 gewerkt aan het national progress report on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants, onderdeel van de nucleaire stresstest die in 2012 wordt gefinaliseerd. Begin 2012 heeft het bedrijf Belgoprocess een „gele kaart" gekregen van het Belgisch Federaal Agentschap voor Nucelaire Controle. Veiligheid dient een eerste prioriteit te zijn, ook bij dit bedrijf dat gelegen is nabij de Nederlands-Belgische grens.

1. Is de Commissie bekend met het bericht „Veiligheid voor alles bij Belgoprocess" ([1])?

2. Kan de Commissie aangeven of de gebreken die aan het licht zijn gekomen bij de onaangekondigde inspectie van het FANC op 16 januari ook reeds genoemd zijn in het „national progress report on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants" ([2])?

3. Indien de gebreken die aan het licht zijn gekomen bij de onaangekondigde inspectie van het FANC op 16 januari niet zijn verwerkt in het Belgische „national progress report on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants", welke conclusies en consequenties verbindt de Commissie daar dan aan met betrekking tot de voortgang van de stress test?

Antwoord van de heer Oettinger namens de Commissie
(26 april 2012)

1. De Commissie is niet bekend met het bericht waarnaar het geachte Parlementslid verwijst.

2. In overeenstemming met het overeengekomen tijdschema zijn de nationale rapporten ingediend in 2011. De inspectie waarnaar het geachte Parlementslid verwijst, heeft in 2012 plaatsgevonden en maakt daarom geen deel uit van het Belgische nationale rapport over stresstests.

3. De Commissie verwijst het geachte Parlementslid graag naar het antwoord op schriftelijke vraag E-000284/2012, gesteld door mevrouw Monika Flašíková Beňová ([3]).

([1]) http://www.gva.be/opinie/standpunt/extern-veiligheid-voor-alles-bij-belgoprocess.aspx.
([2]) http://fanc.fgov.be/GED/00000000/2900/2982.pdf en http://ec.europa.eu/energy/nuclear/safety/doc/com_2011_0784_technical_summary.pdf
([3]) http://www.europarl.europa.eu/QP-WEB.

(English version)

Question for written answer E-002512/12
to the Commission
Lambert van Nistelrooij (PPE)
(5 March 2012)

Subject: 'Yellow card' for Belgoprocess Mol

In 2011, the EU Member States worked on the 'national progress reports on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants', part of the nuclear stress test that will be finalised in 2012. At the beginning of 2012, the Belgoprocess company received a 'yellow card' from the Belgian Federal Agency for Nuclear Control (FANC). Safety should be the first priority, including at this company, which is located near the Dutch-Belgian border.

1. Is the Commission familiar with the report 'Safety first at Belgoprocess' ([1])?

2. Can the Commission indicate whether the shortcomings uncovered by the FANC's unannounced inspection on 16 January have also already been mentioned in the 'national progress report on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants'? ([2])

3. If the shortcomings uncovered by the FANC's unannounced inspection on 16 January have not been incorporated in the Belgian 'national progress report on the implementation of comprehensive risk and safety assessments of the EU nuclear power plants', then what conclusions and consequences does the Commission link to that report regarding the progress of the stress test?

Answer given by Mr Oettinger on behalf of the Commission
(26 April 2012)

1. The Commission is not aware of the report mentioned by the Honourable Member.

2. In accordance with the agreed timeframe, national reports were submitted in 2011. Therefore, the 2012 inspection mentioned by the Honourable Member is not included in the Belgian national report on stress tests.

3. The Commission would like to refer the Honourable Member to its reply to Written Question E-000284/2012 by Mrs Monika Flašíková Beňová ([3]).

([1]) http://www.gva.be/opinie/standpunt/extern-veiligheid-voor-alles-bij-belgoprocess.aspx.
([2]) http://fanc.fgov.be/GED/00000000/2900/2982.pdf en http://ec.europa.eu/energy/nuclear/safety/doc/com_2011_0784_technical_summary.pdf.
([3]) http://www.europarl.europa.eu/QP-WEB.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002513/12
do Komisji
Artur Zasada (PPE)
(5 marca 2012 r.)

Przedmiot: Farmy wiatrowe i ich wpływ na zdrowie ludzkie

W imieniu mieszkańców reprezentujących mój okręg wyborczy proszę Komisję o odniesienie się do kwestii tzw. farm wiatrowych. W szczególności, proszę o wyjaśnienie następujących wątpliwości:

1. Czy Komisja dysponuje danymi naukowymi odnoszącymi się do kwestii ewentualnego negatywnego wpływu farm wiatrowych na zdrowie ludzkie?

2. Czy Komisja dysponuje badaniami na temat ewentualnego szkodliwego wpływu infradźwięków wytwarzanych przez siłownie wiatrowe na życie i zdrowie ludzkie?

3. Czy na podstawie danych, jakimi dysponuje Komisja, planuje ona wydanie zaleceń dotyczących np. lokalizacji farm wiatrowych?

Odpowiedź udzielona przez komisarza Janeza Potočnika w imieniu Komisji
(23 maja 2012 r.)

W ostatnich latach Komisja nie zlecała żadnych szczegółowych badań dotyczących potencjalnego negatywnego wpływu turbin wiatrowych na zdrowie ludzkie, ani nie uzyskała żadnych dowodów naukowych wykazujących bezpośredni związek przyczynowo-skutkowy między obecnością tych turbin a niepożądanymi skutkami zdrowotnymi, w tym w odniesieniu do ewentualnego szkodliwego wpływu infradźwięków wytwarzanych przez farmy wiatrowe na życie i zdrowie ludności. Komisja jest jednak świadoma istnienia dużej ilości opracowań odnoszących się do tej kwestii.

Komisja wydała już wytyczne dotyczące lokalizacji farm wiatrowych i terenów Natura 2000 ([1]). Obecnie nie planuje się opracowania dalszych wytycznych.

([1]) http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf

(English version)

Question for written answer E-002513/12
to the Commission
Artur Zasada (PPE)
(5 March 2012)

Subject: Wind farms and their impact on human health

On behalf of my constituents, I would like to ask the Commission to address the issue of wind farms. In particular, I would request clarification of the following concerns:

1. Does the Commission have any scientific data on the possible negative impact of wind farms on human health?

2. Does it have any studies in its possession on the possible harmful effects of infrasound generated by wind power plants on human life and health?

3. Is the Commission planning to issue any recommendations on the basis of its data, for example regarding the location of wind farms?

Answer given by Mr Potočnik on behalf of the Commission
(23 May 2012)

No specific study on potential negative impact on human health has been commissioned by the Commission in recent years and no scientific evidence has been presented to it to demonstrate a direct causal link between wind turbines and adverse human health effects, including as regards possible harmful effects of infrasound generated by wind power plants on human life and health. The Commission is however well aware of the large quantity of literature available on the matter.

The Commission has already issued guidance with regard to the location of wind farms and Natura 2000 sites ([1]). No further guidance is planned at the moment.

([1]) http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002514/12
do Komisji
Jarosław Leszek Wałęsa (PPE)
(5 marca 2012 r.)

Przedmiot: Pogłębianie współpracy gospodarczej w rejonie basenu Morza Śródziemnego oraz Europy Wschodniej

Obecne trudności ekonomiczne Unii Europejskiej skłaniają do zwielokrotnienia wysiłku na rzecz poprawy warunków prowadzenia działalności gospodarczej, zarówno w samej Wspólnocie, jak i poza nią.

Jednym z takich działań jest pogłębianie współpracy w rejonie basenu Morza Śródziemnego. Dzięki powstaniu Unii na Rzecz Morza Śródziemnego w 2008 r. oraz między innymi obecnym pracą w celu stworzenia jednolitych reguł pochodzenia towarów coraz bardziej realna staje się możliwość doprowadzenia do utworzenia strefy wolnego handlu w tym obszarze.

Równocześnie geograficzne położenie Unii Europejskiej zachęca do zacieśniania stosunków gospodarczych z partnerami ze Wschodu, w szczególności z Ukrainą. Dlatego jestem zainteresowany, czy Komisja Europejska przewiduje integrację działań realizowanych w obu tych obszarach: EUROMEDu oraz Europy Wschodniej.

W związku z tym, zwracam się z pytaniem o przyjętą strategię oraz podjęte działania w celu budowania stosunków gospodarczych w rejonie Europy Wschodniej.

Dodatkowo chciałbym wiedzieć, w jaki sposób promowana jest aktywność gospodarcza z wykorzystaniem możliwości, które daje realizacja programu Partnerstwa Wschodniego. W szczególności, jak są zachęcane małe i średnie przedsiębiorstwa do podejmowania lub rozwijania działalności w tym rejonie.

Odpowiedź udzielona przez komisarza Štefana Füleg w imieniu Komisji
(21 maja 2012 r.)

Europejska Polityka Sąsiedztwa ma na celu wzmocnienie wzrostu gospodarczego w UE oraz w krajach ościennych, w tym poprzez bliższe stosunki handlowe z tymi krajami. W swoim wspólnym komunikacie z 25 maja 2011 r. Komisja i Wysoka Przedstawiciel przedstawiły nową strategię postępowania w kontekście zmian zachodzących w krajach sąsiadujących z UE ([1]): głównym instrumentem do rozwijania bliższych stosunków handlowych z krajami ościennymi są pogłębione i kompleksowe strefy wolnego handlu (DCFTA). Pogłębiona i kompleksowa strefa wolnego handlu przewiduje nie tylko stopniowe usunięcie barier handlowych, ale również zbieżność przepisów w dziedzinach, które mają wpływ na handel.

Komisja zamierza zawrzeć umowy o pogłębionych i kompleksowych strefach wolnego handlu zarówno z południowymi, jak i ze wschodnimi sąsiadami. Komisja zakończyła już negocjacje w sprawie DCFTA z Ukrainą. Rozpoczęła również negocjacje z Mołdawią, Gruzją i Armenią, a także otrzymała wytyczne negocjacyjne w odniesieniu do Egiptu, Jordanii, Maroka i Tunezji. W perspektywie długoterminowej Komisja proponuje wizję wspólnoty gospodarczej łączącej UE i jej partnerów w ramach EPS na wschodzie i na południu, w oparciu o sieć DCFTA.

W perspektywie krótkoterminowej Komisja zamierza również propagować bezpośrednie inwestycje małych i średnich przedsiębiorstw UE oraz mikrokredyty na rozwój gospodarczy naszych krajów sąsiadujących. W szczególności Partnerstwo Wschodnie obejmuje specjalną inicjatywę flagową służącą wspieraniu małych i średnich przedsiębiorstw. Uruchomiona w 2009 r. inicjatywa flagowa oferuje wsparcie dla MŚP, np. przy opracowywaniu planów biznesowych i marketingowych oraz przy tworzeniu sieci kontaktów biznesowych. Inicjatywa obejmuje również pulę finansową w wysokości ok. 300 mln EUR, która została ustanowiona wspólnie przez Europejski Bank Inwestycyjny (EBI), Europejski Bank Odbudowy i Rozwoju (EBOiR) oraz Kreditanstalt für Wiederaufbau, i która jest przeznaczona szczególnie dla najmniejszych MŚP.

([1]) KOM(2011) 303 wersja ostateczna.

(English version)

Question for written answer E-002514/12
to the Commission
Jarosław Leszek Wałęsa (PPE)
(5 March 2012)

Subject: Deepening economic cooperation in the Mediterranean basin and Eastern Europe

The European Union's current economic difficulties call for the ramping up of efforts to improve the business environment, both in the Community and beyond.

One step in this direction would be to deepen cooperation in the Mediterranean basin. Thanks to the establishment of the Union for the Mediterranean in 2008 and the efforts currently being made to draft uniform rules of origin for goods, the creation of a free trade area in this region is becoming ever more likely.

At the same time, the European Union's geographical location encourages the development of closer economic relations with our Eastern partners, in particular with Ukraine. I would therefore be interested in hearing whether the Commission envisages the integration of activities carried out in the EUROMED and Eastern Europe regions.

In this connection, can the Commission explain the strategy that has been adopted and the measures that have been taken to build economic relations with Eastern Europe?

Furthermore, can the Commission explain how the business opportunities offered by the Eastern Partnership programme are being promoted? In particular, how are small and medium-sized enterprises being encouraged to open or expand their business operations in the region?

Answer given by Mr Füle on behalf of the Commission
(21 May 2012)

The European Neighbourhood Policy (ENP) seeks to enhance economic growth in the EU and in its neighbourhood, including through closer trade relations with its neighbours. As the Commission and the High Representative pointed out in their Joint Communication of 25 May 2011 on a new response to a changing neighbourhood ([1]), the main instrument for developing closer trade ties with neighbours is the Deep and Comprehensive Free Trade Area (DCFTA). DCFTAs provide not only for the gradual dismantling of trade barriers but also for regulatory convergence in areas that have an impact on trade.

The Commission aims at concluding DCFTAs both with Southern and with Eastern neighbours. The Commission has already concluded negotiations on a DCFTA with Ukraine. It has also launched negotiations with Moldova, Georgia and Armenia and obtained negotiating directives for Egypt, Jordan, Morocco and Tunisia. For the long term, the Commission proposes the vision of an economic community uniting the EU and its ENP partners, both to the East and to the South, based on a network of DCFTAs.

In the shorter term, the Commission also seeks to promote direct investment from EU small and medium-sized enterprises (SMEs) and micro-credit for the economic development of our neighbours. In particular, the Eastern partnership includes a special flagship initiative in support of small and medium-sized enterprises. Launched in 2009, the flagship initiative offers assistance to SMEs, e.g. in drafting business and marketing plans and in business networking. It also includes a funding component of around EUR 300 million, which was set up jointly with the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) and Kreditanstalt für Wiederaufbau and which is addressed specifically to the lower end of the SME spectrum.

([1]) COM(2011) 303 final.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002515/12
à Comissão
Inês Cristina Zuber (GUE/NGL) e João Ferreira (GUE/NGL)
(5 de março de 2012)

Assunto: Agressão aos trabalhadores da Meister Benelux perpetrada por uma milícia privada

No início da semana passada, os trabalhadores da Meister Benelux, em Louveigné (Bélgica), tomaram conhecimento, durante uma reunião do conselho de empresa, que a direção queria deslocalizar uma parte significativa da produção para a República Checa em 2012. Os sindicatos exigiram a negociação com a direção da empresa (uma subsidiária da Volkswagen), mas esta recusou qualquer diálogo. Em face desta atitude, os trabalhadores bloquearam a saída da produção da empresa, como forma de protesto pela falta de diálogo, recusando a sua deslocalização e a mais do que provável perda de muitos postos de trabalho. A direção da empresa constituiu uma milícia privada de indivíduos vindos da Alemanha que irromperam pela empresa, armados com bastões, equipamento para lançar gás e coletes à prova de bala, expulsando os trabalhadores e tentando fazer sair, pela força, a produção bloqueada. Tomando conhecimento do que estava a acontecer, várias delegações de trabalhadores da região concentraram-se junto à empresa, determinados a impedir a saída da produção. Durante a noite, com escolta policial, os milicianos abandonaram a empresa, sem conseguirem um dos seus intentos: fazer sair a produção bloqueada. A ação da polícia é motivo do mais vivo repúdio, já que nada fez para desarmar e parar os milicianos neste ato terrorista contra os trabalhadores. Mais: a polícia recusou-se mesmo a aceitar a queixa dos trabalhadores molestados e os milicianos não foram objeto de nenhuma ação administrativa ou judicial, sendo mesmo escoltados pela polícia até à fronteira.

Este bárbaro ataque aos direitos dos trabalhadores junta-se a muitos outros que por toda a UE vão tendo lugar. Neste caso, os patrões da empresa utilizaram a «livre circulação» dentro da UE para organizar uma ação de tipo paramilitar, violentando os trabalhadores.

Assim, perguntamos à Comissão:

1. Que avaliação faz destes acontecimentos?

2. Que medidas estão a ser tomadas para que não se voltem a repetir situações idênticas?

3. Que medidas estão a ser tomadas para defender os direitos dos trabalhadores e impedir a deslocalização de empresas, cujo único propósito, como a realidade tem demonstrado, é aumentar os lucros?

Resposta dada por László Andor em nome da Comissão
(26 de abril de 2012)

Nos casos em que uma empresa perspetiva uma reestruturação, várias diretivas da União Europeia (UE) em matéria de informação e de consulta dos trabalhadores podem ser aplicáveis. Estas incluem a Diretiva-Quadro 2002/14/CE ([1]), relativa à informação e à consulta dos trabalhadores, e as Diretivas 98/59/CE ([2]), relativa aos despedimentos coletivos e 2009/38/CE ([3]), relativa aos Conselhos de Empresa Europeus. Cabe às autoridades nacionais competentes, incluindo os tribunais, garantir que o direito é aplicado correta e eficazmente, tendo em conta as circunstâncias específicas de cada caso.

A Comissão considera igualmente que a antecipação, a preparação e a gestão da reestruturação das empresas devem ser incentivadas a fim de assegurar que a sua realização tenha lugar de forma socialmente responsável. Em janeiro do corrente ano, a Comissão lançou uma consulta pública sobre a antecipação da mudança e a reestruturação, a fim de identificar práticas e políticas bem sucedidas neste domínio e contribuir para melhorar a cooperação entre as partes interessadas em toda a UE ([4]).

([1]) Diretiva 2002/14/CE do Parlamento Europeu e do Conselho, de 11 de março de 2002, que estabelece um quadro geral relativo à informação e à consulta dos trabalhadores na Comunidade Europeia, JO L 80 de 23.3.2002, p. 29.

([2]) Diretiva 98/59/CE do Conselho, de 20 de julho de 1998, relativa à aproximação das legislações dos Estados-Membros respeitantes aos despedimentos coletivos, JO L 225 de 12.8.1998, p. 16.

([3]) Diretiva 2009/38/CE, do Parlamento Europeu e do Conselho, de 6 de maio de 2009, relativa à instituição de um Conselho de Empresa Europeu ou de um procedimento de informação e consulta dos trabalhadores nas empresas ou grupos de empresas de dimensão comunitária, JO L 122 de 16.5.2009, p. 28.

([4]) Livro Verde da Comissão Reestruturação e antecipação da mudança: que lições tirar da experiência recente? (COM(2012) 7 final de 17 de janeiro de 2012) em:
http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1166&furtherNews=yes

(English version)

Question for written answer E-002515/12
to the Commission
Inês Cristina Zuber (GUE/NGL) and João Ferreira (GUE/NGL)
(5 March 2012)

Subject: Attack on Meister Benelux workers by a private army

During a company board meeting at the beginning of last week, Meister Benelux workers in Louveigné, Belgium, learned that the firm's management has plans to move a substantial part of production to the Czech Republic in 2012. Trade unions demanded that talks be held with managers at the firm (a Volkswagen subsidiary), but the management rejected that request. The workers responded by blockading the firm's entrance in protest at the lack of dialogue, and at the relocation and the numerous job losses highly likely to follow. The management hired a private army from Germany, which, armed with baseball bats, tear-gas grenades, and bullet-proof vests, stormed the building and drove out the workers, using force in an attempt to seize the finished goods stuck inside. After they had learned what was happening, several delegations of workers from the region gathered outside the site, determined to prevent anything leaving the factory. The militiamen were escorted from the site during the night by the police, having failed to achieve their aim of getting the goods out. The police action should be roundly condemned, since not only was nothing done to disarm or stop the militiamen during their terrorist-like attack on the workers, but the police refused even to acknowledge the complaint of the workers attacked. No administrative or legal action was taken against the private army, who were simply escorted to the border by the police.

This barbaric attack on workers' rights is one of many that have taken place throughout the EU. In this case, the firm's bosses used 'freedom of movement' within the EU to organise paramilitary action and to assault workers.

1. What is the Commission's assessment of these events?

2. What measures is the Commission taking to prevent a situation of this kind being repeated in the future?

3. What measures is it taking to defend workers' rights and to prevent the relocation of companies, whose only aim, as events have shown, is to increase profits?

Answer given by Mr Andor on behalf of the Commission
(26 April 2012)

Several European Union (EU) directives on informing and consulting employees could be applicable in cases where a company contemplates restructuring. These include the framework Directive 2002/14/EC ([1]) on informing and consulting employees, and Directives 98/59/EC ([2]) on collective redundancies and 2009/38/EC ([3]) on European Works Councils. It is for the competent national authorities, including the courts, to ensure that the law is correctly and effectively applied, having regard to the specific circumstances of each case.

The Commission also believes that anticipating, preparing and managing corporate restructuring should be promoted to ensure it is carried out in a socially responsible way. In January this year it launched a public consultation on anticipating change and restructuring to identify successful practice and policy in this field and contribute to improving cooperation between the actors concerned across the EU ([4]).

([1]) Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, OJ L 80, 23.3.2002, p. 29.
([2]) Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies, OJ L 225, 12.8.1998, p. 16.
([3]) Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees, OJ L 122, 16.5.2009, p. 28.
([4]) Commission Green Paper 'Restructuring and anticipation of change: what lessons from recent experience?' (COM(2012) 7 final of 17 January 2012) at: http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1166&furtherNews=yes

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002516/12
à Comissão
João Ferreira (GUE/NGL)
(5 de março de 2012)

Assunto: Privatização de empresas públicas no programa FMI-UE (II)

Em resposta à pergunta E-000208/2012, o Comissário Olli Rehn refere que «muitas empresas públicas portuguesas têm contribuído para o desequilíbrio das finanças públicas. Por conseguinte, é importante que as empresas em causa sejam reestruturadas e, se possível, preparadas para serem privatizadas. Se essas empresas forem rentáveis, a sua privatização contribuirá para a melhoria das finanças públicas que é necessária a curto prazo».

Recordo que esta pergunta surgiu na sequência de afirmações da Comissão (P-009843/2011), segundo as quais «a legislação da UE não prescreve a privatização de empresas públicas; na verdade, o Tratado é estritamente neutro no que respeita a propriedade privada ou pública, e a Comissão segue esta linha de modo igualmente estrito».

Em aditamento à pergunta anteriormente mencionada (E-000208/2012), solicito à Comissão que me informe sobre o seguinte:

1. Como concluiu a Comissão que empresas como a EDP e a REN «têm contribuído para o desequilíbrio das finanças públicas»?

2. Tem a Comissão presente que a privatização destas empresas se traduzirá numa quebra de receitas para o Estado, a médio e a longo prazo, como o demonstraram as fases anteriores de privatização?

Resposta dada por Olli Rehn em nome da Comissão
(25 de abril de 2012)

A declaração na resposta anterior de que «muitas empresas públicas contribuíram para o desequilíbrio das finanças públicas» referia-se ao conjunto do setor das empresas públicas. De acordo com um relatório das autoridades portuguesas, as empresas públicas em Portugal, em termos globais, registaram, em 2010, perdas de 800 mil milhões de euros, aproximadamente (½ do PIB) e, no final do mesmo ano, a sua dívida elevava-se a 38 % do PIB.

Em relação à EDP e à REN, estas duas empresas foram, de facto, rentáveis no passado. A venda de participações públicas nestas empresas foi, assim, motivada pelo facto de gerarem receitas significativas para o Estado a curto prazo. É certo que estas receitas são obtidas em detrimento de futuras receitas provenientes dos lucros dessas empresas. No entanto, é de pressupor que o preço de venda reflete a dedução dos futuros fluxos de receitas previstos. Contrariamente aos receios iniciais de que, devido à atual recessão do mercado bolsista em Portugal, a venda não traria receitas suficientes, o negócio foi um grande êxito para o Estado português. As receitas permitem uma injeção de liquidez bem-vinda para o orçamento de Estado, atenuando, assim, as grandes dificuldades de tesouraria do Governo.

(English version)

Question for written answer E-002516/12
to the Commission
João Ferreira (GUE/NGL)
(5 March 2012)

Subject: Privatisation of public companies under the second EU-IMF programme

In reply to Question E-000208/2012, Commissioner Rehn stated that many Portuguese public companies have contributed to the imbalance in public finances, and that it is therefore important for the companies in question to be restructured and, where possible, prepared for privatisation. He added that if those companies were profitable, their privatisation would help to bring about the improvement in public finances needed in the short term.

This question arose from the Commission's statements (P-009843/2011) to the effect that EU legislation does not prescribe the privatisation of public companies; indeed, the Treaty is strictly neutral as regards private or public ownership, and the Commission follows that line just as strictly.

Further to the aforementioned question (E-000208/2012):

1. How did the Commission reach the conclusion that companies like Portugal's EDP Group and REN Group have contributed to the imbalance in public finances?

2. Is it aware that the privatisation of these companies will result in a loss of revenue for the state in both the medium and long term, as earlier privatisations have demonstrated?

Answer given by Mr Rehn on behalf of the Commission
(25 April 2012)

The statement 'many of the state-owned companies have contributed to the financial imbalances of the public finances' in the previous reply referred to the sector of state-owned enterprises as a whole. According to a report by the Portuguese authorities, state-owned enterprises In Portugal as whole made losses of some EUR 800 billion (½ % of GDP) in 2010 and their debt amounted to 38 % of GDP at end-2010.

As regards EDP and REN, these two companies have indeed been profitable in the past. The sale of public stakes in these companies was thus motivated by the fact that this generates significant revenue for the state in the short-term. It is correct that this revenue comes at the cost of future income from the profits of these companies. However, it can be assumed that the sale price reflects the discounted expected future income streams. Contrary to earlier fears that due to the currently depressed stock market in Portugal the sale would not generate enough revenue, the deals were highly successful for the Portuguese state. The revenue provides a welcome liquidity injection into the state budget thereby alleviating the government's tight cash situation.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002517/12
à Comissão
João Ferreira (GUE/NGL)
(5 de março de 2012)

Assunto: Diminuição de verbas para as Regiões Ultraperiféricas

A proposta da Comissão Europeia relativa ao próximo Quadro Financeiro Plurianual (2014/2020) prevê uma forte diminuição das verbas destinadas às Regiões Ultraperiféricas.

Enquanto que para o período de 2007/2013 foram alocados 979 milhões de euros às Regiões Ultraperiféricas (a preços de 2004), a atual proposta da Comissão prevê a atribuição, para o período 2014/2020, de apenas 926 milhões (a preços de 2011), destinados às Regiões Ultraperiféricas e às regiões de baixa densidade populacional, tendo estas verbas, por conseguinte, que ser divididas entre ambas. Ademais, tendo em conta que os 926 milhões de euros alocados no anterior Quadro Financeiro Plurianual (2007/2013) correspondem, a preços correntes, a 1 738 milhões de euros, estamos perante um corte de 47 %, mas que na prática será bem superior.

Em face do exposto, pergunto à Comissão:

1. Que razões explicam este corte tão substancial nas verbas para as Regiões Ultraperiféricas, em especial quando a crise económica e social tem vindo a agravar muitos dos constrangimentos e debilidades estruturais que sofrem?

2. Que avaliação foi feita das implicações deste corte nas condições de vida das populações destas regiões?

3. Que medidas irá tomar para que não se aprofundem ainda mais as divergências entre regiões?

Resposta dada por Johannes Hahn em nome da Comissão
(13 de abril de 2012)

A redução do financiamento para as regiões ultraperiféricas está relacionada com a proposta de redução global do orçamento de coesão.

A Comissão está consciente dos problemas que restringem o desenvolvimento das regiões ultraperiféricas. Esta é a razão pela qual a Comissão propôs um conjunto de medidas coerentes destinadas a resolver esses problemas no contexto da reforma da política de coesão. Nestas incluem-se uma dotação financeira específica para as regiões ultraperiféricas, complementar às dotações do FEDER e do FSE atribuídas a todas as regiões da EU, e taxas de cofinanciamento preferenciais para as regiões ultraperiféricas, independentemente do respetivo PIB, bem como uma afetação adicional de 50 milhões de euros no domínio da cooperação.

Tal como solicitado pelo Conselho em 14 de junho de 2010, no verão de 2012 a Comissão tenciona adotar uma comunicação que trace as linhas gerais de uma estratégia renovada da União Europeia para as regiões ultraperiféricas, no âmbito das prioridades da estratégia Europa 2020.

(English version)

Question for written answer E-002517/12
to the Commission
João Ferreira (GUE/NGL)
(5 March 2012)

Subject: Reduced funding for the outermost regions

The European Commission proposal for the next multiannual financial framework 2014-2020 is forecasting a significant reduction in funding for the outermost regions.

While EUR 979 million (at 2004 prices) was allocated to the outermost regions for the period 2007-2013, the Commission's current proposal provides for the allocation of only EUR 926 million (at 2011 prices) for the period 2014-2020 for the outermost regions and for sparsely populated regions; this funding will therefore need to be shared between both. Moreover, considering that the EUR 926 million allocated under the previous multiannual financial framework for 2007-2013 corresponds to EUR 1 738 million at current prices, we are looking at a 47 % reduction which in reality will be much higher.

Can the Commission answer the following questions:

1. What are its reasons for the substantial reduction in funding for the outermost regions, particularly when the economic and social crisis has already exacerbated many of the structural constraints and difficulties they suffer from?

2. What assessment has been made of the implications that this reduction will have for the living conditions of local communities in these regions?

3. What measures will it take to avoid further exacerbating inequalities between regions?

Answer given by Mr Hahn on behalf of the Commission
(13 April 2012)

The reduction in the funding for the outermost regions is related to the proposed overall decrease in the cohesion budget.

The Commission is aware of the problems which restrain the development of the outermost regions. This is the reason why the Commission has proposed a coherent set of measures to address those problems in the context of the reform of cohesion policy. These include a special financial allocation for the outermost regions on top of the ERDF and ESF allocations given to all EU regions and preferential co-financing rates for the outermost regions irrespective of their GDP level, as well as an extra allocation of EUR 50 million in the field of cooperation.

As requested by the Council on 14 June 2010, the Commission plans to adopt a communication in summer 2012 outlining a renewed EU strategy for the outermost regions within the priorities of the Europe 2020 strategy.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002518/12
ao Conselho
João Ferreira (GUE/NGL)
(5 de março de 2012)

Assunto: Exploração dos recursos pesqueiros do Sara Ocidental

No passado dia 3 de fevereiro, o Conselho autorizou a Comissão Europeia a encetar negociações, em nome da União Europeia, com vista a celebrar um novo protocolo ao Acordo de Parceria no domínio da Pesca com o Reino de Marrocos.

É reconhecida a necessidade de este Acordo ser conforme com o direito internacional. Todavia, quer a Comissão quer o Conselho têm persistido numa interpretação errada dessa conformidade.

À luz do direito internacional e das resoluções das Nações Unidas relevantes, designadamente as relativas ao direito das populações dos territórios não autónomos aos recursos naturais desses territórios, a exploração de recursos naturais num território não autónomo deve ser feita em benefício das populações desse território e respeitando a sua vontade.

Ora, até à data, o Conselho e a Comissão têm-se limitado a considerar que a exploração dos recursos pesqueiros deve ser feita em benefício das populações locais. Para avaliarem o cumprimento deste critério, limitam-se a pedir informações às autoridades marroquinas. Ou seja, o povo sarauí e os seus legítimos representantes — designadamente os que participam nas negociações em curso no quadro da ONU — são pura e simplesmente ignorados em todo este processo. Em consequência, não é possível avaliar se a exploração dos recursos é feita, realmente, respeitando a vontade das populações locais.

Assim, pergunto ao Conselho:

1. Considera ou não que a exploração dos recursos pesqueiros do Sara Ocidental terá de respeitar a vontade do povo sarauí?

2. Considera ou não necessário ouvir os representantes legítimos do povo sarauí, nomeadamente os que participam nas negociações em curso no quadro da ONU, quanto a um eventual futuro acordo que preveja a exploração dos recursos pesqueiros do Sara Ocidental?

Resposta
(2 de julho de 2012)

O Conselho adotou em 14 de fevereiro de 2012 uma decisão que autoriza a Comissão a encetar negociações, em nome da União Europeia, com vista a um novo protocolo ao Acordo de Parceria no domínio da pesca com o Reino de Marrocos. Tal decisão vem na sequência da decisão de 14 de dezembro de 2011 do Parlamento Europeu de não autorizar a prorrogação do anterior Protocolo ao Acordo de Parceria no domínio da pesca.

As diretrizes de negociação preveem que o novo Protocolo deverá incluir disposições destinadas a assegurar o cumprimento do direito internacional e a comunicação, por parte das autoridades marroquinas, do impacto socioeconómico da aplicação do mesmo.

(English version)

Question for written answer E-002518/12
to the Council
João Ferreira (GUE/NGL)
(5 March 2012)

Subject: Exploitation of fisheries resources in the Western Sahara

On 3 February 2012, the Council authorised the European Commission to begin talks on behalf of the European Union with a view to concluding a new protocol for the EU-Morocco Fisheries Partnership Agreement.

Although it is clear that this agreement must comply with international law, both the Commission and the Council continue to misinterpret such compliance.

Under international law and the relevant UN resolutions, specifically those on the rights of people from Non-Self-Governing Territories to the natural resources from their territories, the natural resources of a Non-Self Governing Territory may only be exploited for the benefit of the resident population, and in accordance with its wishes.

To date, the Council and the Commission have focused solely on the condition that exploitation of fisheries resources be carried out for the benefit of local communities. In order to evaluate compliance with this criterion, they have merely requested information from the Moroccan authorities. In other words, the Sahrawi people and their legitimate representatives — particularly those participating in the current UN negotiations — are simply being ignored in this whole process. As a result, it is impossible to assess whether the exploitation of resources is being carried out according to the wishes of local communities.

Can the Council ask the following questions:

1. Does it believe that exploitation of fisheries resources in the Western Sahara should respect the wishes of the Sahrawi people?

2. Does it believe that the legitimate representatives of the Sahrawi people, particularly those participating in the current UN negotiations, should be consulted on a possible future agreement that will provide for the exploitation of fisheries resources in the Western Sahara?

Reply
(2 July 2012)

On 14 February 2012, the Council adopted a decision authorising the Commission to open negotiations on behalf of the European Union for a new protocol to the Fisheries Partnership Agreement with the Kingdom of Morocco. That decision follows the decision of the European Parliament on 14 December 2011 not to give its consent to an extension of the previous protocol to the Fisheries Partnership Agreement.

The negotiating directives envisage provisions in the new protocol ensuring compliance with international law and appropriate reporting by the Moroccan authorities on the socioeconomic impact of implementation of the Protocol.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002519/12
adresată Comisiei
Corina Crețu (S&D) și Daciana Octavia Sârbu (S&D)
(5 martie 2012)

Subiect: Extragerea gazelor de șist în zona Bârlad, România

Grupul petrolier american „Chevron" este pe punctul de a demara în România, în zona Bârladului, foraje pentru extragerea gazelor de șist, dar tehnologia pe care intenționează să o folosească — fracționarea hidraulică — este dintre cele mai poluante și mai controversate.

Condamnată de o instanță din Ecuador pe 4 ianuarie 2012, Compania Texaco, absorbită de Chevron în 2001, după un proces care se întinde pe mulți ani, a primit una dintre cele mai mari amenzi din istorie pentru distrugerea mediului.

În urma inițierii unui proiect similar în Bulgaria, mii de ecologiști au manifestat contra exploatării gazelor de șisturi bituminoase, iar guvernul bulgar a decis să retragă licența de explorare și exploatare de gaze de șist companiei americane Chevron.

Deși descoperirea unor astfel de rezerve de șist ar putea avea un impact pozitiv asupra balanței energetice a României și a Bulgariei, problemele de mediu pe care exploatarea acestei resurse le ridică sunt uriașe.

Care este poziția Comisiei față de utilizarea în Uniunea Europeană a fracționării hidraulice pentru extragerea gazelor de șist?

Răspuns dat de dl Potočnik în numele Comisiei
(2 mai 2012)

Comisia este conștientă de faptul că interesul manifestat recent în Europa pentru combustibilii fosili neconvenționali și pentru extracția gazelor de șist prin fracționare hidraulică a creat motive de îngrijorare pentru opinia publică cu privire la posibilele riscuri pentru mediu și sănătate. În ceea ce privește activitatea Chevron în România, potrivit surselor din presă, această companie a decis să întrerupă temporar în România operațiunile de fracționare hidraulică, ca reacție în fața preocupărilor exprimate tot mai vehement de public.

Statele membre sunt cele care răspund de deciziile cu privire la utilizarea resurselor energetice proprii, cum este gazul de șist, și tot ele trebuie să se asigure că activitățile de exploatare și producție respectă în totalitate normele UE, inclusiv în ceea ce privește mediul și sănătatea umană.

Conform evaluării juridice efectuate de Comisie pe baza datelor tehnice disponibile, legislația UE în vigoare în domeniul mediului se aplică proiectelor care vizează gazele de șist din etapa de planificare până la finalizare. Totuși, date fiind riscurile potențiale presupuse de aplicarea fracționării hidraulice în contextul extracției gazului de șist, precum și relativa noutate a utilizării combinate în astfel de proiecte a fracționării hidraulice de mare volum și a forajului orizontal, în prezent se lucrează la colectarea de informații suplimentare pe baza cărora să se stabilească dacă gradul de protecție a mediului și a sănătății umane asigurat de legislația UE în vigoare este sau nu adecvat.

(English version)

Question for written answer E-002519/12
to the Commission
Corina Crețu (S&D) and Daciana Octavia Sârbu (S&D)
(5 March 2012)

Subject: Shale gas extraction in the Barlad area of Romania

The American oil group Chevron is about to start drilling for shale gas extraction in the Barlad area of Romania. However, the hydraulic fracturing technology it intends to use is one of the most pollutant and controversial procedures.

The Texaco company, which was absorbed by Chevron in 2001, was ordered by an Ecuadorian court on 4 January 2012, after a trial which lasted many years, to pay one of the largest fines in history for damage to the environment.

After Chevron began a similar project in Bulgaria, thousands of ecologists protested against the exploitation of bituminous shale gas and the Bulgarian Government decided to withdraw its shale gas exploration and exploitation licence.

While the discovery of such these gas reserves could have a positive impact on the energy balance of Romania and Bulgaria, the environmental issues raised by the exploitation thereof are huge.

What is the Commission's view of the use of hydraulic fracturing for the extraction of shale gas in the European Union?

Answer given by Mr Potočnik on behalf of the Commission
(2 May 2012)

The Commission is aware that the recent interest in Europe in unconventional fossil fuels and shale gas extraction by means of hydraulic fracturing has triggered public concerns over possible environmental and health risks. As concerns Chevron's activity in Romania, according to the press this company has decided to temporarily halt hydraulic fracturing operations in Romania, in response to mounting public concerns.

Member States are responsible for the decisions on the use of their energy resources, such as shale gas, whilst ensuring that exploration and production activities fully comply with EU legal requirements, including with regard to the environment and human health.

The Commission's legal assessment, based on the available technical information, concludes that the existing EU environmental legislation applies to shale gas projects from the planning until cessation stage. However, given the possible specific risks involved in the application of hydraulic fracturing in the context of shale gas extraction, and the relative novelty of the combined use of high volume hydraulic fracturing and horizontal drilling applied in such projects, more information is being gathered to assess whether the level of protection for the environment and human health provided by existing EU legislation is adequate.