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 180 E/01)

Sumario **Página**

E-005733/12 by Andreas Schwab to the Commission
Subject: Transposition of the directive concerning unfair business-to-consumer commercial practices (2005/29/EC) and the directive on consumer rights (2011/83/EU)
Deutsche Fassung 13
English version 14

E-005734/12 by Antolín Sánchez Presedo to the Commission
Subject: Temporary fishing permits in Gabon
Versión española 15
English version 16

E-005735/12 by Françoise Castex to the Commission
Subject: Forgery of works of art
Version française 17
English version 18

P-005736/12 by Andres Perello Rodriguez to the Commission
Subject: Environmental crime and illegal landfill in Abanilla (Murcia) and Orihuela (Valencia)
Versión española 19
English version 20

E-005737/12 by Roger Helmer to the Commission
Subject: Statement by Commissioner Tajani regarding subsidies for the car industry
English version 21

E-005738/12 by John Stuart Agnew to the Commission
Subject: The horrors of Stalin and Soviet Communism
English version 22

E-005739/12 by Nuno Teixeira to the Commission
Subject: Reduction of the minimum wage in Portugal
Versão portuguesa 23
English version 24

E-005740/12 by Nuno Teixeira to the Commission
Subject: The Third Industrial Revolution
Versão portuguesa 25
English version 27

E-005741/12 by Nuno Teixeira to the Commission
Subject: Higher education fees for students
Versão portuguesa 28
English version 30

E-005742/12 by Åsa Westlund to the Commission
Subject: Opinion on Allura Red AC in animal feed
Svensk version 31
English version 32

P-005743/12 by Roberta Angelilli to the Commission
Subject: Youth unemployment situation in Italy: request for information on the results of the Action team and the reallocation of EU funds for youth employment
Versione italiana 33
English version 35

E-005745/12 by Francisco Sosa Wagner to the Commission
Subject: Information on bank charges
Versión española 37
English version 38

E-005746/12 by Martin Ehrenhauser to the Council
Subject: Works of art belonging to the Council
Deutsche Fassung 39
English version 40

E-005747/12 by Martin Ehrenhauser to the Commission
Subject: Works of art belonging to the European Commission
Deutsche Fassung 41
English version 42

E-005748/12 by Crescenzio Rivellini, Roberta Angelilli, Potito Salatto, Aldo Patriciello, Clemente Mastella, Sergio Paolo Francesco Silvestris, Raffaele Baldassarre, Giovanni La Via, Lara Comi, Erminia Mazzoni, Barbara Matera, Salvatore Iacolino, Marco Scurria and Luigi Ciriaco De Mita to the Commission
Subject: FIAT
Versione italiana 43
English version 44

P-005749/12 by Daniël van der Stoep to the Commission
Subject: Funding of online news coverage/blogs by a Dutch public service broadcaster
Nederlandse versie 45
English version 46

E-005751/12 by Mario Borghezio to the Commission
Subject: Spanish bank debt and funding for the Spanish football league
Versione italiana 47
English version 49

E-005768/12 by Mara Bizzotto to the Commission
Subject: Spain, EU funds and the Spanish Professional Football League
Versione italiana 47
English version 49

E-005752/12 by Mario Borghezio to the Commission
Subject: Immediate freezing by the EU of the process for the accession of Bosnia and Herzegovina
Versione italiana 51
English version 54

E-005753/12 by Mario Borghezio to the Commission
Subject: Immediate freezing by the EU of negotiations regarding the accession of Bosnia and Herzegovina
Versione italiana 51
English version 54

E-005754/12 by Mario Borghezio to the Commission
Subject: Immediate freezing by the EU of negotiations regarding the accession of Bosnia and Herzegovina
Versione italiana 52
English version 55

E-005755/12 by Mario Borghezio to the Commission
Subject: EU intervention to prevent attacks on Christians in Nigeria
Versione italiana 56
English version 57

E-005756/12 by Mario Borghezio to the Commission
Subject: The EU must not give in to Turkey's blackmail on visa exemption
Versione italiana 58
English version 59

E-005757/12 by Fiorello Provera to the Commission
Subject: VP/HR — Introduction of draconian legislation by the Libyan Government
Versione italiana 60
English version 61

E-005758/12 by Bart Staes and Margrete Auken to the Commission
Subject: European mandate to negotiate a binding treaty at the World Intellectual Property Organisation (WIPO) to improve access to books for blind people
Dansk udgave 62
Nederlandse versie 63
English version 64

E-005759/12 by Angelika Werthmann to the Commission
Subject: Financial help and reunification in Cyprus
Deutsche Fassung 65
English version 66

E-005760/12 by Jim Higgins to the Commission
Subject: Carriage of liquids — improved passenger experience
English version 67

E-005761/12 by Jim Higgins to the Commission
Subject: Carriage of liquids — screening equipment
English version 67

E-005762/12 by Jim Higgins to the Commission
Subject: Carriage of liquids — screening equipment
English version 67

P-005764/12 by Alfredo Antoniozzi to the Commission
Subject: Environmental risks associated with a temporary waste storage site in Piana dell'Olmo
Versione italiana 68
English version 69

P-005766/12 by Daniel Hannan to the Commission
Subject: The new paragraph 3 of Article 136 of the Treaty on the Functioning of the European Union
English version 70

E-005767/12 by Mara Bizzotto to the Commission
Subject: Liberalisation of cabotage and amendment of Regulation (EC) No 1071/2009
Versione italiana ... 71
English version ... 72

E-005772/12 by Filip Kaczmarek to the Commission
Subject: Exclusion of Belarus from the Bologna Process
Wersja polska ... 73
English version ... 74

E-005773/12 by Daniel Hannan to the Commission
Subject: EU international agreements with Member States
English version ... 75

E-005774/12 by Christa Klaß, Renate Sommer and Anja Weisgerber to the Commission
Subject: Impact assessment of nutrient profiles under Article 4 of Regulation (EC) No 1924/2006
Deutsche Fassung ... 76
English version ... 78

E-005775/12 by Patrizia Toia, Luigi Berlinguer, Salvatore Caronna, Vittorio Prodi, Debora Serracchiani and Sergio Gaetano Cofferati to the Commission
Subject: Support for industry in Emilia-Romagna affected by earthquakes
Versione italiana ... 80
English version ... 81

E-005776/12 by Ramon Tremosa i Balcells to the Commission
Subject: Europe 2020 strategy, renewable energy
Versión española ... 82
English version ... 83

E-005779/12 by Oreste Rossi to the Commission
Subject: Reclaiming toxic/hazardous landfill sites
Versione italiana ... 84
English version ... 85

E-005780/12 by Oreste Rossi to the Commission
Subject: Repairing the damage suffered by citizens as a result of bad environmental policies
Versione italiana ... 86
English version ... 87

E-005781/12 by Oreste Rossi to the Commission
Subject: Hidden toxic substances
Versione italiana ... 88
English version ... 89

E-005783/12 by Oreste Rossi to the Commission
Subject: VP/HR — Breach of prisoners' rights in Iran: the case of blogger Hossein Ronaghi Maleki
Versione italiana ... 90
English version ... 91

P-005785/12 by Mario Mauro to the Commission
Subject: State aid in the air cargo sector
Versione italiana ... 92
English version ... 93

E-005786/12 by Maria Badia i Cutchet and Alejandro Cercas to the Commission
Subject: Relocation of the National Motor-Derbi factory in Martorelles (Vallès Oriental)
Versión española ... 94
English version ... 95

E-005787/12 by Amelia Andersdotter to the Council
Subject: The meaning of 'associated rights'
Svensk version ... 96
English version ... 97

E-005788/12 by David Casa to the Commission
Subject: VP/HR — EU-Iraq Partnership and Cooperation Agreement (PCA)
Verżjoni Maltija ... 98
English version ... 99

E-005789/12 by David Casa to the Commission
Subject: Freedom of movement of labour
Verżjoni Maltija ... 100
English version ... 101

E-005790/12 by David Casa to the Commission
Subject: Natural gas
Verżjoni Maltija ... 102
English version ... 103

E-005791/12 by David Casa to the Commission
Subject: Smoking
Verżjoni Maltija ... 104
English version ... 105

E-005792/12 by David Casa to the Commission
Subject: Illegal logging and green public procurement
Verżjoni Maltija ... 106
English version ... 107

E-005794/12 by Francesco De Angelis to the Commission
Subject: Situation of the Mabo plant in Supino, Frosinone
Versione italiana ... 108
English version ... 109

E-005795/12 by Francisco José Millán Mon to the Commission
Subject: Rural development aid for forests
Versión española ... 110
English version ... 111

E-005796/12 by Francisco José Millán Mon to the Commission
Subject: Aid for forests damaged by fire
Versión española ... 112
English version ... 113

E-005797/12 by Francisco José Millán Mon to the Commission
Subject: Forestry strategy
Versión española ... 114
English version ... 115

E-005798/12 by Glenis Willmott to the Commission
Subject: Electrohypersensitivity and multiple chemical sensitivity
English version ... 116

P-005799/12 by Jörg Leichtfried to the Commission
Subject: European Union pharmaceuticals used in executions in the US
Deutsche Fassung ... 117
English version ... 118

E-005800/12 by Jens Rohde to the Commission
Subject: Foreign nationals in Danish prisons
Dansk udgave ... 119
English version ... 120

E-005801/12 by Jens Rohde to the Commission
Subject: Technical barriers to distance selling to the general public
Dansk udgave ... 121
English version ... 122

E-005802/12 by Jens Rohde to the Commission
Subject: Danish opt-in scheme for receiving advertising material
Dansk udgave ... 123
English version ... 124

E-005804/12 by Nikolaos Chountis to the Commission
Subject: Memorandum of Understanding between Frontex and Turkey
Ελληνική έκδοση ... 125
English version ... 126

E-005805/12 by Ramon Tremosa i Balcells to the Commission
Subject: Recognition of greenways and cycling infrastructure network as a transport infrastructure network
Versión española ... 127
English version ... 128

E-005808/12 by Michał Tomasz Kamiński to the Commission
Subject: VP/HR — Sudan: the case of Intisar Sharif Abdallah
Wersja polska ... 129
English version ... 130

E-005809/12 by Michał Tomasz Kamiński to the Commission
Subject: VP/HR — Putin's allegations against the EU
Wersja polska ... 131
English version ... 132

E-005810/12 by Michał Tomasz Kamiński to the Commission
Subject: VP/HR — International Coalition to Stop Crimes Against Humanity in North Korea (ICNK)
Wersja polska ... 133
English version ... 134

E-005811/12 by Michał Tomasz Kamiński to the Commission
Subject: EEU-Japan trade agreement
Wersja polska ... 135
English version ... 136

E-005812/12 by Michał Tomasz Kamiński to the Commission
Subject: Argentina's import restrictions
Wersja polska ... 137
English version ... 138

E-005813/12 by Michał Tomasz Kamiński to the Commission
Subject: EU-US trade agreement
Wersja polska ... 139
English version ... 140

E-005814/12 by Cristiana Muscardini to the Commission
Subject: The 'Stop DSM' petition
Versione italiana ... 141
English version ... 142

E-005815/12 by Ramon Tremosa i Balcells to the Commission
Subject: Motorway management
Versión española ... 143
English version ... 144

E-005816/12 by Ramon Tremosa i Balcells to the Commission
Subject: Tolls
Versión española ... 145
English version ... 146

E-005817/12 by Ramon Tremosa i Balcells to the Commission
Subject: Eurovignette
Versión española ... 147
English version ... 148

E-005818/12 by Ramon Tremosa i Balcells to the Commission
Subject: European transport system
Versión española ... 149
English version ... 150

E-005819/12 by Georgios Koumoutsakos to the Commission
Subject: Concern over medical care due to the under-funding of the National Organisation for the Provision of Health Services (EOPYY)
Ελληνική έκδοση ... 151
English version ... 153

E-005821/12 by Vasilica Viorica Dăncilă to the Commission
Subject: EU policy in respect of earthquakes
Versiunea în limba română ... 155
English version ... 156

E-005822/12 by Iva Zanicchi to the Commission
Subject: Support for the vintage and classic car sector
Versione italiana ... 157
English version ... 158

E-005823/12 by Iva Zanicchi to the Commission
Subject: Damage to health and the environment caused by over-exploitation of mineral resources
Versione italiana ... 159
English version ... 160

E-005824/12 by Iva Zanicchi to the Commission
Subject: VP/HR — Breach of human rights in Uzbekistan
Versione italiana ... 161
English version ... 162

E-005825/12 by Nikolaos Chountis to the Commission
Subject: Healthcare situation in Greece
Ελληνική έκδοση ... 163
English version ... 165

E-005826/12 by Catherine Stihler to the Commission
Subject: Children's bank accounts
English version ... 167

E-005828/12 by Mario Borghezio to the Commission
Subject: Protection of European products and of Italian cured meats in Argentina
Versione italiana ... 168
English version ... 169

E-005829/12 by Mario Borghezio to the Commission
Subject: Protection of the rights of a State in regard to energy procurement
Versione italiana ... 170
English version ... 171

E-005830/12 by Rebecca Harms to the Commission
Subject: Disposal of radioactive waste on the seabed
Deutsche Fassung ... 172
English version ... 173

E-005831/12 by Rebecca Harms to the Commission
Subject: Sunken nuclear-powered submarines and highly radioactive nuclear waste on the seabed
Deutsche Fassung ... 174
English version ... 175

E-005832/12 by Alfredo Antoniozzi to the Commission
Subject: The Széchenyi Card, a new financial instrument for SMEs — possible extension at EU level
Versione italiana ... 176
English version ... 178

E-005833/12 by Emer Costello, Kyriacos Triantaphyllides and Margrete Auken to the Commission
Subject: VP/HR — Israel's policy of administrative detention
Dansk udgave ... 179
Ελληνική έκδοση ... 180
English version ... 182

E-005834/12 by Emer Costello, Kyriacos Triantaphyllides and Margrete Auken to the Commission
Subject: VP/HR — Israel's High Court of Justice ruling legitimising Israeli mining in the West Bank
Dansk udgave ... 183
Ελληνική έκδοση ... 184
English version ... 186

E-005835/12 by Karin Kadenbach to the Commission
Subject: Shrinking national healthcare budgets and the prevalence of oral diseases in Europe — the rising risk of inequalities
Deutsche Fassung ... 187
English version ... 188

E-005836/12 by Karin Kadenbach to the Commission
Subject: Supporting oral hygiene and the prevention of oral diseases
Deutsche Fassung ... 189
English version ... 190

E-005837/12 by Mara Bizzotto to the Commission
Subject: Debt regionalisation
Versione italiana ... 191
English version ... 192

E-005838/12 by Mariya Nedelcheva to the Commission
Subject: Direct area payments/Ecological focus areas
българска версия ... 193
English version ... 194

E-005839/12 by Willy Meyer to the Commission
Subject: Land hoarding in impoverished countries
Versión española ... 195
English version ... 197

E-005840/12 by Ramon Tremosa i Balcells to the Commission
Subject: Survival of Spanish shipyards
Versión española ... 199
English version ... 200

E-005841/12 by Izaskun Bilbao Barandica to the Commission
Subject: Youth
Versión española ... 201
English version ... 202

E-005842/12 by Izaskun Bilbao Barandica to the Commission
Subject: Commission management of budget support
Versión española ... 203
English version ... 204

E-005843/12 by Julie Girling to the Commission
Subject: Funding for superfast broadband
English version ... 205

E-005844/12 by Patrick Le Hyaric to the Commission
Subject: VP/HR — Situation of Palestinian workers in the occupied territories and the peace process
Version française ... 206
English version ... 207

E-005845/12 by Mario Borghezio to the Commission
Subject: EU intervention to prevent the training of Syrian rebels in Kosovo
Versione italiana ... 208
English version ... 209

E-005846/12 by Claudio Morganti to the Commission
Subject: Discrimination against persons with disabilities
Versione italiana ... 210
English version ... 211

E-005847/12 by Jürgen Creutzmann to the Commission
Subject: Light bulbs in household appliances in the context of the Ecodesign Directive 2005/32/EC
Deutsche Fassung ... 212
English version ... 213

E-005851/12 by Mario Mauro to the Commission
Subject: VP/HR — Attacks on Christians in Nigeria
Versione italiana ... 214
English version ... 215

E-005852/12 by Izaskun Bilbao Barandica to the Commission
Subject: Management of indirect CO_2 emission tax
Versión española ... 216
English version ... 217

E-005853/12 by Izaskun Bilbao Barandica to the Commission
Subject: Distortion of competition as a result of the tax on indirect CO_2 emissions
Versión española ... 218
English version ... 219

E-005854/12 by Izaskun Bilbao Barandica to the Commission
Subject: Maximum CO_2 emission factors in guidelines on state aid measures
Versión española ... 220
English version ... 222

E-005855/12 by Frédérique Ries to the Commission
Subject: In-depth investigation into Belfius Bank (previously Dexia Bank Belgium)
Version française ... 223
English version ... 224

P-005857/12 by Ingeborg Gräßle to the Commission
Subject: Savings through European Union Staff Regulations reform
Deutsche Fassung ... 225
English version ... 226

E-005858/12 by Ana Miranda to the Commission
Subject: Bailouts and Spanish tax systems
Versión española ... 227
English version ... 228

E-005859/12 by Angelika Werthmann to the Commission
Subject: VP/HR — Syria — children used as human shields
Deutsche Fassung ... 229
English version ... 230

E-005860/12 by Angelika Werthmann to the Commission
Subject: Economic situation of Cyprus
Deutsche Fassung ... 231
English version ... 232

E-005861/12 by Angelika Werthmann to the Commission
Subject: Suicide rate in the armed forces
Deutsche Fassung ... 233
English version ... 234

E-005863/12 by Angelika Werthmann to the Commission
Subject: Aid to Pakistan — possible repercussions of the conviction of Osama bin Laden's doctor
Deutsche Fassung ... 235
English version ... 236

E-005864/12 by Angelika Werthmann to the Commission
Subject: Short- and long-term plans and measures, particularly in the light of developments in Spain
Deutsche Fassung ... 237
English version ... 238

E-005866/12 by Marek Henryk Migalski to the Commission
Subject: Searches at the homes of leaders of the Russian opposition
Wersja polska ... 239
English version ... 240

E-005867/12 by Marek Henryk Migalski to the Commission
Subject: Tightening up of the law on protests
Wersja polska ... 241
English version ... 242

E-005868/12 by João Ferreira and Inês Cristina Zuber to the Commission
Subject: VP/HR — Killing of civilians by unmanned aircraft (drones)
Versão portuguesa ... 243
English version ... 244

E-005869/12 by João Ferreira and Inês Cristina Zuber to the Commission
Subject: Capitalisation of the Spanish private banking sector
Versão portuguesa ... 245
English version ... 246

P-005873/12 by Romana Jordan to the Commission
Subject: inancing of ACER in 2013 and the implementation of REMIT
Slovenska različica ... 247
English version ... 248

E-005874/12 by Romana Jordan to the Council
Subject: Financing of ACER in 2013 and implementation of REMIT
Slovenska različica ... 249
English version ... 250

E-005875/12 by Lorenzo Fontana to the Commission
Subject: Advance payment of Community contributions to support undertakings in the agricultural and food processing sector of Emilia-Romagna struck by the earthquake
Versione italiana ... 251
English version ... 253

E-005878/12 by Lorenzo Fontana to the Commission
Subject: Advance Community aid to earthquake-hit farms and agri-food companies in the Polesine region
Versione italiana ... 251
English version ... 253

E-005876/12 by Jarosław Leszek Wałęsa to the Commission
Subject: Current trade in farmed fish between Turkey and the EU
Wersja polska ... 255
English version ... 256

E-005877/12 by Konrad Szymański to the Commission
Subject: Funds for the maintenance and restoration of religious sites in the occupied territories of northern Cyprus
Wersja polska ... 257
English version ... 258

E-005879/12 by Judith Sargentini to the Commission
Subject: European Telecommunications Network Operators' Association
Nederlandse versie ... 259
English version ... 260

P-005880/12 by Lorenzo Fontana to the Commission
Subject: Applicability of Article 107(2)(b) TFEU to the areas hit by the earthquake in the Emilia-Romagna region
Versione italiana ... 261
English version ... 262

E-005881/12 by Ramon Tremosa i Balcells to the Commission
Subject: Review of Trans-European Transport Networks (TEN-T)
Versión española ... 263
English version ... 264

E-005882/12 by Ramon Tremosa i Balcells to the Commission
Subject: Europe losing valuable underwater fauna
Versión española ... 265
English version ... 266

E-005883/12 by Ramon Tremosa i Balcells to the Commission
Subject: Deficit generation
Versión española ... 267
English version ... 268

E-005884/12 by Ramon Tremosa i Balcells to the Commission
Subject: European semester
Versión española ... 269
English version ... 270

E-005885/12 by Franz Obermayr to the Commission
Subject: Consumer protection relating to product service life: ORF SAT cards
Deutsche Fassung ... 271
English version ... 272

E-005886/12 by Martin Häusling to the Commission
Subject: Implementation of the Milk Package in the Member States
Deutsche Fassung ... 273
English version ... 274

E-005887/12 by Romana Jordan, Richard Seeber, Salvatore Tatarella and Bogusław Sonik to the Commission
Subject: Implementation of the Fuel Quality Directive
Deutsche Fassung ... 275
Versione italiana ... 276
Wersja polska ... 277
Slovenska različica ... 278
English version ... 279

E-005888/12 by Julie Girling and Malcolm Harbour to the Commission
Subject: Sweden's treatment of silver under the Biocidal Products Directive
English version ... 280

E-005889/12 by Mario Mauro to the Commission
Subject: VP/HR — Arms supplies to the Congo
Versione italiana ... 281
English version ... 283

E-005890/12 by Mario Mauro to the Commission
Subject: VP/HR — Clashes in Sudan
Versione italiana ... 285
English version ... 286

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005733/12
an die Kommission
Andreas Schwab (PPE)
(7. Juni 2012)

Betrifft: Umsetzung der Richtlinie über unlautere Geschäftspraktiken (2005/29/EG) und der Richtlinie über die Rechte der Verbraucher (2011/83/EU)

Die richtige und rechtzeitige Umsetzung voll harmonisierter Binnenmarktrichtlinien ist unabdingbar, damit Verbraucher und Unternehmen gleichermaßen uneingeschränkt vom Binnenmarkt profitieren können. Es bestehen jedoch Bedenken, dass die Kommission nicht von sämtlichen Möglichkeiten Gebrauch macht, um die Durchsetzung dieser Richtlinien sicherzustellen, und somit de facto Divergenzen bei der Umsetzung durch die Mitgliedstaaten in Kauf nimmt. Diese Feststellung betrifft insbesondere die Richtlinie über unlautere Geschäftspraktiken (2005/29/EG), die von den Mitgliedstaaten bereits 2007 vollständig hätte umgesetzt werden müssen. Ferner wird festgestellt, dass beispielsweise der Grundsatz der beruflichen Sorgfalt (zur Prüfung, ob eine Geschäftspraktik als unlauter anzusehen ist) von Gerichten mancher Mitgliedstaaten — wie Deutschland — aufgrund unterschiedlicher Umsetzung in nationales Recht oftmals nicht beachtet wird.

Kann die Kommission dazu folgende Fragen beantworten:

1. Hat die Kommission Vertragsverletzungsverfahren gegen diejenigen Mitgliedstaaten eingeleitet, die die Richtlinie 2005/29/EG unrichtig oder nicht vollständig umgesetzt haben? Wenn dies der Fall ist, in welchen Mitgliedstaaten sind Verfahren bereits anhängig, und aufgrund welcher konkreten Verstöße?

2. Welche anderweitigen konkreten Maßnahmen beabsichtigt die Kommission einzuleiten, um das Ziel einer vollständigen, richtigen und einheitlichen Umsetzung der voll harmonisierten Richtlinie 2005/29/EG zu erreichen?

3. Welche zusätzlichen Schritte wird die Kommission ergreifen, um von vornherein eine einheitliche und richtige Umsetzung der neuen Richtlinie über die Rechte der Verbraucher (2011/83/EU) sicherzustellen, die ebenfalls auf dem Grundsatz der Vollharmonisierung beruht?

Antwort von Frau Reding im Namen der Kommission
(20. Juli 2012)

Die Kommission hat die Umsetzung der Richtlinie 2005/29/EG („die Richtlinie") ([1]) seit ihrem Erlass genau überwacht und verfolgt zurzeit ihre Anwendung in den Mitgliedstaaten.

Zwischen 2009 und 2011 wurden im Hinblick auf die Unvereinbarkeit nationaler Verbote bestimmter verkaufsfördernder Maßnahmen mit der Richtlinie an Belgien und Frankreich Aufforderungsschreiben und mit Gründen versehene Stellungnahmen gerichtet.

Die Dienststellen der Kommission stehen derzeit mit anderen Mitgliedstaaten in einem strukturierten Dialog, bei dem es um Ungenauigkeiten in Verbindung mit einigen Konzepten und Bestimmungen der Richtlinie geht. Die Kommission wird weiterhin mit den Behörden der Mitgliedstaaten zusammenarbeiten und geeignete Maßnahmen ergreifen, um sicherzustellen, dass die nationalen Rechtsvorschriften mit der Richtlinie in Einklang gebracht werden.

Der Herr Abgeordnete wird darauf hingewiesen, dass die Kommission im Herbst 2012 einen Bericht über die Anwendung der Richtlinie veröffentlichen wird, in dem sie darlegen wird, welche weiteren Maßnahmen erforderlich sind, damit die Richtlinie im Hinblick auf Binnenmarktintegration und Verbraucherschutz größtmöglichen Nutzen erbringt.

Die neue Richtlinie über die Rechte der Verbraucher hat insbesondere durch die Harmonisierung zahlreicher Bestimmungen für Online-Verträge die Rechte von Verbrauchern deutlich gestärkt. Konkrete Schritte werden die Mitgliedstaaten bei der Umsetzung der neuen Richtlinie unterstützen. In diesem Zusammenhang wird im Herbst in Brüssel eine erste Sitzung auf Expertenebene stattfinden.

([1]) ABl. L 149 vom 11.6.2005, S. 22-39.

(English version)

Question for written answer E-005733/12
to the Commission
Andreas Schwab (PPE)
(7 June 2012)

Subject: Transposition of the directive concerning unfair business-to-consumer commercial practices (2005/29/EC) and the directive on consumer rights (2011/83/EU)

The correct and prompt transposition of fully harmonised single market directives is essential in enabling consumers and businesses to profit from the single market with an equal lack of restrictions. Concerns exist, however, that the Commission is not making use of all the available options to ensure the transposition of these directives, thus accepting de facto divergences in transposition by Member States. Particularly the directive concerning unfair business-to-consumer commercial practices (2005/29/EC) should have been fully transposed by the Member States by 2007. It has also been noted that, for example, the principle of professional diligence (in establishing whether a commercial practice is to be regarded as unfair) is often ignored by courts in some Member States, such as Germany, because of divergence in transposition into national law.

Can the Commission answer the following:

1. Has the Commission initiated infringement proceedings against those Member States that have transposed Directive 2005/29/EC incorrectly or incompletely? If so, in which Member States are judicial proceedings already pending and on the basis of which specific breaches?

2. What other specific measures does the Commission intend to take in order achieve the objective of full, correct and uniform transposition of the fully harmonised Directive 2005/29/EC?

3. What additional steps will the Commission take to ensure from the outset the uniform and correct transposition of the new Directive on consumer rights (2011/83/EU), which is also based on the principle of full harmonisation?

Answer given by Mrs Reding on behalf of the Commission
(20 July 2012)

The Commission has been closely monitoring the transposition of Directive 2005/29/EC ('the directive') ([1]) since its adoption and is currently following its application in the Member States.

Letters of formal notice and reasoned opinions were sent to Belgium and France in between 2009 and 2011 concerning the incompatibility of national bans on certain sales promotions with the directive.

The Commission services are currently in a structured dialogue with other Member States concerning inaccuracies related to some concepts and provisions of the directive. The Commission will continue to work with the Member States authorities and to take appropriate actions in order to ensure that national legislation is brought in conformity with the directive.

The Honourable Member should be aware, that in autumn 2012 the Commission will publish a Report on the application of the directive setting out what further actions need to be taken for the directive to deliver its maximum benefits in terms of Single Market integration and consumer protection

Finally, as regards the new Directive on Consumer Rights, it has substantially strengthened consumer rights, in particular by harmonising a number of rules applicable to online contracts. Concrete steps will be taken to help Member States implementing the new Directive. In this connection, a first meeting at expert level from Member States will be held this autumn in Brussels.

([1]) OJ L 149, 11.6.2005, p. 0022-0039.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005734/12
a la Comisión
Antolín Sánchez Presedo (S&D)
(7 de junio de 2012)

Asunto: Licencias temporales de pesca en Gabón

Tras la expiración del Protocolo de Pesca con Gabón que ha estado vigente entre diciembre de 2005 y diciembre de 2011 se ha iniciado la nueva campaña de pesca en el Atlántico sin la participación de las embarcaciones europeas —al menos 40 españolas— que venían faenando en este caladero durante los últimos seis años. Sobre la necesidad de un nuevo protocolo mi pregunta E-1481/2012.

El Acuerdo de Colaboración en el Sector Pesquero entre la República Gabonesa y la Comunidad Europea de 2007 tiene una duración de seis años y, por consiguiente, permanece en vigor la cláusula de exclusividad prevista en su artículo 6, a tenor de la cual: «Los buques comunitarios solo podrán ejercer actividades pesqueras en la zona de pesca de Gabón si poseen una licencia de pesca expedida en virtud del presente Acuerdo y de su Protocolo adjunto».

Ante el vacío ocasionado por la ausencia de un Protocolo adjunto y dada la situación de dificultad a la que se enfrentan las familias y empresas dependientes de la actividad pesquera en este caladero, con las graves consecuencias socioeconómicas que acarrea la pérdida de la totalidad de la campaña:

¿Ha valorado la Comisión la posibilidad de autorizar la solicitud de licencias privadas de pesca de carácter provisional y temporal en el caladero de Gabón por parte de aquellos armadores interesados en hacerlo? ¿En qué condiciones considera factible hacerlo?

Respuesta de la Sra. Damanaki en nombre de la Comisión
(27 de julio de 2012)

La Comisión es plenamente consciente de la importancia de la ZEE gabonesa para la flota atunera de la UE que faena en el Golfo de Guinea, por lo que no ha escatimado esfuerzos para conseguir un acuerdo sobre un nuevo Protocolo que sustituya al expirado en diciembre de 2011.

Mientras no se alcance un compromiso sobre un futuro protocolo, los atuneros que enarbolen pabellones de los Estados miembros de la UE no tienen posibilidades legales de faenar en las aguas gabonesas, ni siquiera a título privado, como consecuencia de la denominada «cláusula de exclusividad» a que se refiere el artículo 6 del Acuerdo.

Puesto que esta cláusula forma parte de un instrumento jurídico internacional vinculante, no existe ninguna posibilidad de conceder una excepción a la norma acordada por la UE y las autoridades de Gabón mientras permanezca en vigor el actual acuerdo de asociación en el sector pesquero.

La Comisión está al corriente de las repercusiones económicas y sociales de la situación actual de punto muerto y seguirá trabajando activamente para encontrar una solución.

(English version)

Question for written answer E-005734/12
to the Commission
Antolín Sánchez Presedo (S&D)
(7 June 2012)

Subject: Temporary fishing permits in Gabon

Following the expiry of the EU-Gabon Fisheries Protocol, which was in force between December 2005 and December 2011, the new fishing season has started in the Atlantic without the involvement of European vessels — at least 40 of which were Spanish — that had been fishing those waters for the previous six years. My Question E-1481/2012 focused on the need for a new protocol.

The 2007 Fisheries Partnership Agreement between the Gabonese Republic and the European Community is in force for a six-year period, so the exclusivity clause provided for in Article 6 thereof remains in force, under which 'Community vessels may fish in the Gabonese fishing zone only if they are in possession of a fishing licence issued under this Agreement and the Protocol hereto'.

Given the vacuum left by the lack of a protocol, and in view of the difficult situation faced by families and businesses dependent on fishing in those waters, with the serious socioeconomic consequences from the loss of the entire season:

Has the Commission evaluated the possibility of provisionally and temporarily authorising those ship owners that wish to do so to apply for private permits to fish in Gabonese waters, and under what conditions?

Answer given by Ms Damanaki on behalf of the Commission
(27 July 2012)

Being fully aware of the importance of the Gabonese EEZ for the EU tuna fleet fishing in the Gulf of Guinea, the Commission has made significant effort to obtaining agreement on a new protocol replacing the one which ended in December 2011.

As long as no compromise is found on a future protocol, tuna fishing vessels flying the flag of an EU MS have no legal possibilities to be entitled to fish in Gabonese waters, even under a private framework, as a consequence of the so called 'exclusivity clause' refered to in Article 6 of the Agreement.

This clause being part of an international binding legal instrument, there is no way to derogate to the rule agreed both by the EU and by the Gabonese authorities, as long as the current Fisheries Partnership Agreement is in force.

The Commission is aware of the economic and social impacts of the current deadlock and will continue to work proactively towards a solution.

(Version française)

Question avec demande de réponse écrite E-005735/12
à la Commission
Françoise Castex (S&D)
(7 juin 2012)

Objet: La contrefaçon matérielle des œuvres d'art

Alors que les débats sur la contrefaçon d'œuvres d'art ne traitent exclusivement que de la circulation numérique des œuvres dématérialisées, les réseaux de fabrication et de distribution de contrefaçons artistiques prospèrent sans que les autorités n'y prêtent véritablement attention.

Contrairement à ce qui est pratiqué pour les marques, la protection douanière des œuvres d'art est limitée aux frontières de l'Union européenne. C'est ainsi que les produits contrefaits entrent dans l'Union européenne via les pays membres où la protection des artistes est la plus faible, puis circulent librement sur l'ensemble du territoire.

Les contrefaçons artistiques matérielles (peintures, sculptures, dessins ou objets) enrichissent les réseaux illicites au détriment des créateurs, des fabricants, des artisans et des vendeurs. Ce type de contrefaçons pénalise également les consommateurs, qui sont escroqués, et les États, qui se voient privés d'importants revenus fiscaux.

Il apparaît aujourd'hui nécessaire de procéder à une harmonisation des législations de protection des œuvres d'art au sein de l'Union, dans la mesure où les disparités entre États membres entraînent des distorsions de concurrence entre les marchés de l'art nationaux.

Quelles mesures la Commission compte-t-elle prendre afin d'harmoniser les législations en question et de redonner ainsi confiance dans le marché de l'art européen actuellement mis en danger?

Réponse donnée par M. Barnier au nom de la Commission
(6 août 2012)

Les œuvres d'art sont protégées par le droit d'auteur, qui a fait l'objet d'une harmonisation partielle dans l'UE, en particulier à travers la directive 2001/29/CE. Les moyens offerts aux ayants droit pour faire respecter leurs droits de propriété intellectuelle («PI») ont également été partiellement harmonisés par la directive 2004/48/CE. La Commission étudie actuellement l'opportunité d'une révision eventuelle de cette directive. Suite à une conférence organisée au mois d'avril 2012 durant laquelle un large débat a eu lieu sur le dispositif existant, une consultation publique devrait être lancée par la Commission afin de collecter d'avantage d'informations sur les problèmes concrets rencontrés dans les procédures civiles pour la mise en œuvre des droits de PI, y compris en ce qui concerne la contrefaçon d'œuvres d'art.

La Commission s'efforce également d'assurer une protection efficace des œuvres d'art ainsi que de toute autre forme de PI à une échelle internationale, par le biais des contrôles frontaliers ([1]), des accords bilatéraux (tels que les accords de libre-échange, qui incluent un chapitre PI), multi— ou plurilatéraux. S'agissant du règlement douanier, une proposition de la Commission est en négociation au Parlement européen et au Conseil, et vise à renforcer la capacité des douanes à lutter contre les infractions aux droits de PI. En vertu de la proposition le système actuel basé sur une demande d'action par le détenteur d'un droit auprès des douanes serait maintenu, avec une obligation de fournir des informations de qualité et actualisées afin de permettre aux douanes d'intervenir de façon plus efficace et ciblée.

([1]) Règlement 1383/2003 du Conseil, du 22 juillet 2003.

(English version)

Question for written answer E-005735/12
to the Commission
Françoise Castex (S&D)
(7 June 2012)

Subject: Forgery of works of art

While debates on intellectual property rights infringement with regard to works of art centre exclusively on the circulation of digital material on the Internet, the manufacture and distribution networks for forgeries prosper away from the scrutiny of the authorities.

In contrast with the practice in respect of trademarks, customs protection for works of art is limited to the European Union's external borders. Thus, forgeries enter the European Union via those Member States with the lowest levels of protection, and then circulate freely across the entire Union.

Tangible counterfeit works of art (paintings, sculptures, drawings or objects) enrich organised crime networks to the detriment of artists, producers, craftspeople and dealers. Consumers, who are defrauded, and states, which are deprived of significant tax revenue, also suffer as a result of this type of infringement.

Harmonisation of legislation on the protection of works of art within the Union now appears to be necessary, insofar as the disparities between the Member States lead to distortions in competition between national art markets.

What measures does the Commission plan on taking in terms of harmonising the relevant legislation, and thereby restoring confidence in the European art market, which is currently being jeopardised?

Answer given by Mr Barnier on behalf of the Commission
(6 August 2012)

Works of art are protected by copyright, which has been partially harmonised in the EU, in particular by Directive 2001/29/EC. The means available to right holders to enforce their intellectual property (IP) rights were also partially harmonised by Directive 2004/48/EC. The Commission is currently considering whether a revision of this directive is necessary. Following a wide-ranging debate on the existing provisions at a conference held in April 2012, the Commission is to initiate a public consultation in order to collect more information on the practical problems encountered in civil proceedings to implement intellectual property rights, including those related to forgeries of works of art.

The Commission also undertakes to ensure effective protection of works of art and all other forms of intellectual property at international level by means of border controls ([1]), bilateral agreements (such as free trade agreements which include a chapter on intellectual property), multilateral or plurilateral agreements. With respect to the Customs Regulation, a Commission proposal designed to strengthen the ability of customs to prevent infringements of intellectual property rights is under negotiation in the European Parliament and the Council. Under the proposal the current system, which is based on the right holder requesting customs to take action, would be maintained with a requirement to provide high-quality, up-to-date information in order to allow more effective, targeted intervention by customs.

([1]) Council Regulation (EC) No 1383/2003 of 22 July 2003.

(Versión española)

Pregunta con solicitud de respuesta escrita P-005736/12
a la Comisión
Andres Perello Rodriguez (S&D)
(7 de junio de 2012)

Asunto: Delito ecológico y vertedero ilegal en Abanilla (Murcia) y Orihuela (Comunidad Valenciana)

El gobierno murciano había decretado a finales del 2011 el cierre del vertedero de la empresa Proambiente, situado en los términos municipales de Abanilla y Orihuela. Sin embargo, el propietario de la firma, Ángel Fenoll —actualmente imputado en el llamado caso «Brugal» por corrupción, soborno y tráfico de influencias— no sólo ha desoído la resolución de suspensión y sellado, sino que además ha solicitado, con la connivencia del consistorio de Abanilla, la apertura de nuevos vasos del vertedero por un período de 20 años a través de un cambio normativo de uso de suelo en el marco del PGOU.

Este diputado ha visitado personalmente la zona y ha constatado graves violaciones de, como mínimo, las directivas sobre vertido de residuos (1999/37/CE) y su gestión (2008/98/CE):

— a finales de 2011 la firma había vertido unas 120 000 toneladas de residuos urbanos sin tratar (el mismo Seprona de la Guardia Civil ha descubierto ya varias zonas de enterramientos ilegales). En el último informe emitido por el Instituto de Medicina Legal, el volumen de basura ilegal enterrada podría estar alcanzando las 400 000 toneladas;

— aunque la única actividad permitida es la fabricación de compost y la valorización, los camiones siguen llegado con residuos de todo tipo, sin selección ni tratamiento, entre los que se encuentran materiales especialmente peligrosos, como residuos sanitarios, cartuchos de tonner, etc.;

— de hecho, la juez que está estudiando el caso «Brugal» y que ha imputado también a Fenoll por enterramiento ilegal de basura, indaga asimismo si el vertido pudo camuflarse como suministro de abono durante todos estos años;

— la fermentación de los residuos enterrados ilegalmente está produciendo lixiviados tóxicos que afectan a suelo agrícola (vertidos en huertos situados más allá del vertedero), a acuíferos subterráneos y a zonas sensibles, como la que rodea a la potabilizadora de agua de Taibilla;

— el incremento de los malos olores derivados de la continuidad de la actividad de la planta y su ampliación está afectando seriamente a la salud y el bienestar de los vecinos, tal y como se recoge en la denuncia formalizada por la plataforma interregional Vertivega, tanto en los juzgados como ante la Consejería de Sanidad de la comunidad de Murcia; etc.

¿Tiene la Comisión conocimiento de los hechos aquí descritos y piensa intervenir ante este grave delito ecológico para garantizar el cumplimiento de la legislación europea?

¿Podría la Comisión especificar si las instalaciones gestionadas por Proambiente recibieron algún tipo de subvención comunitaria?

Respuesta del Sr. Potočnik en nombre de la Comisión
(23 de julio de 2012)

Según la información más reciente comunicada a la Comisión por las autoridades españolas, el vertedero no ha admitido más residuos desde el 29 de septiembre de 2011 y las autoridades están examinando la solicitud de autorización presentada por la entidad explotadora en virtud de la Directiva 96/61/CE ([1]), relativa a la prevención y al control integrados de la contaminación (PCIC).

No obstante, la Comisión va a poner en marcha una investigación para cerciorarse de que las autoridades españolas cumplen plenamente el Derecho de la UE aplicable, especialmente en lo que respecta a las obligaciones en materia de cierre y procedimiento de limpieza de los vertederos.

La Comisión también recabará información sobre la posible financiación de las instalaciones de residuos consideradas.

([1]) Directiva 2008/1/CE del Parlamento Europeo y del Consejo, de 15 de enero de 2008, relativa a la prevención y al control integrados de la contaminación (DO L 24 de 29.1.2008).

(English version)

Question for written answer P-005736/12
to the Commission
Andres Perello Rodriguez (S&D)
(7 June 2012)

Subject: Environmental crime and illegal landfill in Abanilla (Murcia) and Orihuela (Valencia)

The Murcian regional government ordered the closure of the Proambiente landfill site, located in the municipalities of Abanilla and Orihuela, at the end of 2011. However the company's owner, Ángel Fenoll, who is currently facing charges of corruption, bribery and influence peddling in the 'Brugal' case, has not only ignored the official suspension order but, in connivance with Abanilla town council, has requested the opening of new landfill containers for a 20-year period, through a change in land use designation under the urban planning law (PGOU).

This Member has personally visited the area and found serious violations of, at the very least, Directive 99/31/EC on the landfill of waste and Directive 2008/98/EC on waste management:

— by the end of 2011, the company had dumped some 120 000 tonnes of untreated municipal waste (the Civil Guard's Nature Protection Service, SEPRONA has already uncovered several illegal landfill sites). The latest report issued by the Institute of Legal Medicine claims that the volume of illegally dumped waste could be approaching 400 000 tonnes;

— although the only activity permitted is composting and recovery, trucks keep arriving with all kinds of unsorted and untreated waste, including particularly dangerous materials such as medical waste and toner cartridges;

— the judge presiding over the Brugal case, who has charged Fenoll with illegal dumping, is also investigating whether or not the waste could have been disguised as compost for all these years;

— illegally dumped waste is fermenting and producing toxic leachates affecting agricultural land (spills in orchards located beyond the landfill), underground aquifers and sensitive areas, such as that surrounding the Taibilla water-treatment plant;

— the increase in unpleasant smells resulting from continuing activity and expansion at the plant is seriously affecting the health and wellbeing of residents, as stated in the formal complaint lodged by the Vertivega interregional platform before both the courts and the Community of Murcia's Department of Health.

Is the Commission aware of the events described here and will it intervene as a result of this serious environmental crime to ensure compliance with EC law?

Can the Commission specify whether the facilities managed by Proambiente have received any kind of EU grant?

Answer given by Mr Potočnik on behalf of the Commission
(23 July 2012)

According to the latest information submitted to the Commission by the Spanish authorities, the landfill has not accepted further waste since 29 September 2011 and the authorities are assessing the application for a permit lodged by the landfill operator under Directive 96/61/EC ([1]) concerning integrated pollution prevention and control (IPPC).

The Commission will however launch an investigation to ensure that the Spanish authorities fully comply with applicable EC law, notably regarding the obligations on the closure and cleaning procedure for landfills.

The Commission will also enquire regarding the possible funding of the referred waste facilities.

([1]) Directive 2008/1/EC of the Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control, OJ L 24, 29.1.2008.

(English version)

Question for written answer E-005737/12
to the Commission
Roger Helmer (EFD)
(7 June 2012)

Subject: Statement by Commissioner Tajani regarding subsidies for the car industry

With reference to the recent statement by Commissioner Tajani, reported *inter alia* in the *Financial Times* of 5 June 2012, that he has 'ruled out a Brussels-led fix for the car industry's excess capacity', can the Commission confirm that:

1. it will not, directly or indirectly, subsidise car-makers with excess capacity problems;

2. it will vigilantly monitor the actions of Member State governments to ensure that they do not subsidise or otherwise unfairly assist their domestic car manufacturers?

Answer given by Mr Tajani on behalf of the Commission
(20 July 2012)

The vehicle industry is currently suffering from a difficult economic situation. The Commission is focusing on supporting the competitiveness and sustainable growth of the industry and has just completed a broad consultation process with the stakeholders involved with the adoption of the CARS 21 report on 6 June 2012. It intends to adopt a communication in the 2nd semester this year on the outcome of this process, where it will also propose how to implement the recommendations set out by CARS 21, also including an Action Plan on the specific measures to support the industry's competitiveness.

Indeed, granting EU subsidies to individual companies for reducing excess production capacity is currently not being considered by the Commission.

With regard to the issue of possible state subsidies or other types of support granted by Member States, the state aid rules set out in the Treaty apply. The Honourable Member can be assured that the Commission as guardian of the Treaty will continue to monitor conscientiously and thoroughly any state aid given to the car sector, as it has done over the past years ([1]).

([1]) See, for instance, MEMO/09/50 of 4 February 2009 at: http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/09/50&type=HTML&aged=0&language=EN&guiLanguage=en or MEMO/09/411 of 23 September 2009 at: (http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/09/411).

(English version)

Question for written answer E-005738/12
to the Commission
John Stuart Agnew (EFD)
(7 June 2012)

Subject: The horrors of Stalin and Soviet Communism

Does the Commission intend to congratulate Mikheil Saakashvili on his plans to transform the Stalin museum in Gori into a museum of Stalinism, with information about the horrors of collectivisation, the famine in Ukraine, the purges, the Gulag, the labour camps and other Soviet terrors?

Answer given by Mr Füle on behalf of the Commission
(6 August 2012)

The European Union's position is to encourage reconciliation and viable conflict resolution in Georgia, and across the South Caucasus.

The Commission thus welcomes any move to close any institution that glorifies the totalitarianism of the past.

In its political dialogue with Georgia and other Eastern partners, the EU focuses on the future benefits which stability and peace can bring in terms of social and economic development. The foundations of the political association which the EU hopes to establish with Georgia are human rights and fundamental freedoms, the rule of law, and democracy. The experience of past suffering both inside and outside the EU only adds to the importance of promoting and maintaining these values

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005739/12
à Comissão
Nuno Teixeira (PPE)
(7 de junho de 2012)

Assunto: Diminuição do salário mínimo em Portugal

Tendo em conta que:

— Há cerca de um ano atrás, Portugal solicitou ajuda externa à Comissão Europeia, Banco Central Europeu e Fundo Monetário Internacional (Troika) no intuito de receber assistência financeira e assim cumprir os compromissos assumidos a nível nacional e internacional;

— A IV avaliação da Troika sobre o plano de assistência financeira a Portugal refere que é necessário estabelecer novas regras para os salários, devendo ser estudada a possibilidade de alinhar as variações salariais com a evolução da posição competitiva da economia. No referido documento, foi salientado que o salário mínimo não deve aumentar dos atuais 485 Euros mensais;

— Vários economistas europeus têm vindo a defender a diminuição do valor do salário mínimo em Portugal como forma de o país aumentar a sua competitividade à escala global;

— As despesas de consumo representam 56 % do PIB da UE e são um elemento fundamental para relançar o crescimento económico e a geração de riqueza;

— As economias dos Estados-Membros não podem ser retraídas ao ponto de, posteriormente, ser difícil impulsionar uma nova fase de crescimento assente no consumo privado das famílias e nos investimentos realizados pelas empresas.

Pergunta-se à Comissão:

1. Qual a posição da Comissão face à possível redução do salário mínimo em Portugal?

2. Entende que a redução do salário mínimo poderá implicar a perda de riqueza por parte das famílias e a redução do rendimento disponível, afetando a disponibilidade das pessoas para adquirirem novos produtos e efetuarem investimentos?

3. Considera que existe alguma correlação direta entre o valor do salário mínimo de Portugal e a possível recuperação económica que o país deverá ter nos próximos anos?

Resposta dada por Olli Rehn em nome da Comissão
(23 de julho de 2012)

As despesas do consumo privado em percentagem do PIB, em Portugal, situaram-se em 64,6 %, em média, ao longo do período 1999/2011. O mesmo indicador, na UE, situa-se numa média de 58 %. Durante o mesmo período, o crescimento médio do PIB da economia portuguesa foi de 1,0 %, contra 1,7 % na UE.

Tal parece indicar que, a longo prazo, despesas de consumo elevadas não constituem necessariamente um fator de crescimento e riqueza. Pelo contrário, os desafios com que Portugal se defronta atualmente parecem ter origem no elevado endividamento (público e privado) que a economia acumulou em virtude de um elevado nível de recursos serem canalizados para o consumo e não para o investimento produtivo e o setor da exportação.

O aumento da flexibilidade salarial, de forma a permitir o ajustamento dos salários à produtividade, constitui um elemento essencial da estratégia portuguesa para restabelecer a competitividade nos mercados internacionais (as reformas estruturais destinadas a fomentar a produtividade constituem outra vertente importante desta estratégia). Isto não significa necessariamente que o salário mínimo, que de facto é superior a 485 euros por mês, uma vez que é pago 14 vezes por ano, tenha de ser reduzido. Na realidade, o programa de ajustamento não prevê tal redução do salário mínimo. No entanto, uma maior diferenciação salarial na faixa inferior da distribuição dos salários, que em Portugal evidencia uma homogeneidade assinalável, constituiria um incentivo a que os trabalhadores e as empresas investissem em capital humano, o que contribuiria para aumentar a sua produtividade.

(English version)

Question for written answer E-005739/12
to the Commission
Nuno Teixeira (PPE)
(7 June 2012)

Subject: Reduction of the minimum wage in Portugal

Almost a year ago Portugal requested external aid from the European Commission, the European Central Bank and the International Monetary Fund (the Troika) with a view to receiving financial assistance and thereby fulfilling its national and international commitments. The fourth Troika evaluation of the financial assistance plan for Portugal stated the need to establish new wage rules and investigate the possibility of aligning changes in wage levels with the evolution of the country's economic competitiveness. This document stressed that the minimum wage should not rise above the current level of EUR 485 per month. Several European economists have supported a reduction in the minimum wage in Portugal, as a way of increasing its global competitiveness.

Consumer spending accounts for 56% of the European Union's GDP and is an essential element in fostering growth and wealth creation. Member States' economies cannot be cut back to the point where it is difficult to launch a new growth phase based on private household consumption and company investment.

I would ask the Commission:

1. What is its view on the possible reduction of the minimum wage in Portugal?

2. Does it believe that this reduction could lead to a loss of household wealth and a reduction in disposable income, affecting people's ability to buy new products and make investments?

3. Does it believe that there is a direct correlation between the minimum wage in Portugal and the possible economic recovery that the country must undergo in the coming years?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

Private consumption spending as percentage of GDP in Portugal amounted to 64.6% of GDP on average over the period 1999-2011. This compares with an average of 58% for the EU. Over the same period, the average GDP growth of the Portuguese economy was 1.0% of GDP compared with 1.7% in the EU.

This suggests that in the longer term high consumer spending does not necessarily provide a basis for growth and wealth. On the contrary, the current challenges Portugal is faced with appear to be rooted in the high debt (public and private) the economy has accumulated due to a high level of resources being channelled into consumption rather than productive investment and the export sector.

Increasing wage flexibility so as to allow wages to adjust to productivity is an essential element in the Portuguese strategy of restoring competitiveness in international markets (structural reform to boost productivity is another important flank of this strategy). This does not necessarily mean that the minimum wage, which de facto is higher than EUR 485 per month as it is paid 14 times a year, has to be reduced. In fact, the adjustment programme does not foresee such a reduction in the minimum wage. However, a higher wage differentiation in the lower part of the wage distribution, which in Portugal is remarkably flat, would provide incentives for workers and firms to invest in human capital, which would help increase their productivity.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005740/12
à Comissão
Nuno Teixeira (PPE)
(7 de junho de 2012)

Assunto: Terceira Revolução Industrial

Tendo em conta que:

— No discurso do Estado da União, realizado a 28 de setembro de 2011 na sessão plenária do Parlamento Europeu, o Presidente da Comissão Europeia apresentou um intenso programa de trabalhos no sentido de promover um quadro macroeconómico e de governação favorável ao crescimento e ao emprego;

— Recentemente, a Comissão Europeia apresentou um novo pacote de medidas que visa criar mais oportunidades de emprego e apoiar o empreendedorismo, entendendo que as PME deverão ter um acesso facilitado ao novo pacote de medidas e deverá ser definido um plano de ação com objetivos e parâmetros definidos para a sua implementação.

— A Comissão Europeia está empenhada em estabelecer uma nova agenda europeia na área do crescimento económico e geração de emprego, incentivando os Estados-Membros a adotarem medidas que visem estimular a contratação ou o apoio ao empreendedorismo;

— A 29 de maio de 2012, na Conferência intitulada «Mission Growth: Europe at the Lead of the New Industrial Revolution», o Presidente da Comissão Europeia e o Vice-Presidente para a Indústria e Empreendedorismo referiram que será lançado um amplo debate com vista a recolher ideias para uma estratégia de crescimento focada na economia real e na inovação industrial, com vista a promover a União Europeia como líder global no desenvolvimento tecnológico apresentado;

— Na mesma conferência, foi referido que deverá ser apresentado um plano industrial assente no setor energético, relançando assim as bases para um aumento da competitividade das empresas europeias à escala global;

— O Presidente do Banco Europeu de Investimentos, Werner Hoyer, referiu que é necessário a União Europeia apostar em projetos que criem maior valor acrescentado, como é o caso do Porto de Sines e a sua ligação ferroviária à Europa Central.

Pergunta-se à Comissão:

1. Como e quando pretende lançar o debate de ideias para criar uma nova estratégia de crescimento?

2. Quando é que a Comissão pretende apresentar um novo Plano Industrial que impulsione o crescimento económico a nível europeu?

3. Quais os setores económicos que considera gerarem maior valor acrescentado e que poderão ser uma alavanca do desenvolvimento da União Europeia?

Resposta dada por Antonio Tajani em nome da Comissão
(20 de agosto de 2012)

A Comissão pronunciou-se sobre os parâmetros gerais de uma estratégia para o crescimento e o emprego na Europa na sua Análise Anual do Crescimento 2012 ([1]), na declaração relativa à celebração do Dia da Europa ([2]) e na Comunicação de finais de maio intitulada «Ação para a estabilidade, o crescimento e o emprego» ([3]). Está atualmente a preparar uma análise dos progressos realizados na aplicação da iniciativa emblemática da estratégia Europa 2020 sobre política industrial, com uma consulta pública ([4]) sobre esta matéria que decorreu entre 16 de maio e 7 de agosto de 2012. A Comissão irá igualmente propor um Ato para o Mercado Único II, com o objetivo de concluir o mercado único em áreas fundamentais como as indústrias digitais e de rede.

A comunicação sobre a revisão intercalar das ações no domínio da política industrial deverá ser adotada em setembro próximo. Ainda que os objetivos de longo prazo em matéria de política industrial continuem a ser válidos, é agora necessário reforçar as iniciativas previstas com um número limitado de ações a curto e a médio prazo com impacto no crescimento: ações para facilitar a adoção de novas tecnologias e inovações, tanto na indústria transformadora como nos serviços, proporcionando assim um enquadramento credível, estável, simplificado e previsível para o investimento industrial; ações para ajudar as empresas a melhorar a eficiência dos respetivos recursos, a fim de se manterem competitivas face à crescente pressão sobre os recursos e os preços; garantia de um enquadramento de mercado mais favorável, através do reforço e da consolidação do mercado interno e da melhoria das condições para as empresas da UE nos mercados globais; criação de condições que facilitem o acesso aos mercados de capitais; e por último, ações destinadas a promover o desenvolvimento de capital humano, especialmente por via de investimentos na aquisição de competências e formação, bem como da antecipação e gestão da mudança estrutural de uma forma socialmente responsável.

([1]) (http://ec.europa.eu/europe2020/pdf/ags2012_en.pdf).
([2]) (http://www.europa-eu-un.org/articles/en/article_12160_en.htm).
([3]) (http://ec.europa.eu/europe2020/pdf/nd/eccomm2012_en.pdf).
([4]) (http://ec.europa.eu/enterprise/policies/industrial-competitiveness/industrial-policy/consultations/index_en.htm).

(English version)

Question for written answer E-005740/12
to the Commission
Nuno Teixeira (PPE)
(7 June 2012)

Subject: The Third Industrial Revolution

On 28 September 2011, during the State of the Union address in the European Parliament plenary session, the President of the European Commission set out an intensive work programme aimed at fostering a macroeconomic and governance framework favourable to growth and employment. Recently the Commission put forward a new package of measures to create job opportunities and support entrepreneurship, believing that SMEs need easy access to the new measures and that an action plan with clear objectives and parameters for implementation must be established. The Commission is committed to establishing a new European agenda on economic growth and job creation, encouraging Member States to adopt measures to stimulate recruitment and support for entrepreneurship.

On 29 May 2012, at a conference entitled 'Mission Growth: Europe at the Lead of the New Industrial Revolution', the President of the Commission and the Vice-President for Industry and Entrepreneurship stated that a wide-ranging debate would be launched for gathering ideas on a growth strategy focused on the real economy and on industrial innovation, to promote the EU as the world leader in technological innovation.

At the same conference, it was stated that a business plan was needed for the energy sector, thereby re-establishing the foundations for European companies to be more competitive at a global level. The President of the European Investment Bank, Werner Hoyer, said that the European Union needed to take on projects that created added value, such as the Port of Sines railway link with Central Europe.

I would ask the Commission:

1. How and when does it intend to launch the debate on ideas for creating a new growth strategy?

2. When will it put forward a new business plan to promote economic growth at EU level?

3. Which economic sectors does it believe will generate the greatest added value and could act as a lever for EU development?

Answer given by Mr Tajani on behalf of the Commission
(20 August 2012)

The Commission has set out its views on the broad parameters of a growth and jobs strategy for Europe in its Annual Growth Survey 2012 ([1]), its Schuman Day Statement ([2]) and its end-May communication, 'Action for stability, growth and jobs' ([3]). It is currently preparing a mid-term review on the progress of implementation of the 2010 Europe 2020 Flagship Initiative on Industrial Policy and a public consultation ([4]) is open from 16 May until 7 August 2012. The Commission will also propose a Single Market Act II to complete the Single Market in key areas such as digital and network industries.

The communication on a mid-term review on Industrial Policy is to be adopted next September. Whilst the longer-term objectives of the Industrial Policy strategy remain fully valid, there is now need to reinforce the initiatives with a limited number of short and medium-term actions impacting on growth: Actions to facilitate the adoption of new technologies and innovations, both in manufacturing and in services, through providing a credible, stable, simplified and predictable environment for industrial investments; actions to help companies improve their resource efficiency in order to remain competitive in face of increasing resource pressures and prices; through providing better market conditions, both by strengthening and deepening our Internal Market and improving conditions for EU firms in global markets; through facilitating better and more sustainable access to capital markets; and finally, actions to promote human capital development especially through investment in skills and training, as well as via anticipation and management of structural change in a socially responsible way.

([1]) http://ec.europa.eu/europe2020/pdf/ags2012_en.pdf
([2]) http://www.europa-eu-un.org/articles/en/article_12160_en.htm
([3]) http://ec.europa.eu/europe2020/pdf/nd/eccomm2012_en.pdf
([4]) http://ec.europa.eu/enterprise/policies/industrial-competitiveness/industrial-policy/consultations/index_en.htm

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005741/12
à Comissão
Nuno Teixeira (PPE)
(7 de junho de 2012)

Assunto: Custo dos estudantes no Ensino Superior

Tendo em conta que:

— No ano letivo 2011/2012 as propinas nas Universidades Portuguesas foram aumentadas 1,4 % (seguindo a taxa de inflação registada em 2010), pelo que o valor a cobrar aos alunos do ensino superior oscilará entre um mínimo de 630,15 euros e um máximo de 999,71 euros;

— Das 15 instituições de ensino superior, apenas 3 (ISCTE, Universidade dos Açores e Universidade do Algarve) não cobram a propina máxima aos seus estudantes;

— O estudo da Universidade de Lisboa coordenado pela investigadora Luísa Cerdeira concluiu que o custo total por aluno no Ensino Superior Público, em 2010/2011, foi de 5 841 euros, sendo o esforço das famílias superior ao investimento público em 60 %. Ou seja, os custos anuais das famílias portuguesas com a educação atingiram os 1 934,83 euros, o que representa 22 % da mediana do rendimento português

— Foi ainda possível aferir que o investimento anual do Estado na área do Ensino Superior é de 3 601 euros por cada um dos 314 032 alunos;

— Apesar das elevadas taxas de desemprego juvenil verificadas na Europa, as qualificações académicas continuam a permitir aos jovens adquirirem maiores conhecimentos técnicos e formação especializada que facilitará a entrada no mercado de trabalho;

Pergunta-se à Comissão:

1. Qual o valor que cada Estado-Membro investe anualmente no Ensino Superior e qual o valor por estudante?

2. Qual o valor global e por estudante que Portugal deverá investir anualmente no Ensino Superior, por forma a melhorar a qualidade de ensino e preparar melhor os jovens para o futuro profissional?

3. Entende que investir na educação é um desígnio futuro dos Estados-Membros e que esta deve ser uma aposta prioritária nos anos vindouros?

Resposta dada por Androulla Vassiliou em nome da Comissão
(11 de julho de 2012)

Os dados internacionais comparáveis mais recentemente recolhidos sobre as despesas com a educação e a formação da Unesco-UIS/OCDE/Eurostat referem-se a 2009. Nesse ano, as despesas públicas totais com o ensino superior nos Estados-Membros da UE ascenderam a 142,8 mil milhões de euros, cerca de 1,22 % do PIB da UE. As despesas públicas com o ensino superior variaram entre 0,79 % do PIB na Letónia e 2,41 % na Dinamarca (ver quadro 1). Esses dados abrangem as despesas públicas diretas relativas às instituições de ensino superior, incluindo fundos públicos para a investigação e o desenvolvimento, bem como o apoio público a estudantes, mas excluem as despesas provenientes de fontes privadas.

Os dados sobre despesas efetuadas por instituições de ensino superior públicas e privadas incluem as despesas diretas efetuadas por instituições de fontes públicas e privadas. A média das despesas diretas por equivalente a estudante a tempo inteiro no ensino superior na UE em 2009, com ajustamento do poder de compra, foi de 9 243,7 euros. A média correspondente para Portugal no mesmo ano foi de 7 150 euros, o que corresponde globalmente à média da UE em termos de despesas por estudante em relação ao PIB *per capita*.

Na sua Análise Anual do Crescimento de 2012, a Comissão reiterou o seu apelo aos Estados-Membros no sentido de dar prioridade às despesas favoráveis ao crescimento, tais como a educação, a investigação e a inovação, assegurando simultaneamente a eficiência do investimento público nestas áreas. Através de recomendações específicas por país, a Comissão apoia também os Estados-Membros nas suas reformas nacionais. No entanto, cada Estado-Membro é responsável pela definição do nível exato de investimento público no ensino superior e por pôr em prática medidas adequadas para assegurar a eficiência e atrair financiamentos adicionais de fontes não públicas, tendo em conta as circunstâncias nacionais específicas.

(English version)

Question for written answer E-005741/12
to the Commission
Nuno Teixeira (PPE)
(7 June 2012)

Subject: Higher education fees for students

Portuguese university fees increased by 1.4% in the academic year 2011/2012 (in line with the 2010 inflation rate), which means that higher education students will have to pay between EUR 630.15 and EUR 999.71 per year. Of the 15 higher education establishments, only 3 (ISCTE, the University of the Azores and the University of the Algarve) charge their students less than the maximum fee

The University of Lisbon study carried out by Luísa Cerdeira concluded that the total cost per student in public higher education was EUR 5 841 in 2010/2011, meaning that families contributed 60% more than the State. Hence, the annual cost of education for Portuguese families was EUR 1 934.83, which represents 22% of the average Portuguese income. The study also revealed that the Portuguese State annually invests EUR 3 601 in each of the 314 032 students in higher education. Despite high rates of youth unemployment in Europe, academic qualifications continue to enable young people to acquire greater technical knowledge and specialised training which will help them to find jobs.

I would ask the Commission:

1. What is the annual amount invested in higher education by each Member State, and what is the amount per student?

2. What is the overall amount and amount per student that Portugal should invest annually in higher education to improve educational quality and to better prepare young people for their working lives?

3. Does it believe that investment in education is a strategy for the future for Member States and that this should be a priority commitment in the years to come?

Answer given by Ms Vassiliou on behalf of the Commission
(11 July 2012)

The most recent comparable international data on spending on education and training from the Unesco-UIS/OECD/Eurostat data collection are for 2009. In that year, total public spending on tertiary level education in the EU Member States amounted 142.8 billion euro, approximately 1.22% of EU GDP. Public spending on tertiary education varied between 0.79% of GDP in Latvia to 2.41% in Denmark (see Table 1). These data include direct public spending on higher education institutions, including public funds for research and development, as well as public support to students, but exclude spending from private sources.

Data on expenditure by public and private higher education institutions include direct spending by institutions from both public and private sources. The average level of direct spending per full time equivalent student in higher education in the EU in 2009, adjusted for purchasing power, was 9 243.7 euro. The equivalent level for Portugal in the same year was 7 150 euro, which corresponds broadly to the EU average level of spending per student in relation to GDP per capita.

In its 2012 Annual Growth Survey, the Commission reiterated its call on Member States to prioritise growth-friendly expenditure, such as education, research and innovation, while ensuring the efficiency of public investment in these areas. Through the Country Specific Recommendations the Commission also supports Member States in national reforms. However, each Member State is responsible for determining the precise level of public investment in higher education and putting in place adequate measures to ensure efficiency and attract additional funding from non-public sources, taking into account specific national circumstances.

(Svensk version)

Frågor för skriftligt besvarande E-005742/12
till kommissionen
Åsa Westlund (S&D)
(7 juni 2012)

Angående: Bedömning av allurarött i djurfoder

Efsa har nyligen via sin panel för djurfoder rekommenderat att tillsatsen E129 (allurarött) inte ska tillåtas i hund- och kattfoder. Bland annat kan man inte utesluta genotoxicitet, påverkan på arvsmassan. En råttstudie underkänns som bevis för att ämnet inte är cancerframkallande ([1]).

Samma myndighet anser däremot att samma ämne är säkert att använda i mat. ANS-panelen som utvärderar mattillsatser hävdade 2009 att de studier som gjorts visade att ämnet om genotoxicitet och cancer var negativa ([2]).

Experterna som bedömt säkerheten för att använda allurarött i djurfoder har alltså bedömt forskningsläget annorlunda än de experter som bedömt forskningsläget för livsmedel.

Utifrån dessa oklarheter undrar jag att

1. Kommer kommissionen att föreslå ett förbud mot allurarött och andra azofärgämnen?

2. Vilka andra åtgärder ämnar kommissionen vidta för att säkra att barn och vuxna inom EU har ett fullgott skydd mot farliga tillsatser?

Svar från John Dalli på kommissionens vägnar
(17 augusti 2012)

Kommissionen är medveten om det nyligen antagna vetenskapliga yttrandet angående säkerheten och effekten av allurarött AC (E 129) i katt- och hundfoder ([3]).

Eftersom detta yttrande inte är förenligt med ANS-panelens yttrande angående omprövningen av allurarött AC som livsmedelstillsats ([4]) 2009 har kommissionen bett Efsa att klargöra relevansen av det aktuella yttrandet för användningen av allurarött som livsmedelstillsats. Vidare har kommissionen frågat Efsa om ny information och resultatet av FEEDAP-panelens diskussion, som beskrivs i det senare yttrandet om allurarött AC, kan påverka bedömningen av de andra färgämnen som redan omprövats av Efsa.

På grundval av nya rön och på kommissionens begäran beslutade Efsa att ytterligare utvärdera eventuella konsekvenser av användningen av allurarött för människors hälsa i slutet av 2012. Efter genomförandet av denna uppgift kommer kommissionen, vid behov, att överväga lämpliga riskhanteringsåtgärder. För närvarande inkluderar riskhanteringsåtgärderna för allurarött en varningstext om att livsmedelsfärgämnet kan ha en negativ inverkan på barns aktivitet och uppmärksamhet.

([1]) http://www.efsa.europa.eu/en/efsajournal/pub/2675.htm
([2]) http://www.efsa.europa.eu/en/efsajournal/pub/1327.htm
([3]) EFSA Journal, vol. 10(2012):5, artikelnr 2675.
([4]) EFSA Journal, vol. 7(2009):11, artikelnr 1327.

(English version)

Question for written answer E-005742/12
to the Commission
Åsa Westlund (S&D)
(7 June 2012)

Subject: Opinion on Allura Red AC in animal feed

The EFSA Feed panel has recently recommended that the Allura Red AC (E129) additive should not be permitted in dog and cat food. This is due in part to the fact that it has not been possible to rule out genotoxicity and mutagenic effects. A study with rats was rejected as proof that the substance is not carcinogenic ([1]).

On the other hand, the same authority is of the opinion that the same substance is safe to use in human food. In 2009, the Panel on Food Additives and Nutrient Sources Added to Food (ANS), which evaluates food additives, argued that the studies carried out to show the substance's genotoxic and carcinogenic effects were negative ([2]).

The experts who assessed the safety of using Allura Red AC in animal feed have therefore interpreted the research findings differently from those experts who have assessed the research findings for foodstuffs.

In the light of these conflicting opinions, I would like to ask:

1. Will the Commission propose a ban on the use of Allura Red AC and other azo dye food colours?

2. What other measures does the Commission intend to take to ensure that children and adults in the EU are fully protected against dangerous food additives?

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

The Commission is aware of the recent adoption of the Scientific Opinion on the safety and efficacy of Allura Red AC (E 129) in feed for cats and dogs ([3]).

Since the conclusion of this opinion is not in line with the conclusion of the ANS Panel on the re-evaluation of Allura Red AC as a food additive ([4]) in 2009 the Commission asked EFSA for clarification on the relevance of the recent opinion on the conclusion on the use of Allura Red as a food additive. Furthermore, the Commission asked EFSA whether new information and the outcome of the FEEDAP Panel discussion as outlined in the recent opinion on Allura Red AC would have an impact on the assessment of the other food colours already re-evaluated by EFSA.

On the basis of new findings and the request of the Commission EFSA decided to further assess any implications of Allura Red use for human health by the end of 2012. Following completion of this task the Commission will consider appropriate risk management measures if needed. At present, current risk management measures for Allura Red include a warning labelling that this food colour may have an adverse effect on activity and attention on children.

([1]) http://www.efsa.europa.eu/en/efsajournal/pub/2675.htm
([2]) http://www.efsa.europa.eu/en/efsajournal/pub/1327.htm
([3]) EFSA Journal 2012;10(5):2675.
([4]) EFSA Journal 2009;7(11):1327.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005743/12
alla Commissione
Roberta Angelilli (PPE)
(7 giugno 2012)

Oggetto: Situazione della disoccupazione giovanile in Italia: richiesta di informazioni sui risultati dell'«Action team» e sulla riprogrammazione dei fondi europei per l'occupazione giovanile

Lo scorso 30 gennaio, durante il vertice informale del Consiglio europeo, la Commissione ha istituito otto «Action teams» da inviare negli otto paesi europei ad alto tasso di disoccupazione giovanile (Italia, Spagna, Grecia, Slovacchia, Lituania, Portogallo, Lettonia e Irlanda) annunciando l'impiego di 82 miliardi di euro di fondi europei non assegnati da riprogrammare su iniziative per la disoccupazione giovanile, di cui 8 miliardi di fondi per l'Italia. I colloqui e le consultazioni dell'action team con i Ministeri italiani competenti hanno avuto luogo lo scorso 22 febbraio. Il Presidente Barroso ha presentato il 23 maggio i primi risultati conseguiti dagli «action teams» secondo cui l'Italia avrebbe impiegato 3,6 miliardi di euro degli 8 assegnati.

Premesso che i dati disponibili non sono chiari in quanto incompleti e non sufficientemente dettagliati e considerato che la disoccupazione giovanile in Italia si attesta al 35,9 % (al primo trimestre 2012) può la Commissione far sapere:

1. sono disponibili testi e dati più precisi e puntuali sui progetti finanziati e su quelli in corso di approvazione in Italia?

2. in che modo, su quali progetti e con quale tempistica verranno utilizzati i restanti 4,4 miliardi di euro di fondi assegnati all'Italia?

3. è stata elaborata un'analisi delle buone pratiche ed una strategia d'azione a lungo termine per l'occupazione giovanile in Italia?

4. se e quando sono state coinvolte le organizzazioni giovanili e in che modo sono state consultate, come richiesto all'interno della Comunicazione della Commissione europea «Un'opportunità per i giovani» e nella risoluzione del Parlamento europeo del 24 maggio 2012 «Opportunità per i giovani»?

Risposta di László Andor a nome della Commissione
(9 luglio 2012)

Alla data del 28.02.2012 in Italia 8 miliardi di euro (dei quali circa 3 674 miliardi di euro provenienti dal Fondo sociale europeo e circa 4 326 miliardi di euro provenienti dal Fondo europeo di sviluppo regionale) non sono stati ancora impegnati per progetti.

Nel novembre 2011 l'Italia ha concordato con la Commissione un Piano d'azione coesione (PAC) ([1]) per un valore di circa 3,6 miliardi di euro ([2]), per accelerare l'implementazione nel Mezzogiorno e concentrare le risorse su priorità selezionate, comprese l'istruzione e l'occupazione. I ritardi di implementazione constatati in relazione a diversi programmi nazionali hanno richiesto una seconda fase del PAC ([3]), il cui bilancio complessivo ha raggiunto i 6,3 miliardi di euro circa. Il Piano menziona esplicitamente la richiesta dell'UE di prestare attenzione ai problemi dei giovani e prevede ulteriori iniziative per i giovani per un importo complessivo di circa 0,2 miliardi di euro più 0,4 miliardi di euro per la cura dell'infanzia.

In tale contesto:

1. i due piani summenzionati forniscono dettagli sulle iniziative previste che si trovano in diverse fasi di implementazione e in certi casi richiedono una revisione formale dei programmi operativi;

2. in linea con l'iniziativa Gioventù la Commissione ha invitato le autorità italiane a contemplare l'opportunità di una revisione dei programmi operativi per affrontare le problematiche giovanili. La questione figura quale punto all'ordine del giorno dei comitati di monitoraggio che si tengono a maggio-giugno per tutti i programmi operativi italiani facenti capo al FSE;

([1]) Successivamente notificato alla Commissione a dicembre e aggiornato nel febbraio 2012 http://www.dps.tesoro.it/documentazione/comunicati/2011/Attuazione_del__Piano_di_Azione_15_12_11versione_rivista_20-12-11.pdf
([2]) http://www.dps.tesoro.it/documentazione/comunicati/2012/PAC_aggiornamento_1.pdf
([3]) Nel maggio 2012: http://www.ministrocoesioneterritoriale.it/wp-content/uploads/2012/05/Stralcio-Piano-di-Azione-Coesione-aggiornamento-n-2.pdf

3. il grosso delle iniziative legate al FSE nell'ambito del PAC si basa sull'esperienza dei progetti risultati efficaci gestiti nell'ambito del programma operativo del FSE «Competenze per lo sviluppo» e dei risultati positivi della gestione di parte delle risorse dei programmi operativi regionali ad opera del ministero dell'Istruzione nel 2011;

4. la Commissione è a stretto contatto con gli attori pertinenti (comprese le parti sociali e la società civile) per assicurare la rapida implementazione dell'iniziativa Opportunità per i giovani. Per quanto concerne l'FSE, gli attori pertinenti sono membri a pieno titolo dei comitati di monitoraggio dei programmi operativi.

(English version)

Question for written answer P-005743/12
to the Commission
Roberta Angelilli (PPE)
(7 June 2012)

Subject: Youth unemployment situation in Italy: request for information on the results of the Action team and the reallocation of EU funds for youth employment

On 30 January, during the European Council informal summit, the Commission set up eight Action Teams to be sent to eight EU countries with high rates of youth unemployment (Italy, Spain, Greece, Slovakia, Lithuania, Portugal, Latvia and Ireland), announcing the deployment of EUR 82 billion of non-allocated EU funds to be reprogrammed for youth unemployment initiatives, of which EUR 8 billion was earmarked for Italy. The Action Team's interviews and consultations with the appropriate Italian ministries took place on 22 February. On 23 May, President Barroso presented the first results achieved by the Action Teams, according to which Italy had used EUR 3.6 billion of the EUR 8 billion allocated.

Given that the available data are unclear because they are incomplete or not detailed enough and given that youth unemployment in Italy stands at 35.9% in the first quarter of 2012, can the Commission answer the following questions:

1. Are more accurate and timely texts and data available on projects funded and in the process of being approved in Italy?

2. How, on which projects and within what timeframe will the remaining EUR 4.4 billion of funds allocated to Italy be used?

3. Have an analysis of best practice and a long-term action strategy for youth unemployment in Italy been drawn up?

4. Have youth organisations been involved (if so, when?) and have they been consulted, as called for by the European Commission Communication entitled 'Youth Opportunities Initiative' and the European Parliament resolution of 24 May 2012 on the Youth Opportunities Initiative?

Answer given by Mr Andor on behalf of the Commission
(9 July 2012)

In Italy, EUR 8 billion (of which about EUR 3.674 billion of European Social Fund and about EUR 4.326 billion of European Regional Development Fund) were not yet committed to projects at 28.02.2012.

In November 2011 Italy agreed with the Commission an Action Plan for Cohesion Policy ([1]) (APCP), for about EUR 3.6 billion ([2]), to speed up implementation in the Mezzogiorno and concentrate resources on selected priorities, including education and employment. The observed implementation delays in a number of national programmes called for a second phase of the APCP ([3]), whose overall budget reached about EUR 6.3 billion. The Plan explicitly mentions the EU call for attention to youth problems and foresees further initiatives for young people, for overall about EUR 0.2 billion plus EUR 0.4 billion for childcare.

Within this context:

1. the two abovementioned plans provide details on the initiatives foreseen, which are at different implementation stages and in some cases require a formal revision of the OPs;

2. In line with the Youth initiative, the Commission has invited the Italian authorities to consider revising the OPs to tackle the youth issue. The issue is an agenda item of the monitoring committees being held in May-June for all ESF Italian OPs;

([1]) Subsequently notified to the Commission in December and updated in February 2012 http://www.dps.tesoro.it/documentazione/comunicati/2011/Attuazione_del__Piano_di_Azione_15_12_11versione_rivista_20-12-11.pdf.
([2]) http://www.dps.tesoro.it/documentazione/comunicati/2012/PAC_aggiornamento_1.pdf
([3]) In May 2012: http://www.ministrocoesioneterritoriale.it/wp-content/uploads/2012/05/Stralcio-Piano-di-Azione-Coesione-aggiornamento-n-2.pdf

3. the bulk of the ESF-related initiatives in the APCP is based on the successful experience of the projects run within the ESF OP Competenze per lo sviluppo and of the positive results of the management of part of the resources of regional OPs by the Education Ministry in 2011;

4. The Commission is in close contact with the relevant stakeholders (including social partners and civil society) to ensure rapid implementation of the Youth Opportunities Initiative. As regards ESF, relevant stakeholders are full members of the OP monitoring committees.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005745/12
a la Comisión
Francisco Sosa Wagner (NI)
(7 de junio de 2012)

Asunto: Información sobre las comisiones bancarias

En varias ocasiones me he dirigido ya a esa Comisión Europea alertando sobre disfunciones en el régimen de las comisiones bancarias y la falta de protección de los clientes (preguntas E-003927/2011, E-007229/2011 y E-008210/2011). En la última respuesta que me ha llegado, que tiene fecha de 25 de octubre, se aludía a una propuesta de la Comisión para «normalizar la publicación de comisiones bancarias». Pocos días después de recibir esa contestación, en concreto el 29 de octubre, publicó el Boletín Oficial del Estado del Reino de España una nueva Orden Ministerial que, al amparo del pretencioso título «transparencia y protección del cliente de servicios bancarios», ha diluido mucha información obligatoria que deben facilitar las entidades financieras a sus clientes.

En concreto, se establece ahora que esas instituciones sólo han de poner a disposición de los clientes «los tipos de interés y comisiones habitualmente aplicados a los servicios que presten con mayor frecuencia» (art. 3 de la Orden 2899/2011, de 28 de octubre). Deseo resaltar la flexibilidad que introduce esta nueva normativa.

Por ello me interesa conocer de esa Comisión:

1. ¿Cuándo tiene previsto presentar formalmente esa propuesta con el fin de «normalizar la publicación de las comisiones bancarias»?

2. ¿Qué opinión le merece la citada reducción de transparencia en las entidades financieras españolas? ¿Considera que eso es acorde con los dictados del Reglamento (CE) n° 924/2009, de 16 de septiembre, de pagos transfronterizos?

Respuesta del Sr. Barnier en nombre de la Comisión
(26 de julio de 2012)

1. A finales de 2011, se observaron indicios de que la iniciativa de autorregulación del sector, relativa a la transparencia y comparabilidad de las comisiones bancarias, no iba a ofrecer soluciones suficientemente eficaces al consumidor, por lo que los servicios de la Comisión empezaron a analizar toda la información pertinente disponible. En la primavera de 2012, se inició una consulta en línea cuyos resultados se están analizando actualmente.

2. En lo que atañe a la nueva Orden Ministerial EHA/2899/2011 y en vista de la información de que dispone la Comisión, no parece que dicha Orden vaya a reducir la transparencia de las comisiones aplicables a los servicios bancarios en España. La Comisión observa también que la transparencia de las comisiones aplicables a los servicios de pago se trata de forma más específica en la Orden Ministerial EHA/1608/2010. Por lo que respecta al Reglamento (CE) n° 924/2009, la nueva Orden Ministerial no parece incidir en la aplicación de dicho Reglamento.

De modo más general, los términos de la Orden Ministerial EHA/2899/2011 parecen reforzar la transparencia de las comisiones en el sector de los servicios bancarios, cuestión que no abarcaban anteriormente de forma específica los requisitos en materia de transparencia, tal como explican claramente el preámbulo y el primer artículo del texto.

(English version)

Question for written answer E-005745/12
to the Commission
Francisco Sosa Wagner (NI)
(7 June 2012)

Subject: Information on bank charges

I have already alerted the European Commission several times regarding failings in the bank charge system and the lack of customer protection (questions E-003927/2011, E-007229/2011 and E-008210/2011). The last answer I received, dated 25 October 2011, mentioned a Commission proposal to 'standardise the disclosure of bank charges'. A few days after receiving that answer, on 29 October, the Spanish Official State Gazette (BOE) published a new ministerial order that, under the pretentious title of 'Transparency and protection for the customers of banking services', watered down much of the information that banks are obliged to provide for their customers.

Specifically, banks only have to make available to customers 'the interest rates and charges normally applied to the services they provide most frequently' (Article 3 of Order 2899/2011, of 28 October). I would like to point out the flexibility of this new legislation.

In view of this, can the Commission state:

1. When does it intend formally to 'standardise the disclosure of bank charges'?

2. What is its view of the reduction in the transparency of Spanish banks? Does it consider this to be in line with Regulation (EC) No 924/2009 of 16 September on cross-border payments in the Community?

Answer given by Mr Barnier on behalf of the Commission
(26 July 2012)

1. By the end of 2011, signs emerged that the industry self-regulatory initiative on transparency and comparability of bank fees would not deliver sufficiently effective solutions for consumers. As a result, the Commission services have engaged in an analysis of all relevant information available. An online consultation was launched in spring 2012. The results of this consultation are currently being analysed.

2. As regards the new ministerial Order EHA/2899/2011 in Spain and in light of the information available to the Commission, this order would not appear to reduce the transparency of charges for banking services in Spain. The Commission also notes that transparency of charges for payment services is more specifically addressed in the ministerial Order EHA/1608/2010. As far as the application of Regulation (EC) No 924/2009 is concerned, this matter does not appear to be impacted by the new ministerial Order.

More generally, the wording of ministerial Order EHA/2899/2011 appears to reinforce the transparency of bank charges in these areas of banking services. This matter was previously not specifically addressed by the transparency requirements, as clearly explained in the preamble and first article of the text.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005746/12
an den Rat
Martin Ehrenhauser (NI)
(7. Juni 2012)

Betrifft: Kunstobjekte Rat

1. Kann der Rat Angaben machen, welche Regeln im Umgang mit Kunstobjekten des Rates existieren? Wenn nicht, warum nicht?

2. Kann der Rat angeben, wie viele Kunstobjekte ihm zur Verfügung stehen? Wenn nicht, warum nicht?

3. Kann der Rat mitteilen, wie die Kunstobjekte heißen, von welchem Künstler und welcher Art sie sind, zu welchem Anlass sie in den Besitz des Rates gelangten, welchen Wert sie besitzen sowie welche Wertsteigerung sie seit Übereignung erfahren haben? Wenn nicht, warum nicht?

4. Kann der Rat Angaben machen, wie viele dieser Kunstobjekte gestiftet, geschenkt, gekauft, gesponsert wurden und wer die Stifter, Schenker, Verkäufer und Sponsoren sind? Wenn nicht, warum nicht?

5. Kann der Rat Angaben über den Kaufpreis der von ihm gekauften Kunstobjekte und deren Wertsteigerung seit dem Kauf machen? Wenn nicht, warum nicht?

6. Kann der Rat Angaben machen, was das wertvollste Kunstobjekt in seinem Besitz ist? Wenn nicht, warum nicht?

7. Kann der Rat Angaben machen, wie viele Kunstobjekte ausgestellt sind, wie viele eingelagert sind und was mit den eingelagerten Kunstobjekten geschehen wird? Wenn nicht, warum nicht?

Um Verwaltungslasten zu reduzieren, wurden diese Fragen in einer Anfrage zusammengefasst und die einzelnen Fragen mit einer laufenden Nummer versehen. Der Fragesteller ersucht höflich, die einzelnen Fragen unter Anführung der jeweiligen Nummerierung zu beantworten.

Antwort
(12. September 2012)

Was die Nummern 1, 2, 4 und 5 der Anfrage des Herrn Abgeordneten betrifft, so hat der Rat seiner Antwort auf die schriftliche Anfrage E-002388/2012 nichts hinzuzufügen.

Nummer 3: Einzelheiten zu diesen Kunstobjekten, wie die Namen der Künstler und die Titel der Werke, finden sich in einem Katalog, der auf der Website des Rates veröffentlicht wird.

Nummer 6: Das teuerste Kunstwerk, ein Gemälde, hat nach Schätzungen einen Wert von 350 000 EUR.

Nummer 7: Achtundvierzig Kunstwerke sind ausgestellt und zwei Werke sind derzeit (bis zu ihrer Ausstellung in einem der Ratsgebäude) eingelagert, während ein Werk gegenwärtig restauriert wird.

(English version)

Question for written answer E-005746/12
to the Council
Martin Ehrenhauser (NI)
(7 June 2012)

Subject: Works of art belonging to the Council

1. Can the Council indicate what rules exist for the handling of works of art belonging to the Council? If not, why not?

2. Can the Council indicate how many works of art it has at its disposal? If not, why not?

3. Can the Council indicate the titles of the works of art, the artists who created them, their nature, the circumstances in which they came into the Council's possession, their value and their appreciation in value since acquisition? If not, why not?

4. Can the Council indicate how many of these works of art were donated, given as gifts, purchased or sponsored, and the names of the donors, sellers and sponsors? If not, why not?

5. Can the Council indicate the purchase price of the artworks it has purchased and the appreciation in their value since they were bought? If not, why not?

6. Can the Council indicate which is the most valuable work of art in its possession? If not, why not?

7. Can the Council indicate how many works of art are on display, how many are in storage and what is to happen to the artworks in storage? If not, why not?

In order to reduce administrative effort, these queries have been framed within one question and have been numbered successively. The author of the question politely requests that the individual queries be answered with reference to their number.

Reply
(12 September 2012)

As regards points 1, 2, 4 and 5 of the question put by the Honourable Member, the Council has nothing to add to the reply given to Written Question E-002388/2012.

Point 3: Details of these works, such as the name of the artists and their titles, are being collected in a catalogue that will be published on the Council website.

Point 6: The highest estimated value of a single work of art, a painting, is EUR 350 000.

Point 7: Forty-eight works of art are on display, whilst two are currently in storage (awaiting display in a Council building) and one is being restored.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005747/12
an die Kommission
Martin Ehrenhauser (NI)
(7. Juni 2012)

Betrifft: Kunstobjekte Kommission

1. Kann die Kommission Angaben machen, welche Regeln im Umgang mit Kunstobjekten der Kommission existieren? Wenn nicht, warum nicht?

2. Kann die Kommission angeben, wie viele Kunstobjekte der Kommission zur Verfügung stehen? Wenn nicht, warum nicht?

3. Kann die Kommission Angaben machen, wie die Kunstobjekte heißen, von welchem Künstler und welcher Art sie sind, zu welchem Anlass sie in den Besitz der Kommission gelangten, welchen Wert sie besitzen sowie welche Wertsteigerung sie seit Übereignung erfahren haben? Wenn nicht, warum nicht?

4. Kann die Kommission angeben, wie viele dieser Kunstobjekte gestiftet, geschenkt, gekauft, gesponsert wurden und wer die Stifter, Schenker, Verkäufer und Sponsoren sind? Wenn nicht, warum nicht?

5. Kann die Kommission Angaben über den Kaufpreis der von der Kommission gekauften Kunstobjekte und deren Wertsteigerung seit dem Kauf machen? Wenn nicht, warum nicht?

6. Kann die Kommission mitteilen, was das wertvollste Kunstobjekt in ihrem Besitz ist? Wenn nicht, warum nicht?

7. Kann die Kommission Angaben machen, wie viele Kunstobjekte ausgestellt sind, wie viele eingelagert sind und was mit den eingelagerten Kunstobjekten geschehen wird? Wenn nicht, warum nicht?

Um Verwaltungslasten zu reduzieren, wurden diese Fragen in einer Anfrage zusammengefasst und die einzelnen Fragen mit einer laufenden Nummer versehen. Der Fragesteller ersucht höflich, die einzelnen Fragen unter Anführung der jeweiligen Nummerierung zu beantworten.

Antwort von Herrn Šefčovič im Namen der Kommission
(10. Juli 2012)

Der Herr Abgeordnete wird auf die Antwort der Kommission auf die schriftliche Anfrage E/2389/2012 verwiesen ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=DE.

(English version)

Question for written answer E-005747/12
to the Commission
Martin Ehrenhauser (NI)
(7 June 2012)

Subject: Works of art belonging to the European Commission

1. Can the Commission indicate what rules exist for the handling of works of art belonging to the Commission? If not, why not?

2. Can the Commission indicate how many works of art it has at its disposal? If not, why not?

3. Can the Commission indicate the titles of the works of art, the artists who created them, the nature of the work, the circumstances in which they came into the Commission's possession, their value and their appreciation in value since acquisition? If not, why not?

4. Can the Commission indicate how many of these works of art were donated, given as gifts, purchased or sponsored, and the names of the donors, sellers and sponsors? If not, why not?

5. Can the Commission indicate the price of the works of art it has purchased and the appreciation in their value since they were bought? If not, why not?

6. Can the Commission indicate which is its most valuable work of art? If not, why not?

7. Can the Commission indicate how many works of art are on display, how many are in storage and what is to happen to the works of art in storage? If not, why not?

In order to reduce administrative effort, these queries have been framed within one question and have been numbered successively. The author of the question politely requests that the individual queries be answered with reference to their number.

Answer given by Mr Šefčovič on behalf of the Commission
(10 July 2012)

The Commission would refer the Honourable Member to its answer to Written Question E/2389/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005748/12
alla Commissione
Crescenzio Rivellini (PPE), Roberta Angelilli (PPE), Potito Salatto (PPE), Aldo Patriciello (PPE), Clemente Mastella (PPE), Sergio Paolo Francesco Silvestris (PPE), Raffaele Baldassarre (PPE), Giovanni La Via (PPE), Lara Comi (PPE), Erminia Mazzoni (PPE), Barbara Matera (PPE), Salvatore Iacolino (PPE), Marco Scurria (PPE) e Luigi Ciriaco De Mita (PPE)
(7 giugno 2012)

Oggetto: Caso FIAT

L'inesistenza di uno Statuto europeo dei lavoratori comporta una minore tutela dei diritti dei lavoratori; di conseguenza, molte problematiche sociali che si verificano in ambito nazionale difficilmente trovano soluzioni efficaci.

È emblematico, a tale proposito, il problema da tempo perdurante in Italia degli operai dello stabilimento FIAT di Termini Imerese e del suo indotto, che vivono in una situazione insostenibile a causa di licenziamenti e messa in cassa integrazione, voluti dalla loro azienda, la quale preferisce ampliare stabilimenti in altre nazioni europee dove il costo del lavoro è inferiore e chiudere i reparti in Italia. Il diritto al lavoro di questi operai è sempre meno protetto; malgrado le trattative con le organizzazioni sindacali per un accordo, non ancora realizzato, che comprende un piano industriale di riconversione dello stabilimento i dipendenti si trovano in una situazione insostenibile.

Si chiede quindi alla Commissione quanto segue:

1. Non crede la Commissione che, conformemente alle disposizioni del Trattato CE e, in particolare, degli articoli 136-139, l'Unione europea abbia il compito di sostenere e completare l'azione degli Stati membri nel campo della politica sociale, che include il diritto al lavoro?

2. In considerazione dei licenziamenti e dei trattamenti salariali sfavorevoli che gli operai FIAT subiscono a causa del ridimensionamento di alcuni reparti italiani dell'azienda a favore del trasferimento e dell'ampliamento degli stessi in altri paesi europei a più basso costo del lavoro, non crede la Commissione che debba essere rispettato l'articolo 4 della direttiva 2001/23/CE, secondo il quale il trasferimento di un'impresa, di uno stabilimento o di una parte di impresa o di stabilimento non è, di per sé, motivo di licenziamento?

3. Esiste un margine di disponibilità di fondi europei che possano essere impegnati ai fini di tutelare i lavoratori e migliorare le loro condizioni sociali?

Risposta di László Andor a nome della Commissione
(26 luglio 2012)

1. L' UE compie notevoli sforzi per favorire la creazione di posti di lavoro ([1]). Inoltre, sono stati adottati vari atti legislativi sostanziali per migliorare i diritti dei lavoratori, conformemente agli articoli 151 e segg. del TFUE (ex articoli 136 e segg. del TCE) ([2]). Tuttavia, al momento la Commissione non sta lavorando su nuove eventuali iniziative in materia di tutela del lavoro ([3]).

2. La Commissione non è in grado di valutare i fatti o di stabilire se un'azienda privata abbia o meno rispettato una disposizione nazionale che attua una direttiva dell' UE. Spetta alle autorità nazionali competenti, come i tribunali, garantire la corretta ed efficace applicazione, da parte del datore di lavoro, della normativa nazionale di recepimento della direttiva 2001/23/CE, tenendo conto delle circostanze specifiche di ciascun caso.

3. L'Italia ha la possibilità di chiedere l'intervento del Fondo europeo di adeguamento alla globalizzazione (FEG), a condizione di dimostrare che i licenziamenti in questione possano essere correlati alla globalizzazione del commercio La Commissione invita gli onorevoli parlamentari a contattare il responsabile del FEG in Italia ([4]) per verificare se non vi sia già una domanda in corso in conseguenza di tali licenziamenti.

Il Fondo sociale europeo (FSE) cofinanzia al 50 % il programma operativo Sicilia. Questo comprende un asse prioritario per iniziative miranti a migliorare l'adattabilità dei lavoratori e delle imprese (con un bilancio complessivo di circa 179 milioni di euro) e ad aumentarne le capacità di accesso all'occupazione (circa 1,078 miliardi di euro).

([1]) Cfr. in proposito la comunicazione della Commissione «Verso una ripresa fonte di occupazione», COM(2012)173 def. del 18 aprile 2012.
([2]) Cfr. in proposito la risposta della Commissione a E-5147/2011.
([3]) Cfr. in proposito le recenti risposte della Commissione ad alcune interrogazioni scritte, segnatamente E-5126/2012 ed E-5243/2012.
([4]) http://ec.europa.eu/social/main.jsp?catId=581&langId=it

(English version)

Question for written answer E-005748/12
to the Commission
Crescenzio Rivellini (PPE), Roberta Angelilli (PPE), Potito Salatto (PPE), Aldo Patriciello (PPE), Clemente Mastella (PPE), Sergio Paolo Francesco Silvestris (PPE), Raffaele Baldassarre (PPE), Giovanni La Via (PPE), Lara Comi (PPE), Erminia Mazzoni (PPE), Barbara Matera (PPE), Salvatore Iacolino (PPE), Marco Scurria (PPE) and Luigi Ciriaco De Mita (PPE)
(7 June 2012)

Subject: FIAT

The lack of a European statute for workers means that workers' rights are less protected. Consequently, many national social issues are rarely resolved effectively.

The long-standing problem in Italy of the FIAT plant in Termini Imerese and its satellite industries is a clear demonstration of this, with layoffs and redundancies imposed by the company creating an untenable situation for workers. Plants are being expanded in other European countries where labour costs are lower while some departments in Italy are being closed down. These employees' right to work is therefore being increasingly eroded. Despite negotiations with unions to come to an agreement, which included a business plan to convert the plant — a plan which has not yet been implemented — the employees still find themselves in an untenable situation.

Can the Commission therefore answer the following questions:

1. Does it not believe that, in accordance with the provisions of the EC Treaty, Articles 136-139 in particular, the European Union is responsible for supporting and supplementing the actions of Member States in the area of social policy, which includes the right to work?

2. Since FIAT workers have suffered layoffs and unfavourable pay treatment due to the downsizing of some Italian production facilities for the purpose of transferring and relocating them to other European countries with lower labour costs, does the Commission not agree that Article 4 of Directive 2001/23/EC, according to which the transfer of an undertaking, business or part of an undertaking or business shall not in itself constitute grounds for dismissal, should be complied with?

3. Are there any EU funds available which could be used to protect workers and improve their social conditions?

Answer given by Mr Andor on behalf of the Commission
(26 July 2012)

1. The EU deploys considerable efforts in support of job creation ([1]). In addition, several important pieces of legislation have been adopted to improve workers' rights in accordance with Articles 151 ff TFEU (ex Articles 136 ff TEC) ([2]). The Commission is not, however, considering currently any new initiatives in the area of job protection ([3]).

2. The Commission is not in a position to assess the facts or state whether a private company has or has not complied with any national provision implementing an EU Directive. It is for the competent national authorities, including the courts, to ensure that the national law transposing Directive 2001/23/EC is correctly and effectively applied by the employer concerned, having regard to the specific circumstances of each case.

3. Provided that the workers' redundancies can be linked to trade related globalisation, Italy has the possibility to apply for support from the European Globalisation Adjustment Fund (EGF). The Commission invites the Honourable Members to contact the EGF Contact Person in Italy ([4]) to find out whether any application is ongoing as a consequence of these redundancies.

The European Social Fund (ESF) co-funds 50% of the ESF operational programme for Sicily. It includes a priority axis devoted to initiatives improving the adaptability of workers and companies (with an overall budget of about EUR 179 million) and enhancing employability (about EUR 1 078 million).

([1]) See, in this regard, Commission communication towards a job-rich recovery, COM(2012)173 final of 18.4.2012.
([2]) See, in this regard, Commission reply to E-5147/2011.
([3]) See, in this regard, Commission replies to recent written questions, in particular E-5126/2012 and E-5243/2012.
([4]) http://ec.europa.eu/social/main.jsp?catId=581&langId=it

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord P-005749/12
aan de Commissie
Daniël van der Stoep (NI)
(7 juni 2012)

Betreft: Financiering van online nieuwsvoorzieningen/weblogs door de Nederlandse publieke omroep

1. Is de Commissie bekend met de Nederlandse website Joop.nl ([1])?

2. Is het de Commissie bekend dat deze website wordt gefinancierd vanuit de publieke omroep VARA en daardoor wordt gefinancierd met gelden verkregen van de Nederlandse Staat? Zo neen, waarom niet?

3. Is de Commissie bekend met de kritiek die de hoofdredacteur van de Nederlandse Volkskrant, de heer Remarque, heeft geleverd op staatssteun met betrekking tot online nieuwsvoorziening en wat is haar reactie op dat artikel ([2])?

4. Hoe oordeelt zij in het algemeen over staatssteun aan websites die concurreren met websites die niet gesubsidieerd worden?

5. Deelt de Commissie de mening dat de door de overheid gefinancierde publieke omroep zich, afgezien van het vervullen van zijn wettelijke taken, zoals nieuwsvoorziening, zich niet dient te mengen in een concurrerende markt van private initiatieven? Zo neen, waarom niet?

6. Deelt de Commissie de mening dat de website Joop.nl een oneerlijke vorm van door de staat gesubsidieerde concurrentie is? Zo neen, waarom niet?

Antwoord van de heer Almunia namens de Commissie
(4 juli 2012)

De Commissie verwijst het geachte Parlementslid naar haar mededeling betreffende de toepassing van de regels inzake staatssteun op de publieke omroep ([3]). In punt 81 is de Commissie van oordeel dat publieke omroepen gebruik kunnen maken van de mogelijkheden die worden geboden door de digitalisering en de diversificatie van de distributieplatforms op technologieneutrale basis — ten voordele van de samenleving. Een van de gevolgen van de convergentie van mediamarkten is de toegenomen concurrentie van publieke omroepen met andere actoren dan commerciële omroepen. Zowel de geschreven pers als omroepen maken gebruik van websites.

Het is in deze context dat de Commissie de vragen van het geachte Parlementslid als volgt beantwoordt:

1.-3. De Commissie heeft nota genomen van het standpunt dat de hoofdredacteur van *De Volkskrant* op Joop.nl en NOS.nl heeft geformuleerd. Zij is ook bekend met het feit dat de Nederlandse publieke omroep staatssteun ontvangt ([4]).

4.-6. Publieke omroepen mogen staatssteun gebruiken om hun diensten op nieuwe platforms aan te bieden en nieuwe diensten op te zetten die tot hun publieke opdracht behoren. Lidstaten moeten via een voorafgaande evaluatieprocedure die op een open, publieke raadpleging is gebaseerd, nagaan of significant nieuwe audiovisuele diensten die de publieke omroepen willen gaan aanbieden, de democratische, sociale en culturele behoeften van de samenleving vervullen, waarbij tegelijk terdege met de potentiële effecten op het handelsverkeer en de mededinging rekening wordt gehouden ([5]).

([1]) www.joop.nl.
([2]) http://www.volkskrant.nl/vk/nl/2694/Internet-Media/article/detail/3264589/2012/06/01/Philippe-Remarque-Laat-NOS-online-geen-krant-meer-spelen.dhtml.
([3]) PB C 257 van 27.10.2009, blz. 1.
([4]) Zie besluit van de Commissie van 26.1.2010, http://ec.europa.eu/eu_law/state_aids/comp-2005/e005-05.pdf
([5]) Zie met name de punten 84 tot en met 91 van de omroepmededeling.

(English version)

Question for written answer P-005749/12
to the Commission
Daniël van der Stoep (NI)
(7 June 2012)

Subject: Funding of online news coverage/blogs by a Dutch public service broadcaster

1. Is the Commission familiar with the Dutch website Joop.nl? ([1])

2. Does the Commission know that this website is funded by the public service broadcaster VARA and therefore with money obtained from the Dutch State? If not, why not?

3. Is the Commission familiar with the criticism levelled by Mr Remarque, editor-in-chief of the Dutch newspaper *de Volkskrant*, at state support for online news coverage? What is its response to the article containing that criticism? ([2])

4. What is the Commission's general view of state support for websites which compete with unsubsidised websites?

5. Does the Commission agree that, apart from exercising its statutory responsibilities such as news coverage, state-funded public service broadcasters should not interfere with a competitive market of private initiatives? If not, why not?

6. Does the Commission agree that the Joop.nl website is an unfair form of state-subsidised competition? If not, why not?

Answer given by Mr Almunia on behalf of the Commission
(4 July 2012)

The Commission would refer the Honourable Member to its communication on the application of state aid rules to public service broadcasting ([3]). In point 81 of the communication, the Commission considers that public service broadcasters should be able to use the opportunities offered by digitisation and the diversification of distribution platforms on a technology-neutral basis, to the benefit of society. One of the effects of the convergence of media markets has been increased competition by public service broadcasters with actors other than commercial broadcasters. Both the written press and broadcasters use websites.

It is against this background that the Commission replies to the Honourable Member's questions as follows.

1-3. The Commission has taken note of the opinion of the editor-in-chief of *De Volkskrant* concerning Joop.nl and NOS.nl. It is also aware that public service broadcasting in the Netherlands receives state aid ([4]).

4-6. Public service broadcasters are allowed to use state aid to offer their services on new platforms and to deploy new services which fall under the public service remit. Member States need to consider, by means of a prior evaluation procedure based on an open public consultation, whether significant new audiovisual services envisaged by public service broadcasters serve the democratic, social and cultural needs of society, while duly taking into account their potential effects on trading conditions and competition ([5]).

([1]) www.joop.nl.
([2]) http://www.volkskrant.nl/vk/nl/2694/Internet-Media/article/detail/3264589/2012/06/01/Philippe-Remarque-Laat-NOS-online-geen-krant-meer-spelen.dhtml.
([3]) OJ C 257, 27.10.2009, pp. 1-14.
([4]) See Commission decision of 26.1.2010, http://ec.europa.eu/eu_law/state_aids/comp-2005/e005-05.pdf
([5]) See notably points 84-91 of the Broadcasting Communication.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005751/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: Indebitamento delle banche spagnole e finanziamenti al «Fútbol»

La paurosa situazione finanziaria del sistema bancario spagnolo emersa con il caso «Bankia» vede coinvolti questo e altri istituti finanziari spagnoli in politiche clientelari di finanziamento a tasso agevolato e condono dei debiti delle più importanti società spagnole appartenenti alla «Liga de Fútbol Profesional».

L'entità debitoria di tale comparto è valutata, solo per la prima e seconda divisione del calcio spagnolo, a circa 5 miliardi di EUR, pari a mezzo punto del deficit statale della Spagna.

Ancora in questi giorni, una squadra come il Barça si è rivolta al prestito bancario per la sua campagna acquisti, mentre la stampa internazionale divulga la notizia che, grazie al sostegno bancario, le squadre spagnole possono stipendiare assi del calcio come Lionel Messi e Cristiano Ronaldo, e allenatori come Mourinho e simili, a cifre superiori ai 10 milioni annui.

1. La Commissione intende continuare a favorire, attraverso il salvataggio delle banche spagnole, anche l'andazzo politico-clientelare dei prestiti bancari a tasso agevolato a favore delle squadre della «Liga» professionale spagnola?

2. Non ritiene altresì che tali finanziamenti rappresentino una realtà oggettiva e documentata di concorrenza sleale con le altre società calcistiche europee?

Interrogazione con richiesta di risposta scritta E-005768/12
alla Commissione
Mara Bizzotto (EFD)
(7 giugno 2012)

Oggetto: Spagna, fondi UE e Liga de Futbol Profesional

Secondo i dati resi noti dal Ministero dell'Educazione e dello Sport spagnolo, il sistema finanziario iberico rischia il collasso non solo a causa della crisi globale che sta investendo anche il mercato unico ma anche per colpa delle società di calcio che, indebitate fino al collo, si sono rivolte alle banche chiedendo prestiti ai quali non riescono più a far fronte. Così mentre la Spagna chiede all'UE 100 miliardi di euro per sostenere il proprio sistema finanziario, solo di tasse arretrate e oneri sociali la Liga de Futbol Profesional deve almeno un miliardo di euro al Regno di Spagna.

— La Commissione è a conoscenza di questa circostanza?

— Come intende procedere per evitare che siano i cittadini europei a pagare gli stipendi milionari dei giocatori spagnoli?

Risposta congiunta di Olli Rehn a nome della Commissione
(6 agosto 2012)

Il 9 giugno 2012 l'Eurogruppo è stato informato dell'intenzione delle autorità spagnole di chiedere assistenza finanziaria per ricapitalizzare il settore bancario. L'Eurogruppo si è detto disposto a rispondere favorevolmente alla richiesta, impegnandosi a concedere assistenza finanziaria alla Spagna. Il 25 giugno 2012 le autorità spagnole hanno chiesto ufficialmente assistenza finanziaria nel contesto del processo in corso di ristrutturazione e ricapitalizzazione del settore bancario del paese. La richiesta ufficiale è stata presentata dopo che, il 21 giugno 2012, erano stati pubblicati i risultati della prima fase della valutazione indipendente dei bilanci delle banche. L'assistenza è chiesta a titolo di assistenza finanziaria alla ricapitalizzazione degli istituti finanziari del fondo europeo di stabilità finanziaria.

Sulla questione, sollevata dall'onorevole parlamentare, della possibile distorsione della concorrenza rispetto alle altre società calcistiche europee, si rileva che, nella dichiarazione sulla Spagna del 9 giugno 2012, l'Eurogruppo ha sottolineato che l'assistenza finanziaria dovrà essere associata ad una condizionalità politica vertente su riforme specifiche nel settore finanziario, fra cui piani di ristrutturazione in linea con le norme UE in materia di aiuti di Stato e riforme strutturali orizzontali del settore finanziario spagnolo.

Per quanto riguarda l'eventualità che le società calcistiche professionistiche godano di aiuti di Stato, sono note alla Commissione le notizie secondo cui esse sono debitrici nei confronti del governo spagnolo di somme ingenti per imposte e contributi di previdenza sociale. Nell'ambito dei suoi compiti di controllo sugli aiuti di Stato, la Commissione verifica che i debiti per imposte e contributi di previdenza sociale delle società calcistiche professionistiche non ricevano in Spagna un trattamento diverso da quello riservato ai debiti analoghi degli altri operatori economici.

(English version)

Question for written answer E-005751/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: Spanish bank debt and funding for the Spanish football league

The details of the frightening financial situation of the Spanish banking system that have emerged as a result of the Bankia affair include evidence pointing to this and other Spanish financial institutions having given preferential treatment to the biggest clubs in the Spanish professional football league by granting them loans at subsidised rates and debt relief.

The overall debt in this sector is valued at around EUR 5 billion for the first and second Spanish football divisions alone — equal to half of one per cent of Spain's public deficit.

Only recently, Barcelona took out a bank loan to fund its purchasing campaign, while the international press has reported that, thanks to support from the banks, Spanish clubs are able to pay salaries of more than EUR 10 million a year to footballing superstars Lionel Messi and Cristiano Ronaldo and to managers such as Jose Mourinho.

1. Is it the Commission's intention, in rescuing the Spanish banks, to allow the practice of granting bank loans at subsidised rates to clubs in the Spanish professional football league — which is a form of favouritism — to continue?

2. Would it not agree that this financing represents a clear and documented distortion of competition with other European football clubs?

Question for written answer E-005768/12
to the Commission
Mara Bizzotto (EFD)
(7 June 2012)

Subject: Spain, EU funds and the Spanish Professional Football League

According to information published by the Spanish Ministry of Education, Culture and Sport, Spain's financial system faces collapse not only because of the global crisis which is also affecting the single market, but also because of severely indebted football clubs which have taken out huge loans that they are no longer able to repay. While Spain is asking the EU for EUR 100 000 million to prop up its financial system, the Spanish Professional Football League owes the Spanish Government at least EUR 1 000 million in unpaid taxes and social security contributions alone.

— Is the Commission aware of this situation?

— How does it intend to ensure that EU citizens do not end up paying the millionaire salaries earned by footballers in Spain?

Joint answer given by Mr Rehn on behalf of the Commission
(6 August 2012)

On 9 June 2012, the Eurogroup was informed about Spanish authorities' intention to apply for financial assistance to recapitalize its banking sector. The Eurogroup stated that it was willing to respond favourably to such a request and committed to granting Spain financial assistance. On 25 June 2012, the Spanish authorities officially requested financial assistance in the context of the ongoing restructuring and recapitalisation of the Spanish banking sector. A formal request was submitted following the publication on 21 June 2012 of the results of the first stage of the independent evaluation of the balance sheets of banks. The assistance is sought under the terms of the Financial Assistance for the Recapitalisation of Financial Institutions by the European Financial Stability Facility.

Regarding the issue raised by the Honourable Member of the possible distortion of competition with other European football clubs, the Eurogroup statement on Spain of 9 June 2012 highlighted that the policy conditionality of the financial assistance should be focused on specific reforms targeting the financial sector, including restructuring plans in line with EU state-aid rules and horizontal structural reforms of the domestic financial sector.

Regarding possible state aid to professional football clubs, the Commission is aware of reports on substantial amounts of taxes and social security contributions which these clubs owe to the Spanish Government. The Commission verifies, as part of its activity of state aid control, that tax and social security debts of professional football clubs in Spain are not treated differently than similar debts of other economic actors.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005752/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: Congelamento immediato da parte dell'UE dell'adesione della Bosnia-Erzegovina

Il 27 giugno 2012 si terrà a Bruxelles un incontro per discutere i negoziati di adesione all'UE della Bosnia-Erzegovina. Da fonti di stampa, si apprende che la richiesta di adesione come paese candidato potrebbe essere già presentata ufficialmente anche entro il 2012.

La Commissione europea, nella sua comunicazione, presentata il 2.10.2011, (COM(2011)0666) «Strategia di allargamento e sfide principali per il periodo 2011-2012», per quanto concerne la Bosnia-Erzegovina rileva che:

— l'andamento generale delle riforme è molto limitato;

— la Bosnia-Erzegovina ha registrato progressi limitati per quanto riguarda l'allineamento della sua legislazione e delle sue politiche agli standard europei;

— la Bosnia-Erzegovina continua a trovarsi in una situazione di stallo politico-istituzionale che impedisce il funzionamento dello Stato e la realizzazione delle riforme connesse all'Unione;

— l'assenza di un processo credibile di armonizzazione della Costituzione con la Convenzione europea dei diritti dell'uomo desta tuttora serie preoccupazioni;

— si rilevano progressi limitati per quanto riguarda la riforma della pubblica amministrazione;

— si rilevano progressi limitati per quanto riguarda il potenziamento del sistema giudiziario;

— la Bosnia-Erzegovina ha fatto progressi molto limitati nella lotta alla corruzione;

— l'applicazione della normativa esistente relativamente alla libertà di espressione e dei media, alla libertà di culto e di riunione deve tuttavia essere migliorata.

1. Sulla base di queste considerazioni, la Commissione non ritiene doveroso ed opportuno congelare la richiesta di adesione della Bosnia Erzegovina all'Unione europea?

2. La Commissione è in grado di fornire informazioni aggiornate circa le problematiche sopra citate?

Interrogazione con richiesta di risposta scritta E-005753/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: L'UE congeli subito l'adesione della Bosnia-Erzegovina

Il 27 giugno 2012 si terrà a Bruxelles un incontro per discutere i negoziati di adesione all'UE della Bosnia-Erzegovina. Da fonti di stampa si apprende che la richiesta di adesione come Paese candidato può essere presentata già ufficialmente anche entro il 2012.

Nel suo rapporto presentato il 12.10.2011 COM(2011)0666 «Strategia di allargamento e sfide principali per il periodo 2011-2012», la Commissione europea, per quanto concerne la Bosnia-Erzegovina rileva che:

— i diritti economici e sociali sono garantiti dal quadro giuridico esistente, ma l'attuazione rimane inadeguata,

— i tassi di disoccupazione sono rimasti elevatissimi,

— occorre realizzare ulteriori e significative riforme per permettere al paese di far fronte a lungo termine alle pressioni della concorrenza e alle forze di mercato all'interno dell'Unione,

— la mancata adozione del quadro globale per le politiche di bilancio 2011-2013 ha gravemente compromesso la sostenibilità e la credibilità della politica di bilancio in Bosnia-Erzegovina e ha privato le autorità di bilancio di un accordo sulla linea generale da adottare in questo campo,

— i progressi sono stati limitati per quanto riguarda la libera circolazione delle persone, i servizi e il diritto di stabilimento,

— non vi è stato alcun progresso nel settore degli appalti pubblici,

— si osservano pochi progressi per quanto riguarda le politiche sociali e occupazionali e la politica della pubblica sanità.

Sulla base di queste considerazioni, ritiene la Commissione doveroso ed opportuno congelare la richiesta di adesione della Bosnia Erzegovina all'Unione europea?

È essa in grado di fornire informazioni aggiornate circa le problematiche sopra citate?

Interrogazione con richiesta di risposta scritta E-005754/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: L'UE congeli subito l'adesione della Bosnia-Erzegovina

Il 27 giugno 2012 si terrà a Bruxelles un incontro per discutere i negoziati di adesione all'UE della Bosnia-Erzegovina. Da fonti di stampa si apprende che la richiesta di adesione come Paese candidato può essere presentata già ufficialmente anche entro il 2012.

Nel suo rapporto presentato il 12.10.2011 COM(2011)0666 «Strategia di allargamento e sfide principali per il periodo 2011-2012», la Commissione europea, per quanto concerne la Bosnia-Erzegovina rileva che:

— la Bosnia-Erzegovina ha fatto pochi progressi verso la conformità con gli standard europei per una serie di politiche settoriali (industria, PMI, agricoltura e sviluppo rurale),

— i preparativi della Bosnia-Erzegovina nel settore dell'ambiente sono ancora in fase iniziale,

— si osservano pochi progressi in materia di lotta al riciclaggio del denaro e lotta alla droga,

— la mancanza di un coordinamento efficace tra gli organi di contrasto impedisce tuttora di combattere efficacemente la criminalità organizzata, che continua a destare serie preoccupazioni,

— è necessario intensificare la lotta contro la tratta di esseri umani,

— occorrono ulteriori sforzi per garantire l'applicazione della legge e l'indipendenza dell'organo di vigilanza in tema di protezione dei dati personali.

1. Sulla base di queste considerazioni, ritiene la Commissione doveroso ed opportuno congelare la richiesta di adesione della Bosnia Erzegovina all'Unione europea?

2. È essa in grado di fornire informazioni aggiornate circa le problematiche sopra citate?

Risposta congiunta di Štefan Füle a nome della Commissione
(17 luglio 2012)

La relazione 2012 sui progressi compiuti dalla Bosnia-Erzegovina, compreso il nuovo documento strategico in materia di allargamento, la cui adozione da parte della Commissione è prevista nell'ottobre 2012, conterrà informazioni e valutazioni aggiornate relative a tutte le questioni sollevate dall'onorevole parlamentare nella seconda domanda.

Per quanto riguarda la prima domanda, occorre precisare che la Bosnia-Erzegovina non ha ancora presentato domanda d'adesione. Le conclusioni del Consiglio del 25 giugno 2012 definiscono gli «elementi essenziali di una domanda credibile di adesione».

Il 27 giugno 2012, nell'ambito del dialogo ad alto livello sul processo di adesione con la Bosnia-Erzegovina, e a seguito delle conclusioni del Consiglio, tutti i partecipanti hanno concordato una tabella di marcia che, se attuata a tempo debito e con esito positivo, potrebbe portare il paese a presentare una domanda credibile di adesione all'UE entro la fine di quest'anno.

Una volta ricevuta, tale domanda credibile sarà valutata conformemente alla vigente prassi.

(English version)

Question for written answer E-005752/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: Immediate freezing by the EU of the process for the accession of Bosnia and Herzegovina

On 27 June 2012, a meeting will be held in Brussels to discuss negotiations on the accession of Bosnia and Herzegovina to the EU. Press sources indicate that its application for membership may be officially presented before the end of this year.

In its communication of 2 October 2011 (COM(2011) 0666) entitled 'Enlargement Strategy and Main Challenges 2011-2012', the Commission noted with regard to Bosnia and Herzegovina that:

— progress on reforms is very limited;

— Bosnia and Herzegovina showed limited progress with regard to bringing its legislation and policies into line with European standards;

— Bosnia and Herzegovina continues to find itself in a political and institutional stalemate which prevents the State from functioning properly and from implementing the reforms required by the European Union;

— the absence of a credible process to bring its Constitution into line with the European Convention on Human Rights is still a cause for serious concern;

— reform of the public administration appears to be making limited progress;

— reforms to strengthen the judicial system appear to be making limited progress;

— Bosnia and Herzegovina has made very limited progress in the fight against corruption;

— the application of existing legislation on freedom of expression and the media, freedom of religion and the right to peaceful assembly, still needs be improved.

1. In view of this, does the Commission not consider it necessary and opportune to freeze Bosnia and Herzegovina's application for accession to the European Union?

2. Can the Commission provide up-to-date information on the aforementioned issues?

Question for written answer E-005753/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: Immediate freezing by the EU of negotiations regarding the accession of Bosnia and Herzegovina

On 27 June 2012, a meeting will be held in Brussels to discuss the accession of Bosnia and Herzegovina to the EU. According to press sources, its official application for membership could be submitted before the end of this year.

In its report (COM(2011)0666) of 12.10.2011 entitled 'Enlargement Strategy and Main Challenges 2011-2012', the Commission states in relation to Bosnia and Herzegovina that:

— economic and social rights are guaranteed by the existing legal framework, but implementation remains weak;

— unemployment levels remain very high;

— considerable reforms are still necessary to enable the country to cope over the long term with competitive pressure and market forces within the Union;

— the failure to adopt the Global Framework for Fiscal Policies 2011-2013 has severely hampered the sustainability and credibility of fiscal policy in Bosnia and Herzegovina and left fiscal authorities without an agreement on a general course of action;

— limited progress has been made regarding the free movement of persons and services and the right of establishment;

— there has been no progress in the area of public procurement,

— there has been little progress in the area of social and employment policies and public health policy.

In view of the above, does the Commission consider it necessary and appropriate to freeze Bosnia and Herzegovina's application for accession to the EU?

Can it provide up-to-date information on the issues mentioned above?

Question for written answer E-005754/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: Immediate freezing by the EU of negotiations regarding the accession of Bosnia and Herzegovina

On 27 June 2012, a meeting will be held in Brussels to discuss the accession of Bosnia and Herzegovina to the EU. According to press sources, its official application for membership could be submitted before the end of this year.

In its report (COM(2011)0666) of 12.10.2011 entitled 'Enlargement Strategy and Main Challenges 2011-2012', the Commission states in relation to Bosnia and Herzegovina that:

— Bosnia and Herzegovina has made little progress towards meeting European standards in a number of policy areas (industry, SMEs, agriculture and rural development);

— Bosnia and Herzegovina's preparations in the field of the environment remain at an early stage;

— little progress has been made in the fight against money laundering and the fight against drugs;

— lack of effective coordination between law enforcement agencies continues to hamper the fight against organised crime, which remains a serious concern;

— efforts to combat trafficking in human beings need to be intensified;

— further efforts are necessary regarding law enforcement and to ensure the independence of the supervisory agency for the protection of personal data.

1. In view of this, does the Commission consider it necessary and appropriate to freeze Bosnia and Herzegovina's application for accession to the EU?

2. Can it provide up-to-date information on the issues mentioned above?

Joint answer given by Mr Füle on behalf of the Commission
(17 July 2012)

The 2012 Progress Report for Bosnia and Herzegovina including the new enlargement strategy document which are due to be adopted by the Commission in October 2012 will contain updated information on and evaluations of all the issues referred to in the second question of the Honourable Member.

As regards the first question, Bosnia and Herzegovina has not yet submitted an application for membership. The Council conclusions of 25 June 2012 define the 'key elements for a credible membership application'.

On 27 June 2012 at the High-level Dialogue on the Accession Process with Bosnia and Herzegovina and further to the Council conclusions, all participants agreed to a Road Map which, if timely and successfully implemented, could lead the country to submit a credible membership application to the EU before the end of the year.

Once such a credible application will have been received, it will be evaluated in line with established practice.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005755/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: Intervento dell'UE contro gli attacchi ai cristiani in Nigeria

Nei giorni scorsi un kamikaze si è fatto esplodere sul sagrato di una chiesa nel quartiere di Yalwa alla periferia della città di Bauchi, nel nord-est della Nigeria.

Da tempo, in questa parte del Paese è in corso un'offensiva di pulizia etnica contro i cristiani da parte di organizzazioni estremiste islamiche legate ad Al Qaeda che hanno dichiarato di voler espellere tutti i cristiani dalla Nigeria.

Come intende la Commissione procedere per tutelare i cristiani e le loro chiese in Nigeria?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(9 luglio 2012)

I recenti attentati terroristici in Nigeria hanno preso di mira, oltre alle chiese, edifici del governo e di sicurezza, mercati, scuole e civili innocenti senza distinzioni. L'Unione europea condanna questi attentati che rappresentano vere e proprie attività criminali.

La collaborazione tra UE e Nigeria mira ad aiutare il paese a realizzare l'obiettivo di una sicurezza duratura, affrontando i molteplici fattori socioeconomici e politici che conducono alla radicalizzazione.

L'Unione ha già reindirizzato una considerevole parte dei suoi programmi di cooperazione verso il nord del paese in modo da velocizzare le iniziative per la lotta alla povertà e alle privazioni.

Inoltre l'UE fornirà a breve, in una delle aree più a rischio, lo sviluppo di capacità nell'ambito della mediazione avvalendosi di un progetto pilota varato dal Parlamento europeo.

(English version)

Question for written answer E-005755/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: EU intervention to prevent attacks on Christians in Nigeria

A suicide bomber recently blew himself up in the courtyard of a church in the Yalwa area on the outskirts of the town of Bauchi in north-eastern Nigeria.

This part of Nigeria has for some time been the site of a campaign of ethnic cleansing against Christians by extremist Islamic organisations linked to Al Qaeda, which have declared their intention to drive all Christians out of the country.

How does the Commission intend to protect Christians and their churches in Nigeria?

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

The recent attacks by terrorists in Nigeria have targeted government and security buildings, markets, schools and innocent civilians of all kinds as well as churches. All such attacks are criminal activities and have been condemned as such by the EU.

The EU is working together with Nigeria to help it tackle the challenges of creating durable security and dealing with the multiple socioeconomic and political factors conducive to radicalisation.

The EU has already reoriented important parts of its cooperation programme with Nigeria to the North of the country to accelerate action against poverty and deprivation there.

In addition, the EU shall shortly provide capacity building for mediation in one of the most fragile areas making use of a pilot project established by Parliament.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005756/12
alla Commissione
Mario Borghezio (EFD)
(7 giugno 2012)

Oggetto: L'UE non ceda al ricatto della Turchia sull'esenzione dei visti

In un recente incontro tenutosi ad Ankara, il ministro degli esteri turco Akmet Davutoglu ha chiesto all'UE che, a partire da questo mese, i cittadini turchi non abbiano più bisogno di visti per entrare sul territorio comunitario. Inoltre, il ministro pare abbia condizionato la revoca dei visti per i propri cittadini imposti dall'UE alla firma di un accordo per la riammissione degli immigrati clandestini che entrano dal proprio territorio in quello comunitario.

La Commissione europea nel suo rapporto presentato il 12.10.2011 COM(2011)0666 «Strategia di allargamento e sfide principali per il periodo 2011-2012» cita testualmente: «la Commissione ha avviato un dialogo con il paese su visti, mobilità e migrazione, in linea con le conclusioni del Consiglio di febbraio 2011. Questo processo, che ha cominciato a dare i primi frutti per quanto riguarda il rilascio del visto ai cittadini turchi e la lotta all'immigrazione irregolare verso l'Unione, servirà ad individuare le misure concrete che la Turchia dovrà adottare in vista della futura liberalizzazione del visto. In tal senso la Turchia potrebbe fare un passo importante disponendo quanto necessario per concludere al più presto l'accordo di riammissione».

Quale valutazione intende la Commissione esprimere in merito a tali esternazioni del ministro degli esteri turco?

Risposta di Štefan Füle a nome della Commissione
(17 luglio 2012)

Il 21 giugno 2012 il Consiglio ha adottato conclusioni sullo sviluppo della cooperazione con la Turchia nel settore «Giustizia e Affari interni» (GAI). Le conclusioni invitano la Commissione, parallelamente alla firma di un accordo di riammissione fra la Turchia e l'UE, a prendere misure verso la liberalizzazione dei visti, come prospettiva graduale e a lungo termine entro un più ampio quadro di cooperazione nel settore «Giustizia e Affari interni». Prima di ottenere il regime di esenzione dal visto la Turchia deve soddisfare una serie di requisiti, fra cui l'effettiva e piena attuazione dell'accordo di riammissione con tutti gli Stati membri, un'efficace cooperazione, sempre con tutti gli Stati membri, sulle questioni GAI, e una migliore gestione dei flussi migratori misti alle sue frontiere. Il paese deve inoltre allinearsi maggiormente all'acquis UE, specialmente per quanto riguarda la politica dei visti, la reciprocità e l'asilo.

Quando la Commissione avrà concluso che la Turchia soddisfa i requisiti necessari ai fini della liberalizzazione dei visti, presenterà una proposta al Parlamento e al Consiglio per modificare il regolamento (CE) n. 539/2001 e per cancellarla dall'elenco dei paesi i cui cittadini devono essere in possesso del visto all'atto dell'attraversamento delle frontiere esterne dell'UE.

(English version)

Question for written answer E-005756/12
to the Commission
Mario Borghezio (EFD)
(7 June 2012)

Subject: The EU must not give in to Turkey's blackmail on visa exemption

At a recent meeting in Ankara, the Turkish Minister of Foreign Affairs, Akmet Davutoglu, requested exemption from visa requirements, as of this month, for all Turkish citizens entering the EU. The Minister also appeared to make this revocation of visa requirements by the EU a precondition to signing an agreement on the readmission of illegal immigrants entering the EU from Turkey.

In its report COM(2011) 0666 of 12.10.2011, 'Enlargement Strategy and Main Challenges 2011-2012', the Commission states the following: 'the Commission entered into a dialogue with Turkey on visa, mobility and migration, in line with the Council conclusions of February 2011. This process started delivering results on both the issuance of visas for Turkish travellers and the tackling of irregular immigration to the EU and will help identify concrete steps required from Turkey in view of a future visa liberalisation. In this context, an important step would be that Turkey take the necessary action for the swift conclusion of the readmission agreement'.

What is the Commission's opinion of these statements by the Turkish Minister of Foreign Affairs?

Answer given by Mr Füle on behalf of the Commission
(17 July 2012)

On 21 June 2012 the Council adopted conclusions on developing cooperation with Turkey in the areas of Justice and Home Affairs (JHA). The conclusions invite the Commission, in parallel to the signature of the readmission agreement between Turkey and the EU, to take steps towards visa liberalisation as a gradual and long term perspective within a broader cooperation framework in the area of Justice and Home Affairs. Before being granted a visa free regime, Turkey would need to meet a number of requirements, including an effective and full implementation of the readmission agreement vis-à-vis all Member States, effective cooperation on JHA issues with all Member States and a better management of mixed migration flows at its borders. Turkey would also need to further align with the EU acquis, especially on the visa policy, reciprocity as well as asylum.

Once the Commission concludes that Turkey has met the requirements for visa liberalisation, it will submit a proposal to Parliament and Council to amend Regulation 539/2001 and to delete Turkey from the list of countries whose nationals must be in possession of visas when crossing the EU external borders.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005757/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(7 giugno 2012)

Oggetto: VP/HR — Introduzione di una legislazione draconiana da parte del governo libico

Il 5 maggio 2012, Human Rights Watch ha riferito che il Consiglio nazionale di transizione della Libia aveva introdotto una nuova legge che rende reato criticare il paese per la rivoluzione del 2011 o glorificare il deposto leader, Muammar Gheddafi. La legge viola il Patto costituzionale provvisorio della Libia e il diritto internazionale in materia di diritti umani. L'articolo 14 del Patto costituzionale garantisce la libertà di opinione, di espressione e di riunione.

La legge n. 37, che è stata approvata il 2 maggio 2012, sancisce che la diffusione di «notizie false o tendenziose» o la «propaganda» che danneggia «gli sforzi dei militari per difendere il paese, terrorizza le persone o mina il morale dei cittadini» è reato penale, punibile con la reclusione per un periodo di tempo indeterminato. Tra gli esempi di «propaganda» la glorificazione di Gheddafi, del suo regime e dei suoi figli. La legge stabilisce che, se le affermazioni perseguibili danneggiano il paese, il trasgressore può essere condannato al carcere a vita. Si può incolpare anche chiunque «insulti l'Islam, o il prestigio dello Stato o delle sue istituzioni o, della magistratura, e ogni persona che insulti pubblicamente il popolo libico, i suoi slogan o la bandiera».

Secondo Human Rights Watch, la nuova normativa si basa sull'articolo 195 dell'attuale codice penale libico, che è stato redatto e attuato sotto il governo di Gheddafi e che vieta qualsiasi «danno alla grande Rivoluzione al-Fateh o al suo leader». HRW è convinto che la nuova legislazione sia stata redatta dal NTC con un lavoro di «copia e incolla». HRW ha definito la legge uno «schiaffo in faccia a tutti coloro che sono stati imprigionati sotto Gheddafi le cui leggi criminalizzavano il parere politico, e che hanno combattuto per una nuova Libia, in cui i diritti umani siano rispettati».

Allo stato attuale, l'UE sta erogando un finanziamento di 30 milioni di euro per un programma in Libia incentrato su: riconciliazione, elezioni e rispetto dei diritti umani, capacità amministrativa pubblica, media e società civile, promozione della partecipazione delle donne nella vita pubblica, migrazione, salute e istruzione.

1. Qual è la posizione della Vice Presidente / Alto Rappresentante sulla nuova legislazione della Libia?

2. La Vice Presidente / Alto Rappresentante è pronta a sollevare la questione con il capo del NTC, Mustafa Abdul Jalil?

3. Qual è la valutazione dell'EASS sui progressi del NTC in materia di diritti umani?

4. Quali sono alcune delle sue principali preoccupazioni?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(16 luglio 2012)

L'Alta Rappresentante/Vicepresidente è a conoscenza degli eventi correlati all'adozione della legge 37/2012 in Libia e fa inoltre notare che in seguito, il 14 giugno 2012, la legge è stata dichiarata incostituzionale dalla Corte suprema libica in quanto viola il rispetto della libertà di espressione.

Le autorità di transizione libiche si sono impegnate a fondo per estendere lo Stato di diritto e migliorare la situazione in materia di diritti umani in un paese devastato da quarant'anni di regime autoritario e da un conflitto interno che ha fatto migliaia di vittime. Malgrado ciò, resta molto da fare in Libia per garantire il rispetto dei diritti umani. Il maltrattamento dei detenuti suscita particolare preoccupazione nell'Unione europea, che ha ripetutamente sollevato la questione nel corso del suo dialogo con le autorità libiche. Un altro problema consiste nella protezione delle minoranze e dei gruppi vulnerabili, in particolare gruppi che sono oggetto di discriminazioni e violazioni dei diritti umani in quanto considerati, sulla base di prove o di semplici presunzioni, sostenitori del precedente regime. L'Unione si adopera inoltre affinché le donne possano svolgere un ruolo importante nella nuova Libia. L'UE sta già aiutando la Libia a portare avanti il processo di transizione democratica e continuerà a collaborare con le autorità e la società civile per promuovere il rispetto dei diritti umani, dello Stato di diritto e dei valori democratici.

(English version)

Question for written answer E-005757/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(7 June 2012)

Subject: VP/HR — Introduction of draconian legislation by the Libyan Government

On 5 May 2012, Human Rights Watch reported that Libya's National Transitional Council had introduced a new law which makes criticising the country's 2011 revolution or glorifying the deposed former leader Muammar Gaddafi an offence. The law is in violation of Libya's provisional constitutional covenant and international human rights law. Article 14 of the constitutional covenant ensures freedom of opinion, speech and assembly.

Law No 37, which was passed on 2 May 2012, stipulates that spreading 'false or vicious news' or 'propaganda' that harms 'military efforts to defend the country, terrorises people or weakens the morale of citizens' is a criminal offence, punishable with imprisonment for an unspecified length of time. Examples of 'propaganda' include glorification of Gaddafi, his regime, and his sons. The law stipulates that, if the offensive statements damage the country, the offender may be sentenced to life in prison. Charges may also be brought against anyone who 'insults Islam, or the prestige of the state or its institutions or judiciary, and every person who publicly insults the Libyan people, slogan or flag'.

According to Human Rights Watch, the new legislation is based on Article 195 of Libya's current penal code, which was drafted and implemented under Gaddafi's rule and which bans any 'damage to the great al-Fateh Revolution or its leader'. HRW believes that the new legislation was produced by the NTC in a 'cut-and-paste' job. HRW staff have called the law a 'slap in the face for all those who were imprisoned under Gaddafi's laws criminalising political speech, and who fought for a new Libya where human rights are respected'.

At present, the EU is running a EUR 30 million programme in Libya focusing on: reconciliation, elections and respect for human rights, public administrative capacity, media and civil society, the promotion of women's involvement in public life, migration, health and education.

1. What is the Vice-President/High Representative's position on Libya's new law?

2. Is the Vice-President/High Representative prepared to raise this matter with the NTC's chief Mustafa Abdul Jalil?

3. What is the EASS's assessment of the NTC's progress with regard to human rights?

4. What are some of its main concerns?

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

The High Representative/Vice-President is aware of developments related to the adoption of law 37/2012 in Libya. Moreover she notes that subsequently on 14 June 2012 the Libyan Supreme Court declared the law in contravention of respect for freedom of expression and therefore unconstitutional.

The Libyan interim authorities have invested significant efforts in extending the rule of law and improving the human rights situation in a country devastated by four decades of authoritarian regime and by an internal conflict which caused the death of thousands. Nonetheless considerable work remains to be done in Libya regarding respect for human rights. Ill-treatment of detainees is an issue of special concern for the EU and has been consistently raised in its dialogue with the Libyan authorities. Another issue is the protection of minorities and vulnerable groups in particular groups which are the subject of discrimination and human rights violations on account of their alleged, documented or otherwise perceived support for the previous regime. The EU is also concerned to see that women can play a full role in the new Libya. The EU is already providing support to Libya in taking forward the process of democratic transition and will continue to work with the authorities and with civil society in promoting respect for human rights, the rule of law and democratic values.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005758/12
til Kommissionen
Bart Staes (Verts/ALE) og Margrete Auken (Verts/ALE)
(7. juni 2012)

Om: Europæisk mandat til forhandlinger om en bindende aftale i Verdensorganisationen for Intellektuel Ejendomsret (WIPO) for at forbedre blindes adgang til bøger

På Parlamentets plenarmøde den 15. februar besvarede kommissionsmedlem Michel Barnier en forespørgsel til mundtlig besvarelse fra flere MEP'er (O-000006/2012 — B7-0030/2012), baseret på et andragende fra Det Europæiske Blindeforbund, hvori Kommissionen og medlemsstaterne blev anmodet om at gå ind for en bindende aftale i WIPO for at forbedre blindes adgang til bøger.

Michel Barnier sagde, at han i de følgende uger ville søge at opnå tilstrækkelig enighed mellem medlemsstaterne om aktivt at stræbe efter en aftale. Han ville mødes med regeringerne en efter en, og på den forestående samling i Rådet ville han søge dette mandat [til en virkningsfuld, bindende aftale] fra både Kommissionen og Rådet.

Parlamentet vedtog enstemmigt en beslutning, hvori det kraftigt gik ind for en virkningsfuld og bindende aftale, og kommissionsmedlemmet lovede at aflægge beretning til Parlamentet om dette spørgsmål.

Indtil nu er der ikke givet konkrete og detaljerede skriftlige oplysninger om Kommissionens holdning til forhandlingsteksten i WIPO. Ifølge andre forhandlere fremmer EU's holdninger ikke hurtige fremskridt i retning af at kunne indkalde til en diplomatisk konference, der vil kunne ratificere aftalen om synshandicappede og andre personer, der har problemer med at læse trykte tekster.

1. Hvilke fremskridt har kommissionsmedlemmet gjort i forbindelse med opnåelsen af dette mandat fra Kommissionen og Rådet?

2. Kan kommissionsmedlemmet oplyse, hvilke forhindringer han er stødt på i forsøget på at opnå et fælles europæisk mandat til forhandlingerne om dette spørgsmål?

3. Vil Kommissionen gøre alt, hvad der står i dens magt, for at sikre, at der på det 24. møde i Det Stående Udvalg for Ophavsret og Beslægtede Rettigheder den 16. juli opnås en enkel, effektiv og bindende aftale til at sikre, at blinde og andre personer der har svært ved at læse trykte tekster, får adgang til publicerede værker?

Svar afgivet på Kommissionens vegne af Michel Barnier
(23. juli 2012)

1. Kommissionen tilslutter sig fuldt ud det arbejde, der udfoldes i Verdensorganisationen for Intellektuel Ejendomsret (WIPO) for at forbedre synshæmmedes adgang til bøger. EU deltager aktivt i drøftelserne om et fremtidigt internationalt instrument.

2. I overensstemmelse med det løfte, der blev afgivet i Europa-Parlamentet den 8. juni 2012, har Kommissionen vedtaget en henstilling til Rådets afgørelse om bemyndigelse af Kommissionen til at føre forhandlinger om en WIPO-traktat, som sikrer synshæmmede bedre adgang til bøger. Da drøftelserne vedrørende denne anmodning blev berammet til at skulle starte i Rådet under det cypriotiske formandsskab, har det endnu ikke været muligt at identificere eventuelle vanskeligheder.

3. Kommissionen har allerede givet tydeligt udtryk for sit engagement i forhold til et bindende internationalt instrument ved at anmode Rådet om et mandat til at forhandle om en traktat. Kommissionen vil med støtte fra medlemsstaterne videreføre sine bestræbelser i den retning inden for WIPO.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005758/12
aan de Commissie
Bart Staes (Verts/ALE) en Margrete Auken (Verts/ALE)
(7 juni 2012)

Betreft: Europees mandaat voor onderhandelingen over een bindende overeenkomst in WIPO-verband ter verbetering van de beschikbaarheid van boeken voor blinden

Tijdens de plenaire vergadering van het Parlement op 15 februari 2012 heeft commissaris Michel Barnier een mondelinge vraag van EP-leden (O-000006/2012 — B7-0030/2012) beantwoord die naar aanleiding van een verzoekschrift van de Europese Blindenunie aan het Parlement was gesteld. Daarin wordt de Commissie en de lidstaten verzocht zich in te zetten voor een bindende overeenkomst in het kader van de WIPO (Wereldorganisatie voor de intellectuele eigendom) ter verbetering van de beschikbaarheid van boeken voor blinden.

De heer Barnier zei het volgende: „Ik wil de komende weken voldoende overeenstemming tussen de lidstaten tot stand brengen om actief naar een overeenkomst te streven. Ik zal de regeringen één voor één ontmoeten en zal in een komende Raadsvergadering om dit mandaat [voor een werkelijk bindende overeenkomst] van zowel Commissie als Raad verzoeken".

Het Parlement heeft unaniem een resolutie aangenomen waarin krachtig wordt gepleit voor een doeltreffende en bindende overeenkomst, en de commissaris beloofde hierover aan het Parlement verslag uit te brengen.

Tot dusverre is er geen concrete en gedetailleerde informatie in schriftelijke vorm verstrekt over het standpunt van de Commissie inzake de onderhandelingstekst van de WIPO. Volgens andere onderhandelaars zijn de standpunten van de EU niet bevorderlijk om op korte termijn een diplomatieke conferentie te kunnen beleggen waarop de overeenkomst voor visueel gehandicapten en andere personen met leesproblemen geratificeerd zou kunnen worden.

1. Welke vooruitgang heeft de commissaris geboekt bij het verkrijgen van dit mandaat van Commissie en Raad?

2. Kan de commissaris aangeven op welke struikelblokken hij is gestuit die een gemeenschappelijk Europees mandaat voor de onderhandelingen over dit onderwerp in de weg staan?

3. Zal de Commissie alles in het werk stellen om ervoor te zorgen dat op de 24e zitting van het Permanent Comité auteursrecht en naburige rechten een eenvoudige, doeltreffende en bindende overeenkomst tot stand wordt gebracht die blinden en andere personen met leesproblemen van toegang tot gepubliceerde werken verzekert?

Antwoord van de heer Barnier namens de Commissie
(23 juli 2012)

1. De Commissie staat volledig achter het werk van de Wereldorganisatie voor de intellectuele eigendom (WIPO) om de beschikbaarheid van boeken voor slechtzienden te verbeteren. De Europese Unie neemt actief deel aan de besprekingen over een toekomstig internationaal instrument.

2. In overeenstemming met de toezegging die in het Europees Parlement is gedaan, hechtte de Commissie op 8 juni 2012 haar goedkeuring aan een aanbeveling voor een besluit van de Raad waarmee de Commissie wordt gemachtigd onderhandelingen te voeren over een WIPO-overeenkomst om een betere beschikbaarheid van boeken voor slechtzienden te garanderen. Aangezien de besprekingen hierover onder het Cypriotische voorzitterschap van start zouden gaan, is het tot op heden nog niet mogelijk geweest eventuele moeilijkheden vast te stellen.

3. De Commissie heeft reeds laten zien zich sterk te maken voor een bindend internationaal instrument door de Raad om een onderhandelingsmandaat voor een overeenkomst te vragen. Met steun van de lidstaten zal zij in de WIPO hiernaar blijven streven.

(English version)

Question for written answer E-005758/12
to the Commission
Bart Staes (Verts/ALE) and Margrete Auken (Verts/ALE)
(7 June 2012)

Subject: European mandate to negotiate a binding treaty at the World Intellectual Property Organisation (WIPO) to improve access to books for blind people

At Parliament's plenary session on 15 February 2012, Commissioner Michel Barnier responded to an oral question (O-000006/2012 — B7-0030/2012) from MEPs based on a European Blind Union petition to Parliament, asking the Commission and Member States to back a binding treaty at the World Intellectual Property Organisation (WIPO) to improve access to books for blind people.

Mr Barnier said, 'I want to find, in the weeks to come, sufficient agreement among EU Member States to actively pursue the treaty path. I will meet governments, one by one, and in a forthcoming Council meeting I will seek this mandate [for an effective binding treaty] from both the Commission and the Council'.

A strong resolution in favour of an effective and binding treaty was approved unanimously by Parliament, and the Commissioner promised to report back to Parliament on this matter.

To date no concrete and detailed information has been provided in writing about the Commission's position on the WIPO negotiation text. According to other negotiators, the EU's positions are not facilitating swift progress toward the convening of a diplomatic conference that could ratify the treaty for visually-impaired and other print-disabled people.

1. What progress has the Commissioner made in seeking this mandate from the Commission and the Council?

2. Can the Commissioner indicate what stumbling block he has encountered to finding a common European mandate for negotiating this issue?

3. Will the Commission do everything in its power to make certain that the 24th session of the Standing Committee on Copyright and Related Rights on 16 July 2012 negotiates a simple, effective and binding treaty to ensure access to published works for blind and other print-disabled people?

Answer given by Mr Barnier on behalf of the Commission
(23 July 2012)

1. The Commission is fully supportive of the work being carried out in the World Intellectual Property Organisation (WIPO) in order to facilitate access to books by visually impaired persons. The European Union is an active participant in the discussions on a future international instrument.

2. In line with the commitment made in the European Parliament, on 8 June 2012 the Commission adopted a recommendation for a Council decision authorising the Commission to conduct negotiations on a WIPO treaty ensuring improved access to books for visually impaired persons. As discussions on this request were set to start in the Council under the Cypriot Presidency, it has not yet been possible to identify any potential difficulties.

3. The Commission has already shown its firm commitment to a binding international instrument by asking for a negotiating mandate for a treaty from the Council. With the support of the Member States, it will continue to pursue its efforts in this direction in WIPO.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005759/12
an die Kommission
Angelika Werthmann (NI)
(7. Juni 2012)

Betrifft: Finanzielle Hilfe und Wiedervereinigung in Zypern

Ist die Kommission in Anbetracht des jüngsten Berichts des Rechnungshofs der Auffassung, dass das EU-Instrument zur finanziellen Unterstützung der türkisch-zypriotischen Gemeinschaft tatsächlich eine Annäherung zwischen türkischstämmigen und griechischstämmigen Zyprioten bewirkt?

Mit anderen Worten, leistet die finanzielle Hilfe wirklich einen Beitrag zur Wiedervereinigung?

Antwort von Herrn Füle im Namen der Kommission
(25. Juli 2012)

Wie der Frau Abgeordneten bekannt ist, soll mit diesem Hilfsprogramm die Wiedervereinigung der Insel durch die Förderung der wirtschaftlichen Entwicklung der türkisch-zyprischen Gemeinschaft erleichtert werden.

Seit 2006 wurden 292 Mio. EUR für dieses Programm bereitgestellt, mit dem die türkisch-zyprische Gemeinschaft näher an die EU und die EU-Standards herangeführt werden soll. Mit ihm wurden auch die Wiederversöhnung, die Zusammenarbeit zwischen den beiden Volksgruppen sowie vertrauensbildende Maßnahmen gefördert, die sich ebenfalls positiv auf die Wirtschaft auswirkten. Mit den EU-Mitteln wurden u. a. bedeutende Investitionen in den Bereichen Wasserversorgung, Abwasserbehandlung und Abfallbewirtschaftung finanziert und rund 1 000 Zuschüsse für Schulen, NRO, kleine Unternehmen, Landwirte und Studenten bereitgestellt. Im Rahmen des Hilfsprogramms wurden außerdem die Minenräumung in der Pufferzone, der Ausschuss für die Vermissten und der bikommunale Technische Ausschuss für das kulturelle Erbe gefördert.

Angesichts des breiten Spektrums der Hilfe und der schwierigen Rahmenbedingungen ist die Kommission der Auffassung, dass im Hinblick auf die wichtigsten Ziele Fortschritte erreicht wurden. Das Hilfsprogramm der EU ist zudem die einzige finanzielle Förderung, die die türkischen Zyprer als EU-Bürger von der EU erhalten.

Über die Finanzhilfe hinaus unterstützt die Kommission auch weiterhin engagiert die Gespräche über eine umfassende Lösung der Zypernfrage, die längst überfällig ist.

(English version)

Question for written answer E-005759/12
to the Commission
Angelika Werthmann (NI)
(7 June 2012)

Subject: Financial help and reunification in Cyprus

With regard to the latest report from the Court of Auditors, does the Commission think that the EU instrument of financial support to the Turkish Cypriot community is actually bringing Turkish Cypriots closer to Greek Cypriots?

In other words, is the financial help really contributing to reunification?

Answer given by Mr Füle on behalf of the Commission
(25 July 2012)

As the Honourable Member is aware, the Aid Regulation for the Turkish Cypriot community aims at facilitating the reunification of the island by encouraging the economic development of the Turkish Cypriot community.

Since 2006, EUR 292 million has been allocated to the aid programme and it has brought Turkish-Cypriots closer to the EU and EU standards. It has also fostered reconciliation, bi-communal cooperation as well as confidence building measures. This has also had a positive knock-on effect on the economy. For instance, EU funds supported substantial investments in water, wastewater treatment and solid waste management, and around 1,000 grants have been given to schools, NGOs, small businesses, farmers and students. The aid programme also supported the demining of the buffer zone as well as the Committee on Missing Persons and the bi-communal Technical Committee on cultural heritage.

Considering the broad spectrum of the assistance and the sensitive operating environment, the Commission believes that progress has been made towards the main objective. The EU aid programme is also the only funding that the EU gives to the Turkish Cypriots as EU citizens.

As well as financial assistance, the Commission continues to strongly support the settlement talks for a comprehensive solution to the Cyprus issue, which is long overdue.

(English version)

Question for written answer E-005760/12
to the Commission
Jim Higgins (PPE)
(7 June 2012)

Subject: Carriage of liquids — improved passenger experience

Can the Commission provide information on how the proposed initiative of lifting restrictions on the carriage of liquids guarantees improved passenger experience?

Can the Commission confirm whether airports outside the EU, such as those in the US, will also be lifting their restrictions on the carriage of liquids?

Question for written answer E-005761/12
to the Commission
Jim Higgins (PPE)
(7 June 2012)

Subject: Carriage of liquids — screening equipment

Can the Commission confirm whether the screening equipment to be used in connection with the lifting of the restriction on carrying liquids has been improved? It was noted that it delivered inconsistent results and that there was some difficulty in screening certain types of liquids, aerosols and gels in certain quantities and in certain types of containers.

Question for written answer E-005762/12
to the Commission
Jim Higgins (PPE)
(7 June 2012)

Subject: Carriage of liquids — screening equipment

Has the Commission considered the financial impact of the cost represented by LAGs (liquids, aerosols and gels) screening equipment at a time when Europe is facing an unprecedented economic crisis?

Could the Commission provide details of any cost-benefit analyses and/or financial projections undertaken?

Joint answer given by Mr Kallas on behalf of the Commission
(3 July 2012)

The Commission together with Member States' experts and industry stakeholders in the field of aviation security has collected information from, and is finalising its analysis of, the trials that have been conducted at EU airports, the consultant's independent evaluation and other relevant information in respect of liquid screening. Security and technology aspects, cost factors, industry concerns and international factors are being taken into account.

The Commission is preparing its conclusions and will launch formal consultations with Member States and the European Parliament. Recital (7) of Regulation 720/2011 ([1]) amending Regulation 272/2009 has set July 2012 as deadline which the Commission intends to respect.

([1]) Commission Regulation (EU) No 720/2011 of 22 July 2011 amending Regulation (EC) No 272/2009 supplementing the common basic standards on civil aviation security as regards the phasing-in of the screening of liquids, aerosols and gels at EU airports, OJ L 193, 23.7.2011, p. 19-21.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005764/12
alla Commissione
Alfredo Antoniozzi (PPE)
(7 giugno 2012)

Oggetto: Rischi ambientali legati al sito di stoccaggio provvisorio nella Piana dell'Olmo

Nei giorni scorsi il Commissario Sottile ha comunicato l'intenzione di aprire un sito di stoccaggio provvisorio nella Piana dell'Olmo, nei pressi del Comune di Riano (Provincia di Roma). Questa decisione ha incontrato una forte opposizione dei cittadini del suddetto comune e degli altri comuni limitrofi di Roma Nord.

La presenza di falde affioranti, la vicinanza al fiume Tevere, l'assenza di barriere naturali e la presenza di case e zone abitate in stretta vicinanza al sito, fanno sorgere numerosi dubbi dei paesi limitrofi in relazione all'impatto ambientale di un potenziale sito di stoccaggio nella Piana dell'Olmo. Il suddetto sito dovrebbe sorgere all'interno di una vasta area territoriale che comprende numerosi comuni e centinaia di migliaia di abitanti, a poche centinaia di metri da un comune di 10 000 persone (distanza al di sotto dei limiti di legge attualmente in vigore, in particolare per i centri sensibili: asili, scuole, centri per anziani, case di riposo), in un'area che nel raggio di 6 km. conta 120 000 residenti e nel raggio di 15 km. 650 000 residenti, a pochi chilometri dall'ospedale Sant'Andrea, uno dei più grandi di Roma. I cittadini inoltre, sono stati tenuti all'oscuro e messi di fronte ad una decisione «definitiva» della locazione del sito provvisorio nella Piana dell'Olmo.

Tutto ciò premesso si chiede alla Commissione di:

1. verificare la violazione del diritto ambientale in vigore da parte delle Autorità responsabili;

2. agire nei confronti delle Autorità coinvolte per evitare che venga dato inizio ai lavori nella Piana dell'Olmo prima di una verifica dell'impatto ambientale del sito, evitando in questo modo i gravi rischi ambientali correlati.

Risposta di Janez Potočnik a nome della Commissione
(10 luglio 2012)

La Commissione segue da vicino gli sviluppi della situazione dei rifiuti nel Lazio per garantire che sia gestita dalle autorità italiane competenti nel rispetto della pertinente normativa dell'UE in materia di ambiente.

Va osservato, tuttavia, che la Commissione non può sostituirsi alle autorità nazionali, uniche responsabili della decisione relativa al tipo e alla localizzazione degli impianti di smaltimento dei rifiuti da costruire nel loro territorio, sempre che tali impianti siano costruiti, gestiti e controllati rispettando la normativa UE. In particolare, prima del rilascio dell'autorizzazione finale di sviluppo devono essere debitamente effettuate tutte le necessarie procedure di valutazione.

Sulla base delle informazioni attualmente disponibili, sembra che per nessun nuovo progetto di discarica in località Pian dell'Olmo o altrove in Lazio sia stata concessa l'autorizzazione finale e pertanto non possono ancora essere riscontrate violazioni della normativa ambientale dell'UE.

La Commissione si è già interessata alla questione sollevata dall'onorevole parlamentare, entro i limiti del suo mandato definito dal trattato e continuerà a ricordare alle autorità italiane i loro obblighi derivanti dal diritto UE.

(English version)

Question for written answer P-005764/12
to the Commission
Alfredo Antoniozzi (PPE)
(7 June 2012)

Subject: Environmental risks associated with a temporary waste storage site in Piana dell'Olmo

In the last few days, Commissioner Sottile has announced that he intends to open a temporary waste storage site in Piana dell'Olmo, near the municipality of Riano in the Province of Rome. This decision has met with strong opposition from the citizens of Riano and of neighbouring municipalities in Northern Rome.

The presence of surface groundwater, proximity to the River Tiber, a lack of natural barriers and the presence of houses and residential areas close to the site have raised a number of fears in nearby villages regarding the environmental impact that a waste storage site in Piana dell'Olmo could have. The proposed site would be close to a number of municipalities and would affect hundreds of thousands of inhabitants. Within a few hundred metres of the site (less than the current legal distance for institutions such as nursery schools, schools, old people's homes, nursing homes) there is a municipality of 10 000 people. All in all, 120 000 people live within 6 km of the site and 650 000 within 15 km. Sant'Andrea hospital — one of the largest in Rome — is only a few kilometres away. Moreover, citizens have not received adequate information about the proposal and are being faced with a 'final' decision on the choice of Piana dell'Olmo for a temporary waste storage site.

In view of this, can the Commission:

1. confirm that the authorities responsible are in breach of environmental laws;

2. take action against the authorities involved to prevent work from beginning on the Piana dell'Olmo site before an environmental impact assessment is completed, in order to obviate serious environmental risks?

Answer given by Mr Potočnik on behalf of the Commission
(10 July 2012)

The Commission is closely monitoring the developments of the waste situation in Lazio in order to ensure that it is handled by the competent Italian authorities in compliance with the relevant EU environmental law.

It should be noted however, that the Commission cannot replace the national authorities, who are solely responsible for deciding the type and location of waste disposal installations to be built in their territory, provided that these installations are built, managed and monitored according to the relevant EU legislation. In particular, all relevant assessment procedures have to be duly carried out before final development consent is granted.

On the basis of the information available to date, it appears that no new landfill project, in Pian dell'Olmo or elsewhere in Lazio, has been granted final development consent and consequently, no breaches of EU environmental legislation can yet be identified.

The Commission is already active on the issue raised by the Honourable Member, within the boundaries of its remit as defined by the Treaty, and will continue to remind Italian authorities of their obligations under EC law.

(English version)

Question for written answer P-005766/12
to the Commission
Daniel Hannan (ECR)
(7 June 2012)

Subject: The new paragraph 3 of Article 136 of the Treaty on the Functioning of the European Union

Is it the case that, should European Council Decision 2011/199/EU enter into force, the new paragraph 3 of Article 136 of the Treaty on the Functioning of the European Union would not exclude the possibility of the United Kingdom holding obligations towards the stability mechanism which the Member States whose currency is the euro would be authorised to establish by that paragraph?

Answer given by Mr Barroso on behalf of the Commission
(27 June 2012)

The new paragraph 3 to be added to Article 136 of the Treaty on the functioning of the European Union only clarifies that the setting up of a stability mechanism by the Member States whose currency is the euro would be compatible with their obligations under the EU Treaties.

The Member States whose currency is the euro have signed a Treaty establishing a European Stability Mechanism. This Treaty is a treaty of international law that does not belong to the legal order of the Union. It is not for the Commission to provide its views on the interpretation of such a treaty. Nevertheless it is clear that this treaty would not be capable of imposing obligations upon a State which is not a party to it.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005767/12
alla Commissione
Mara Bizzotto (EFD)
(7 giugno 2012)

Oggetto: Liberalizzazione del cabotaggio e modifica del regolamento (CE) n. 1071/2009

I dati forniti da Confartigianato Trasporti per descrivere la situazione del mercato dell'autotrasporto in Europa sono chiari: il costo del conducente italiano è superiore del 132 % a quello di un autista romeno, del 114,6 % a quello di un autista polacco, dell'82 % a quello di un ungherese e del 40,3 % a quello di uno sloveno.

Stanti le distorsioni della concorrenza determinate da costi e regimi fiscali disomogenei tra Stati membri, che hanno favorito situazioni di vero e proprio dumping tra operatori del settore, prima di prendere in considerazione l'ulteriore apertura dei mercati nazionali del trasporto su strada, incluso il cabotaggio, la Commissione non ritiene di dover prioritariamente e in modo definitivo affrontare il problema del riallineamento e dell'armonizzazione europea dei costi di esercizio delle imprese di trasporto per non aggravare la situazione già critica del settore?

Risposta di Siim Kallas a nome della Commissione
(7 agosto 2012)

Come disposto dal regolamento (CE) n. 1072/2009 ([1]), attualmente la Commissione sta effettuando una valutazione della situazione del mercato unionale del trasporto di merci su strada, al fine di accertare se le condizioni di mercato, quali le pratiche in tema di applicazione della normativa, le condizioni di lavoro e il regime di tariffazione stradale, si siano ravvicinate al punto da poter prendere in considerazione un'ulteriore apertura dei mercati nazionali dei trasporti. I risultati di tale analisi saranno presentati in una relazione della Commissione, la cui pubblicazione è prevista nel 2013. Se del caso, successivamente sarà pubblicata una proposta legislativa.

Ai fini della stesura di questa relazione, il membro della Commissione responsabile dei trasporti ha incaricato un gruppo di accademici di alto livello di presentare una relazione indipendente (http://ec.europa.eu/transport/road/doc/2012-06-high-level-group-report-final-report.pdf) sulla situazione del mercato unionale del trasporto di merci su strada. Tale relazione, trasmessa alla Commissione il 19 giugno 2012, conclude che esistono effettivamente differenze nelle spese operative in Europa, ma che queste non sono dell'entità riportata dall'onorevole parlamentare. Il gruppo conclude inoltre che, nonostante tali differenze, esiste la possibilità di aprire gradualmente i mercati nazionali dei trasporti avvalendosi di misure mirate a garantire condizioni eque di concorrenza e di lavoro, per realizzare lo «Spazio unico europeo dei trasporti».

La Commissione proseguirà il proprio lavoro preparatorio e terrà in considerazione le suddette conclusioni al momento della stesura della relazione.

([1]) Regolamento (CE) n. 1072/2009 del Parlamento europeo e del Consiglio, del 21 ottobre 2009, che fissa norme comuni per l'accesso al mercato internazionale del trasporto di merci su strada, GU L 300 del 14.11.2009, pag. 72.

(English version)

Question for written answer E-005767/12
to the Commission
Mara Bizzotto (EFD)
(7 June 2012)

Subject: Liberalisation of cabotage and amendment of Regulation (EC) No 1071/2009

According to data on the road transport market in Europe from *Confartigianato Trasporti* (the Italian National Road Haulers' Confederation), Italian drivers face costs that are 132% higher than those in Romania, 114.6% higher than in Poland, 82% higher than in Hungary and 40.3% higher than in Slovenia.

This divergence in costs and tax systems between Member States has seriously distorted competition and encouraged dumping among operators in the sector. Before considering further opening up national road transport markets, including the cabotage market, does the Commission not agree that it should prioritise the realignment and harmonisation of transport companies' operating costs across Europe, addressing this issue once and for all in order to prevent this critical situation from escalating?

Answer given by Mr Kallas on behalf of the Commission
(7 August 2012)

As required by Regulation 1072/2009/EC ([1]), the Commission is currently carrying out an assessment of the situation of the EU road haulage market in order to determine whether market conditions (such as enforcement practices, working conditions and road charging) have converged to the point where further opening up of national transport markets may be considered. The results of this assessment will be presented in a report of the Commission expected to be published in 2013, which may if appropriate be followed-up by a legislative proposal.

In preparation of this report, the Member of the Commission responsible for Transport mandated a group of high-level academics to deliver an independent report (http://ec.europa.eu/transport/road/doc/2012-06-high-level-group-report-final-report.pdf) on the situation of the EU road haulage market. This report, which was handed over to the Commission on 19 June 2012, concludes that although differences in operating costs exist throughout Europe, they are not as significant as those reported by the Honourable Member. The Group also concludes that despite these differences, there is a case for gradual opening up of national transport markets, flanked with measures to ensure fair competition and working conditions, in order to reach a Single European Transport Area.

The Commission will continue its own preparatory work and will take these conclusions into account when issuing its own report.

([1]) Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market, OJ L 300, 14.11.2009, p. 72-87.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005772/12
do Komisji
Filip Kaczmarek (PPE)
(7 czerwca 2012 r.)

Przedmiot: Białoruś poza Procesem Bolońskim

Białoruś jako jedyny europejski kraj jest wykluczona z klubu 47 państw, które tworzą wspólną europejską przestrzeń akademicką. Bologna Follow-Up Group, mająca za zadanie ocenić stopień przygotowania systemu białoruskiego szkolnictwa wyższego do włączenia się w koncept ogólnoeuropejski, uznała, że Republika Białorusi nie realizuje w dostatecznym stopniu zasad i wartości procesu bolońskiego, takich jak: wolność akademicka, autonomia instytucjonalna i udział studentów w zarządzaniu szkolnictwem wyższym. Podczas spotkania ministrów EOSW w kwietniu tego roku Białoruś nie została przyjęta do struktur bolońskich i, tym samym, do Europejskiego Obszaru Szkolnictwa Wyższego. Jej udział został zablokowany na kolejne 3 lata.

W związku z tym zwracam się z zapytaniem, w jaki sposób Komisja zamierza zachęcić władze białoruskie do modernizacji systemu wyższej edukacji, aby Białoruś mogła dołączyć w przyszłości do EOSW?

Odpowiedź udzielona przez komisarz Androullę Vassiliou w imieniu Komisji
(20 sierpnia 2012 r.)

UE wspiera modernizację szkolnictwa wyższego na Białorusi poprzez programy Tempus i Erasmus Mundus, które ułatwiają tworzenie sieci i partnerstw z UE oraz mobilność studentów, badaczy i nauczycieli akademickich. W swoim wniosku dotyczącym nowego programu „Erasmus dla wszystkich" Komisja wyraziła zdecydowane poparcie dla krajów sąsiadujących i zaproponowała kontynuację tych działań.

Od roku 2007 Białoruś wzięła udział w 13 projektach w ramach programu Tempus, które objęły 20 instytucji szkolnictwa wyższego i których budżet wyniósł około pięciu mln euro. 11 z nich to projekty wspólne, oparte na wielostronnych partnerstwach i propagujące współpracę w dziedzinach, takich jak rozwój programów nauczania, zarządzanie uczelniami i budowanie więzi między szkolnictwem wyższym a społeczeństwem.

Pozostałe dwa projekty należą do działań strukturalnych; przyczyniają się one do rozwoju i reformy instytucji i systemów kształcenia na poziomie krajowym i zajmują się kwestiami związanymi z reformą sposobu zarządzania lub wzmacnianiem więzi między szkolnictwem wyższym a społeczeństwem.

Od roku 2004 50 studentów z Białorusi otrzymało stypendium na europejskie studia magisterskie w ramach programu Erasmus Mundus, a około 450 obywateli Białorusi wzięło udział w programie wspierania mobilności w ramach Akcji 2 (w latach 2007-2011), co pozwoliło im spojrzeć na własny przedmiot akademicki z nowej, międzynarodowej perspektywy, zwiększyło ich przyszłe szanse na rynku pracy i przyczyniło się do rozwoju osobistego. Białoruskie uczelnie wypracowały dobre praktyki w zakresie współpracy międzynarodowej i akademickich programów nauczania.

Białoruś bierze również udział w platformie nr 4 Partnerstwa Wschodniego promującej kontakty międzyludzkie i służącej jako forum na rzecz dialogu o edukacji i szkoleniach.

(English version)

Question for written answer E-005772/12
to the Commission
Filip Kaczmarek (PPE)
(7 June 2012)

Subject: Exclusion of Belarus from the Bologna Process

Belarus is the only European country excluded from the group of 47 countries forming the common European Higher Education Area. The Bologna Follow-up Group, which was given the task of assessing whether the Belarusian system of higher education was ready to be included in the pan-European structure, found that the principles and values of the Bologna Process, such as academic freedom, institutional autonomy and student participation in managing higher education, are not being upheld sufficiently in Belarus. Belarus' entry to the Bologna structures, and consequently to the European Higher Education Area, was blocked during a meeting of EHEA ministers in April 2012. This decision will remain valid for the next three years.

In connection with the above, I would like to ask how the Commission intends to encourage the Belarusian authorities to modernise the higher education system so that Belarus can join the EHEA in the future.

Answer given by Mrs Vassiliou on behalf of the Commission
(20 August 2012)

The EU has been supporting the modernisation of higher education in Belarus through the Tempus and Erasmus Mundus programme which facilitate the creation of networks and partnerships with counterparts in the EU and the mobility of students, researchers and academics. In its proposal for a new programme 'Erasmus for All', the Commission expressed strong support for the Neighbouring countries and proposed to continue these actions.

Since 2007, Belarus has participated in 13 Tempus projects, involving 20 Higher Education Institutions for a budget of approximately 5 million euro. 11 are Joint Projects, based on multilateral partnerships promoting exchanges on themes like curriculum development, university governance and links between higher education and society.

The remaining 2 projects are Structural Measures; contributing to the development and reform of education institutions and systems at a national level, addressing issues linked to governance reform, or enhancing the links between higher education and society.

Since 2004, 50 Belarusian students have received a scholarship for Erasmus Mundus Masters Courses and around 450 Belarusian nationals have taken part in the action 2 mobility scheme (2007-2011), experiencing a different, international, perspective of their academic subject and, strengthening their future employability and personal development. Belarusian universities have developed good practices related to international cooperation and academic curricula.

Belarus also participates in Platform 4 of the Eastern Partnership on 'contacts between people', a forum for dialogue on education and training.

(English version)

Question for written answer E-005773/12
to the Commission
Daniel Hannan (ECR)
(7 June 2012)

Subject: EU international agreements with Member States

Is the European Union authorised under the Treaties (other than under Article 50 of the Treaty on European Union) to conclude international agreements with an EU Member State?

Answer given by M. Barroso on behalf of the Commission
(5 July 2012)

Under the Treaties of the European Union (TEU) and the Functioning of the European Union (TFEU) the Union can conclude an international agreement with a Member State of the Union when that Member State acts on behalf of a territory that falls outside the territorial scope of the treaties as set out in Article 52 TEU and Article 355 TFEU and for which the Member State assumes the external relations. The EU may also conclude an international agreement with a Member State of the Union for matters for which it has competence, but where that competence does not extend to the particular Member State.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005774/12
an die Kommission
Christa Klaß (PPE), Renate Sommer (PPE) und Anja Weisgerber (PPE)
(7. Juni 2012)

Betrifft: Impact Assessment zu den Nährwertprofilen gemäß Artikel 4 der Verordnung (EG) Nr. 1924/2006

Die sogenannte „Health-Claims-Verordnung" (EG) Nr. 1924/2006 sieht die Einhaltung von Nährwertprofilen als Voraussetzung für nährwert- oder gesundheitsbezogene Angaben über Lebensmittel vor. Diese Nährwertprofile existieren bislang nicht, und offenbar plant die Kommission nun, hierzu zunächst eine Folgenabschätzung (Impact Assessment) durchzuführen.

Vor diesem Hintergrund wird die Kommission um die Beantwortung folgender Fragen gebeten:

1. Warum hatte die Kommission nicht bereits vor der Veröffentlichung des Verordnungsvorschlags Folgenabschätzungen durchgeführt, obwohl sie dazu verpflichtet ist?

2. Warum wurde das Europäische Parlament nicht darüber informiert, dass die Kommission nun ein Impact Assessment zu den Nährwertprofilen plant?

3. Wie wird dieses Impact Assessment aussehen, und welcher Zeitraum ist hierfür geplant?

4. Wer wird mit der Durchführung beauftragt?

5. Ist eine Stakeholder-Konsultation geplant? Falls nicht, welche Daten werden dem Impact Assessment zugrunde gelegt?

6. Wie kann die Kommission sicherstellen, dass auch die rechtliche Bewertung der Nährwertprofile berücksichtigt wird?

7. Wie kann die Kommission sicherstellen, dass eine Folgenabschätzung über die Effizienz der Nährwertprofile bezüglich der Prävention von Übergewicht, insbesondere bei Kindern und Jugendlichen, aufgenommen wird? Immerhin war diese Präventionsabsicht das Hauptargument für Nährwertprofile der Kommission. Sind entsprechende wissenschaftliche Studien geplant?

8. Wie kann die Kommission sicherstellen, dass das Impact Assessment auch negative Auswirkungen der Nährwertprofile auf die Information der Verbraucher erfasst, da gegebenenfalls wichtige Informationen über Lebensmittel nicht mehr mitgeteilt werden dürfen?

9. Ist vorgesehen, im Impact Assessment aufzuzeigen, wie verhindert werden kann, dass Lebensmittel in eine solche 1. und 2. Klasse eingeteilt werden?

Antwort von Herrn Dalli im Namen der Kommission
(20. August 2012)

Als die Kommission 2003 ihren Vorschlag für die Verordnung (EG) Nr. 1924/2006 ([1]) über nährwert- und gesundheitsbezogene Angaben über Lebensmittel vorlegte, galt das Erfordernis, zu jedem Legislativvorschlag eine Folgenabschätzung durchzuführen, noch nicht. Die Verordnung wurde vom Europäischen Parlament und vom Rat in voller Kenntnis der Sachlage angenommen.

Heute führt die Kommission zu jeder neuen Politikinitiative eine Folgenabschätzung durch; dazu zählen auch Durchführungsmaßnahmen mit weitreichender Auswirkung.

Die Kommissionsdienststellen führen die Folgenabschätzungen gemäß den dafür geltenden Leitlinien ([2]) durch; die Konsultation der betroffenen Interessengruppen ist fester Bestandteil jeder Folgenabschätzung.

([1]) ABl. L 404 vom 30.12.2006 S. 9.
([2]) http://ec.europa.eu/governance/impact/commission_guidelines/commission_guidelines_en.htm

Die Festlegung von Nährwertprofilen ist als rechtliches Erfordernis in der Verordnung (EG) Nr. 1924/2006 klar definiert; auch die dabei zu berücksichtigenden Kriterien sind dort im Einzelnen festgelegt. Die Anwendung von Nährwertprofilen kann dazu führen, dass die Verwendung gesundheitsbezogener Angaben auf bestimmten Produkten eingeschränkt wird. Gesundheitsbezogene Angaben werden freiwillig gemacht und haben eine hohe Werbewirksamkeit; die Nährwertprofile dienen dazu, hier gegenzusteuern, damit die Verbraucher nicht in die Irre geführt werden. Die Einführung von Nährwertprofilen hat keinerlei Auswirkungen auf die Kennzeichnung mit wichtigen Pflichtangaben.

(English version)

Question for written answer E-005774/12
to the Commission
Christa Klaß (PPE), Renate Sommer (PPE) and Anja Weisgerber (PPE)
(7 June 2012)

Subject: Impact assessment of nutrient profiles under Article 4 of Regulation (EC) No 1924/2006

The Nutrition and Health Claims Regulation (EC) No 1924/2006 provides for compliance with nutrient profiles as a prerequisite for health or nutritional claims made on foods. These nutrient profiles do not yet exist, and the Commission is apparently now planning to carry out an initial impact assessment.

In view of this, could the Commission answer the following:

1. Why did the Commission not carry out an impact assessment before publishing the proposed regulation, even though it is obliged to do so?

2. Why was the European Parliament not informed that the Commission is now planning an impact assessment for nutrient profiles?

3. What will the nature of this impact assessment be, and what timeframe is planned for this purpose?

4. Who is to be entrusted with the implementation of the assessment?

5. Are there plans to consult stakeholders? If not, what data is to be used as a basis for the impact assessment?

6. How can the Commission ensure that the legal evaluation of nutrient profiles is also taken into consideration?

7. How can the Commission ensure that an impact assessment regarding the efficacy of nutrient profiles in preventing obesity, in particular among children and young people, is included? After all, prevention was the main argument used by the Commission in support of nutrient profiles. Are there plans to carry out scientific studies for this purpose?

8. How can the Commission ensure that the impact assessment will also include the negative effects of nutrient profiles on consumer information, as, under certain circumstances, it may no longer be permissible to provide important information about foodstuffs?

9. Are there plans to show in the impact assessment how to prevent foodstuffs from being divided into 'first and second classes'?

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

At the time the Commission's proposal for Regulation (EC) No 1924/2006 ([1]) on nutrition and health claims made on foods was presented in 2003, there was no requirement for impact assessments to be carried out for all legislative proposals. The regulation was adopted by the European Parliament and the Council that were fully aware of the situation.

Today the Commission's policy is to carry out an impact assessment for all new policy initiatives, including implementing measures which may have significant impacts.

Impact Assessments are carried out by Commission's services on the basis of the Commission Impact Assessment Guidelines ([2]) and always involve the consultation of interested parties.

([1]) OJ L 404, 30.12.2006, p. 9-25.
([2]) http://ec.europa.eu/governance/impact/commission_guidelines/commission_guidelines_en.htm

The setting of nutrient profiles is a legal requirement well defined in Regulation (EC) No 1924/2006, which also lays down all the criteria that have to be taken into account for their setting. The application of nutrient profiles may restrict the use of claims in certain products. Claims are voluntary statements with a strong promotional effect which nutrient profiles aim to counterbalance in order to avoid misleading consumers. Nutrient profiles will not affect the provision of important mandatory information.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005775/12
alla Commissione
Patrizia Toia (S&D), Luigi Berlinguer (S&D), Salvatore Caronna (S&D), Vittorio Prodi (S&D), Debora Serracchiani (S&D) e Sergio Gaetano Cofferati (S&D)
(7 giugno 2012)

Oggetto: Sostegno ai cluster industriali delle zone dell'Emilia Romagna colpite dal terremoto

Le ripetute scosse di grave entità, che continuano a colpire la regione Emilia Romagna e le altre regioni del Nord, hanno non solo causato numerose vittime e la distruzione di medie e piccole imprese, ma stanno anche mettendo a dura prova importanti distretti e cluster, in particolare quelli in Emilia specializzati nel settore biomedico, automobilistico, ceramistico e agroalimentare. Le aziende più colpite si trovano nelle province di Modena e Ferrara, in particolare nelle località di Mirandola, Medolla, Cavezzo, fiore all'occhiello del settore biomedicale italiano. Su 150 aziende che operavano nel settore, per un giro d'affari stimato a 800 milioni di euro, il 70 % ha subito danni gravi, che hanno portato all'interruzione della produzione e alla cassa integrazione per 3 000 addetti su 5 000.

Considerando che:

— il sostegno al settore manifatturiero europeo e il rilancio della politica industriale sono gli obiettivi centrali dell'azione europea,

— l'Unione europea provvede a sostenere, attraverso numerosi programmi, l'innovazione e la crescita delle PMI,

come intende la Commissione, anche in via eccezionale, attivare i propri programmi per la competitività a sostegno di queste realtà?

Risposta di Antonio Tajani a nome della Commissione
(2 agosto 2012)

La Commissione segue con particolare attenzione la situazione. Il Vicepresidente Tajani e il Commissario Hahn hanno visitato le zone colpite e annunciato che il rilancio dell'economia locale sarà una priorità. Potrebbero essere stanziati per tali zone, a carico del Fondo di solidarietà dell'UE, da 150 a 200 milioni di EUR dopo che l'Italia avrà presentato domanda (probabilmente nel mese di luglio).

Una parte dei fondi strutturali per l'Emilia-Romagna è stata riassegnata alla ricostruzione, sebbene le risorse disponibili siano limitate rispetto alla gravità dei danni. Il finanziamento totale del P.O.R. ([1]) ammonta a 347 milioni di euro per gli anni 2007-2013 ([2]). Una parte rilevante di questi fondi è destinata alle PMI, per esempio è in corso il trasferimento alle imprese locali di risorse finanziarie pari a 14 milioni di euro ([3]) tramite un fondo ad hoc denominato Ingenium. Il fondo fornisce un sostegno finanziario alle imprese di quelle località o disposte ad aprire una sede in quella regione.

Al fine di fornire alle PMI locali un migliore accesso al credito bancario, sono attivi nella zona diversi consorzi di garanzia che si avvalgono di garanzie dell'UE finanziate dal CIP ([4]). Uno di questi è Unifidi Emilia-Romagna, al quale possono rivolgersi le PMI locali. Attualmente ([5]) ha operazioni in corso e può dare garanzie a copertura di investimenti e capitale circolante correlato agli investimenti. Sono in corso altri interventi; un altro dovrebbe essere annunciato a breve, attraverso un intermediario di garanzia attivo nella vicina regione Lombardia.

Tuttavia la ripresa richiederà tempo e ulteriori risorse saranno disponibili in futuro tramite il Fondo di solidarietà ([6]). Inoltre, la BEI ([7]) si è impegnata a mantenere elevata la propria attività di prestito a favore delle PMI nel 2012, circa al livello del 2011 ([8]). Nel medio termine, gli strumenti finanziari per le nuove attività e le PMI saranno incrementati, come indicato nei nuovi programmi COSME e Horizon 2020 ([9]) per il periodo 2014-2020 ([10].)

([1]) Programma Operativo Regionale.
([2]) Il cofinanziamento del Fondo Europeo di sviluppo regionale è pari a 128 milioni di euro.
([3]) Compresi 7 milioni di euro investiti direttamente dalla Regione Emilia-Romagna.
([4]) Programma quadro per la competitività e l'innovazione (2007-2013).
([5]) Disponibile fino al 31 dicembre 2012.
([6]) A seguito di una richiesta formale da parte dello Stato membro.
([7]) Banca europea per gli investimenti.
([8]) che è stato di circa 10 miliardi di euro.
([9]) Entrambi i programmi sono stati adottati dalla Commissione il 30 novembre 2011.
([10]) Nell'ambito di Cosme è stato proposto di assegnare agli strumenti finanziari un importo massimo di 1,4 miliardi di euro. Horizon prevede un bilancio di circa 3,8 miliardi di euro per strumenti finanziari destinati a società di qualsiasi dimensione. Si stima che circa 1/3 di tale importo sarà destinato a strumenti finanziari a favore di PMI e società a media capitalizzazione orientate alla ricerca, allo sviluppo e all'innovazione.

(English version)

Question for written answer E-005775/12
to the Commission
Patrizia Toia (S&D), Luigi Berlinguer (S&D), Salvatore Caronna (S&D), Vittorio Prodi (S&D), Debora Serracchiani (S&D) and Sergio Gaetano Cofferati (S&D)
(7 June 2012)

Subject: Support for industry in Emilia-Romagna affected by earthquakes

The repeated violent earthquakes that continue to affect Emilia-Romagna and other northern regions have resulted in many casualties and destroyed small and medium-sized enterprises. They have also put severe strain on important districts and clusters, particularly those in Emilia-Romagna specialising in the biomedical, automotive, ceramics and agrifood industries. The hardest-hit businesses are in the Modena and Ferrara provinces, notably Mirandola, Medolla and Cavezzo, the focal point of Italy's biomedical sector. Of a total of 150 companies operating in this sector, with an estimated turnover of EUR 800 million, 70% have suffered serious damage, resulting in production stoppages and the laying-off of 3 000 out of 5 000 workers, who are now being paid from the wage guarantee fund (*Cassa Integrazione*).

Support for the EU's manufacturing sector and revitalisation of industrial policy are central to the EU's strategy.

Given also that the EU supports the innovation and growth of SMEs through numerous programmes, how will the Commission implement such programmes to support competitiveness in these businesses, if only on an exceptional basis?

Answer given by Mr Tajani on behalf of the Commission
(2 August 2012)

The Commission is particularly concerned about this situation. Vice-President Tajani and Commissioner Hahn visited the affected zones and announced that the relaunch of the local economy will be a priority. Between EUR 150 and 200 million could be allocated to the area from the EU Solidarity Fund once Italy has presented its application (expected during July).

Part of the Structural Funds for Emilia Romagna have been reallocated for reconstruction purposes, although the resources available are limited compared to the extent of the damage. The overall funding of the R.O.P. ([1]) amounts to EUR 347 million for the years 2007-13 ([2]). A significant part of it is for SMEs, e.g. financial resources worth EUR 14 million ([3]) are being channelled to local businesses through an ad hoc fund called Ingenium. The fund provides financial support to businesses locally based or willing to start up a unit in the region.

In order to provide local SMEs with better access to bank finance, some guarantee schemes supported by EU guarantees funded from the CIP ([4]) are active in the area. One is Unifidi Emilia Romagna, which local SMEs can approach. Currently it has ongoing operations ([5]) and its guarantees may cover investments and working capital related to investments. Other operations are ongoing and one additional should be announced soon through a guarantee intermediary operating in the nearby Lombardia region.

However, the recovery will take time and more resources will be available in the future from the Solidarity Fund ([6]). Moreover, the EIB ([7]) has committed to maintain its SME loan activity in 2012 at a sustained pace close to the 2011 level ([8]). In the medium term, financial instruments for start-ups and SMEs will be reinforced, as indicated in the new programmes COSME and Horizon 2020 ([9]) for the period 2014-20 ([10].)

([1]) Regional Operational Programme.
([2]) The co-financing from the European Regional Development Fund amounts to 128 million.
([3]) Including EUR 7 million directly invested by the Emilia Romagna Region.
([4]) Competitiveness and Innovation Framework Programme 2007-13.
([5]) Available until December 2012.
([6]) Following a formal request by the Member State.
([7]) European Investment Bank.
([8]) Around EUR 10 billion.
([9]) Both programmes were adopted by the Commission on 30 November 2011.
([10]) Within COSME, it is proposed that EUR 1.4 billion shall be allocated to financial instruments. Horizon foresees a budget of about EUR 3.8 billion for financial instruments for all sizes of companies. It is estimated that about one third of this amount will be dedicated to financial instruments for research, development and innovation-driven SMEs and midcaps.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005776/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(8 de junio de 2012)

Asunto: Estrategia Europa 2020, energías renovables

Hace unas semanas la Comisión Europea abrió un procedimiento al Estado español por no reciclar suficientemente los envases de vidrio, según la Directiva 94/62/CE ([1]).

Recientemente la Unión Europea destaca que el Estado español es el país europeo que menos aplica los impuestos por contaminar y le recrimina el bloqueo a los nuevos proyectos de energías renovables, lo que hará difícil que el Estado español alcance sus objetivos energéticos y climáticos en el marcado de la Estrategia Europa 2020. Según los datos enviados, la energía final de origen renovable era sólo del 9,3 % en 2009, cifra lejana del 20 % a que está obligado el Estado español en el año 2020 ([2]).

La Comisión también alerta de la altísima dependencia del Estado español a la energía importada, que en el año 2009 era del 79 %, mientras que la media europea era del 54 %. Si aumentase la generación de energía renovable, disminuiría esta dependencia.

A la vista de lo anterior,

¿Qué opinión tiene la Comisión al respecto? ¿Qué medidas tomará la Comisión para que el Estado español cumpla los objetivos europeos medioambientales?

La información que recibe la Comisión del Estado español, en referencia al cumplimiento de la Estrategia Europa 2020, no parecen ser buenas por lo que se refiere a las energías renovables. ¿Qué medidas de control tiene previsto hacer la Comisión para asegurarse que el Estado español llegue al objetivo marcado del 20 % de energías renovables para el año 2020?

¿No cree la Comisión que sería positivo marcar unos objetivos parciales, por ejemplo cada 3 años, para ir controlando ese cumplimiento de implementación de las energías renovables y no esperar hasta el año 2020?

Respuesta del Sr. Oettinger en nombre de la Comisión
(23 de julio de 2012)

La Comisión está realizando un seguimiento continuo de la evolución de la política de energías renovables en España con vistas a considerar nuevas medidas de la UE en caso necesario. Mediante el estrecho seguimiento de la aplicación por los Estados miembros de la Directiva sobre energías renovables ([3]), el establecimiento de orientaciones sobre regímenes de apoyo y la cooperación con los Estados miembros en la aplicación de las mejores prácticas, la Comisión procura garantizar la creación a largo plazo de un marco estable y positivo para la inversión en energías renovables en España.

La Directiva sobre energías renovables contiene una trayectoria indicativa con los niveles de energías renovables que han de alcanzarse en cuatro periodos de dos años entre 2010 y 2020. En este contexto, España ya ha alcanzado su objetivo intermedio para 2011-2012 (10,7 %).

([1]) http://www.lavanguardia.com/vida/20120505/54289857151/expediente-ue-espana-no-reciclar-suficiente-vidrio.html
([2]) http://www.lavanguardia.com/vida/20120604/54303244108/espana-pais-ue-menos-impuestos-contaminar.html
([3]) COM2009/28/CE — Directiva 2009/28/CE del Parlamento Europeo y del Consejo, de 23 de abril de 2009, relativa al fomento del uso de energía procedente de fuentes renovables y por la que se modifican y se derogan las Directivas 2001/77/CE y 2003/30/CE, DO L 140 de 5.6.2009.

(English version)

Question for written answer E-005776/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(8 June 2012)

Subject: Europe 2020 strategy, renewable energy

A few weeks ago the European Commission opened proceedings against Spain for insufficient recycling of glass containers in accordance with Directive 94/62/EC ([1]).

The European Union noted recently that Spain is the European country that applies pollution taxes least frequently and has reproached it for blocking new renewable energy projects, which will make it difficult for Spain to achieve the energy and climate goals set for it in the Europe 2020 strategy. According to the information provided, the total amount of energy from renewable sources was only 9.3% in 2009 — well below the figure of 20% set for Spain for 2020 ([2]).

The Commission also warned of Spain's high dependence on imported energy, which was 79% in 2009, while the European average was 54%. Increased generation of renewable energy would reduce this dependence.

In view of the above:

What is the Commission's opinion regarding this issue? What measures will the Commission take to compel Spain to achieve European environmental objectives?

The information that the Commission is receiving from Spain on compliance with the Europe 2020 strategy does not appear to be positive as far as renewable energy is concerned. What control measures does the Commission intend to take to ensure that Spain reaches its renewable energy target of 20% by 2020?

Does the Commission not believe that it would be useful to set partial objectives — for example, every three years — in order to monitor compliance with renewable energy requirements on an ongoing basis, rather than wait until 2020?

Answer given by Mr Oettinger on behalf of the Commission
(23 July 2012)

The Commission is continuously monitoring renewable energy policy developments in Spain with a view to consider further action at EU level if necessary. Through the close monitoring of Member States' implementation of the Renewable Energy Directive (RED) ([3]), the development of guidance on support schemes and through cooperation with Member States in the application of best practices, the Commission strives to ensure that stable and positive long term investment climate is created for renewable energy in Spain.

The RED contains an indicative trajectory setting out the levels of renewable energy to be reached in four two-year periods between 2010 and 2020. In this context, Spain has already reached its 2011/2012 interim target (10.7%).

([1]) http://www.lavanguardia.com/vida/20120505/54289857151/expediente-ue-espana-no-reciclar-suficiente-vidrio.html
([2]) http://www.lavanguardia.com/vida/20120604/54303244108/espana-pais-ue-menos-impuestos-contaminar.html
([3]) COM 2009/28/EC — Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, OJ L 140, 5.6.2009.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005779/12
alla Commissione
Oreste Rossi (EFD)
(8 giugno 2012)

Oggetto: Bonifica discariche tossico-nocive

La Commissione europea negli ultimi anni ha continuato ad emanare direttive e regolamenti che riducono i limiti di emissione di sostanze chimiche e principi attivi che risultano dannosi per l'ambiente e per la salute.

Si è arrivati anche ad inventare il sistema ETS che fa pagare alle industrie europee, sulla base di quote, la CO_2 emessa in quanto, nonostante non sia tossica ma addirittura utilizzata per produrre le bibite gassate, viene considerata responsabile dei cambiamenti climatici.

Tali direttive e modifiche di regolamenti comportano obblighi di applicazione per gli Stati membri.

Si chiede pertanto perché, analogamente alle limitazioni e ai divieti di uso e consumo di determinate sostanze chimiche e principi attivi, la Commissione non proceda con analoga sollecitudine ad obbligare gli stessi Stati a bonificare almeno le discariche di sostanze tossico-nocive abusive o che non hanno i requisiti minimi previsti. Sono infatti individuate e mappate in Europa centinaia di discariche di rifiuti tossico-nocivi altamente pericolosi per l'ambiente e la salute che continuano altresì da decenni a rilasciare gas e percolati nell'atmosfera e nelle falde.

Non può essere una giustificazione il fatto che la bonifica delle discariche sia di competenza degli Stati, altrimenti per analogia anche il vietare o meno la produzione e l'uso di composti chimici e principi attivi sarebbe di competenza degli stessi.

Risposta di Janez Potočnik a nome della Commissione
(20 luglio 2012)

Non appena la Commissione viene a conoscenza della loro esistenza, i siti di discariche abusive e i siti che non soddisfano i requisiti minimi previsti dalla legislazione dell'UE sono sottoposti a una procedura di infrazione. Al momento sono in atto più di 20 procedure di infrazione da parte della Commissione per casi relativi a discariche abusive; altri casi sono oggetto di indagine.

(English version)

Question for written answer E-005779/12
to the Commission
Oreste Rossi (EFD)
(8 June 2012)

Subject: Reclaiming toxic/hazardous landfill sites

In recent years, the Commission has continued to issue directives and regulations to reduce emissions of chemicals and active substances harmful to the environment and to health.

The ETS system was devised to make European industries pay for CO_2 emissions on a quota basis, since CO_2 is considered to be responsible for climate change although the gas is not toxic and is even used to produce carbonated soft drinks.

These directives and amendments to regulations entail obligations for Member States, which must apply them.

Why does the Commission not devote similar efforts to obliging the Member States, at the very least, to reclaim unauthorised toxic/hazardous landfill sites and those that do not meet the minimum requirements? Hundreds of toxic/hazardous landfills, highly dangerous to health and the environment, have been identified and mapped in Europe, and these have been emitting gas and leachates into the air and groundwater for decades.

The justification cannot be that landfill reclamation is the responsibility of the States, since this would mean, by analogy, that prohibiting the production and use of chemicals and active substances would also be the responsibility of the Member States.

Answer given by Mr Potočnik on behalf of the Commission
(20 July 2012)

Unauthorised landfill sites and sites which do not meet the minimum requirements set in EU legislation are subject to infringement procedures once the Commission is aware of their existence. Currently the Commission is conducting more than 20 infringement procedures in cases relating to illegal landfilling, other cases are being investigated.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005780/12
alla Commissione
Oreste Rossi (EFD)
(8 giugno 2012)

Oggetto: Riparare i danni subiti dai cittadini per erronee politiche ambientali

Ringrazio il Commissario Oettinger per la risposta all'interrogazione E-002773/2012 che, se da una parte conferma la preoccupazione della Commissione per la politica italiana di sostegno alle fonti rinnovabili, dall'altra non permette di capire cosa farà l'UE per riparare i danni subiti dai cittadini italiani.

Il sostegno alle fonti rinnovabili è stato imposto con la direttiva 2001/77/CE e non può essere considerato alla stregua di una unilaterale elargizione liberale dei cittadini, ma esige una chiara assunzione di responsabilità da parte delle Autorità. L'Unione europea deve garantire con rigore al cittadino che le risorse siano impiegate senza che nessuno approfitti ingiustamente di tale politica o che sia scorrettamente privilegiato, oppure senza che gli Stati utilizzino i fondi per aiuti ad imprese che non li meritano, o infine — più importante — senza che si alimentino affari illeciti, sia di singoli soggetti, sia di organizzazioni delinquenziali. Ogni anno i cittadini italiani sborsano a vantaggio del GSE — Gestore dell'intero sistema elettrico nazionale e quindi Ente monopolista del tutto anomalo nel panorama europeo — per tale sostegno non meno di 7 miliardi di euro e si prevede che a breve questa cifra salga a 11 miliardi. È responsabilità dell'UE garantire che queste ingenti spese siano correttamente impiegate da organi indipendenti e competenti, al solo scopo di aiutare le tecnologie rinnovabili a sostenersi sul mercato, senza sprechi e speculazioni. Occorre che finisca l'era dei sostegni a pioggia o profondamente inquietanti, come nel caso del sostegno pagato dagli italiani per l'improbabile importazione di elettricità rinnovabile in Italia — caso evidenziato nella precedente interrogazione.

Il Commissario Oettinger ha chiaramente affermato che i certificati di origine non potevano essere utilizzati dal GSE per dimostrare che l'elettricità importata da un altro Paese fosse rinnovabile.

Potrebbe di conseguenza la Commissione spiegare cosa intende fare per invitare lo Stato italiano ed il GSE a restituire i 500 milioni di euro pagati dai cittadini italiani acquirenti di questi inutili certificati, oltre che a rifondere i danni indotti dall'aumento illecito del costo dell'elettricità di importazione, che ha trascinato anche i prezzi interni dell'elettricità a un indebito rialzo?

Risposta di Günther Oettinger a nome della Commissione
(16 luglio 2012)

Come spiegato nella risposta della Commissione all'interrogazione scritta E-001178/2011 formulata dall'onorevole Raül Romeva I Rueda, la direttiva sulle energie rinnovabili (2009/28/CE ([1])) ha migliorato il regime sulla «garanzia di origine» al fine di assicurare che tali garanzie siano una prova attendibile di energia rinnovabile, soprattutto nell'ambito relativo all'obbligo di informativa sul mix di energie stabilito dalla direttiva 2009/72 CE ([2]). Si noti inoltre che la direttiva 2009/28/CE abroga la direttiva 2001/77/CE ([3]), alla quale l'onorevole parlamentare fa riferimento.

Ai sensi di entrambe le direttive e della legislazione dell'UE sulla tutela dei consumatori, i governi degli Stati membri hanno l'obbligo di assicurare che il loro regime di garanzia di origine sia preciso, affidabile e a prova di frode. La Commissione monitora tale situazione in quanto valuta l'applicazione di tutta la normativa UE da parte degli Stati membri.

([1]) Direttiva 2009/28/CE del Parlamento europeo e del Consiglio, del 23 aprile 2009, sulla promozione dell'uso dell'energia da fonti rinnovabili, recante modifica e successiva abrogazione delle direttive 2001/77/CE e 2003/30/CE, GU L 140 del 5.6.2009.

([2]) Direttiva 2009/72/CE del Parlamento europeo e del Consiglio, del 13 luglio 2009, relativa a norme comuni per il mercato interno dell'energia elettrica e che abroga la direttiva 2003/54/CE (Testo rilevante ai fini del SEE), GU L 211 del 14.8.2009.

([3]) Direttiva 2001/77/CE del Parlamento europeo e del Consiglio del 27 settembre 2001, GU L 283 del 27.10.2001, sulla promozione dell'energia elettrica prodotta da fonti energetiche rinnovabili nel mercato interno dell'elettricità, GU L 283 del 27/10/2001.

(English version)

Question for written answer E-005780/12
to the Commission
Oreste Rossi (EFD)
(8 June 2012)

Subject: Repairing the damage suffered by citizens as a result of bad environmental policies

I would like to thank Commissioner Oettinger for his answer to question E-002773/2012. While this answer confirms the Commission's concern about Italy's policy for supporting renewable energy sources, it does not explain what the EU will do to repair the damage suffered by Italian citizens.

Support for renewable energy sources was made mandatory by Directive No 2001/77/EC and cannot be considered as a generous unilateral gift to citizens, but requires a clear assumption of responsibility by the authorities. The European Union must provide citizens with a firm guarantee that the resources will be used without anyone profiting unfairly from this policy or being improperly favoured, without the Member States using the aid to help companies that do not deserve it, and — most importantly — without funding any illegal business deals, whether by individuals or by criminal organisations. Every year, Italian citizens pay GSE — the operator of the entire national electrical grid and therefore an entirely anomalous monopolistic entity in the European landscape — no less than EUR 7 billion for this support, and this figure is shortly expected to rise to EUR 11 billion. It is the responsibility of the EU to ensure that these huge sums are used properly by independent and competent bodies, solely for supporting the renewable technologies to be promoted on the market, without any wastage or speculation. There must be an end to the era of unfocused and deeply worrying subsidies, as in the case of the sums paid by Italians for the improbable importation of renewable electricity into Italy — an issue highlighted in the previous question.

Commissioner Oettinger stated clearly that certificates of origin could not be used by GSE to show that electricity imported from another country came from renewable sources.

Can the Commission therefore say what action it intends to take to urge the Italian Government and GSE to return the EUR 500 million paid by Italian citizens who bought these useless certificates, as well as to repair the damage caused by the unlawful increase in the cost of imported electricity, which has also led to an unwarranted rise in domestic electricity prices?

Answer given by Mr Oettinger on behalf of the Commission
(16 July 2012)

As explained in the Commission's reply to the Written Question E-001178/2011 by Mr Romeva I Rueda, the Renewable Energy Directive (2009/28/EC ([1])) has improved the regime on 'guarantee of origin', to ensure that they are a reliable proof of renewable energy, chiefly in the context of the energy mix disclosure requirement laid down by Directive 2009/72 EC ([2]). It should also be noted that directive 2009/28/EC repeals Directive 2001/77/EC ([3]) to which the Honourable Member is referring.

Under both Directives, as well as under EU consumer protection legislation, Member State governments have a duty to ensure that their guarantee of origin regime is accurate, reliable and fraud resistant. The Commission monitors this situation as it assesses the implementation of all EC law by Member States.

([1]) Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, OJ L 140, 5.6.2009.

([2]) Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (Text with EEA relevance), OJ L 211, 14.8.2009.

([3]) Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001, OJ L 283, 27.10.2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market, OJ L 283, 27.10.2001.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005781/12
alla Commissione
Oreste Rossi (EFD)
(8 giugno 2012)

Oggetto: Sostanze tossiche secretate

In data 29.5.2012 è stata presentata in Commissione ENVI la Comunicazione della Commissione «Trarre il massimo beneficio dalle misure ambientali dell'UE», in cui si specifica il diritto del cittadino a essere informato su tutte le attività aventi un impatto sull'ambiente e sugli eventuali rischi connessi.

Alla luce del fatto che:

— in Europa, le industrie che producono sostanze tossiche o derivati di uso militare (ad esempio derivati del gas nervino), non sono tenute a dare alcuna informazione in merito;

— gli enti pubblici preposti ai controlli di eventuali emissioni nell'ambiente di tali sostanze non possono avere campioni di riferimento ma devono chiederli alla stessa industria produttrice, con evidenti rischi di campioni appositamente manomessi,

potrebbe la Commissione chiarire come pensa di conciliare la comunicazione sulla trasparenza dell'informazione con l'assoluta segretezza dell'uso di sostanze molto pericolose per la salute, tuttora coperte da totale riserbo e di cui è quasi impossibile verificare con certezza la presenza nell'ambiente?

Risposta di Janez Potočnik a nome della Commissione
(31 luglio 2012)

La direttiva Seveso 96/82/CE sul controllo dei pericoli di incidenti rilevanti connessi con determinate sostanze pericolose ([1]) si applica agli stabilimenti in cui le sostanze pericolose definite nell'allegato della direttiva sono presenti al di sopra di determinate soglie, anch'esse stabilite nell'allegato. La direttiva, che contiene norme intese a garantire la trasparenza in relazione alle sostanze pericolose presenti in tali stabilimenti, non si applica tuttavia agli stabilimenti, agli impianti e ai depositi militari. In linea di principio, gli stabilimenti che producono sostanze o derivati per usi militari non rientrerebbero automaticamente in tale deroga: al raggiungimento di determinate soglie essi avrebbero infatti l'obbligo di mettere a disposizione del pubblico l'inventario delle loro sostanze pericolose. Tale disposizione è tuttavia subordinata alle norme in materia di riservatezza dei dati, difesa nazionale e sicurezza pubblica.

In considerazione di quanto precede, la Commissione non ravvisa l'esigenza di conciliare aspetti in conflitto tra loro. Non esiste una segretezza assoluta che circondi l'uso delle sostanze pericolose. Le norme sulla trasparenza prevalgono, purché non compromettano la tutela della sicurezza pubblica.

([1]) GU L 82 dell'11.12.2008 (versione consolidata).

(English version)

Question for written answer E-005781/12
to the Commission
Oreste Rossi (EFD)
(8 June 2012)

Subject: Hidden toxic substances

On Tuesday, 29 May 2012, the communication from the Commission on improving the delivery of benefits from EU environment measures was presented to the Environment, Public Health and Food Safety Committee. This communication lays down the right of citizens to be informed about all activities that affect the environment and about any related risks.

In Europe, industries that produce toxic substances or derivatives from military applications (e.g. nerve gas derivatives) are not obliged to give any information in this regard.

The public bodies responsible for monitoring any potential atmospheric emissions of these substances cannot have reference samples, but must request them from the manufacturer itself, with the obvious risk that samples may be deliberately tampered with.

Can the Commission say how it proposes to reconcile the communication on transparency of information with the absolute secrecy surrounding the use of substances that are extremely hazardous to health, still completely shrouded in secrecy and the presence of which in the atmosphere cannot be determined with any certainty?

Answer given by Mr Potočnik on behalf of the Commission
(31 July 2012)

The Seveso Directive 96/82/EC ([1]) on the control of major-accident hazards involving dangerous substances applies to establishments where dangerous substances, as defined in its Annex, are present above certain thresholds also defined in its Annex. The directive, which includes rules aimed at ensuring transparency regarding the dangerous substances present in those establishments, does not apply however to military establishments, installations or storage facilities. In principle, establishments producing substances or derivatives for military applications would not automatically fall under this exception. Accordingly, they would, provided certain thresholds are met, be obliged to make their inventory of dangerous substances available to the public. This provision is however subject to rules regarding confidentiality of data, national defence and public security.

In view of the above, the Commission sees no need to reconcile anything further on this issue. There is no absolute secrecy surrounding the use of dangerous substances. The rules on transparency prevail, provided they do not jeopardise the protection of public security.

([1]) OJ L 82, 11.12.2008 (consolidated version).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005783/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Oreste Rossi (EFD)
(8 giugno 2012)

Oggetto: VP/HR — Iran e violazione dei diritti del detenuto: il caso del blogger Hossein Ronaghi Maleki

Ronaghi Hossein Maleki è un blogger iraniano, detenuto nel carcere Evin di Teheran dal dicembre 2009. È in attesa di un'operazione al rene, ciò nonostante è in sciopero della fame dal 26 maggio per protestare contro il rifiuto delle autorità iraniane di concedere l'autorizzazione per il congedo di malattia. Ronaghi Hossein Maleki è stato condannato ad una pena detentiva di 15 anni dopo un processo iniquo terminato nel 2010, con i seguenti capi di accusa: — «appartenenza al gruppo illegale "Iran Proxy" diffuso su internet», — «propaganda contro il sistema di diffusione», — «diffamazione ed ingiurie verso il leader ed il presidente», apparentemente in connessione con articoli da lui pubblicati sul suo blog, 14 Tir. Ora la sua salute è ad altissimo rischio. Dal suo arresto, infatti, Maleki ha sviluppato una malattia renale che l'ha portato a subire quattro operazioni, ed è necessario un nuovo intervento per rimuovere il rene sinistro. Senza quest'operazione anche il rene destro, l'unico che lo tiene in vita, potrà essere leso con il decorso della malattia.

I medici che tengono Maleki sotto osservazione hanno ordinato un piano speciale di assistenza medica post-operazione, disponendo il congedo medico — previsto dai regolamenti carcerari. Le autorità carcerarie hanno negato tale richiesta e, peraltro, non vi è traccia di motivazione ufficiale. Intanto i genitori hanno rivolto diversi appelli alle autorità penitenziarie ed hanno rilasciato dichiarazioni ai giornalisti sullo stato di salute precario del figlio, aggravato dal fatto che è sottoposto a continue pressioni psico-fisiche al fine di estorcergli una «confessione» liberatoria. Una sua confessione sarebbe il lasciapassare per ottenere il congedo per malattia. Alla luce di tali fatti, è evidente che Maleki rappresenta un altro caso — fra gli innumerevoli documentati nel Rapporto di Amnesty International 2012 — di «detenuto di coscienza», ossia di condanna ad una pena detentiva sulla base di presunte violazioni che, per contro, rientrano appieno nell'esercizio del diritto alla libertà di espressione e di manifestazione del pensiero.

Si chiede pertanto all'Alto Rappresentante, Lady Ashton:

1. Può intervenire per il rilascio immediato e incondizionato di Hossein Maleki Ronaghi, detenuto esclusivamente per l'esercizio pacifico del suo diritto alla libertà di espressione?

2. Può sollecitare le autorità iraniane affinché garantiscano che Ronaghi Hossein Maleki riceva tutte le cure mediche necessarie, incluse quelle post-operatorie, come richiesto dai suoi medici?

3. Può accertare che Ronaghi Hossein Maleki non sia vittima di torture ed altri maltrattamenti volti ad estorcergli una confessione fuori dal processo e che vengano consentiti accessi e comunicazioni alla sua famiglia ed agli avvocati difensori?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(25 luglio 2012)

L'UE segue costantemente la situazione precaria di Hossein Maleki Ronaghi.

L'ambasciata danese a Tehran, che attualmente rappresenta l'Unione in mancanza di una delegazione UE, ha sollevato la questione ed espresso le nostre preoccupazioni a margine dei regolari contatti con le autorità iraniane.

L'UE continuerà a seguire la situazione e a ribadire l'appello all'Iran a fornire cure mediche appropriate. In un contesto più generale, esorta continuamente l'Iran al rispetto dei diritti umani, in particolare della libertà di espressione di avvocati, artisti, blogger e registi. La dichiarazione ufficiale più recente in merito è stata rilasciata dal portavoce dell'Alta Rappresentante/Vicepresidente il 21 giugno 2012.

(English version)

Question for written answer E-005783/12
to the Commission (Vice-President/High Representative)
Oreste Rossi (EFD)
(8 June 2012)

Subject: VP/HR — Breach of prisoners' rights in Iran: the case of blogger Hossein Ronaghi Maleki

Iranian blogger Hossein Ronaghi Maleki has been held in Tehran's Evin prison since December 2009. He is awaiting a kidney operation, but has nevertheless been on hunger strike since 26 May in protest against a refusal by the Iranian authorities to grant him sick leave. Mr Maleki has been sentenced to 15 years in prison, following an unfair trial that ended in 2010, in which he was charged with the following: 'membership in the illegal Iran Proxy group, which broadcasts on the Internet', 'propaganda against the broadcasting system' and 'slander and insults against the leader and president', apparently in connection with articles published by him on his blog, 14 Tir. His health is now in serious danger. Since his arrest, Mr Maleki has developed a kidney disease, which has resulted in four operations, and a new operation is now needed to remove the left kidney. Without this operation, the right kidney, the only one still keeping him alive, may be damaged as the disease progresses.

The doctors who are keeping Mr Maleki under observation have prescribed a special post-operation medical support plan, including sick leave, as provided by prison regulations. The prison authorities have denied this request but have given no official reason. In the meantime his parents have made various appeals to the prison authorities and have released statements to journalists about their son's precarious state of health, which is being aggravated by his continuous exposure to psychological and physical pressures aimed at extracting a 'confession' from him. A confession would be his passport to obtaining sick leave. These events show that Mr Maleki is yet another case — among the countless ones documented in the 2012 Amnesty International Report — of a 'prisoner of conscience' sentenced to imprisonment on the basis of alleged breaches which in actual fact come fully within his right to think and express himself freely.

I would like to ask High Representative Lady Ashton:

1. whether she can intervene for the immediate and unconditional release of Hossein Ronaghi Maleki, who is being held exclusively for having peacefully exercised his right to freedom of expression;

2. whether she can ask the Iranian authorities to guarantee that Hossein Ronaghi Maleki receives all the necessary medical care, including post-operative care, as requested by his doctors;

3. whether she can ensure that Hossein Ronaghi Maleki is not tortured or in any other way mistreated for the purpose of extracting a confession from him and that his family and defence layers have access to him and are able to communicate with him.

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

The EU has been following the precarious situation of Mr Hossein Maleki Ronaghi.

The Danish Embassy in Tehran, currently representing the EU in the absence of an EU delegation, has raised the issue and expressed our concerns in the margins of regular contacts with the Iranian authorities.

The EU will continue to monitor the situation and to call on Iran to provide appropriate medical care. In a more general context, the EU has continuously urged Iran to respect human rights, especially freedom of expression for lawyers, artists, bloggers and filmmakers. The most recent formal public statement by the High Representative/Vice-President's spokesman was issued on 21 June 2012.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005785/12
alla Commissione
Mario Mauro (PPE)
(8 giugno 2012)

Oggetto: Aiuti di Stato nel settore del cargo aereo

Il principio dello «investitore privato in un'economia di mercato» trae origine dalla nozione comunitaria di aiuto di Stato (art. 107 TFUE). L'assunto su cui si fonda il principio è che la condotta imprenditoriale dello Stato debba uniformarsi a quella di un imprenditore privato, la quale è ispirata al conseguimento di un profitto. Come è stato più volte precisato dalla Commissione europea e dalla giurisprudenza della CGUE, è da considerarsi aiuto il vantaggio «corrispondente alla differenza fra le condizioni alle quali lo Stato ha assegnato i fondi all'impresa (…) e le condizioni alle quali un investitore privato, operante secondo la logica di un investitore in condizioni normali di economia di mercato, avrebbe accettato di finanziare un'impresa privata».

Dal parametro dello «investitore privato», manifestazione del principio d'uguaglianza sostanziale tra imprese pubbliche e private ex artt. 106 e 107 TUE, consegue il divieto per lo Stato di concedere alle imprese aiuti incompatibili, cioè vantaggi «gratuiti» ed «artificiali», originati al di fuori delle regole economiche del mercato. I commentatori convergono nell'affermare che al fine di valutare il rispetto del citato principio sia opportuno utilizzare — come parametro oggettivo — il comportamento assunto dai privati attraverso la «compartecipazione» all'investimento pubblico: qualora la partecipazione privata sia significativa, sia sotto il profilo quantitativo che degli obbiettivi perseguiti, la partecipazione pubblica apparirà parimenti ragionevole.

In tal senso, secondo giurisprudenza costante, un apporto di capitali pubblici soddisfa il criterio dell'investitore privato e non implica un aiuto statale nel caso in cui tale apporto avvenga in concomitanza con un significativo apporto di capitale da parte di un investitore privato effettuato in condizioni comparabili.

Si chiede pertanto alla Commissione:

1. Appare compatibile con il citato principio un apporto di capitale di natura esclusivamente pubblica concesso da uno Stato membro a favore di una compagnia aerea avente azionariato misto e nella quale solo gli azionisti direttamente riconducibili al potere pubblico contribuiscono all'aumento di capitale, mentre gli azionisti privati rinunciano a partecipare?

2. Nel caso di risposta positiva, può illustrare come, al caso di specie, possa applicarsi e debba valutarsi il principio della parità di trattamento tra investitore pubblico e investitore privato?

Risposta di Joaquín Almunia a nome della Commissione
(4 luglio 2012)

L'applicazione del principio dell'«investitore privato in un'economia di mercato» è stata più volte oggetto di esame da parte della Corte di giustizia dell'Unione europea, ad esempio la Corte di giustizia nella sentenza *Stardust Marine* ha dichiarato che «[…] i capitali messi a disposizione di un'impresa, direttamente o indirettamente, da parte dello Stato, in circostanze che corrispondono alle normali condizioni del mercato, non possono essere considerati aiuti di Stato».

1. Se uno Stato membro decide di effettuare un conferimento di capitale a favore di una compagnia aerea avente azionariato misto nel quale solo gli azionisti pubblici contribuiscono all'aumento di capitale mentre gli azionisti privati rinunciano a partecipare, il principio dell'investitore privato in un'economia di mercato non si può considerare automaticamente rispettato. In tal caso, la mancata partecipazione degli azionisti privati è indice del fatto che la misura comporta dei rischi che un investitore privato non sarebbe disposto a sostenere a fronte dello stesso rendimento previsto ([1]). Tuttavia, se lo Stato aumenta la sua quota nel capitale netto dell'impresa e l'investimento previsto si basa su ipotesi realistiche e sviluppi prevedibili che indicano prospettive di rendimento che sarebbero accettabili per un investitore privato, tenuto conto del rischio sostenuto, il criterio in questione potrebbe essere soddisfatto.

2. L'esistenza stessa del principio dell'investitore privato in un'economia di mercato garantisce la parità di trattamento degli investitori pubblici e privati. Secondo tale principio, un investitore pubblico può investire come un investitore privato e la valutazione del rispetto del criterio deve essere fatta caso per caso. Accettando condizioni che non sono conformi al mercato, l'investitore pubblico non agisce come un investitore privato.

In caso di dubbio la Commissione incoraggia gli Stati membri, per ragioni di certezza del diritto, a notificare le misure statali previste prima della loro attuazione. La Commissione provvede poi a valutare ogni caso singolarmente.

([1]) Cfr. ad esempio la causa T-129/95, Neue Maxhütte del 21.1.1999.

(English version)

Question for written answer P-005785/12
to the Commission
Mario Mauro (PPE)
(8 June 2012)

Subject: State aid in the air cargo sector

The 'private investor in a market economy' principle originated from the community concept of state aid (Article 107 TFEU).The assumption underpinning the principle is that the state should conduct business in the same way as a private entrepreneur, which is based on the profit motive.As has been repeatedly pointed out by the Commission and ECJ case law, state aid is to be regarded 'as the difference between the terms on which the funds were made available by the State to the (…) enterprise and the terms which a private investor would find acceptable in providing funds to a comparable private undertaking when the private investor is operating under normal market economy conditions'.

The 'private investor' parameter, which is an expression of the principle of basic equality between public and private undertakings under Articles 106 and 107 TFEU, is the reason why the state is prohibited from granting unlawful aid to undertakings, i.e. 'free' and 'artificial' advantages originating outside the market's economic rules.Commentators agree that to assess compliance with the foregoing principle, it is appropriate to use — as an objective model — the conduct of individuals through 'joint participation' in public investment. If private participation is significant, both in quantity and in the objectives pursued, public participation will also appear reasonable.

In this regard, according to settled case law, a public capital contribution will comply with the private investor criterion and will not imply state aid if that contribution is made in parallel with a significant capital contribution by a private investor made subject to comparable terms.

Can the Commission state:

1. Whether the foregoing principle is compatible with a purely public capital contribution granted by a Member State to an airline under mixed ownership in which only the shareholders directly controlled by public authorities contribute to the capital increase, while private shareholders do not participate?

2. If so, how can the principle of equal treatment of public and private investors be applied and assessed in this case?

Answer given by Mr Almunia on behalf of the Commission
(4 July 2012)

The application of the 'private investor in a market economy' principle has been repeatedly assessed by the European Courts, e.g. the European Court in the *Stardust Marine* judgment declared 'capital placed directly or indirectly at the disposal of an undertaking by the State in circumstances which correspond to normal market conditions cannot be regarded as state aid'.

1. If the Member State decides to make a capital injection to an airline under mixed ownership and only the public shareholders contribute to the capital increase, while the private shareholders do not participate, the 'private investor in a market economy' test cannot be considered to be automatically met. In such a case, the non-participation of the private shareholders suggests that the measure implies risks, which a private investor would not seem willing to bear in order to obtain the same expected return ([1]). However, if the state increases its share in the company's equity and the investment plan is based on realistic assumptions and foreseeable developments, which show prospect of return which would be acceptable to a private investor, taking into account the risk incurred, the test in question could be satisfied.

2. The very existence of the 'private investor in a market economy' test ensures equal treatment of public and private investors. The principle holds that a public investor can invest like a private one, so each case must be examined on its own merits as to whether or not it complies with the test. If the public investor is accepting conditions that are not market-conform, then the public body would not be acting as a private investor.

In case of doubt, the Commission encourages Member States to notify intended state measures before their implementation for reasons of legal certainty. The Commission will then assess each case on its own merits.

([1]) See for example Case T-129/95 of 21.1.1999 *Neue Maxhütte*.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005786/12
a la Comisión
Maria Badia i Cutchet (S&D) y Alejandro Cercas (S&D)
(8 de junio de 2012)

Asunto: Deslocalización de las factorías National Motor-Derbi en Martorelles (Vallès Oriental)

Desde septiembre de 2010 han ido creciendo los rumores y la inquietud social sobre el cierre de la factoría de National Motor-Derbi que Piaggio tiene en Martorelles (Vallès Oriental, España). Finalmente, en el mes de marzo de 2011 la multinacional italiana anunció el traslado de las factorías a las plantas italianas del grupo. Este cierre acarrearía la pérdida de más de 200 puestos de trabajo directos en una de las comarcas más afectadas por la crisis y las reconversiones industriales.

La planta de Martorelles ha obtenido beneficios en sus cuentas de resultados de los últimos ejercicios y es una de las más eficientes y competitivas del grupo, por lo que no existen razones económicas que justifiquen tal medida. Incluso desde 2010 la planta esta reduciendo los costes de producción en más de un 11 %. Además la empresa incumpliría con esta decisión con los acuerdos firmados en 2009 con los sindicatos para mantener el empleo en la planta de Martorell mediante un aumento de las inversiones y de la competitividad.

A la luz de esta situación, ¿conoce la Comisión, a través de su observatorio European Restructuring Monitor (ERM), la amenaza que sufre esta planta y esta comarca? ¿Dispone la Comisión de algún instrumento para que se respeten tanto los derechos de los trabajadores y trabajadoras como los compromisos asumidos en el diálogo social dentro del Espacio Económico Europeo entre Países Miembros? ¿Cree la Comisión que Europa debe seguir disponiendo en el futuro de los recursos del Fondo Europeo de Adaptación a la Globalización (FEAG) para acudir al remedio de situaciones tan difíciles como ésta puesto que, de producirse la deslocalización, la Comarca sufriría una pérdida muy significativa de empleo entre los puestos de trabajo directos y los indirectos?

Respuesta del Sr. Andor en nombre de la Comisión
(26 de julio de 2012)

1. La deslocalización a la que se refieren Sus Señorías está inscrita en el Observatorio Europeo de las Reestructuraciones.

2. La Comisión no está en situación de evaluar los hechos ni de juzgar si una empresa privada ha cumplido o no las disposiciones nacionales que ponen en aplicación las Directivas de la UE o cualquier otro acuerdo entre los interlocutores sociales. Corresponde a las autoridades e instituciones nacionales competentes, incluidos los tribunales, garantizar que la legislación y las prácticas nacionales sean aplicadas de manera correcta y efectiva por el empleador de que se trate, habida cuenta de las circunstancias específicas de cada caso.

3. La Comisión conviene en que el FEAG es un instrumento útil de la UE para ayudar a los Estados miembros a afrontar las consecuencias negativas de despidos colectivos apoyando a los trabajadores en la búsqueda de un nuevo empleo en circunstancias particularmente difíciles. Por esta razón, ha propuesto que dicho Fondo continúe vigente también durante el próximo período financiero. No obstante, para aprovechar al máximo el valor añadido de la UE, el FEAG debería seguir interviniendo solo en los casos que impliquen una cantidad importante de despidos relacionados con cambios estructurales en las pautas del comercio mundial o resultantes de graves perturbaciones de la economía local, regional o nacional causadas por una crisis inesperada.

(English version)

Question for written answer E-005786/12
to the Commission
Maria Badia i Cutchet (S&D) and Alejandro Cercas (S&D)
(8 June 2012)

Subject: Relocation of the National Motor-Derbi factory in Martorelles (Vallès Oriental)

Since September 2010, there have been increasing rumours and social unease about the closure of the National Motor-Derbi factory owned by Italian Piaggio Group in Martorelles (Vallès Oriental, Spain). Finally, in March 2011, the Italian multinational announced the transfer of production at the factory to one of its plants in Italy. This closure will involve the direct loss of more than 200 jobs in one of the regions most affected by the economic crisis and industrial decline.

The Martorelles plant's accounts show that it has made profits in recent financial years; it is also one of the most efficient and competitive in the group, so there is no financial justification for such a measure. In fact, since 2010 the plant has reduced its production costs by more than 11%. Moreover, this decision breaches agreements signed in 2009 between the group and the unions to maintain employment at the Martorelles plant through increased investment and enhanced competitiveness.

In view of this situation, is the Commission, through its European Restructuring Monitor (ERM) observatory, aware of the threat to this plant and this area? Does the Commission have any instrument to ensure respect for both workers' rights and the commitments made in the social dialogue with European Economic Area countries? Does the Commission believe that Europe should use European Globalisation Adjustment Fund (EGF) resources in the future to help deal with similarly difficult cases, where, if relocation occurs, the area will suffer a very significant loss of both direct and indirect employment?

Answer given by Mr Andor on behalf of the Commission
(26 July 2012)

1. The relocation the Honourable Members are referring to is listed in the European Restructuring Monitor.

2. The Commission is not in a position to assess the facts or state whether a private company has or has not complied with any national provisions implementing EU Directives or any other agreement between management and labour. It is for the competent national authorities and institutions, including the courts, to ensure that the national law and practices are correctly and effectively applied by the employer concerned, having regard to the specific circumstances of each case.

3. The Commission agrees that the EGF is a useful EU-level instrument to help Member States to address the negative consequences of collective dismissals by assisting workers to find new employment in particular difficult circumstances. That is why the Commission proposed to continue the EGF also in the next financial period. However, in order to maximise EU value added, the EGF should continue to intervene only in cases involving a critical mass of redundancies that are related to structural changes in world trade patterns or resulting from serious disruption of local, regional or national economies caused by an unexpected crisis.

(Svensk version)

Frågor för skriftligt besvarande E-005787/12
till rådet
Amelia Andersdotter (Verts/ALE)
(8 juni 2012)

Angående: Betydelsen av ”närstående rättigheter”

I förklaringen till artikel 17.2 i Europeiska unionens stadga om de grundläggande rättigheterna ([1]) konstaterar rådet att immaterialrätten ”omfattar dels litterära och konstnärliga rättigheter, dels patent- och varumärkesrätt samt närstående rättigheter”.

Vad menar rådet med ”närstående rättigheter”?

Svar
(8 oktober 2012)

Förklaringarna till alla artiklar i Europeiska unionens stadga om de grundläggande rättigheterna utarbetades inte under ledning av rådet utan under ledning av Europeiska konventets presidium. Rådet är sålunda inte upphovsman till den förklaring till artikel 17.2 i stadgan som den ärade parlamentsledamoten hänvisar till. Tolkning av stadgan ligger inte inom rådets behörighetsområde.

([1]) http://www.europarl.europa.eu/charter/pdf/04473_sv.pdf

(English version)

Question for written answer E-005787/12
to the Council
Amelia Andersdotter (Verts/ALE)
(8 June 2012)

Subject: The meaning of 'associated rights'

In the explanation of Article 17(2) of the Charter of Fundamental Rights of the European Union ([1]), the Council states that intellectual property 'covers not only literary and artistic property but also patent and trademark rights and associated rights'.

What does the Council mean by 'associated rights'?

Reply
(8 October 2012)

The explanations of all the articles of the Charter of Fundamental Rights of the European Union were not drawn up under the Council's authority but under the authority of the Praesidium of the European Convention. The Council is therefore not the author of the explanation of Article 17(2) of the Charter to which the Honourable Member refers. Interpreting the Charter is not within the remit of the Council.

([1]) http://www.europarl.europa.eu/charter/pdf/04473_en.pdf

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-005788/12
lill-Kummissjoni (Viċi President/Rappreżentant Għoli)
David Casa (PPE)
(8 ta' Ġunju 2012)

Suġġett: VP/HR — Ftehim ta' Sħubija u Kooperazzjoni bejn l-UE u l-Iraq (FSK)

Ftehim ta' Sħubija u Kooperazzjoni (FSK) bejn l-UE u l-Iraq, li jipprovdi l-qafas għall— kooperazzjoni u s-sħubija fit-tul bejn iż-żewġ partijiet, ġie nnegozjat ix-xahar li għadda. Dan il-ftehim, l-ewwel wieħed tax-xorta tiegħu bejn l-UE u l-Iraq, jiffoka fuq il-bini mill-ġdid tal-infrastruttura u l-iżvilupp sostenibbli, fost għanijiet oħra, bil-ħsieb li jitjieb il-benesseri tal-poplu Iraqin.

Il-FSK jfittex li jintegra l-Iraq fid-dinja żviluppata, iżda irridu niftakru li dan huwa pajjiż fejn għadd kbir ta' atti ta' ksur tad-drittijiet tal-bniedem għadhom qed iseħħu. Il-FSK jappoġġja l-isforzi demokratiċi fl-Iraq u t-titjib tal-kundizzjonijiet għan-nisa u gruppi vulnerabbli oħrajn. Għalkemm il-Gvern Iraqin ikkoopera f'dawn l-oqsma, xi rapporti jissuġġerixxu li qed ikompli jagħmel użu mill-ħekk imsejħa "ħabsijiet sigrieti" li fihom il-ħabsin jiġu ttorturati u miżmuma għal perjodi twal.

— Kemm hija kunfidenti l-Viċi President/Rappreżentant Għoli li l-Iraq se jikkonforma mal-inizjattivi dwar id-drittijiet tal-bniedem deskritti fil-FSK?

— Is-SEAE kif qed jippjana li jissorvelja s-suċċess f'dan il-qasam meta qed jiġu arrestati persuni illegalment, f'siti mingħajr mezzi ta' komunikazzjoni, mingħajr l-ebda rekords ta' akkużi jew proċessi?

Tweġiba mogħtija mir-Rappreżentanta Għolja/il-Viċi President Ashton f'isem il-Kummissjoni
(25 ta' Lulju 2012)

L-Unjoni Ewropea ssegwi s-sitwazzjoni tad-drittijiet tal-bniedem fl-Iraq mill-qrib ħafna u konsistentement esprimiet it-tħassib tagħha dwar id-drittijiet tal-bniedem fid-djalogu tagħha mal-awtoritajiet Iraqqini. Id-delegazzjoni tal-UE f'Bagdad tinsab f'kuntatt regolari mal-awtoritajiet kif ukoll mar-rappreżentanti tas-soċjetà ċivili u kompliet, flimkien mal-missjonijiet diplomatiċi tal-UE, tqajjem kwistjonijiet tad-drittijiet tal-bniedem fil-laqgħat regolari fuq il-livell tal-esperti.

L-UE tinsab f'kuntatt mill-qrib ħafna mal-Missjoni tal-Assistenza tan-Nazzjonijiet Uniti għall-Iraq (UNAMI), li tissorvelja regolarment is-sitwazzjoni tad-drittijiet tal-bniedem fl-Iraq. L-aħħar rapport tal-UNAMI, li ġie ppubblikat f'Mejju ta' din is-sena, iddikjara fost l-oħrajn li l-amministrazzjoni tal-ġustizzja u l-istat tad-dritt baqgħu dgħajfa u li l-kundizzjonijiet f'xi ħabsijiet u faċilitajiet ta' detenzjoni baqgħu ta' tħassib serju, b'bosta minnhom ma jilħqux l-istandards internazzjonali aċċettati. UNAMI kompliet tirċievi rapporti minn persuni arrestati u qraba oħra li jistgħu jiffaċċjaw abbuż u maltrattament u, f'ċerti każijiet, tortura.

Matul l-Analiżi Perjodika Universali tal-2010 tal-Kunsill għad-Drittijiet tal-Bniedem tan-NU, l-Iraq impenja ruħu li jimplimenta miżuri biex jiżgura trattament xieraq tad-detenuti u li jieħu l-passi neċessarji kollha sabiex jelimina t-tortura u kastigi inumani oħra fil-ħabsijiet u d-detenzjonijiet.

Kien f'dan l-isfond li l-UE saħqet dwar l-inklużjoni tad-drittijiet tal-bniedem bħala element prominenti tal-Ftehim ta' Sħubija u Kooperazzjoni. Bl-implimentazzjoni tal-Ftehim, l-UE se tkun tista' żżid id-djalogu tagħha mal-awtoritajiet Iraqqini u se tagħmel kull sforz sabiex tippreżenta t-tħassib tagħha, u sabiex tfakkarhom dwar l-obbligi internazzjonali tagħhom u l-impenji ulterjuri li ħadu matul l-Analiżi Perjodika Universali.

(English version)

Question for written answer E-005788/12
to the Commission (Vice-President/High Representative)
David Casa (PPE)
(8 June 2012)

Subject: VP/HR — EU-Iraq Partnership and Cooperation Agreement (PCA)

A Partnership and Cooperation Agreement (PCA) between the EU and Iraq, which provides the framework for cooperation and long-term partnership between the two parties, was negotiated last month. This agreement, the first of its kind between the EU and Iraq, focuses on rebuilding infrastructure and sustainable development, among other goals, aimed at improving the welfare of the Iraqi people.

The PCA seeks to integrate Iraq into the developed world, yet we must remember that this is a country where countless human rights violations are still committed. The PCA supports democratic efforts in Iraq and the improvement of conditions for women and other vulnerable groups. Although the Iraqi Government has cooperated in these areas, some reports suggest that it has continued running so-called 'secret prisons' in which detainees are tortured and detained for prolonged periods.

— How confident is the Vice-President/High Representative that Iraq will comply with the human rights initiatives outlined in the PCA?

— How does the EEAS plan on monitoring success in this area if people are being detained outside the law, at incommunicado sites, without records of charges or trials?

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

The European Union follows the human rights situation in Iraq very closely and has consistently voiced its human rights concerns in its dialogue with the Iraqi authorities. The EU Delegation in Baghdad maintains regular contacts with the authorities as well as representatives of civil society and has continued, together with the EU diplomatic missions, to raise human rights issues at regular expert level meetings.

The EU is in very close contact with the United Nations Assistance Mission for Iraq (UNAMI), which monitors regularly the human rights situation in Iraq. The latest UNAMI report, published in May this year, stated i.a. that the administration of justice and the rule of law remained weak and that the conditions in some prisons and detention facilities remained of serious concern, with many falling below accepted international standards. UNAMI continued to receive reports from detainees and other relatives that many face abuse and mistreatment, and on occasion, torture.

During the UN Human Rights Council's Universal Periodic Review of 2010, Iraq committed itself to implementing measures to ensure appropriate treatment of detainees and to taking all necessary steps to eliminate torture and other inhumane punishments in prisons and detentions.

It was against this background that the EU insisted on including human rights as a prominent element of the partnership and cooperation agreement. With the implementation of the Agreement, the EU will be able to enhance its dialogue with the Iraqi authorities and will spare no efforts to raise its concerns, and to remind them of their international obligations and further commitments made during the Universal Periodic Review.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-005789/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Ġunju 2012)

Suġġett: Il-libertà tal-moviment tal-ħaddiema

L-Unjoni Ewropea ilha għal ħafna żmien impenjata għal-libertà tal-moviment tal-ħaddiema. Madankollu, waqt in-negozjati dwar l-adeżjoni mal-pajjiżi tat-tkabbir tal-2004 u l-2007, arranġamenti tranżizzjonali kienu miftiehma li ppermettew lill-pajjiżi biex jirrestrinġu l-aċċess għas-swieq tax-xogħol tagħhom għal ċittadini ta' Membri Stati ġodda għal ċerti perjodi, skont il-klimi ekonomiċi u l-figuri tal-qgħad nazzjonali tagħhom. Kien hemm ukoll istanzi fejn pajjiżi rrestrinġew is-swieq tagħhom kontra x-xewqat tal-UE.

— X'inhi l-evalwazzjoni tal-Kummissjoni ta' din it-tendenza ta' restrizzjoni tal-aċċess għas-swieq tax-xogħol nazzjonali u tal-impatt tagħha fuq l-ekonomija Ewropea?

— Il-Kummissjoni x'għandha ppjanat fir-rigward tal-politika futura għal Stati Membri kandidati?

Tweġiba mogħtija minn M. Andor f'isem il-Kummissjoni
(13 ta' Lulju 2012)

F'konformità mal-Atti ta' Adeżjoni tal-2003 u l-2005, il-Kummissjoni eżaminat il-mod kif l-arranġamenti ta' tranżizzjoni dwar il-moviment ħieles tal-ħaddiema ħadmu fi tliet okkażjonijiet ([1]). Hija sabet li ċ-ċittadini tal-Istati Membri li ssieħbu mal-UE fl-2004 u fl-2007 kellhom impatt pożittiv fuq l-ekonomiji u fuq in-nuqqas ta' ħaddiema fl-Istati Membri li ma rrestrinġewx l-aċċess għas-swieq tax-xogħol tagħhom, u impatt tassew limitat fuq ir-rati tal-qgħad tagħhom. Hija kkonkludiet li l-moviment ħieles tal-ħaddiema huwa ta' benefiċċju għall-ekonomija.

Bħalissa, disa' Stati Membri għadhom japplikaw l-arranġamenti ta' tranżizzjoni u jirrestrinġu l-aċċess lill-ħaddiema Bulgari u Rumeni għas-swieq tax-xogħol tagħhom. Il-Kummissjoni ħeġġithom jivvalutaw sikwit is-sitwazzjoni fis-swieq tax-xogħol tagħhom sabiex jaraw jekk hux meħtieġ li jinżammu r-restrizzjonijiet sal-31 ta' Diċembru 2013, meta jintemm il-perjodu ta' tranżizzjoni. Hija ġibdet l-attenzjoni li l-għan tal-arranġamenti ta' tranżizzjoni huwa li jħejju gradwalment għall-applikazzjoni sħiħa tal-liġi tal-UE dwar il-moviment ħieles tal-ħaddiema.

L-arranġamenti ta' tranżizzjoni dwar il-moviment ħieles tal-ħaddiema applikaw wara ħafna mit-tkabbiriet tal-UE. L-Att ta' Adeżjoni tal-Kroazja jipprovdi arranġamenti ta' tranżizzjoni simili għal dawk li hemm fl-Atti ta' Adeżjoni tal-2003 u l-2005. Din il-kwistjoni se tiġi indirizzata wkoll fin-negozjati futuri ta' adeżjoni fil-mument opportun.

([1]) COM(2006) 48 finali tat-8 ta' Frar 2006; COM(2008) 765 finali tat-18 ta' Novembru 2008; COM(2011) 729 finali tal-11 ta' Novembru 2011.

(English version)

Question for written answer E-005789/12
to the Commission
David Casa (PPE)
(8 June 2012)

Subject: Freedom of movement of labour

The European Union has long been committed to the freedom of movement of labour. However, during accession negotiations with the 2004 and 2007 enlargement countries, transitional arrangements were agreed upon which allowed countries to restrict access to their labour markets for nationals of the new Member States for certain periods, depending on their economic climates and national unemployment figures. There have also been instances of countries restricting their markets against the EU's wishes.

— What is the Commission's assessment of this trend of restricting access to national labour markets and of its impact on the European economy?

— What does the Commission have in store with regard to future policy for candidate Member States?

Answer given by Mr Andor on behalf of the Commission
(13 July 2012)

Pursuant to the 2003 and 2005 Acts of Accession, the Commission has examined the way the transitional arrangements on the free movement of workers function on three occasions ([1]). It found that nationals of the Member States that joined the EU in 2004 and 2007 had a positive impact on the economies of, and labour shortages in, Member States that did not restrict access to their labour markets, and very limited impact on their unemployment rates. It concludes that free movement of workers is beneficial to the economy.

Currently, nine Member States still apply the transitional arrangements and restrict Bulgarian and Romanian workers' access to their labour markets. The Commission has urged them to assess the situation on their labour markets regularly to see whether it is necessary to maintain restrictions until 31 December 2013, when the transitional period ends. It has pointed out that the aim of the transitional arrangements is to prepare gradually for the full application of EC law on free movement of workers.

Transitional arrangements on free movement of workers have applied after most of the EU's enlargements. The Act of Accession of Croatia provides for transitional arrangements along the lines of those in the 2003 and 2005 Acts of Accession. This issue will be addressed also in the future accession negotiations at the appropriate moment.

([1]) COM(2006) 48 final of 8 February 2006; COM(2008) 765 final of 18 November 2008; (COM(2011) 729 final of 11 November 2011.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-005790/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Ġunju 2012)

Suġġett: Il-gass naturali

Minn studji jirriżulta li l-ekonomiji Ewropej daru aktar lejn il-faħam (sors: Bloomberg; McKinsey). L-Unjoni Ewropea kkommettiet ruħha li tnaqqas l-emissjonijiet tal-karbonju fl-Ewropa u taħdem favur l-enerġiji rinnovabbli. L-enerġiji rinnovabbli huma fokus importanti tal-Orizzont 2020 tal-UE, imma dan inkluda wkoll somma kbira f'finanzjament għal proġetti tal-gass, filwaqt li l-gass naturali kklassifikah bħala "sors tal-enerġija b'karbonju baxx". Madankollu, l-ambjentalisti jsostnu li l-gass naturali mhuwiex sostitut ottimu minħabba r-riskji li jirriżultaw mill-estrazzjoni — tniġġis tal-ilma tal-pjan, ġestjoni ħażina tal-iskart, tniġġis tal-arja u kimiċi tossiċi.

— Il-Kummissjoni kif twieġeb għat-tħassib li l-użu tal-gass naturali qed idgħajjef l-iżvilupp tal-enerġija rinnovabbli?

— Kif bihsiebha ttaffi l-effetti negattivi allegati tal-estrazzjoni tal-fjuwils fossili?

Tweġiba mogħtija mis-Sur Oettinger f'isem il-Kummissjoni
(27 ta' Lulju 2012)

Skont il-proposta tal-Kummissjoni għall-Inizjattiva Orizzont 2020, l-enfasi tar-riċerka tal-UE fil-qasam tal-fjuwils fossili trid tkun fuq il-ġbir u l-ħżin tad-diossidu tal-karbonju (CCS). Il-Pjan Direzzjonali tal-Kummissjoni għall-Enerġija 2050 ([1]) identifika ċarament l-użu akbar tas-sorsi tal-enerġija rinnovabbli, anki lil hinn mill-2020, bħala prerekwiżit ewlieni għal sistema tal-enerġija aktar sostenibbli u sikura. F'dan il-kuntest, il-Kummissjoni adottat fis-6 ta' Ġunju 2012 Komunikazzjoni dwar l-Enerġija Rinnovabbli: attur ewlieni fis-suq Ewropew tal-enerġija ([2]). Madankollu, skont il-Pjan Direzzjonali għall-Enerġija 2050, is-sostituzzjoni tal-faħam u ż-żejt bil-gass tista' tgħin, fuq medda taż-żmien qasira u medja, fit-tnaqqis tal-emissjonijiet mit-teknoloġiji eżistenti mill-inqas sal-2030-l-2035, kif ukoll fit-tul skont id-disponibbiltà kummerċjali tas-CCS.

Fir-rigward tal-effetti negattivi possibbli tal-estrazzjoni tal-fjuwils fossili, l-Istati Membri għandhom id-dmir jiżguraw — permezz ta' sistemi xierqa tal-ħruġ ta' liċenzji u tal-għoti ta' permessi, kif ukoll permezz ta' attivitajiet ta' monitoraġġ u spezzjoni — li kull esplorazzjoni għal sorsi tal-enerġija jew esplojtazzjoni tagħhom tkun konformi mar-rekwiżiti tal-qafas legali eżistenti tal-UE. Dan il-qafas japplika wkoll għall-produzzjoni tal-gass naturali u jinkludi dispożizzjonijiet komprensivi dwar il-ħarsien tal-ambjent u ta' saħħet il-bniedem. Il-Kummissjoni se tkompli ssegwi l-iżviluppi xjentifiċi u tal-proġetti, kif ukoll l-attivitajiet regolatorji fl-Ewropa u lil hinn minnha, l-aktar biex tiżgura li l-leġiżlazzjoni eżistenti tal-UE tipprovdi livell suffiċjenti ta' ħarsien tal-ambjent u ta' saħħet il-bniedem.

([1]) OM(2011)885 finali.
([2]) OM(2012)271 finali.

(English version)

Question for written answer E-005790/12
to the Commission
David Casa (PPE)
(8 June 2012)

Subject: Natural gas

Studies have shown that European economies have gravitated closer to reliance on coal as a source of energy (*Source:* Bloomberg; McKinsey). The European Union has committed itself to reducing carbon emissions in Europe and pursuing renewable energies. Renewable energies are an important focus of the EU's Horizon 2020, but allocations to this framework programme have also included a large sum of funding for gas projects, on the grounds that natural gas is categorised as a 'low-carbon energy source'. However, environmentalists argue that natural gas is not an optimal substitute, given the risks associated with extraction — ground water contamination, mismanagement of waste, air pollution and the release of toxic chemicals.

— What is the Commission's response to concerns that the use of natural gas is undermining renewable energy developments?

— How does it plan to mitigate the alleged negative effects of fossil fuel extraction?

Answer given by Mr Oettinger on behalf of the Commission
(27 July 2012)

According to the Commission proposal for Horizon 2020, the focus of EU research in the area of fossil fuels should be carbon capture and storage (CCS). The Commission's Energy Roadmap 2050 ([1]) clearly identified increased use of renewables, also beyond 2020, as a major prerequisite for a more sustainable and secure energy system. In this context, the Commission has on 6 June 2012 adopted a communication on Renewable Energy: a major player in the European energy market ([2]). Nevertheless, according to the Energy Roadmap 2050 the substitution of coal and oil with gas in the short and medium term could help reduce emissions with existing technologies until at least 2030-2035, as well as in the longer term conditional to the commercial availability of CCS.

As regards possible negative effects of fossil fuel extraction, Member States are required to ensure — via appropriate licensing and permitting regimes as well as through monitoring and inspections activities — that any exploration or exploitation of energy sources is in line with the requirements of the existing legal framework in the EU. This framework also applies to natural gas production and includes comprehensive provisions on the protection of the environment and human health. The Commission will continue to monitor scientific and project developments as well as regulatory activities in Europe and beyond especially in order to ensure that the existing EU legislation provides a sufficient level of protection to the environment and human health.

([1]) COM(2011)885 final.
([2]) COM(2012)271 final.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-005791/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Ġunju 2012)

Suġġett: It-tipjip

It-tipjip tat-tabakk hu responsabbli għal waħda minn seba' mwiet fl-UE u hu wkoll il-kawża ta' mard kroniku fi13-il miljun Ewropew ieħor. L-UE adottat ħafna direttivi mmirati li jnaqqsu t-tipjip tat-tabakk fl-Ewropa, bħad-Direttiva dwar is-Servizzi tal-Media Awdjoviżiva (2007/65/KE) li tipprojbixxi kull forma ta' reklamar tat-tabakk, kif ukoll kampanji bħal HELP, kontra t-tipjip. Ħafna minn dawn l-inizjattivi jimmiraw lejn iż-żgħażagħ u jiffokaw fuq il-prevenzjoni.

Minbarra strateġiji orjentati lejn il-prevenzjoni, x'inhi l-evalwazzjoni tal-Kummissjoni ta' inizjattivi tal-UE li jimmiraw lejn nies li ilhom jpejpu li, waqt li jifhmu r-riskji tas-saħħa tat-tipjip, ma rnexxielhomx jieqfu?

Tweġiba mogħtija mis-Sur Dalli f'isem il-Kummissjoni
(10 ta' Lulju 2012)

Il-kampanji ta' sensibilizzazzjoni dwar it-tabakk huma element importanti tal-kontroll komprensiv tal-Kummissjoni fir-rigward tat-tipjip.

Il-kampanja "Help — For a life without tobacco" (2005-2010) indirizzat il-prevenzjoni u t-twaqqif tat-tipjip u t-tipjip passiv. Kien hemm aktar minn 15.6 miljun persuna li żaru l-websajt "Help" u statistiċi indipendenti kkonfermaw li l-kampanja kisbet l-għan ewlieni tagħha li żżid is-sensibilizzazzjoni dwar it-tliet oqsma ewlenin tal-kontrol tat-tipjip (il-prevenzjoni, it-twaqqif u t-tipjip passiv) ([1]).

Fis-16 ta' Ġunju 2011, il-Kummissjoni varat il-kampanja l-ġdida madwar l-UE "Ex-smokers are unstoppable" li se ssir matul tliet snin ([2]). Qegħdin jitwettqu monitoraġġ u evalwazzjoni regolari tal-kampanja sabiex jitkejlu l-impatt u l-effettività. S'issa, aktar minn żewġ miljun persuni ntlaħqu permezz ta' Facebook u aktar minn 200 000 qegħdin jużaw l-għodda bbażata fuq il-web "i-coach" sabiex jiksbu appoġġ biex jieqfu jpejpu.

Barra minn hekk, il-Kummissjoni attwalment qiegħda tipprepara proposta biex tirrevedi d-Direttiva dwar il-Prodotti tat-Tabakk (2001/37/KE) ([3]) sabiex ittejjeb il-funzjonament tas-suq intern tal-prodotti tat-tabakk filwaqt li tiżgura livell għoli ta' ħarsien tas-saħħa u riċentament aġġornat it-twissijiet bil-miktub murija fuq il-pakketti tat-tabakk ([4]). Ir-Rakkomandazzjoni tal-Kunsill dwar ambjenti bla tipjip ([5]) titlob ukoll lill-Istati Membri biex sal-2012 iħarsu bis-sħiħ liċ-ċittadini tagħhom mill-espożizzjoni għad-duħħan tat-tabakk.

([1]) http://ec.europa.eu/health/tobacco/help/index_en.htm
([2]) http://ec.europa.eu/health/tobacco/ex_smokers_are_unstoppable/index_en.htm
([3]) Id-Direttiva 2001/37/KE tal-Parlament Ewropej u tal-Kunsill tal-5 ta' Ġunju 2001 dwar l-approssimazzjoni tal-liġijiet, regolamenti u dispożizzjonijiet amministrattivi tal-Istati Membri li jirrelataw mal-manifattura, preżentazzjoni u l-bejgħ ta' prodotti tat-tabakk — dikjarazzjoni tal-Kummissjoni, ĠU L 194, 18.7.2001.
([4]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:069:0015:0016:EN:PDF.
([5]) Ir-Rakkomandazzjoni tal-Kunsill tat-30 ta' Novembru 2009 dwar ambjenti bla tipjip (ĠU C296, 5.12.2009, p.4).

(English version)

Question for written answer E-005791/12
to the Commission
David Casa (PPE)
(8 June 2012)

Subject: Smoking

Tobacco smoking is responsible for one in seven deaths in the EU and is also the cause of chronic illness in an additional 13 million Europeans. The EU has adopted numerous directives aimed at reducing tobacco smoking in Europe, such as the Audiovisual Media Services Directive (2007/65/EC) that bans all forms of tobacco advertising, as well as anti-smoking campaigns like HELP. Many of these initiatives target the youth and focus on prevention.

Beyond prevention-orientated strategies, what is the Commission's assessment of EU initiatives targeting long-term smokers who, whilst understanding the health risks of smoking, have been unable to quit?

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

Tobacco awareness campaigns are an important element of the Commission's comprehensive tobacco control.

The campaign 'Help — For a life without tobacco' (2005-2010) addressed tobacco prevention, cessation and passive smoking. The 'Help' website had over 15.6 million visits, and independent statistics confirmed that the campaign achieved its main objective of raising awareness about the three key areas of tobacco control (prevention, cessation and passive smoking) ([1]).

On 16 June 2011, the Commission launched the new EU-wide campaign 'Ex-smokers are unstoppable' which will run over three years ([2]). Regular monitoring and evaluation of the campaign is performed to measure impact and effectiveness. So far, more than 2 million people were reached via Facebook and more than 200 000 are using the web based tool 'i-coach' to get support to quit smoking.

In addition, the Commission is currently preparing a proposal to revise the Tobacco Products Directive (2001/37/EC) ([3]) in order to improve the functioning of the internal market of tobacco products while ensuring a high level of health protection and has recently updated the text warnings displayed on tobacco packages ([4]). The Council Recommendation on smoke-free environments ([5]) also calls on Member States to fully protect their citizens from exposure to tobacco smoke by 2012.

([1]) http://ec.europa.eu/health/tobacco/help/index_en.htm
([2]) http://ec.europa.eu/health/tobacco/ex_smokers_are_unstoppable/index_en.htm
([3]) Directive 2001/37/EC of Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products — Commission statement, OJ L 194, 18.7.2001.
([4]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:069:0015:0016:EN:PDF.
([5]) Council Recommendation of 30 November 2009 on smoke-free environments (OJ C 296, 5.12.2009, p. 4).

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-005792/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Ġunju 2012)

Suġġett: Qtugħ illegali tas-siġar u l-akkwist pubbliku ekoloġiku

L-Unjoni Ewropea hi involuta attivament fil-ġlieda kontra l-qtugħ illegali tas-siġar, li jkompli jhedded serjament l-ekonomija, l-ambjent u s-soċjetà. Barra mil-leġiżlazzjoni adottata bħala riżultat tal-Pjan ta' Azzjoni FLEGT (Infurzar tal-Liġi tal-Foresta, Governanza u Kummerċ), l-UE rrikorriet ukoll għal miżuri mhux leġiżlattivi — bħal, billi tinkoraġixxi l-adozzjoni ta' politika ta' akkwist pubbliku ekoloġiku (APE) sabiex iżżid id-domanda għal injam li jinġieb b'mod sostenibbli.

Fil-Komunikazzjoni tagħha tal-2008 "Akkwist pubbliku għal ambjent aħjar" (COM(2008)0400), il-Kummissjoni għamlet mira indikattiva li 50% tal-proċeduri tas-sejħiet għal offerti pubbliċi sal-2010 jkunu iktar ekoloġiċi. Valutazzjoni tal-impatt tal-2011 ta' din l-inizjattiva mhux biss turi titjib fl-adozzjoni tal-APE iżda tenfasizza wkoll is-diskrepanzi kbar bejn l-Istati Membri. Din l-adozzjoni tidher marbuta mal-livell perċepit ta' diffikultà fl-introduzzjoni ta' kriterji ekoloġiċi fl-akkwist pubbliku.

— Fid-dawl ta' dawn ir-riżultati, il-Kummissjoni tipprevedi miżuri fir-reviżjoni tagħha tal-tal-politika tal-2012 li jkollhom l-għan speċifiku li jiffaċilitaw l-introduzzjoni ta' kriterji ekoloġiċi?

Tweġiba mogħtija mis-Sur Potočnik f'isem il-Kummissjoni
(16 ta' Awwissu 2012)

Bl-iżvilupp u bl-aġġornament regolari tal-kriterji tal-UE għall-Akkwist Pubbliku Ekoloġiku (APE) għal gruppi prijoritarji ta' prodotti u servizzi, il-Kummissjoni qiegħda tappoġġa lil dawk l-awtoritajiet tal-akkwist pubbliku fl-Istati Membri li jixtiequ jinkludu kunsiderazzjonijiet ambjentali fid-deċiżjonijiet tagħhom fejn jidħol l-akkwist. Fejn rilevanti, dawk il-kriterji jinkludu wkoll rekwiżiti ambjentali dwar l-akkwist tal-injam.

Il-Kummissjoni bħalissa qiegħda tivvaluta liema miżuri ta' politika, minbarra dawk diġà eżistenti, jistgħu jħeġġu aktar proġetti ta' APE.

Fil-qafas tal-proposti tal-Kummissjoni dwar ir-reviżjoni tad-Direttivi dwar l-akkwist pubbliku, il-Kummissjoni tissuġġerixxi approċċ li jippermetti u jħeġġeġ l-użu strateġiku tal-akkwist pubbliku. Id-Direttivi riveduti, li bħalissa huma s-suġġett ta' diskussjoni fil-Parlament Ewropew u fil-Kunsill, idaħħlu kunċett ta' ċiklu tal-ħajja, u jagħtu lok lill-awtoritajiet tal-akkwist iqisu kriterji (inklużi kriterji ambjentali u soċjali) direttament marbutin mal-proċess ta' produzzjoni tal-merkanzija jew tas-servizzi, jirrikjedu espliċitament ċerti tikketti jew ekwivalenti tagħhom, u jeskludu lill-kandidati li ma jissodisfawx id-dmirijiet li jitnisslu mil-liġi ambjentali u soċjali tal-UE.

(English version)

Question for written answer E-005792/12
to the Commission
David Casa (PPE)
(8 June 2012)

Subject: Illegal logging and green public procurement

The European Union is actively engaged in fighting illegal logging, which continues to pose serious economic, environmental and social threats. Besides the legislation adopted as a result of the FLEGT (Forest Law Enforcement, Governance and Trade) Action Plan, the EU has also resorted to non-legislative measures — for instance, by encouraging the uptake of 'green' public procurement (GPP) policies in order to increase the demand for sustainably sourced timber.

In its 2008 communication 'Public procurement for a better environment' (COM(2008)0400), the Commission set an indicative target of 'greening' 50% of all public tendering procedures by 2010. A 2011 impact assessment of this initiative not only points to improvements in the uptake of GPP but also highlights large disparities between Member States. The uptake appears to be linked to the perceived level of difficulty of including green criteria in public procurement.

— In the light of these results, does the Commission envisage measures in its 2012 policy review that specifically aim to facilitate the inclusion of green criteria?

Answer given by Mr Potočnik on behalf of the Commission
(16 August 2012)

With the development and regular update of EU Green Public Procurement (GPP) criteria for priority product and service groups, the Commission is supporting contracting authorities in the Member States that want to include environmental considerations in their purchasing decisions. Where relevant, these criteria also include environmental requirements on timber procurement.

The Commission is currently evaluating which policy measures, in addition to the existing ones, could foster a higher uptake of GPP.

In the framework of the Commission proposals on the revision of the public procurement Directives the Commission suggests an 'enabling approach' for strategic use of public procurement. The revised directives, which are currently under discussion in the European Parliament and the Council, introduce a life-cycle concept and allow for contracting authorities to take into account criteria (including environmental and social ones) directly linked to the production process of the goods or services, to explicitly require certain labels or their equivalents and to exclude bidders which do not comply with obligations from EU environmental or social law.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005794/12
alla Commissione
Francesco De Angelis (S&D)
(8 giugno 2012)

Oggetto: Situazione dello stabilimento Mabo di Supino (FR)

Lo stabilimento Mabo di Supino (FR) lavora da anni nel settore dell'edilizia prefabbricata commerciale, industriale e civile, occupandosi di ricerca e sperimentazione di nuovi materiali a risparmio energetico, e vanta tecnologie avanzatissime nel settore delle costruzioni e delle energie rinnovabili.

Occorre tener conto del fatto che la carenza di liquidità corrente rappresenta una seria minaccia per il suddetto stabilimento e per la sostenibilità occupazionale dei circa 80 operatori attualmente impiegati, nonostante l'azienda vanti commesse considerevoli.

Potrebbe la Commissione verificare la conformità delle ultime vicende della Mabo con la normativa europea relativa all'impatto sociale, tra cui la direttiva 2002/14/CE sull'informazione e consultazione dei lavoratori?

Quale azione intraprenderà la Commissione per favorire un nuovo piano industriale e evitare il ridimensionamento dello stabilimento, con le eventuali inevitabili ripercussioni occupazionali e sociali per l'area del Frusinate?

Risposta di László Andor a nome della Commissione
(26 luglio 2012)

La Commissione non ha modo di valutare i fatti, né di stabilire se effettivamente una società privata abbia rispettato o meno una disposizione di applicazione della legislazione dell'UE. Spetta alle competenti autorità nazionali, come i tribunali, vigilare sulla corretta ed effettiva applicazione della legislazione nazionale di recepimento delle direttive comunitarie menzionate dall'onorevole parlamentare da parte del datore di lavoro interessato, considerate le circostanze specifiche di ogni caso.

Quanto alla seconda domanda, la Commissione rimanda l'onorevole parlamentare alla risposta all'interrogazione E-5619/2012 ([1]), nella quale si ribadiva la necessità di programmare e preparare per tempo le attività di ristrutturazione. Al riguardo, la Commissione rinvia alle risposte da essa ricevute a seguito della consultazione pubblica aperta dal Libro verde «Ristrutturare e anticipare i mutamenti: quali insegnamenti trarre dall'esperienza recente?» ([2]) nell'intento di diffondere le pratiche esemplari e di fornire un seguito adeguato.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) COM(2012)7 definitivo, 17 gennaio 2012.

(English version)

Question for written answer E-005794/12
to the Commission
Francesco De Angelis (S&D)
(8 June 2012)

Subject: Situation of the Mabo plant in Supino, Frosinone

The Mabo plant in Supino, Frosinone has been running for many years, manufacturing prefabricated products for commercial, industrial and civil construction applications, researching and developing new energy-efficient materials, and boasts some of the most highly advanced technologies in the construction and renewable energy sector.

It must be noted that the lack of current liquidity poses a serious threat to the plant and to the jobs of the 80 or so workers currently employed there, despite the fact that the company has substantial orders on its books.

Can the Commission confirm that the latest developments at Mabo comply with European legislation on social impact, such as Directive 2002/14/EC establishing a general framework for informing and consulting employees?

What action does the Commission intend to take to encourage a new management plan and avoid the downsizing of the plant, with inevitable employment and social consequences for the Frosinone province?

Answer given by Mr Andor on behalf of the Commission
(26 July 2012)

The Commission is not in a position to assess the facts or state whether a private company has or has not complied with any provisions implementing EU legislation. It is for the competent national authorities, including the courts, to ensure that the national legislation transposing EU directives is correctly and effectively applied by the employer concerned, having regard to the specific circumstances of each case.

As regards the second question, the Commission would refer the Honourable Member to its answer to Question E-5619/2012 ([1]), which stressed the need for restructuring operations to be anticipated and prepared in advance. To that end, the Commission will base itself on the replies received in response to the public consultation opened by its Green Paper 'Restructuring and anticipation of change: what lessons from recent experience?' ([2]) with a view to disseminating best practice and providing appropriate follow-up.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) COM(2012) 7 final of 17 January 2012.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005795/12
a la Comisión
Francisco José Millán Mon (PPE)
(8 de junio de 2012)

Asunto: Ayudas de desarrollo rural para bosques

En su propuesta de reforma de la Política Agrícola Común, la Comisión Europea excluye a las explotaciones forestales de las medidas destinadas a la mejora de la competitividad dentro de las líneas elegibles de Desarrollo Rural. Los sectores concernidos se han lamentado de ello y opinan que eliminar la faceta económica de la sostenibilidad medioambiental no estaría en consonancia con la Estrategia Europa 2020.

— ¿No piensa la Comisión que ignorar el papel económico de los bosques podría tener un efecto pernicioso para su conservación y ser contrario a la citada Estrategia?

— ¿Puede explicar la Comisión las razones que motivan esa exclusión?

Respuesta del Sr. Cioloş en nombre de la Comisión
(24 de julio de 2012)

La propuesta de la Comisión de un Reglamento de desarrollo rural para después de 2013 menciona a menudo el sector forestal en relación con las prioridades de la Unión en el ámbito del desarrollo rural. Por ejemplo, así ocurre al referirse a las prioridades 1 (transferencia de conocimientos e innovación) y 5 (rendimiento de los recursos y paso a una economía hipocarbónica y adaptada al cambio climático), que están estrechamente relacionadas ambas con la competitividad.

Además, la medida propuesta «Inversiones en el desarrollo de zonas forestales y mejora de la viabilidad de los bosques» tiene por objeto expreso la competitividad del sector forestal. Las ayudas en virtud del artículo final de esta disposición, relacionadas con las «inversiones en nuevas tecnologías forestales y en la transformación y comercialización de productos forestales», están explícitamente a la disposición no solo de los propietarios de bosques privados, municipios y sus asociaciones, sino también de las microempresas y las pequeñas y medianas empresas.

Junto a esta medida se proponen otras relacionadas con el lugar de los bosques en el medio ambiente natural.

La Comisión considera que sus propuestas tienen debidamente en cuenta el sector forestal y, en lo que se refiere a este sector, están claramente en consonancia con los requisitos de la estrategia Europa 2020.

(English version)

Question for written answer E-005795/12
to the Commission
Francisco José Millán Mon (PPE)
(8 June 2012)

Subject: Rural development aid for forests

In its proposal for common agricultural policy reform, the European Commission excludes forest enterprises from the measures aimed at improving competitiveness within the lines eligible for rural development. The sectors concerned have deplored this and believe that eliminating the financial aspect from environmental sustainability would not be consistent with the Europe 2020 strategy.

— Does the Commission not believe that ignoring the economic role of forests could be detrimental to their conservation and contrary to the aforementioned strategy?

— Can the Commission explain the reasons for this exclusion?

Answer given by Mr Cioloş on behalf of the Commission
(24 July 2012)

The Commission's proposal for a post-2013 Rural Development Regulation mentions the forestry sector many times in connection with the detailed Union priorities for rural development. This is the case, for example, with regard to priority 1 (knowledge transfer and innovation) and priority 5 (resource-efficiency and the shift to a low-carbon and climate-resilient economy) — both of which are closely linked to competitiveness.

Furthermore, the proposed measure 'Investments in forest area development and improvement of the viability of forests' explicitly targets the competitiveness of the forestry sector. Support under the final article of this measure (related to 'investments in new forestry technologies and in processing and marketing of forest products') is explicitly available not only to private forest owners, municipalities and their associations but also to micro-, small and medium-sized enterprises.

Alongside this measure are proposed measures related to forests' place in the natural environment.

The Commission concludes that its proposals offer ample provision for the forestry sector and, with respect to this sector, are firmly in line with the requirements of the Europe 2020 strategy.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005796/12
a la Comisión
Francisco José Millán Mon (PPE)
(8 de junio de 2012)

Asunto: Ayudas para bosques dañados por incendios

En su propuesta de reforma de la Política Agrícola Común (PAC), la Comisión Europea prevé, dentro de las medidas de silvicultura de Desarrollo Rural, condicionar las ayudas a la restauración del material dañado por los incendios a que las pérdidas alcancen al menos el 30 por ciento del potencial forestal.

— ¿No considera la Comisión que de esa forma se limita mucho el acceso a las ayudas a la restauración?

Respuesta del Sr. Cioloş en nombre de la Comisión
(19 de julio de 2012)

Al proponer las condiciones básicas para la concesión de cualquier tipo de ayuda al amparo de la política de desarrollo rural, la Comisión debe tener en cuenta la necesidad de destinar eficazmente esta ayuda, de forma que se obtenga el máximo beneficio público de los fondos invertidos.

La Comisión cree atinado ofrecer ayudas al amparo de la política de desarrollo rural para la recuperación de los bosques a raíz de los daños sufridos a causa de desastres en los cuales el porcentaje de daños equivalga a un mínimo del 30 % del potencial forestal.

Además, el límite elegido coincide con una medida similar relacionada con el sector agrícola que figura entre las propuestas generales de la Comisión en materia de política de desarrollo rural y, de hecho, se ajusta al umbral ya fijado en las ayudas estatales a los agricultores para reparar los daños causados por desastres naturales.

Por último, la Comisión desea recordar que sus propuestas de apoyo no solo se dirigen a reparar los daños provocados por desastres naturales y sucesos similares, sino también y sobre todo a prevenir que esos daños se produzcan.

(English version)

Question for written answer E-005796/12
to the Commission
Francisco José Millán Mon (PPE)
(8 June 2012)

Subject: Aid for forests damaged by fire

In its proposal for common agricultural policy (CAP) reform, the European Commission proposes, as part of the rural development forestry measures, to make aid for restoration of forest areas damaged by fire conditional on total losses reaching at least 30% of the forestry potential.

— Does the Commission not believe that this greatly limits access to aid for restoration?

Answer given by Mr Cioloş on behalf of the Commission
(19 July 2012)

In proposing basic conditions for granting any type of support through rural development policy, the Commission must keep in mind the need to target that support effectively — so as to provide maximum public benefit from the funding spent.

The Commission believes that offering support through rural development policy for restoration of forests following damage from disasters only in cases where the level of damage is at least 30% of the forest potential concerned represents appropriate targeting.

Moreover, the percentage threshold chosen is in line with that proposed for a similar measure related to the agricultural sector in the Commission's overall proposals for rural development policy — and indeed, in line with the threshold already set within state aid rules for support for farmers to make good the damage caused by natural disasters.

Finally, the Commission would recall that its proposals offer support not only to repair damage caused by natural disasters and similar events but also to prevent such damage in the first place.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005797/12
a la Comisión
Francisco José Millán Mon (PPE)
(8 de junio de 2012)

Asunto: Estrategia forestal

El Plan de Acción forestal de la Unión Europea, introducido a raíz de la estrategia forestal aprobada en 1998, fue aplicado en el periodo 2006-2011. La Comisión Europea está trabajando para la puesta en marcha de una nueva estrategia forestal y todavía tiene que dar a conocer su evaluación sobre la última.

— ¿Cuáles han sido hasta ahora los principales avances logrados en materia forestal gracias a dicho plan de acción y a la estrategia forestal acordada en 1998?

— ¿Cree la Comisión que se ha logrado una mayor coordinación entre las políticas de los Estados miembros?

— ¿Cuándo prevé la Comisión dar a conocer su evaluación del mencionado plan?

— ¿Tiene intención la Comisión de elaborar un nuevo plan de acción?

Respuesta del Sr. Cioloş en nombre de la Comisión
(24 de julio de 2012)

Los avances logrados desde la estrategia de 1998 se han evaluado en el marco de un grupo de trabajo *ad hoc* del Comité Forestal Permanente (CFP), que contribuye a la elaboración de una nueva estrategia forestal de la UE. En general, se considera que se han registrado avances positivos tanto a raíz de la estrategia para el sector forestal de 1998 como del plan de acción para los bosques de 2006. Sin embargo, teniendo en cuenta los grandes cambios políticos y sociales producidos durante los últimos quince años, la estrategia de 1998 puede perder su importancia como referencia fundamental para la formulación de políticas relacionadas con los bosques en la UE si no se consideran y abordan nuevos temas y desafíos, así como un elemento de ejecución más decidido. Según esta evaluación, aunque se ha progresado en la coordinación, hacen falta nuevas mejoras, sobre todo para armonizar los objetivos de las políticas de la UE e internacionales que afectan a los bosques.

Está en curso una evaluación *a posteriori* del plan de acción para los bosques realizada por consultores externos, la cual estará lista en los próximos meses.

La Comisión está trabajando actualmente en una nueva estrategia forestal de la UE, que forma parte del programa de trabajo de la Comisión para el primer semestre del año 2013, en estrecha cooperación con los Estados miembros y las partes interesadas. A la estrategia puede seguir más adelante un plan de acción, tal como se sugiere en el informe del mencionado grupo de trabajo *ad hoc* del CFP.

(English version)

Question for written answer E-005797/12
to the Commission
Francisco José Millán Mon (PPE)
(8 June 2012)

Subject: Forestry strategy

The European Union's Forest Action Plan, introduced as a result of the forestry strategy adopted in 1998, was applied from 2006 to 2011. The European Commission is working towards the introduction of a new forestry strategy, of which it has yet to present an assessment.

— What major progress has been made in forestry to date as a result of this new action plan and the forestry strategy agreed upon in 1998?

— Does the Commission believe that greater coordination of Member State policies has been achieved?

— When does the Commission expect to present its assessment of the plan mentioned above?

— Does the Commission intend to prepare a new action plan?

Answer given by Mr Cioloş on behalf of the Commission
(24 July 2012)

The progress from the 1998 Strategy has been assessed in the framework of an ad.hoc Working Group under the Standing Forestry Committee (SFC) contributing to the development of a new EU Forest Strategy. In general, it is felt that there were positive developments arising from both the 1998 Forestry Strategy and the 2006 Forest Action Plan. However, taking into account the large societal and political changes over the last 15 years, the 1998 Strategy risks losing its relevance as a key reference for policy development related to forests in the EU, unless significant emerging issues, and new challenges as well as a stronger implementation component are considered and addressed. According to this assessment, although there has been progress on coordination, further improvements are needed, in particular to align the goals and objectives of EU and international forest-affecting policies.

The *ex-post* evaluation of the Forest Action Plan carried out by external consultants is currently ongoing and will be available in the coming months.

The Commission is currently working on a new EU Forest Strategy, which is included in the Commission Work Programme for the first half of 2013, in close cooperation with Member States and stakeholders. The strategy might be followed at a later stage by an action plan, as suggested in the report of the ad-hoc Working Group under the SFC mentioned above.

(English version)

Question for written answer E-005798/12
to the Commission
Glenis Willmott (S&D)
(8 June 2012)

Subject: Electrohypersensitivity and multiple chemical sensitivity

I am aware that the Commission has been asked on numerous occasions about electrohypersensitivity (EHS) and multiple chemical sensitivity (MCS). I would like to request information on the current research being carried out into these conditions and the funding that will be available in the future to investigate them further.

The current scientific evidence is summarised by the World Health Organisation as follows:

'EHS resembles multiple chemical sensitivities (MCS), another disorder associated with low-level environmental exposures to chemicals. Both EHS and MCS are characterised by a range of non-specific symptoms that lack apparent toxicological or physiological basis or independent verification (…). The symptoms are certainly real and can vary widely in their severity. Whatever its cause, EHS can be a disabling problem for the affected individual. EHS has no clear diagnostic criteria and there is no scientific basis to link EHS symptoms to EMF exposure. Further, EHS is not a medical diagnosis, nor is it clear that it represents a single medical problem'.

Given that many European citizens seem to be affected by these conditions, it is vital that we continue our research until we find the cause and are able to effectively treat and support those suffering. Can the Commission state its view on this?

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

The Commission is aware of the discussions on electrohypersensitivity (EHS) and multiple chemical sensitivity (MCS) and follows the scientific debate in these fields.

As regards EHS, two EU-funded projects ([1]), carrying out comprehensive scientific reviews and including high-level experts from relevant fields, have concluded that there is a lack of evidence for electromagnetic fields (EMFs) exposures playing a role in the manifestation of EHS symptoms. For this reason, no further research is planned specifically on this topic, whereas research is supported on other aspects such as risk of brain cancer in children from EMF exposures.

Regarding MCS, although not directly funding research on the causes and treatments of MCS, the Commission has funded and is funding a large number of research projects on exposures of European populations to chemicals (including at low levels) and possible health effects through its research framework programmes ([2]), thus increasing the knowledge base for possible policy actions.

([1]) EMF-NET- Effects of the exposure to electromagnetic fields: from science to public health and safer workplace — http://web.jrc.ec.europa.eu/emf-net, funded by the Sixth Framework Programme for Research and Technological Development (FP6, 2002-2006) ; EFHRAN — European health risk assessment network on electromagnetic fields exposure — http://efhran.polimi.it, funded by the Second Programme of Community Action in the Field of Health.

([2]) http://ec.europa.eu/research/environment/index_en.cfm?pg=health.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-005799/12
an die Kommission
Jörg Leichtfried (S&D)
(8. Juni 2012)

Betrifft: EU-Pharmazeutika zur Vollstreckung der Todesstrafe in den USA

Die Hohe Vertreterin der Europäischen Union für Außen- und Sicherheitspolitik, Catherine Ashton, hat auf Initiativen von Europaabgeordneten, bei denen ich mich beteiligt habe, und von NGOs im Dezember 2011 reagiert und die Ausfuhr von Hinrichtungspharmazeutika aus der EU untersagt. Insbesondere in den USA wird bei der Vollstreckung von Todesstrafen auf Pharmazeutika aus Europa zurückgegriffen, einige davon aus österreichischer Produktion. Laut der NGO „Reprieve" versucht der US-Bundesstaat Missouri derzeit, ein entsprechendes Produkt („Propofol") vom deutschen Unternehmen Fresenius Kabi zu erhalten.

1. Was hat die EU-Kommission bisher unternommen, um die Ausfuhr von Hinrichtungspharmazeutika aus der EU zu verhindern?

2. Ist es für die USA möglich, für Todesstrafen bestimmte Pharmazeutika des deutschen Unternehmens Fresenius Kabi zu beziehen?

3. Welche weiteren Schritte sind laut EU-Kommission zu ergreifen?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(10. Juli 2012)

Die Europäische Kommission hat am 20. Dezember 2011 die Verordnung (EG) Nr. 1236/2005 des Rates [1] betreffend den Handel mit bestimmten Gütern, die zur Vollstreckung der Todesstrafe, zu Folter oder zu anderer grausamer, unmenschlicher oder erniedrigender Behandlung oder Strafe verwendet werden könnten, geändert [2]. Damit wird die Ausfuhr von kurz- und mittelfristig wirkenden Barbiturat-Anästhetika, die für die Hinrichtung von Menschen durch die Verabreichung letaler Injektionen eingesetzt werden könnten, nun kontrolliert.

Mit der Verordnung (EG) Nr. 1236/2005 soll sichergestellt werden, dass Wirtschaftsakteure der EU nicht von einem Handel profitieren, der Praktiken fördert bzw. erleichtert, die mit den einschlägigen Leitlinien und der Charta der Grundrechte der Europäischen Union unvereinbar sind. Da ein solcher Handel gegen die öffentliche Moral verstößt, sollten die Arzneimittelhersteller der EU diesen unterlassen.

US-Medienberichten vom Mai zufolge beabsichtigt ein US-Bundesstaat, in Zukunft Propofol, ein Arzneimittelprodukt, das derzeit nicht der EU-Ausfuhrkontrolle unterliegt, für Hinrichtungen einzusetzen. Die Kommission wird die Entwicklung in Bezug auf die tatsächliche Lieferung von Propofol durch Hersteller oder Händler der EU an ausländische Behörden, die mit Hinrichtungen beauftragt sind, aufmerksam verfolgen und eine Änderung von Anhang III vorschlagen, um alle Ausfuhren von Propofol kontrollieren zu können, sollte sich die Verwendung des Arzneimittels für Hinrichtungszwecke bestätigen.

Darüber hinaus wird die Verordnung (EG) Nr. 1236/2005 derzeit daraufhin überprüft, ob möglicherweise zusätzliche Maßnahmen erforderlich sind, um sicherzustellen, dass die Wirtschaftsakteure der EU auf jeglichen Handel, der die Todesstrafe in anderen Ländern fördert bzw. erleichtert, verzichten.

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[1] ABl. L 200 vom 30.7.2005, S. 1.
[2] Durchführungsverordnung (EU) Nr. 1352/2011 der Kommission, ABl. L 338 vom 21.12.2011.

(English version)

Question for written answer P-005799/12
to the Commission
Jörg Leichtfried (S&D)
(8 June 2012)

Subject: European Union pharmaceuticals used in executions in the US

The High Representative of the European Union for Foreign Affairs and Security Policy, Baroness Ashton, has responded to initiatives in December 2011 from Members of the European Parliament, including myself, and from NGOs by banning the export of pharmaceuticals from the European Union for use in executions. European pharmaceuticals, some of them produced in Austria, are used in the US, in particular, in the administration of the death penalty. According to the NGO, Reprieve, the US State of Missouri is currently trying to obtain such a product ('Propofol') from the German company Fresenius Kabi.

1. What has the European Commission done to date to prevent the export from the EU of pharmaceuticals used in executions?

2. Is it possible for the US to obtain pharmaceuticals intended for the administration of the death penalty from the German company Fresenius Kabi?

3. What further steps are necessary, in the view of the European Commission?

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

On 20 December 2011 the European Commission amended ([1]) Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment ([2]). As a result export controls are now applied to short and intermediate acting barbiturate anaesthetic agents, which could be used for the execution of human beings by means of lethal injection.

Regulation (EC) No 1236/2005 is intended to ensure that EU economic operators do not derive any benefits from trade which either promotes or facilitates practices which are not compatible with the relevant EU Guidelines and the Charter of Fundamental Rights of the EU. Since such trade is in breach of public morals, EU manufacturers of pharmaceuticals ought to refrain from it.

In May US media reported that one US State plans to start using propofol, a pharmaceutical product which is currently not subject to EU export controls, for executions. The Commission will closely follow developments in relation to actual supplies of propofol by EU manufacturers or traders to foreign authorities in charge of executions and shall propose to amend Annex III in order to control all exports of propofol, if the use of such drug for executions purposes was to be confirmed.

Furthermore, Regulation (EC) No 1236/2005 is currently being reviewed to assess whether additional measures might be necessary to ensure that EU economic operators refrain from trade which either promotes or otherwise facilitates capital punishment in foreign countries.

([1]) Commission Implementing Regulation (EU) No 1352/2011, OJ L 338, 21.12.2011.
([2]) OJ L 200, 30.7.2005, p. 1.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005800/12
til Kommissionen
Jens Rohde (ALDE)
(8. juni 2012)

Om: Udlændinge i danske fængsler

Ifølge det danske justitsministerium afsoner op mod 1.100 udenlandske statsborgere deres straf i danske fængsler. Det svarer til 27,5 procent af alle indsatte, og andelen stiger, selvom cirka en tredjedel er EU-borgere, som ifølge rammeafgørelsen 2008/909/RIA burde afsone deres straf i hjemlandet.

De udenlandske indsatte kan dog ikke flyttes, da en række lande ikke har gennemført afgørelsen til trods for, dette skulle være sket senest i december 2011. Dermed nægter disse lande at tage imod deres egne statsborgere.

Den danske justitsminister har opfordret de andre EU-lande til at stå ved deres forpligtelser og få implementeret rammeafgørelsen inden udgangen af 2012.

Hvilke skridt har Kommissionen allerede iværksat, og hvilke yderligere initiativer planlægger Kommissionen, for at sikre, at samtlige EU's medlemslande gennemfører rammeafgørelsen 2008/909/RIA?

Svar afgivet på Kommissionens vegne af Viviane Reding
(12. juli 2012)

Rammeafgørelse 2008/909/RIA ([1]) er et EU-lovgivningsinstrument på området retligt samarbejde i straffesager, der er vedtaget inden Lissabontraktatens ikrafttrædelse, for hvilket Kommissionens beføjelser til at iværksætte overtrædelsesprocedurer mod medlemsstaterne for manglende overholdelse af EU-lovgivningen ikke finder anvendelse før den 30. november 2014, jf. artikel 10 i protokol 36 til traktaten. Kommissionen har dog truffet foranstaltninger til at hjælpe medlemsstaterne med gennemførelsesprocessen. Til det formål har den holdt ekspertmøder og workshops i medlemsstaterne siden 2010. Det seneste ekspertmøde blev holdt i Bruxelles den 20. marts 2012.

I mellemtiden kan de indsatte overføres i henhold til bestemmelserne i Europarådets konvention om overførsel af domfældte, som alle medlemsstaterne er part i.

I juni 2011 offentliggjorde Kommissionen en grønbog om anvendelse af EU-lovgivningen om frihedsberøvelse på det strafferetlige område ([2]), som indeholder overvejelser om, hvordan man kan styrke den gensidige tillid og den gensidige anerkendelse inden for frihedsberøvelse i overensstemmelse med og inden for grænserne af EU's kompetence.

Kommissionen er i gang med at analysere de bidrag, som medlemsstaterne og alle de øvrige aktører har indsendt, for at finde ud af, om der kan og bør træffes yderligere specifikke foranstaltninger på EU-plan.

([1]) EUT L 327 af 5.12.2008.
([2]) KOM(2011)0327.

(English version)

Question for written answer E-005800/12
to the Commission
Jens Rohde (ALDE)
(8 June 2012)

Subject: Foreign nationals in Danish prisons

According to the Danish Ministry of Justice, up to 1 100 foreign nationals are serving prison sentences in Danish prisons. This corresponds to 27.5% of all inmates. The percentage is increasing, even though approximately one third are EU citizens who, according to Framework Decision 2008/909/JHA, should serve their sentences in their home Member State.

The foreign prisoners cannot however be transferred, because several Member States have not implemented the decision despite the fact that they should have done so by December 2011. These Member States are thus refusing to accept their own nationals.

The Danish Minister of Justice has called on the other EU Member States to abide by their obligations and to implement the framework Decision before the end of 2012.

What steps has the Commission taken so far and what other initiatives does it plan in order to ensure that all EU Member States implement Framework Decision 2008/909/JHA?

Answer given by Mrs Reding on behalf of the Commission
(12 July 2012)

Framework Decision 2008/909/JHA ([1]) is an EU legislative instrument in the field of judicial cooperation in criminal matters adopted before the entry into force of the Treaty of Lisbon on which, in accordance with Protocol 36 Article 10 of the Treaty, the powers of the Commission to launch infringements against Member States for failure to comply with EU legislation is not applicable until 30 November 2014. The Commission has nevertheless taken steps to assist Member States with the implementation process. To this end it has held experts' meetings and workshops in Member States since 2010. The most recent expert meeting was held in Brussels on 20 March 2012.

In the meantime, prisoners may be transferred under provisions of the Council of Europe Convention on the Transfer of Sentenced Prisoners to which all Member States are parties.

In June 2011 the Commission published a Green Paper on the application of EU criminal justice legislation in the field of detention ([2]) to reflect on ways to strengthen mutual trust and mutual recognition in the area of detention, in accordance with and within the limits of EU competence.

The Commission is analysing the contributions sent by Member States and all other stakeholders to consider whether any further specific action can and should be taken at European level.

([1]) OJ L 327, 5.12.2008.
([2]) COM(2011)327.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005801/12
til Kommissionen
Jens Rohde (ALDE)
(8. juni 2012)

Om: Tekniske barrierer ved privat fjernsalg

Ifølge en henvendelse fra en privat borger som tidligere uden problemer har købt vin af en fransk vinbonde ved personligt fremmøde under rejser i Frankrig og under den tilladte grænse på maksimalt 90 liter til privat forbrug, har denne borger nu opfølgende kontaktet den selvsamme vinbonde for igen at erhverve et parti vin indenfor den tilladte grænse i henhold til Kommissionens forordning (EØF) 2454/93.

Da der i dette tilfælde vil være tale om fjernsalg, da henvendelsen er sket telefonisk, har borgeren denne gang fået at vide, at købet kun kan gennemføres med en dansk vinimport-licens og eksklusiv fransk moms.

I henhold til forordning 2006/112/EF artikel 195 skal den private borger betale dansk moms, da varen skal leveres til borgerens egen bopæl i sit eget hjemland. Krav om en vinimport-licens er dog ikke et krav, når borgeren handler som privat per telefon.

Er Kommissionen bekendt med at private borgere fra andre EU-lande, som gerne vil købe vin hos franske vinbønder, skal være i besiddelse af en vinimport-licens, selvom borgerne køber under de maksimale 90 liter til privat brug?

I så fald, er Kommissionen enig i, at dette er et brud på varernes frie bevægelighed jf. artikel 28 i TEUF om det indre marked?

Svar afgivet på Kommissionens vegne af Antonio Tajani
(17. juli 2012)

Artikel 34 til 36 i TEUF fastlægger det generelle princip om varernes frie bevægelighed i EU. Artiklerne finder dog ikke anvendelse på varer, som er omfattet af mere specifik EU-lovgivning, eksempelvis alkoholholdige drikkevarer ([1]).

I denne retlige sammenhæng harmoniserer direktiv 2008/118/EF den generelle ordning for punktafgiftsbelagte varer, og direktiv 2006/112/EF kodificerer de bestemmelser, der gennemfører det fælles merværdiafgiftssystem i EU ([2]). Spørgsmål, der er omfattet af denne del af Unionens harmoniseringslovgivning, skal derfor analyseres på baggrund af de særlige bestemmelser i denne lovgivning og ikke på baggrund af de brede principper, der er nedfældet i artikel 34 og 36 i TEUF.

Hvis fjernsalg af punktafgiftspligtige varer finder sted, dvs. når varerne transporteres af leverandøren eller for hans regning til en privat kunde, der er bosat i en anden medlemsstat, skal moms og punktafgifter opkræves i den medlemsstat, hvor transporten afsluttes ([3]).

De bestemmelser i direktiv 2008/118/EF, som tillader rejsende at indføre begrænsede mængder af punktafgiftspligtige varer til deres hjemland fra udlandet, uden at de skal betale ekstra skatter eller afgifter, gælder ikke for fjernsalg ([4]).

([1]) Jf. præmis 14 i sag C-257/06 Roby Profumi Srl, Sml. 2008 side I-00189.
([2]) Se Rådets direktiv 2008/118/EF af 16. december 2008 om den generelle ordning for punktafgifter og om ophævelse af direktiv 92/12/EØF (EUT L 9 af 14.1.2009) og Rådets direktiv 2006/112/EF af 28. november 2006 om det fælles merværdiafgiftssystem (EUT L 347 af 11.12.2006).
([3]) Artikel 33 i Rådets direktiv 2006/112/EF og artikel 36 i Rådets direktiv 2008/118/EF.
([4]) Jf. sag C-5/05, B. F. Joustra, Sml. 2006 side I-11075.

(English version)

Question for written answer E-005801/12
to the Commission
Jens Rohde (ALDE)
(8 June 2012)

Subject: Technical barriers to distance selling to the general public

An enquiry has been received from a Danish private citizen who, whilst travelling in France, purchased wine without difficulties for private consumption from a French wine grower within the permitted limit of 90 litres and has now contacted the same wine grower to place another order within the limit permitted under Commission Regulation (EEC) No 2454/93.

Since on this occasion the transaction would constitute distance selling, the contact being made by telephone, the citizen has been told that a sale can only be carried out with a Danish licence for the import of wine, exclusive of French VAT.

Under Article 195 of Directive 2006/112/EC , the private citizen in question must pay Danish VAT as the goods would be delivered to his residence in his home country. The requirement for a wine import licence is, however, not applicable if the citizen carries out the trade as a private individual by telephone.

Is the Commission aware that private citizens in a EU Member State other than France who wish to buy wine from a French wine grower must possess a wine import licence, even if purchasing less than the 90 litres permitted for private consumption?

If so, does the Commission agree that this is a breach of the free movement of goods pursuant to Article 28 TFEU on the internal market?

Answer given by Mr Tajani on behalf of the Commission
(17 July 2012)

Articles 34 to 36 TFEU establish the general principle of free movement of goods in the EU. However, they do not apply to goods which are subject to more specific EU legislation, for example alcoholic beverages ([1]).

In this legal context, Directive 2008/118/EC harmonises the general arrangements for products subject to excise duty and Directive 2006/112/EC codifies the provisions implementing the common system of VAT within the EU ([2]). Therefore, issues governed by that Union harmonisation legislation must be analysed in the light of its specific provisions and not according to the broad principles enshrined in Articles 34 and 36 TFEU.

Where distance selling of excise goods takes place, that is when goods are transported by or on behalf of the supplier to a private customer who resides in another Member State, VAT and excise duty must be levied in the Member State where the transport of the goods ends ([3]).

The provisions under Directive 2008/118/EC that allow travellers to bring back limited quantities of excise goods to their home country from abroad without having to pay additional taxes or duties do not apply to distance selling ([4]).

([1]) See paragraph 14 of Case C-257/06 *Roby Profumi Srl*, ECR 2008 I-00189.
([2]) See Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC, OJ L 9, 14.1.2009, and Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, OJ L 347, 11.12.2006.
([3]) Article 33 of Council Directive 2006/112/EC and Article 36 of Council Directive 2008/118/EC.
([4]) See Case C-5/05 *B.F. Joustra*, ECR 2006 I-11075.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005802/12
til Kommissionen
Jens Rohde (ALDE)
(8. juni 2012)

Om: Dansk reklame-tilvalgsordning

Det danske folketing har ikke mulighed for at vedtage en lov om en tilvalgsordning, som vil gøre danske forbrugere i stand til selv aktivt at vælge, om de ønsker at modtage reklameaviser i deres postkasser.

Det fremgår af Kommissionens svar til det danske erhvervs- og vækstministerium hvor der gives den begrundelse, at den er »af den opfattelse, at ordningen ville være i strid med EU-retten, da den vil begrænse udenlandske supermarkedskæder i at reklamere overfor danske forbrugere«. Der henvises dernæst til artikel 1 i 2005/29/EF, som siger at formålet med direktivet er at »bidrage til et velfungerende indre marked og opnå et højt beskyttelsesniveau«.

Hvorfor mener Kommissionen, at det kan være diskriminerende overfor andre virksomheder i EU at indføre en tilvalgsordning, når det vil være en ordning, som vil gælde på ens vilkår for danske og udenlandske virksomheder?

Svar afgivet på Kommissionens vegne af Viviane Reding
(9. august 2012)

Forbud mod at udføre visse typer reklame for tjenesteydelser vanskeliggør leveringen af disse tjenesteydelser og udgør begrænsninger af frihederne på det indre marked, som skal retfærdiggøres behørigt og proportionelt med gældende regler for det indre marked. De danske myndigheder henviser især til beskyttelse af miljøet for at retfærdiggøre indførelsen af begrænsningen.

Direktiv 2005/29/EF ([1]) om urimelig handelspraksis, især bilag I hertil, beskytter forbrugerne mod vedholdende og uønskede henvendelser. Det er Kommissionens opfattelse, at den danske lov, hvis den vedtages, vil gå endnu længere og forbyde enhver form for trykt, uadresseret reklame.

Grundet direktivets karakter af fuld harmonisering ville et sådan forbud kun blive tilladt, hvis det falder uden for direktivets anvendelsesområde, dvs. hvis det ikke har til formål at beskytte forbrugernes økonomiske interesser.

Som følge af EU-Domstolens dom i Mediaprintsagen ([2]) skal selv nationale forbud, som har som formål eller konsekvens at klassificere en handelspraksis som urimelig, og hvor beskyttelse af forbrugerne kun er et sekundært formål i forhold til forbuddets primære formål, stadig evalueres i henhold til direktivet.

([1]) Direktiv 2005/29/EF om urimelig handelspraksis, EUT L 149 af 11.6.2005.
([2]) Sag C-540/08, Mediaprint, 9. november 2010.

(English version)

Question for written answer E-005802/12
to the Commission
Jens Rohde (ALDE)
(8 June 2012)

Subject: Danish opt-in scheme for receiving advertising material

The Danish Parliament is not able to adopt a law on an opt-in scheme for receiving advertising material, which would allow Danish consumers to proactively choose whether they wish to receive printed advertising matter in their post boxes.

This is apparent from the Commission's answer to the Danish Ministry of Business and Growth, the reason given being that the Commission 'believes that the scheme would be contrary to EC law as it would restrict the scope for foreign supermarket chains to direct advertising at Danish consumers'. The Commission further refers to Article 1 of Directive 2005/29/EC, which says that the purpose of the directive is to 'contribute to the smooth functioning of the internal market and achieve a high level of consumer protection'.

Why does the Commission believe that introducing a scheme for opting into advertising would discriminate against other companies in the EU, when the scheme will apply equally to Danish and foreign companies?

Answer given by Mrs Reding on behalf of the Commission
(9 August 2012)

Prohibitions to carry out certain types of advertisement for services render the provision of those services more difficult and constitute restrictions to the internal market freedoms, which need to be duly justified and proportionate in accordance with the applicable internal market rules. The Danish authorities refer, in particular, to the protection of the environment to justify the introduction of such a restriction.

Directive 2005/29EC ([1]) on unfair commercial practices, in particular its Annex I, protects consumers against persistent and unwanted solicitations. It is the Commission's understanding that, if adopted, the draft Danish law would however go further by prohibiting all kinds of unaddressed printed advertising.

Due to the full harmonisation character of the directive, such prohibition would be allowed only if it falls outside the scope of the directive, i.e. if it does not have the objective of protecting the economic interest of consumers.

Following the judgment of the Court of Justice in the Mediaprint case ([2]), even national prohibitions which have as their aim or effect the classification of a commercial practice as unfair and where the aim to protect consumers is just secondary compared to a different primary aim they pursue, would still have to be assessed under the directive.

([1]) Directive 2005/29/EC on unfair commercial practices, OJ L 149, 11.6.2005.
([2]) Case C-540/08, Mediaprint, 9 November 2010.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005804/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(8 Ιουνίου 2012)

Θέμα: Μνημόνιο Συνεργασίας Frontex-Τουρκίας

Σε ανακοίνωση που εξέδωσε η Frontex, στις 28.5.2012, ενημερώνει για την υπογραφή Μνημονίου Συνεργασίας με την Τουρκία. Στην ανακοίνωση, μεταξύ άλλων, αναφέρεται ότι: «Η Frontex και οι αρμόδιες τουρκικές αρχές συμφώνησαν να συνεργαστούν στους τομείς της ανάλυσης κινδύνου, εκπαίδευσης καθώς επίσης και στους τομείς έρευνας και ανάπτυξης. Επιπλέον, η Frontex και οι αρμόδιες τουρκικές αρχές συμφώνησαν να ανταλλάξουν εμπειρίες και καλές πρακτικές όσον αφορά στον έλεγχο των συνόρων και συμφώνησαν επίσης στην δυνατότητα ανάπτυξης τούρκων αξιωματικών (deployment of Turkish officers) σε επιλεγμένα συνοριακά φυλάκια των εξωτερικών συνόρων της ΕΕ στα πλαίσια του Focal point project».

Ερωτάται η Επιτροπή: Τι ανάγκες θα εξυπηρετήσει η «ανάπτυξη τούρκων αξιωματικών σε επιλεγμένα συνοριακά φυλάκια των εξωτερικών συνόρων της ΕΕ»;

Ποια είναι τα συνοριακά φυλάκια στα πλαίσια του Focal point project και σε ποια από αυτά θα τοποθετηθούν οι τούρκοι αξιωματικοί;

Είναι διαθέσιμο, και πού, το κείμενο της Συμφωνίας και οι τεχνικές του λεπτομέρειες;

Η εν λόγω Συμφωνία είναι σε γνώση της ελληνικής κυβέρνησης; Υπάρχει προηγούμενη έγκρισή της;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(11 Ιουλίου 2012)

Η Επιτροπή χαιρετίζει την υπογραφή μνημονίου συνεργασίας (ΜΣ) στις 28 Μαΐου 2012 μετά την έγκριση του σχεδίου από το Διοικητικό Συμβούλιο του Frontex. Το μνημόνιο θα προσφέρει τη δυνατότητα για πιο διαρθρωμένη και τακτική συνεργασία όχι μόνο μεταξύ του οργανισμού και των τουρκικών αρχών, αλλά και με όλα τα κράτη μέλη της ΕΕ.

Το πρόγραμμα εστιακών σημείων (Focal Points Programme) του Frontex στοχεύει στη διευκόλυνση της εφαρμογής μιας ολοκληρωμένης έννοιας διαχείρισης στα εξωτερικά σύνορα της ΕΕ με τη χρησιμοποίησή τους ως πλατφόρμες για κοινές επιχειρήσεις και συλλογή πληροφοριών. Η τοποθέτηση αξιωματικών οποιασδήποτε τρίτης χώρας ως παρατηρητών σε οποιοδήποτε εστιακό σημείο γίνεται βάσει των επιχειρησιακών αναγκών που έχουν προσδιοριστεί από τον Frontex και εξαρτάται από τη συναίνεση των ενδιαφερόμενων κρατών μελών (δηλαδή αυτών που φιλοξενούν κοινές επιχειρήσεις υπό τον συντονισμό του Frontex). Η αρχή αυτή ισχύει για κάθε επιχειρησιακή συνεργασία στα εξωτερικά σύνορα υπό τον συντονισμό του Frontex.

Άδεια πρόσβασης στο κείμενο του ΜΣ πρέπει να ζητηθεί από τον Frontex.

(English version)

Question for written answer E-005804/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(8 June 2012)

Subject: Memorandum of Understanding between Frontex and Turkey

On 28 May 2012, Frontex announced that it had signed a memorandum of understanding with Turkey, indicating, among other things, that Frontex and the competent Turkish authorities had agreed to cooperate in the fields of risk analysis, training, research and development. In addition, Frontex and the Turkish authorities agreed to share experiences and best practices in border control and to the possible deployment of Turkish officers at selected crossing points along EU external borders under the Focal Points project.

What needs will be served by deploying Turkish officers at selected crossing points along EU external borders?

What border crossing points are included in the Focal Points project and at which of them will Turkish officers be located?

Are the text of the agreement and its technical details available and, if so, where?

Is the Greek Government aware of the agreement in question? Has it given its prior approval?

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

The Commission welcomes the signing of the memorandum of understanding (MoU) on 28 May 2012 following the approval of the draft by the Management Board of Frontex. It will offer opportunities for a more structured and regular cooperation not only between the Agency and the competent Turkish authorities but also with all Member States of the EU.

The Focal Points Programme of Frontex is aimed at facilitating the implementation of an integrated border management concept at the EU external borders by using them as platforms for joint operations and information gathering. Deployment of any third countries' border guard officers as observers at any Focal Points, is based on operational needs identified by Frontex and depends on the prior consent of the Member States concerned (i.e. the one(s) hosting joint operations coordinated by Frontex). This principle applies to any operational cooperation at the external borders coordinated by Frontex.

Request for access to the text of the MoU should be addressed to Frontex.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005805/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(8 de junio de 2012)

Asunto: Reconocimiento de la red de vías verdes e infraestructura de ciclismo como red de infraestructura de transportes

El uso de las bicicletas para el transporte y el turismo está en aumento en toda Europa, donde ya existen infraestructuras de ciclismo tales como la red EuroVelo. Este tipo de infraestructuras no se reconoce aún como infraestructuras de transporte, como demuestra el hecho de que no estén incluidas en la red TEN-T— Las vías verdes se inscriben en el ámbito de la red TEN-T, ya que se trata de vías férreas (o antiguas vías férreas). Este asunto se está tratando actualmente en el Parlamento y ya se ha apelado a ciertos documentos para esta inclusión ([1]). El turismo es un sector económico muy importante para el crecimiento y la movilidad en bicicleta resulta especialmente relevante en tiempos de restricciones económicas, dado que es barata, tiene una rentabilidad más elevada y es sostenible. La infraestructura de ciclismo es más barata que otras formas de infraestructura de transporte y aporta más ventajas (económicas y no económicas) ([2]). En 2009, un estudio encargado por el Parlamento cuantificó los beneficios económicos de las redes de cicloturismo ([3]). En breve se publicará una segunda versión del estudio, actualizada.

En Europa, algunas organizaciones, como *Consorci de les Vies Verdes de Girona* ([4]) (Vías verdes del consorcio de Gerona, CVVG), llevan a cabo proyectos transnacionales de interés, como el *Projecte Enllaç* ([5]) (Proyecto Enlace), parte del cual pertenece a la red EuroVelo. No resulta fácil solicitar financiación de la UE para este tipo de proyectos, a pesar de sus ventajas y su sostenibilidad administrativa. Uno de los motivos es que no existe ninguna línea de presupuesto que reconozca este tipo de infraestructura.

— ¿Por qué la red de infraestructura de ciclismo no se considera una infraestructura de transporte ni se incluye en la red TEN-T?

— ¿Por qué la infraestructura de ciclismo no está cubierta por líneas específicas en, por ejemplo, los presupuestos de transporte o turismo y los programas de financiación?

Respuesta del Sr. Kallas en nombre de la Comisión
(19 de julio de 2012)

A pesar de la existencia de proyectos y redes tales como los mencionados por Su Señoría, la bicicleta sigue siendo principalmente un modo de transporte utilizado a nivel local para distancias cortas. Siendo así, la red de infraestructuras para bicicletas no se incluye en las redes transeuropeas de transporte, ya que estas están constituidas por infraestructuras de transporte a larga distancia y transfronterizas.

La ayuda financiera de los fondos de la Unión se canaliza por otras vías. Para el periodo 2007-2013, los Fondos Estructurales y el Fondo de Cohesión contribuyeron con un presupuesto estimado en más de 600 millones de euros a la realización de inversiones en infraestructuras para bicicletas en regiones de toda la UE. Por otra parte, en el marco de las competencias de la UE en materia de turismo ([6]), la Acción Preparatoria «Turismo Sostenible» ([7]) ha cofinanciado varios proyectos de concienciación y de creación de redes para el desarrollo de rutas ciclistas de larga distancia.

([1]) Resolución del Parlamento, de 15 de diciembre de 2011, sobre la Hoja de ruta hacia un espacio único europeo de transporte: por un sistema de transportes competitivo y sostenible (2011/2096(INI)). Se puede consultar en: http://www.europarl.europa.eu/oeil/popups/summary.do?id=1182492&t=e&l=en.

([2]) http://www.ecf.com/news/32-billion-in-transport-funding-under-threat/.

([3]) «The European Cycle Route Network — Eurovelo — Challenges and Opportunities for Sustainable Tourism» (La red europea de cicloturismo: Eurovelo, retos y oportunidades para el turismo sostenible). Parlamento Europeo, Bruselas, 2009. http://www.europarl.europa.eu/committees/en/studiesdownload.html?languageDocument=EN&file=26868.

([4]) http://www.viesverdes.org/.

([5]) http://www.cicloenllac.cat/.

([6]) El Tratado de Lisboa confiere a la Unión la competencia de realizar acciones para apoyar, coordinar o complementar las acciones de los Estados miembros en el ámbito turístico. Sin embargo, las infraestructuras turísticas son competencia de las autoridades regionales o nacionales.

([7]) http://ec.europa.eu/enterprise/sectors/tourism/iron-curtain-trail/year-2/index_en.htm

(English version)

Question for written answer E-005805/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(8 June 2012)

Subject: Recognition of greenways and cycling infrastructure network as a transport infrastructure network

The use of bicycles for transport and tourism is increasing all around Europe. Cycling infrastructures such as the EuroVelo network already exist Europe-wide. This kind of infrastructure is still not recognised as transport infrastructure, as is illustrated by the fact that it is not included in the TEN-T network. Greenways fall within the scope of the TEN-T network as they are all 'road or (former) rail networks'. The subject is currently being discussed in Parliament and some documents have already called for this inclusion ([1]). Tourism is a very important economic sector for growth, and cycling mobility is especially relevant in times of economic constraint, given that it is cheap, has a higher return on investment and is sustainable. Cycling infrastructure is cheaper than other forms of transport infrastructure and brings more benefits (monetary and non-monetary) ([2]). In 2009 a study commissioned by Parliament quantified the economic benefits of cycle-tourism networks ([3]). A second, updated version of the study will be published shortly.

In Europe, organisations like *Consorci de les Vies Verdes de Girona* ([4]) (Greenways of Girona Consortium, CVVG) run interesting transnational projects such as the *Projecte Enllaç* ([5]) (Link Project), part of which belongs to the EuroVelo network. It is not easy to apply for EU funding for such projects despite their benefits and administrative suitability. One of the reasons for this is that there is no budget line recognising this kind of infrastructure.

— Why is the cycling infrastructure network not regarded as transport infrastructure and included in the TEN-T network?

— Why is cycling infrastructure not covered by specific lines in, for example, the transport or tourism budgets and funding programmes?

Answer given by Mr Kallas on behalf of the Commission
(19 July 2012)

Despite projects and networks as those referred to by the Honourable Member, cycling predominantly remains a mode used for local, short distance transport. Therefore, the cycling infrastructure network is not included in the TEN-T network dedicated to long distance and cross border transport infrastructure.

Financial support from Union funds is provided through other means. For the period 2007-2013, the EU's Structural and Cohesion Funds provide an estimated budget of over EUR 600 million, for the implementation of investment in cycle infrastructure in regions across the EU. Moreover, within the EU tourism competence ([6]), several awareness raising and networking building projects for development of long distance cycling routes have been co financed by the Preparatory Action 'Sustainable Tourism' ([7]).

([1]) Parliament resolution of 15 December 2011 on the Roadmap to a Single European Transport Area — Towards a competitive and resource efficient transport system (2011/2096(INI)). Accessible at: http://www.europarl.europa.eu/oeil/popups/summary.do?id=1182492&t=e&l=en.
([2]) http://www.ecf.com/news/32-billion-in-transport-funding-under-threat/.
([3]) 'The European Cycle Route Network — Eurovelo — Challenges and Opportunities for Sustainable Tourism'. European Parliament, Brussels, 2009. http://www.europarl.europa.eu/committees/en/studiesdownload.html?languageDocument=EN&file=26868.
([4]) http://www.viesverdes.org/.
([5]) http://www.cicloenllac.cat/.
([6]) The Lisbon Treaty grants the Union the competence to carry out actions to support coordinate or supplement the actions of the Member States in the tourism field. However, the competence for tourism infrastructure lies within regional/national competences.
([7]) http://ec.europa.eu/enterprise/sectors/tourism/iron-curtain-trail/year-2/index_en.htm

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005808/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Sudan: sprawa Intisar Sharif Abdallah

Intisar Sharif Abdallah jest młodą matką skazaną na śmierć przez ukamienowanie po tym, jak uznano ją za winną cudzołóstwa. Według Amnesty International została ona postawiona przed sądem bez możliwości skorzystania z pomocy prawnika i przebywa obecnie w areszcie wraz ze swoim czteromiesięcznym dzieckiem. Intisar Sharif Abdallah ma ponoć spętane nogi i znajduje się w ciężkim stanie psychicznym, ponieważ nie może zrozumieć, dlaczego wydano na nią taki wyrok. Została osądzona bez możliwości skorzystania z pomocy prawnika czy tłumacza, mimo że język arabski nie jest jej językiem ojczystym.

Sudan jest jednym z siedmiu krajów, w których stosuje się karę śmierci przez ukamienowanie. Zdecydowana większość procesów o cudzołóstwo i wyroków śmierci przez ukamienowanie dotyczy kobiet. Mając na uwadze, że na mocy międzynarodowego prawa w dziedzinie praw człowieka zakazuje się zwłaszcza wykonywania wyroków śmierci na młodych matkach, UE powinna zrobić wszystko, co w jej mocy, aby wywrzeć presję na władze Sudanu w celu wstrzymania egzekucji, unieważnienia wyroku śmierci przez ukamienowanie oraz uwolnienia skazanej w trybie natychmiastowym i bezwarunkowym.

— Czy Wiceprzewodnicząca/Wysoka Przedstawiciel zamierza interweniować w sprawie Intisar Sharif Abdallah?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(25 lipca 2012 r.)

Wysoka Przedstawiciel/Wiceprzewodnicząca z wielkim zadowoleniem przyjęła informację o zwolnieniu, w dniu 3 lipca 2012 r., Intisar Sharif Abdallah po umorzeniu skierowanego przeciwko niej postępowania przez sąd w Chartumie z braku dowodów. Sąd rozpoznał ponownie sprawę po uchyleniu przez sąd apelacyjny wyroku, w którym skazano ją na karę śmierci przez ukamienowanie.

Wysoka Przedstawiciel/Wiceprzewodnicząca wraz delegaturą UE w Chartumie śledziła uważnie tę sprawę. Szef delegatury UE w Chartumie zwrócił się z tą sprawą do władz sudańskich, w tym Ministerstwa Spraw Zagranicznych i Krajowej Komisji Praw Człowieka. UE wyraziła również zaniepokojenie tą sprawą, kiedy dr Gazhi, bliski doradca prezydenta Sudanu Bashira, odbył wizytę w Brukseli pod koniec maja 2012 r.

W przeszłości i przy różnych okazjach, w kontaktach dwustronnych albo na forach wielostronnych, UE wzywała Sudan do zniesienia kary śmierci lub przynajmniej nałożenia na nią moratorium ustawowego. Od 2009 r. w ramach Europejskiego Instrumentu na rzecz Wspierania Demokracji i Praw Człowieka wspierano w Sudanie różne projekty służące wzmocnieniu działań na rzecz reformy prawa, w tym zniesienia kary śmierci lub nałożenia na nią przynajmniej moratorium ustawowego zgodnie z międzynarodowymi „standardami minimalnymi". UE zachęcała również władze sudańskie do podpisania i ratyfikowania wszystkich stosownych instrumentów prawnych odnoszących się do stosowania kary śmierci.

(English version)

Question for written answer E-005808/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: VP/HR — Sudan: the case of Intisar Sharif Abdallah

Intisar Sharif Abdallah is a young mother who has been sentenced to death by stoning after being found guilty of adultery. She was put on trial without access to a lawyer, and is now being detained with her four-month-old baby, according to Amnesty International. Abdallah is said to be shackled by the legs and in psychological distress, unable to understand the nature of her sentence. She was tried without access to a lawyer or an interpreter, despite the fact that Arabic is not her native language.

Sudan is one of seven countries where death by stoning is a punishment. The vast majority of adultery trials and stoning sentences have concerned women. Bearing in mind that international human rights law specifically prohibits the execution of new mothers, the EU should do everything in its power to exert pressure on the Sudanese authorities to halt this execution, overturn the verdict of death by stoning, and release Abdallah immediately and unconditionally.

— Does the Vice-President/High Representative plan to intervene on behalf of Intisar Sharif Abdallah?

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

The HR/VP was extremely pleased to learn about Intisar Sharif Abdallah's release on 3 July 2012 after a court in Khartoum dropped all charges against her due to a lack of evidence. The court had re-tried her after the court of appeal had overturned her sentence of death by stoning.

The HR/VP followed the case very closely, together with the EU Delegation in Khartoum. The Head of the EU Delegation in Khartoum had raised the case with Sudanese authorities, including the Ministry of Foreign Affairs and the National Human Rights Commission. The EU also expressed concerns when Dr Gazhi, a close adviser of Sudanese President Bashir, visited Brussels at the end of May 2012.

In the past and on various occasions, either bilaterally or in the context of multilateral fora, the EU has called on Sudan to abolish the death penalty or at least impose a de jure moratorium of the death sentence. Since 2009, the European Instrument for Democracy and Human Rights (EIDHR) has supported various projects in Sudan with the aim to strengthen advocacy efforts for a law reform, including the abolition of the death penalty or at least for a de jure moratorium in compliance with international 'minimum standards'. The EU has also encouraged the Sudanese authorities to sign and ratify all the relevant international instruments making references to the use of death penalty.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005809/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Zarzuty Władimira Putina wobec UE

Według doniesień mediów podczas ostatniego szczytu UE-Rosja (w Sankt Petersburgu w dniach 3-4 czerwca 2012 r.) prezydent Władimir Putin narzekał na obecne bariery wizowe między Rosją i UE, które według niego stanowią przeszkodę w rozwoju osobistych relacji między tymi dwoma obszarami i utrudniają współpracę gospodarczą. Wyraził obawy dotyczące wdrożenia trzeciego pakietu energetycznego UE i podkreślił, że Rosja uważa za nie do zaakceptowania to, że przepisy w nim określone są stosowane z mocą wsteczną w odniesieniu do umów zawartych przed przyjęciem pakietu; zaznaczył także, że UE starała się skłonić Rosję do wyrażenia zgody na przyjęcie koncesji wykraczających poza zobowiązania Moskwy podjęte w ramach WTO.

— Jakie jest stanowisko Wiceprzewodniczącej/Wysokiej Przedstawiciel w sprawie zarzutów prezydenta Władimira Putina?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(13 lipca 2012 r.)

Doniesienia mediów, do których nawiązuje Szanowny Pan Poseł, nie są w pełni poprawne.

Umożliwienie ruchu bezwizowego jest wspólnym celem zarówno UE, jak i Rosji, i prezydent Putin potwierdził na szczycie swoje stanowisko, zgodnie z którym ruch bezwizowy będzie ważnym elementem „prawdziwego partnerstwa", jak to ujął. Ostatnio poczyniono znaczne postępy: podejmowane są wspólne działania zmierzające do wprowadzenia ruchu bezwizowego w przypadku krótkotrwałych podróży a negocjacje w sprawie zaktualizowanej umowy o ułatwieniach wizowych mają się ku końcowi. Ostatni przegląd unijnego rozporządzenia w sprawie małego ruchu granicznego, który umożliwi objęcie niektórych polskich jednostek administracyjnych i całego obwodu kaliningradzkiego umową o małym ruchu granicznym pomiędzy Rosją i Polską również przyczynia się do wzmocnienia kontaktów międzyludzkich.

Podczas szczytu UE potwierdziła swoje stanowisko, że trzeci unijny pakiet energetyczny nie ma charakteru dyskryminacyjnego i jest w pełni zgodny z międzynarodowymi zobowiązaniami UE.

W negocjacjach w sprawie nowej umowy dwustronnej UE nie wymaga od Rosji żadnych ustępstw. Wręcz przeciwnie, wspólnie zastanawiamy się nad tym, w jaki sposób zaktualizować i wzmocnić obecną umowę o partnerstwie i współpracy, tak by przynosiła ona obopólne korzyści. Podczas szczytu UE-Rosja w Chanty-Mansyjsku obie strony potwierdziły cel, jakim jest zawarcie ambitnej i kompleksowej nowej umowy. Poczyniono zadowalające postępy w wielu dziedzinach. W odniesieniu do przepisów dotyczących handlu i inwestycji obecnie wspólnie analizujemy, jakie, niepolegające na preferencyjnym traktowaniu, środki można uzgodnić w celu dalszego ułatwienia handlu i wsparcia w ten sposób rozwoju gospodarczego i społecznego.

(English version)

Question for written answer E-005809/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: VP/HR — Putin's allegations against the EU

According to media reports, at the recent EU-Russia Summit (St Petersburg, 3-4 June 2012), President Putin complained about the current visa barriers between Russia and the EU, which in his opinion are holding back the development of personal relations between the two areas and hamper economic cooperation. He expressed concern over the implementation of the EU's third energy package, stressing that Russia deems it unacceptable that the document's provisions are being applied retroactively to deals concluded before the package was adopted, and stressed that the EU was trying to make Russia agree to concessions going beyond Moscow's WTO commitments.

— What is the Vice-President/High Representative's position on President Putin's allegations?

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

The media reports referred to by the Honourable Member are not entirely correct.

Visa-free travel is a common objective shared by both the EU and Russia, and President Putin confirmed his view at the summit that it will be an important element for a 'true partnership', as he put it. Good progress has been made recently, with the implementation of common steps towards visa-free short-term travel ongoing, and negotiations for an upgraded visa facilitation agreement nearing completion. The recent revision of the EU local border traffic regulation allowing to cover certain Polish administrative districts and the whole Kaliningrad region under a bilateral local border traffic agreement between Russia and Poland also contributes to enhance people to people contacts.

The EU side reiterated its position at the summit that the EU's third energy package is not discriminatory and fully in line with the EU's international commitments.

In the negotiations on a new bilateral agreement the EU is not asking Russia for concessions. Rather, we are together defining how the current Partnership and Cooperation Agreement can be updated and enhanced to mutual benefit. At the EU-Russia summit in Khanty-Mansiisk both sides agreed the objective to conclude an ambitious and comprehensive new agreement. Good progress has been made in many areas. As regards trade and investment provisions, we are together examining which non-preferential measures can be agreed upon in order to further facilitate trade and thus promote economic and social development.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005810/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – International Coalition to Stop Crimes Against Humanity in North Korea, ICNK (międzynarodowa koalicja na rzecz powstrzymywania dokonywania zbrodni przeciwko ludzkości w Korei Północnej)

W dniu 7 czerwca 2012 r. delegacja reprezentująca organizację International Coalition to Stop Crimes Against Humanity in North Korea, ICNK (międzynarodową koalicję na rzecz powstrzymywania dokonywania zbrodni przeciwko ludzkości w Korei Północnej) rozpoczęła w Europie zaplanowaną wizytę, której celem jest wezwanie europejskich rządów i Unii Europejskiej do wsparcia utworzenia komisji śledczej Narodów Zjednoczonych ds. zbadania zbrodni przeciwko ludzkości popełnianych w Korei Północnej. ICNK jest międzynarodową koalicją utworzoną w celu położenia kresu dramatycznej sytuacji dotyczącej praw człowieka w Korei Północnej. W skład delegacji wchodzi Jared Genser, prawnik specjalizujący się w międzynarodowym prawie w dziedzinie praw człowieka, który w dniu 2 kwietnia 2012 r. złożył do Narodów Zjednoczonych petycję w imieniu ICNK, w której wezwał do zbadania przypadków łamania praw człowieka w Korei Północnej.

— W odniesieniu do niewyobrażalnej liczby ludzi, którzy wciąż giną w północnokoreańskich obozach dla więźniów politycznych oraz do zbrodni przeciwko ludzkości, które są popełniane w tym kraju, jakie jest stanowisko UE w sprawie wniosków o utworzenie składającej się w pełni z przedstawicieli Narodów Zjednoczonych komisji śledczej w celu dojścia prawdy i znalezienia winnych zbrodni w Korei Północnej?

— Czy Wiceprzewodnicząca/Wysoka Przedstawiciel popiera tę inicjatywę?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(25 lipca 2012 r.)

UE jest głęboko zaniepokojona godną ubolewania sytuacją w zakresie praw człowieka w Koreańskiej Republice Ludowo-Demokratycznej (KRLD) i nieustannie podnosi tę kwestię w ramach dwustronnego dialogu politycznego z jej władzami. Ponadto UE od szeregu lat prowadzi działania, by uwrażliwić opinię międzynarodową i stopniowo umocnić konsensus w odniesieniu do tych zagadnień na forum Narodów Zjednoczonych (ONZ) w drodze zgłaszania i promowania rezolucji przyjmowanych przez Radę Praw Człowieka i Zgromadzenie Ogólne.

Wysoka Przedstawiciel/Wiceprzewodnicząca wyraziła swoje uznanie dla wysiłków społeczeństwa obywatelskiego w dziedzinie dokumentowania naruszania praw człowieka w KRLD i zwracania uwagi międzynarodowej społeczności na te zagadnienia. Europejska Służba Działań Zewnętrznych wysłuchała informacji międzynarodowej koalicji na rzecz powstrzymywania zbrodni przeciwko ludzkości w Korei Północnej (ICNK) w dniach 7-8 czerwca 2012 r.

W odniesieniu do propozycji ustanowienia komisji śledczej, Wysoka Przedstawiciel/Wiceprzewodnicząca na tym etapie nie jest w pełni przekonana, że pomogłoby to w osiągnięciu celu UE, jakim jest promowanie większej otwartości ze strony nowego przywództwa KRLD i stopniowa poprawa sytuacji. Ponadto, aby osiągnąć ten cel, konieczne są również równoległe wysiłki, by zmniejszać napięte stosunki w regionie, promować dialog i zająć się kwestią rozprzestrzeniania broni masowego rażenia i sposobami jej pozyskiwania. UE pragnie przyczynić się w sposób pozytywny do realizacji szerzej zakrojonych wysiłków międzynarodowych dotyczących tych wszystkich wzajemnie powiązanych zagadnień.

UE będzie kontynuować swój dialog z zainteresowanymi stronami na temat najlepszego sposobu sprzyjania zmianom w zakresie praw człowieka w KRLD. UE będzie w tym czasie nadal odgrywać aktywną rolę w dyskusjach na ten temat na forum ONZ. Będziemy również nadal podnosić te kwestie bezpośrednio z władzami KRLD, wzywając je do podjęcia kroków prowadzących do usunięcia zastrzeżeń udokumentowanych w rezolucjach Zgromadzenia Ogólnego ONZ i sprawozdaniach specjalnego sprawozdawcy ONZ.

(English version)

Question for written answer E-005810/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: VP/HR — International Coalition to Stop Crimes Against Humanity in North Korea (ICNK)

On 7 June 2012, a delegation representing the International Coalition to Stop Crimes Against Humanity in North Korea (ICNK) began a planned visit to Europe, the objective of which is to urge European governments and the European Union to support the establishment of a United Nations Commission of Inquiry to investigate crimes against humanity in North Korea. The ICNK is an international coalition formed to work to end the dire human rights situation in North Korea. The delegation includes Jared Genser, an international human rights lawyer who submitted a petition to the United Nations on 2 April 2012, on behalf of ICNK, calling for an investigation into North Korea's human rights violations.

— Bearing in mind the unimaginable number of people that continue to die in North Korea's political prison camps and the crimes against humanity that are taking place, what is the EU's position concerning these demands for a full UN commission of inquiry investigation to establish the truth and identify culprits in North Korea?

— Does the Vice-President/High Representative support this initiative?

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

The EU is deeply concerned about the deplorable human rights situation in the DPRK. The EU consistently raises these concerns in its bilateral political dialogue with the authorities. In addition, the EU has for a number of years worked to mobilise international attention and progressively strengthen consensus on these matters at the United Nations (UN), by initiating and sponsoring the resolutions adopted by the Human Rights Council and General Assembly.

The HR/VP pays tribute to the work of civil society in documenting violations of human rights in the DPRK, and in focusing international attention on these matters. The European External Action Service was briefed by ICNK on 7-8 June 2012.

As regards the proposal to establish a Commission of Inquiry, at this stage the HR/VP is not yet fully persuaded that it would advance the EU's objective of fostering greater openness on the part of the new DPRK leadership and progressive improvement of the situation. Moreover, this objective needs to be pursued in parallel with efforts to reduce regional tensions, promote dialogue and deal with concerns about proliferation of weapons of mass destruction and their means of delivery. The EU aims to make a positive contribution in support of wider international efforts on all these inter-linked concerns.

The EU will pursue its dialogue with interested parties on how best to promote progress on human rights in the DPRK. The EU will in the meantime continue to play an active role in discussions on this issue at the UN. We will also continue to raise our concerns directly with the authorities, calling on them to take steps to start addressing the many concerns documented in the resolutions of the UN General Assembly and the reports of the UN Special Rapporteur.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005811/12
do Komisji
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Umowa handlowa UE-Japonia

Wartość unijnego wywozu do Japonii wyniosła w 2010 r. 44 mld euro (lub 3,2 % całkowitej wartości wywozu z UE), w związku z czym Japonia jest szóstym największym rynkiem eksportowym Unii po Stanach Zjednoczonych, Szwajcarii, Chinach, Rosji i Turcji. W dniu 31 maja 2012 r. Komisja oświadczyła, że zakończyła trwającą rok analizę dotyczącą ustalenia wartości rozpoczęcia negocjacji w odniesieniu do umowy o wolnym handlu z Japonią. Komisarz Karel De Gucht określił to jako „znaczący krok" i zwrócił uwagę, że „w nadchodzących tygodniach Komisja przedstawi Radzie projekt wytycznych negocjacyjnych", które będą mogły posłużyć za punkt wyjścia do udzielenia mandatu do rozpoczęcia negocjacji, jeśli państwa członkowskie wyrażą na to zgodę. Zasugerowano, że umowa o wolnym handlu z Japonią mogłaby zwiększyć wartość handlu między UE a Japonią o 50 %.

— Czy Komisja może podać szczegóły na temat wniosków z przedmiotowej analizy w odniesieniu do stawek celnych (w tym w rolnictwie), środków pozataryfowych, usług, inwestycji, praw własności intelektualnej, polityki konkurencji oraz udzielania zamówień?

Odpowiedź udzielona przez komisarza Karela De Guchta w imieniu Komisji
(12 lipca 2012 r.)

W następstwie podjętej na szczycie UE-Japonia w 2011 r. decyzji o rozpoczęciu procesu kompleksowego zacieśniania wszystkich aspektów dwustronnej współpracy w dniu 12 czerwca 2012 r. komisarz UE ds. handlu przedstawił Parlamentowi, w imieniu Komisji, główne wyniki analizy zakresu umowy o wolnym handlu (FTA). Podkreślił on przy tej okazji, że Komisja zakończyła rozmowy z Japonią na temat oczekiwań obu stron dotyczących negocjacji w sprawie FTA. Zakres potencjalnych negocjacji przedstawiony w analizie jest najbardziej ambitny z dotychczas uzgodnionych przez Komisję. Daje to Komisji pewność, że wszystkie priorytety UE w takich sektorach, jak taryfy celne, środki pozataryfowe, usługi, inwestycje, prawo własności intelektualnej, polityka konkurencji oraz zamówień publicznych zostaną w pełni uwzględnione w przyszłych negocjacjach w sprawie FTA. Komisja zamierza udostępnić odpowiedniemu komitetowi Parlamentu końcowe wyniki analizy zakresu łącznie z zaleceniem w sprawie wytycznych negocjacyjnych natychmiast po przedłożeniu tych wytycznych Radzie.

(English version)

Question for written answer E-005811/12
to the Commission
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: EEU-Japan trade agreement

With exports in 2010 to Japan of EUR 44 billion, or 3.2% of total EU exports, Japan is the EU's sixth largest export market after the USA, Switzerland, China, Russia and Turkey. On 31 May 2012, the Commission stated that it had completed its year-long scoping exercise to identify the value of starting negotiations on a free-trade agreement with Japan. Commissioner Karel De Gucht described this as a 'significant step' and noted that the 'Commission will present in the coming weeks the draft negotiating directives to the Council' that could serve as the basis for a mandate to open talks, if agreed by Member States. It has been suggested that a free-trade agreement with Japan could increase EU-Japanese trade by 50%.

— Can the Commission elaborate on the findings of this scoping exercise in terms of tariffs (including in agriculture), non-tariff measures, services, investment, intellectual property rights, competition policy and procurement?

Answer given by Mr De Gucht on behalf of the Commission
(12 July 2012)

Following the decision of the 2011 EU-Japan Summit to start a process for the comprehensive strengthening of all aspects of the bilateral relationship, on 12 June 2012 the Member of the Commission responsible for Trade reported on behalf of the Commission to the Parliament on the main results of the Free Trade Agreement scoping exercise. On this occasion, he stressed that the Commission had completed discussions with Japan on what both sides expect from the FTA negotiations. The scoping paper that lays out the scope of our potential discussions is the most ambitious the Commission has agreed in all our trade negotiations. This gives reassurance to the Commission that all the EU priorities in sectors such of tariffs, non-tariff measures, services, investment, intellectual property rights, competition policy and procurement will be fully addressed in future FTA negotiations. The Commission intends to share with the competent committee of the Parliament the final results of the scoping exercise together with the recommendation for negotiating directives as soon as the latter is submitted to the Council.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005812/12
do Komisji
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Argentyńskie ograniczenia przywozowe

W sprawozdaniu opublikowanym w dniu 6 czerwca 2012 r. UE zwróciła uwagę na nasilenie się protekcjonizmu na całym świecie, którego dowodem są 123 nowe ograniczenia w handlu wprowadzone w ciągu ostatnich ośmiu miesięcy – co oznacza wzrost o ponad 25 %. Tym sposobem całkowita liczba obowiązujących obecnie restrykcyjnych środków w zakresie handlu wzrosła do 534. Komisja Europejska wskazuje na niepowodzenie krajów z grupy G20 w zmniejszaniu barier w handlu. Argentyna jest konkretnym przykładem tej negatywnej tendencji. Ograniczenia obowiązujące w 2011 r. dotyczyły ok. 500 mln euro z wywozu w tym roku. Objęcie od 2012 r. wszystkich produktów zakresem stosowania tych środków oznacza, że cały wywóz z UE do Argentyny, sięgający kwoty 8,3 mld euro w 2011 r., mógłby potencjalnie na tym ucierpieć.

W opublikowanym przez Komisję komunikacie prasowym zwrócono uwagę, że restrykcyjne środki nakładane przez Argentynę obejmują coraz to więcej sektorów oraz że UE ściśle monitoruje sektor usług i ocenia, do jakiego stopnia jest on dotknięty przedmiotowymi ograniczeniami.

— Jaka jest obecnie sytuacja dotycząca zakwestionowania przez UE argentyńskich ograniczeń przywozowych?

— Jakich jeszcze sektorów dotyczą przedmiotowe ograniczenia?

Odpowiedź udzielona przez komisarza Karela De Guchta w imieniu Komisji
(17 lipca 2012 r.)

Komisja uważnie śledzi rozwój sytuacji dotyczący środków wprowadzonych przez Argentynę, do których odnosi się Pan Poseł.

W dniu 25 maja 2012 r. UE wszczęła formalne konsultacje dotyczące rozstrzygania sporów w ramach Światowej Organizacji Handlu (WTO) na temat środków ograniczających przywóz wprowadzonych przez Argentynę. Jest to pierwszy etap procedury rozstrzygania sporów w ramach WTO. Jeżeli strony nie dojdą do porozumienia w ciągu 60 dni, UE może wystąpić o utworzenie panelu WTO, który rozstrzygnie, czy działania Argentyny są zgodne z prawem.

Konsultacjami objęto szeroki zakres nieudzielanych automatycznie pozwoleń na przywóz, obejmujących obecnie około 600 pozycji taryfowych, udzielane automatycznie pozwolenia na przywóz stosowane w sposób nieautomatyczny, nowy system uprzednich oświadczeń importera składanych pod przysięgą i zatwierdzeń, dotyczący całego przywozu, obowiązujący od lutego 2012 r., a także nieformalne, nakładane na przedsiębiorstwa, zobowiązania do zrównoważenia przywozu i wywozu.

UE już wielokrotnie wyraziła zastrzeżenia dotyczące tak szerokiego zakresu środków ograniczających przywóz obowiązujących w Argentynie, zarówno w kontaktach dwustronnych, jak i wielostronnych – na forum organów WTO (np. w formie zdecydowanego oświadczenia na forum Rady ds. Handlu Towarami w dniu 30 marca 2012 r., popartego przez 19 członków WTO). Działania te nie przyniosły jednak żadnego skutku.

WTO stanowi odpowiednie forum dla sporów dotyczących handlu między członkami WTO, takimi jak UE i Argentyna. Podjęcie decyzji o rozpoczęciu konsultacji stanowi wyraźny sygnał, że UE nie toleruje środków naruszających międzynarodowe zasady i zdecydowanie sprzeciwia się działaniom protekcjonistycznym podejmowanym przez Argentynę lub przez inne państwa.

(English version)

Question for written answer E-005812/12
to the Commission
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: Argentina's import restrictions

In a report released on 6 June 2012, the EU identified an increase in protectionism around the world, with 123 new trade restrictions introduced over the last eight months — a rise of over 25%. This brings the total number of restrictive measures in place today to 534. The European Commission points to the G20 countries' failure to reduce trade barriers. Argentina is a concrete example of this negative trend. Restrictions which were in place in 2011 affected about EUR 500 million of exports in that year. As of 2012, the extension of the measures to all products meant that all EU exports to Argentina — amounting to EUR 8.3 billion in 2011 — could potentially be affected.

A press release from the Commission noted that Argentina's restrictive measures are being extended over more and more sectors and that the EU is closely monitoring the services sector and evaluating the extent to which it is affected.

— What is the current state-of-play with regard to the EU's challenge to Argentina's import restrictions?

— What other sectors are affected?

Answer given by Mr De Gucht on behalf of the Commission
(17 July 2012)

The Commission is following closely the measures implemented in Argentina as referred to by the Honourable Member.

On 25 May 2012, the EU launched a formal process of dispute settlement consultations in the World Trade Organisation (WTO) against import restricting measures introduced by Argentina. This is a first step in the WTO dispute settlement system. If no solution is found within 60 days, then the EU can request a WTO Panel to be established to rule on the legality of Argentina's actions.

The aspects covered by the consultations are a wide range of non-automatic import licensing extending to about 600 tariff lines now, automatic import licensing used in a non-automatic manner, a new system of prior sworn importer declarations and approvals on all imports in place since February 2012 as well as the informal obligations on companies to balance imports with exports.

The EU had already raised concerns on this broad range of import restricting measures in Argentina on numerous occasions both bilaterally and multilaterally at WTO bodies (e.g. with the last strong statement in Trade in Good Council on 30 March 2012 supported by 19 WTO Members), but to no avail.

The WTO is the adequate forum to address trade disputes between WTO Members like the EU and Argentina. This decision is a clear signal that the EU does not tolerate measures in violation of international rules and is determined to act firmly against protectionist measures by Argentina or by any other partner.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005813/12
do Komisji
Michał Tomasz Kamiński (ECR)
(8 czerwca 2012 r.)

Przedmiot: Umowa handlowa UE-USA

Gospodarki UE i USA generują łącznie 49 % światowego PKB i odpowiadają za jedną trzecią światowej wymiany handlowej. Według organizacji BusinessEurope zniesienie ceł w handlu towarami między USA a UE spowodowałoby utworzenie 200 000-520 000 miejsc pracy. Grupa robocza złożona z urzędników UE i USA, której współprzewodniczyli komisarz Karel De Gucht i Ron Kirk, przedstawiciel USA ds. handlu, obecnie omawia zakres przyszłych negocjacji po otrzymaniu mandatu od Baracka Obamy i Hermana Van Rompuya, udzielonego na ostatnim szczycie w listopadzie 2011 r. Podczas spotkania z premierem Wielkiej Brytanii Davidem Cameronem prezydent Barack Obama powiedział, że poinstruowano odpowiednie zespoły, aby „nadal poszukiwały sposobów na zwiększenie transatlantyckich inwestycji i handlu".

Według pisma „European Voice" w kwietniu 2012 r. Przewodniczący José Barroso poinformował przedstawicieli sektorów handlu transatlantyckiego zebranych w Brukseli, że umowa o wolnym handlu między UE a USA mogłaby być „najlepszym sposobem na poczynienie kroku na przód" i „silnym sygnałem dla reszty świata".

— Jakie zdaniem Komisji są największe bariery pozataryfowe dla tej potencjalnej umowy handlowej?

— Jakie są główne rozbieżności w zakresie przepisów, które należałoby przezwyciężyć, aby tego rodzaju umowa o wolnym handlu mogła dobrze funkcjonować?

Odpowiedź udzielona przez komisarza Karela De Guchta w imieniu Komisji
(5 lipca 2012 r.)

Utworzenie na szczycie UE-USA w dniu 28 listopada 2011 r. grupy roboczej wysokiego szczebla UE-USA ds. zatrudnienia i wzrostu było ważną decyzją, którą Komisja we współpracy ze Stanami Zjednoczonymi z powagą i pełnym zaangażowaniem wprowadza w życie.

Komisja z determinacją dąży do zapewnienia sukcesu grupy roboczej wysokiego szczebla, aby przyczynić się do pogłębienia transatlantyckich stosunków gospodarczych, tworzenia miejsc pracy i wzrostu gospodarczego.

Prace trwają i poczyniono znaczne postępy w przeprowadzanej wspólnie z amerykańskimi partnerami szczegółowej analizie wszystkich obszarów, w tym taryf, aspektów regulacyjnych, usług, inwestycji, praw własności intelektualnej, zamówień publicznych i obowiązujących „zasad".

Bariery pozataryfowe stanowią nieodłączny element tej pogłębionej analizy i wspólnie staramy się opracować mechanizm, który mógłby w wydajny i skuteczny sposób barierom tym zaradzić. Obie strony posiadają zaawansowane ramy regulacyjne, których wspólnym celem jest wysoki poziom wydajności i bezpieczeństwa. Pomimo bardzo zbliżonych celów ich struktura często się różni. UE zdecydowanie dąży do znalezienia sposobów i narzędzi pozwalających na usunięcie zbędnych przeszkód w handlu wynikających z tych różnic.

Pierwszy element naszej wspólnej analizy został udostępniony w sprawozdaniu okresowym z dnia 18 czerwca 2012 r. ([1]) zgodnie z przyjętym podczas szczytu harmonogramem.

([1]) http://trade.ec.europa.eu/doclib/press/index.cfm?id=807.

(English version)

Question for written answer E-005813/12
to the Commission
Michał Tomasz Kamiński (ECR)
(8 June 2012)

Subject: EU-US trade agreement

Taken together, the EU and US economies account for 49% of world GDP and a third of world trade. According to the organisation BusinessEurope, eliminating tariffs on US-EU trade in goods would create between 200 000 and 520 000 jobs. The working group of EU and US officials co-chaired by Commissioner Karel De Gucht and Ron Kirk, the US trade representative, is currently discussing the scope of future negotiations, following a mandate from Barack Obama and Herman Van Rompuy given at the most recent summit in November 2011. During a meeting with the UK prime minister David Cameron, President Obama said that teams have been instructed 'to continue to explore ways to increase transatlantic trade and investment'.

According to the newspaper 'European Voice', in April 2012 President Barroso told a transatlantic business audience in Brussels that an EU-US free trade deal could be 'the best way forward' and 'could send a strong signal to the rest of the world.'

— In the Commission's opinion, what are the biggest non-tariff barriers to this potential trade deal?

— What are the main differences as regards regulation that would have to be overcome for such a free trade agreement to function properly?

Answer given by Mr De Gucht on behalf of the Commission
(5 July 2012)

The creation of the EU-US High Level Working Group for Jobs and Growth at the 28 November 2011 EU-US Summit was an important decision that the Commission is implementing in cooperation with the United States in a serious and dedicated manner.

The Commission is strongly committed to making the High Level Working Group a success with the aim of contributing to deepened transatlantic economic relations, and the creation of jobs and growth.

Work is under way and good progress is being achieved in the joint analysis that is being carried out with our American counterparts, to look into the details of all areas, be it tariffs, regulatory aspects, services, investment, intellectual property rights, procurement or 'rules'.

Non-tariff barriers are part and parcel of this in-depth analysis and it is our joint endeavour to devise a mechanism that would address those efficiently and effectively. Both sides have sophisticated regulatory systems whose shared objectives are a high level of performance and safety. Although very close in their objectives, the set-up is often different on either side of the Atlantic. The EU is hence determined to find ways and means to overcome unnecessary obstacles to trade due to those differences.

The first element of our joint analysis has been made available in the interim report of 18 June 2012 ([1]) according to the schedule decided by the Summit.

([1]) http://trade.ec.europa.eu/doclib/press/index.cfm?id=807.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005814/12
alla Commissione
Cristiana Muscardini (PPE)
(8 giugno 2012)

Oggetto: Manifesto «Stop DSM»

In Spagna, a Barcellona, è stato lanciato il manifesto internazionale «Stop DSM» contro la medicalizzazione del disagio e dei comportamenti, al quale hanno già aderito numerose organizzazioni ed esperti. L'obiettivo dell'iniziativa è quello di «porre un limite all'incremento delle classificazioni statistiche internazionali delle malattie psichiatriche e di lavorare con criteri di classificazione che abbiano una solida base psicopatologica, provenienti esclusivamente dalla pratica clinica». È un accenno, sia pure indiretto, all'invadenza delle case farmaceutiche ed al peso che queste ultime hanno, nell'edizione 2013 del Manuale Diagnostico Statistico (DSM), nelle nuove classificazioni elaborate a tavolino da medici spesso loro consulenti.

Non si può dimenticare infatti la polemica scoppiata qualche tempo fa a proposito di un medicinale per combattere l'ADHD, la sindrome dei bambini un po' agitati e distratti. Uno dei maggiori esperti italiani di questa sindrome ha denunciato il fatto che «al giorno d'oggi si fa strada il mito del distributore automatico di pillole della felicità: la chimica — ha dichiarato — è vista come soluzione rapida ad ogni disagio, e questo è terrificante specie quando riguarda i più deboli di noi, i bambini».

Si chiede quindi alla Commissione:

1. Conosce questo manifesto?

2. In caso affermativo, che opinione ne ha?

3. È il caso di prendere iniziative per sostenere le tesi che il manifesto promuove e per prendere posizione contro la troppo facile medicalizzazione del disagio?

Risposta di John Dalli a nome della Commissione
(22 agosto 2012)

1. La Commissione è al corrente della petizione «Stop DSM».

2. Il Manuale Diagnostico Statistico (Diagnostic Statistical Manual of Mental Disorders — DSM) è stato elaborato dall'American Psychiatric Association, che ne è la responsabile unica ed esclusiva; la Commissione non influisce minimamente su nessuna parte del processo di adozione di tale manuale. Sono attualmente in corso consultazioni per prepararne la quinta edizione, la cui pubblicazione è prevista nel 2013.

L'unica classificazione internazionale che la Commissione utilizza ai fini delle sue attività nel campo della sanità pubblica e delle relative statistiche è la Classificazione internazionale delle malattie (International Classification of Diseases — ICD), anch'essa sottoposta ad aggiornamenti che si concluderanno probabilmente nel 2015. La Commissione europea raccomanda agli Stati membri di impiegare questa Classificazione internazionale delle malattie; essa diffida anche dall'uso di altre classificazioni delle malattie.

3. Secondo il parere della Commissione, tutti i trattamenti delle malattie devono fondarsi su prove scientifiche.

(English version)

Question for written answer E-005814/12
to the Commission
Cristiana Muscardini (PPE)
(8 June 2012)

Subject: The 'Stop DSM' petition

In Barcelona, the international 'Stop DSM' petition has been launched against the medicalisation of disorders and behaviour and has already been signed by many organisations and experts. The initiative's aim is to 'impose a limit on the increase in the international statistical classifications of psychiatric illnesses and to work with classification criteria that have a solid psycho-pathological basis originating exclusively from clinical practice'. This is an indirect reference to the intrusiveness of pharmaceutical companies and the influence they have, in the 2013 edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), on the new classifications drawn up by doctors who are often consultants to these companies.

The controversy that erupted some time ago regarding a drug to combat ADHD, the attention deficit hyperactivity disorder that affects children, should not be forgotten. One of Italy's leading experts on this syndrome has reported that 'the happiness pill vending machine myth is gaining ground: chemistry is seen as the quick solution to any illness, and this is terrifying, particularly when it relates to the weakest among us, namely children'.

Can the Commission state:

1. Is it aware of this petition?

2. If so, what is its opinion of it?

3. Should initiatives be taken to support the petition's arguments and take a stance against the over-simplified medicalisation of disorders?

Answer given by Mr Dalli on behalf of the Commission
(22 August 2012)

1. The Commission is aware of the 'Stop DSM' petition.

2. The DSM (Diagnostic Statistical Manual of Mental Disorders) is elaborated by the American Psychiatric Association, under their own responsibility, and the Commission has no influence in any part of the process of adoption of this manual. The fifth edition is currently in consultation and preparation, and is due for publication in 2013.

The only international classification used by the Commission in its public health and statistical activities is the International Classification of Diseases (ICD), which is also going through a process of revision due to be finalised in 2015. The European Commission recommends the use of the International Classification of Diseases to the Member States; no other disease classification is recommended for use.

3. In the opinion of the Commission, all treatment of diseases must be based on scientific evidence.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005815/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(11 de junio de 2012)

Asunto: Gestión de autopistas

La libre circulación dentro del espacio Schengen constituye uno de los pasos más importantes en la historia de la construcción de la Unión Europea ([1]) (UE) y queda claramente definido en el Tratado de Lisboa.

A la luz de lo anterior y teniendo en cuenta la estrategia 2050 de la CE, en la que se pone de relieve la importancia del pago por uso de las infraestructuras y que dicho pago sea justo:

1. ¿Cree la Comisión que un sistema de peajes harmonizado a nivel europeo sería la forma más justa de fomentar la competitividad y la libertad de circulación, basada, entre otros, sobre unos mismos estándares y principios homologables a todos los Estados miembros?

2. ¿Piensa la Comisión que, en lugar de dilatar en el tiempo las concesiones de gestión de autopistas privadas para financiar otras vías de comunicación públicas terrestres sin peaje, no sería más recomendable aplicar tasas, como un peaje, en aquellas vías públicas en las que no los hay?

Respuesta del Sr. Kallas en nombre de la Comisión
(23 de julio de 2012)

1. La Directiva 1999/62/CE ([2]) sobre la euroviñeta establece normas comunes en materia de gravámenes a los vehículos pesados de transporte de mercancías a fin de mejorar el funcionamiento del mercado interior del transporte por carretera y reducir las diferencias en los importes y sistemas de peajes y las viñetas aplicables en los Estados miembros. En términos más generales, tal como se indica en el Libro Blanco del transporte ([3]) de 2011, la Comisión considera que se necesita un marco común para armonizar progresivamente los sistemas nacionales vigentes de tarificación vial, en el respeto del principio de subsidiariedad, a fin de garantizar el correcto funcionamiento del mercado interior, incluida la libre circulación sin discriminaciones, y, al mismo tiempo, fomentar la aplicación de los principios de «quien utiliza, paga» y de «quien contamina, paga» como forma de financiar las infraestructuras y de gestionar la demanda de transporte.

La Comisión está analizando la vía y las medidas concretas para aplicar estos principios y tiene previsto concluir esta evaluación en 2013. Dependiendo de las circunstancias locales, es posible que deban tenerse en cuenta diferentes alternativas y preferencias nacionales de tarificación, siempre que se cumplan las normas comunes de la UE para prevenir la aparición de un mosaico de métodos de cálculo y de sistemas de tarificación. En especial, una de las prioridades es garantizar la interoperabilidad de los sistemas de telepeaje, como contempla la Directiva 2004/52/CE ([4]).

2. El recurso a los peajes en régimen de concesión gestionados por agentes privados como una forma de atraer a los inversores privados para fomentar y mantener determinadas infraestructuras viales es compatible con el cobro de tasas de circulación en el resto de la red, siempre que se garantice la interoperabilidad de los sistemas de cobro de peajes y se respeten las normas vigentes de la Directiva sobre la euroviñeta.

([1]) http://es.wikipedia.org/wiki/Uni%C3 %B3n_Europea.
([2]) Directiva 1999/62/CE del Parlamento Europeo y del Consejo, de 17 de junio de 1999, relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras (DO L 187 de 20.7.1999, pp. 42-50).
([3]) Libro Blanco Hoja de ruta hacia un espacio único europeo de transporte: por una política de transportes competitiva y sostenible, COM(2011) 144 final.
([4]) Directiva 2004/52/CE del Parlamento Europeo y del Consejo, de 29 de abril de 2004, relativa a la interoperabilidad de los sistemas de telepeaje de las carreteras de la Comunidad (DO L 166 de 30.4.2004, pp. 124-143).

(English version)

Question for written answer E-005815/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(11 June 2012)

Subject: Motorway management

Free movement within the Schengen area is one of the most important elements in the history of the European Union ([1]) and is clearly defined in the Lisbon Treaty.

In view of the above, and taking into account the Commission's 2050 strategy, which highlights the importance of paying for the use of infrastructure and that such payments should be fair:

1. Does the Commission believe that a system of tolls harmonised at European level would be the fairest way of promoting competitiveness and freedom of movement, based on, *inter alia*, standards and principles that are comparable in all Member States?

2. Does the Commission believe that, instead of extending the life of licences for managing private motorways in order to finance other toll-free public roads, it would be preferable to apply taxes, such as tolls, to public roads that are currently free of them?

Answer given by Mr Kallas on behalf of the Commission
(23 July 2012)

1. The so-called Eurovignette Directive 1999/62/EC ([2]) sets common rules on charges levied on heavy goods vehicles with the aim of improving the functioning of the road transport internal market by reducing the differences in the levels and systems of tolls and vignettes applicable in Member States. More generally as mentioned in the 2011 Transport White Paper ([3]), the Commission considers that a common framework to gradually harmonise the national road charging schemes, while fully respecting the principle of subsidiarity, is necessary to ensure the smooth functioning of the internal market, including a freedom of movement without discrimination, and at the same time to promote the application of the 'user pay' and the 'polluter pays' principles as a way to finance infrastructure and manage transport demand.

The Commission is currently analysing the concrete path and measures towards implementing these principles and plans to complete this assessment in 2013. Depending on local circumstances, there may be different options and national preferences for charging which can be considered, while respecting common EU rules to avoid a patchwork of calculation methods and charging systems. A priority is in particular to ensure the interoperability of the electronic toll systems as foreseen in Directive 2004/52/EC ([4]).

2. The recourse to concession tolls operated by private operators as a way to attract private investors to develop and maintain specific road infrastructure is compatible with the levy of road user charges on the rest of the network provided that the interoperability of the toll collection systems is ensured and that the existing rules of the Eurovignette Directive are respected.

([1]) http://es.wikipedia.org/wiki/Uni%C3%B3n_Europea.
([2]) Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, OJ L 187, 20.7.1999, p. 42-50.
([3]) White Paper Roadmap to a Single European Transport Area — Towards a competitive and resource efficient transport system, COM(2011) 0144 final.
([4]) Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community, OJ L 166, 30.4.2004, p. 124-143.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005816/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(11 de junio de 2012)

Asunto: Peajes

Según la Cámara de Comercio de Barcelona ([1]) muchas de las autopistas de peaje en Cataluña ya están amortizadas y muchas de ellas sufren un gran tráfico dado que no hay otras vías alternativas libres de peaje.

Dada la grave crisis económica y su necesidad de aumentar la competitividad en la UE y de la Estrategia Europa 2020 de la CE,

1. ¿Piensa la Comisión que la forma más adecuada de financiar las infraestructuras, como por ejemplo las autopistas, debería basarse en el principio de recuperar el coste de la infraestructura mediante peajes?

2. ¿Puede la Comisión aportar datos económicos que muestren si existen externalidades negativas en un estado o región con un alto índice de sus vías de comunicación de peaje, en comparación con otro estado o región con un porcentaje residual de sus vías de peaje?

3. Si no los tiene, ¿va a hacer un estudio para obtener dichos datos económicos y así poder tomar decisiones a nivel europeo, con el fin de crear un mercado interior más eficiente y competitivo?

Respuesta del Sr. Kallas en nombre de la Comisión
(26 de julio de 2012)

1. La Comisión apoya el principio del «usuario pagador» como forma de financiar los costes de mantenimiento, y, dependiendo de las circunstancias de la construcción, de la infraestructura. La Directiva 1999/62/CE ([2]), relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras, ya establece normas claras sobre la manera de aplicar este principio en la práctica. La reciente Comunicación de la Comisión relativa a la imposición de tasas nacionales a los vehículos particulares ligeros por el uso de la infraestructura vial [COM(2012)199] explica que el cobro de tasas mediante sistemas de peaje a distancia es preferible a la viñeta, porque las tasas estarían así más ligadas al uso de la infraestructura y, por lo tanto, serían seguramente menos discriminatorias.

2. En lo que respecta a los datos económicos, la Comisión no dispone de información que demuestre que el alto porcentaje de carreteras de peaje en un Estado o país determinados afecten negativamente a su comportamiento económico. Al contrario, unos peajes diferenciados pueden dar lugar a mejoras en la eficiencia al fomentar un uso más eficiente de la infraestructura y generar recursos adicionales que pueden servir para mantener una buena red de calidad, que es importante para la competitividad. La Comisión ha calculado que hace falta una inversión mínima de 1 500 billones de euros durante veinte años para hacer frente al ritmo de aumento de la demanda de transporte en la UE. Son necesarios 550 000 millones de euros hasta 2020 para concluir la red RTE-T. En una coyuntura de crisis y de reducción del gasto público en infraestructuras, estas inversiones precisarán una aplicación más general del principio del «usuario pagador» para poder colmar los déficits de financiación actuales y previstos en el futuro.

3. La Comisión puso en marcha a principios de 2012 un estudio dirigido efectivamente a recopilar más información sobre el coste de la infraestructura, incluido el coste externo de su utilización, y a analizar las mejores estrategias de tarificación para recuperar ese coste. Sus conclusiones se harán públicas en 2013.

([1]) http://www.geeconomics.com/catala/infraestruc/articles/peatges.pdf
([2]) Directiva 1999/62/CE del Parlamento Europeo y del Consejo, de 17 de junio de 1999, relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras (DO L 187 de 20.7.1999, pp. 42-50).

(English version)

Question for written answer E-005816/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(11 June 2012)

Subject: Tolls

According to the Barcelona Chamber of Commerce ([1]), many of the toll motorways in Catalonia have already been amortised and many of them experience heavy traffic because there are no alternative toll-free routes.

Given the severe economic crisis and the need to increase competitiveness in the EU, and in view of the Commission's Europe 2020 strategy:

1. Does the Commission believe that the most appropriate way to finance infrastructure projects, such as motorways, is to recover infrastructure costs through tolls?

2. Can the Commission provide economic data to show that negative costs apply in states or regions that have a high proportion of toll roads, in comparison with states or regions where there is only a small number of toll roads?

3. If not, is it going to carry out a study to obtain such data so that it can take decisions at European level, in order to create a more efficient and competitive internal market?

Answer given by Mr Kallas on behalf of the Commission
(26 July 2012)

1. The Commission supports the 'user pays' principle as a way to finance the costs of maintaining, and, depending on the circumstances of constructing, infrastructure. Directive 1999/62/EC ([2]) on charging the use of infrastructure by heavy goods vehicles already establishes clear rules on how to apply this principle in practice. The recent Communication from the Commission on the application of national road infrastructure charges levied on light private vehicles (COM(2012)199) explains that collecting charges via distance based tolling systems would be preferable over vignette as charges are thus more directly linked to the use of infrastructure and therefore less likely to be discriminatory.

2. Regarding economic data, the Commission has no data which would show that the high proportion of toll roads in a given state or country would negatively affect its economic performance. Differentiated tolls can on the contrary generate efficiency gains by promoting a more efficient use of infrastructure and generate additional resources which can be used to maintain a good quality network important for competiveness. The Commission has estimated a minimum investment need of EUR 1.5 trillion over 20 years to keep pace with the increase in transport demand in the EU. EUR 550 billion will be needed till 2020 to complete the TEN-T network. These investments will, in times of crisis and in times of falling public spending on infrastructure, require a broader application of the 'user pays' principle to bridge the current as well as the expected future financing gap.

3. The Commission has launched early in 2012 a study to indeed collect more information on the cost of infrastructure, including the external cost of using infrastructure, and to analyse optimal charging strategies to recover these costs. The results will be available in 2013.

([1]) http://www.geeconomics.com/catala/infraestruc/articles/peatges.pdf
([2]) Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, OJ L 187, 20.7.1999, pp. 42-50.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005817/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(11 de junio de 2012)

Asunto: Euroviñeta

El Libro Blanco de la CE apunta que se debería de hacer obligatoria la implantación de la euroviñeta para los vehículos pesados antes del 2016 y extenderla a la totalidad de los vehículos antes del 2020.

A la luz de lo anterior y teniendo en cuenta la Directiva 2006/38/CE:

1. ¿Puede la Comisión explicar qué medidas tiene previsto aplicar para verificar que el Estado español cumplirá el calendario establecido?

2. ¿Está la Comisión satisfecha de los progresos hechos por el Gobierno del Estado español?

Respuesta del Sr. Kallas en nombre de la Comisión
(26 de julio de 2012)

1. La Directiva 2006/38/CE ([1]) modifica la Directiva 1999/62/CE relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras. La Comisión informa a Su Señoría de que España ha incorporado la Directiva a su ordenamiento jurídico y de que así lo ha notificado a la Comisión. No hay ningún asunto de infracción pendiente contra España a este respecto.

Según la Directiva, los Estados miembros no están obligados a cobrar tasas de circulación en sus redes de carreteras. Las disposiciones de la Directiva solo disponen en qué condiciones pueden cobrarse esas tasas. La iniciativa del Libro Blanco mencionada por Su Señoría se refiere a la posibilidad de introducir gradualmente unas tasas de circulación armonizadas en todos los Estados miembros de la UE. Todavía se deben evaluar las iniciativas de la UE en este ámbito y, si procede, proponerlas la Comisión.

2. El documento de trabajo de los servicios de la Comisión [SWD(2012) 310] adjunto a la Recomendación de Recomendación del Consejo sobre el programa nacional de reforma de 2012 de España y por la que se emite un dictamen del Consejo sobre el programa de estabilidad de España para 2012-2015 [COM(2012)310 final] observa que los usuarios del transporte deben soportar una parte más proporcionada de los costes globales mediante una aplicación más generalizada del principio del «usuario-pagador». Aunque la Comisión está analizando todavía la posibilidad de adoptar nuevas medidas en materia de tarificación vial que podrían proponerse a raíz del Libro Blanco del Transporte ([2]) de 2011 mencionado por Su Señoría, ya se puede indicar que un mayor recurso a una tarificación vial diferenciada podría contribuir a este cambio.

([1]) Directiva 2006/38/CE del Parlamento Europeo y del Consejo, de 17 de mayo de 2006, por la que se modifica la Directiva 1999/62/CE relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras (DO L 157 de 9.6.2006, pp. 8-23).

([2]) Libro Blanco: Hoja de ruta hacia un espacio único europeo de transporte: por una política de transportes competitiva y sostenible, COM(2011) 144 final.

(English version)

Question for written answer E-005817/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(11 June 2012)

Subject: Eurovignette

The Commission White Paper notes that implementation of the Eurovignette should be mandatory for heavy vehicles by 2016, and should be extended to cover all vehicles by 2020.

In view of the above and with regard to Directive 2006/38/EC:

1. Can the Commission explain what measures it will take to check that Spain adheres to the schedule?

2. Is the Commission satisfied with progress made by the Spanish Government?

Answer given by Mr Kallas on behalf of the Commission
(26 July 2012)

1. Directive 2006/38/EC ([1]) amends Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructure. The Commission would like to inform the Honourable Member that Spain has transposed the directive and notified its transposition to the Commission. No infringement case in relation with this transposition is currently pending against Spain.

According to the directive, Member States are not obliged to levy road user charges on their road networks. The provisions of the directive only regulate under what conditions such charges can be levied. The initiative in the White Paper that the Honourable Member refers to concerns the possibility of phasing in harmonised road user charges across the EU Member States. EU initiatives in this field still need to be assessed and if appropriate proposed by the Commission.

2. The Commission Staff Working Document (SWD(2012)310) accompanying the recommendation for a 'Council recommendation on Spain's 2012 national reform programme and delivering a Council opinion on Spain's stability programme for 2012-2015' (COM(2012)310 final), remarks that transport users in Spain 'should bear a more proportionate share of the overall costs through wider application of the "user pays" principle'. Although the Commission is still analysing the possibility of new measures on road charging which could be proposed following the 2011 Transport White Paper ([2]) mentioned by the Honourable Parliament Member, it can already be noted that a wider recourse to differentiated road charging could contribute to this change.

([1]) Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, OJ L 157, 9.6.2006, p. 8-23.

([2]) WHITE PAPER Roadmap to a Single European Transport Area — Towards a competitive and resource efficient transport system, COM(2011)0144 final.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005818/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(11 de junio de 2012)

Asunto: Sistema de transportes europeo

Según la Generalitat de Catalunya, la región de Cataluña concentra el 22 % de las vías de peaje explícitas del Reino de España, lo que, a la sazón, supone el 47 % de la red de alta capacidad catalana. Además, y según el mismo informe del Gobierno Catalán, se pone de manifiesto que, en Cataluña, el ratio de ingresos en vías de peaje por habitante es, de media, de 95,75 €, frente a los 30,30 € por habitante de media en el resto del Reino.

En el año 2010, Cataluña representa el 16 % de la población española y produce el 18,7 % del PIB del Reino. No obstante, su stock en infraestructuras es del 14,3 % del total.

A la luz de lo anterior y teniendo en cuenta el Libro Blanco de la CE y la Directiva 2006/38/CE,

1. ¿Puede la Comisión explicar si un sistema de peajes como el descrito anteriormente, puede distorsionar el sistema de transportes español, y por lo tanto, europeo?

2. ¿Casos como el descrito anteriormente, no hacen necesario, a nivel europeo, aplicar de manera obligatoria los principios de que quien usa paga y quien contamina paga?

3. ¿Cree la Comisión que, por norma general, un bajo stock en infraestructuras puede restar competitividad a una economía?

Respuesta del Sr. Kallas en nombre de la Comisión
(26 de julio de 2012)

1. Los peajes de los vehículos pesados de transporte de mercancías deben ajustarse a las disposiciones de la Directiva 1999/62/CE ([1]). A falta de legislación específica que regule los peajes de otros tipos de vehículos de transporte por carretera, estos peajes deben respetar el Tratado y, en particular, los principios de proporcionalidad y de no discriminación por motivos de nacionalidad. Siempre que se cumplan estas condiciones, se considera que los peajes no falsean el sistema de transportes europeo. La Comisión no está en condiciones de pronunciarse sobre si el hecho de que una parte importante de la red de carreteras de peaje españolas esté en Cataluña falsea o no el sistema de transportes español.

2 y 3. La Comisión remite a las respuestas proporcionadas a las preguntas E-005815/2012, E-005816/2012 y E-005817/2012 ([2]) en relación con los asuntos abordados en la preguntas 2 y 3 de Su Señoría.

([1]) Directiva 1999/62/CE del Parlamento Europeo y del Consejo, de 17 de junio de 1999, relativa a la aplicación de gravámenes a los vehículos pesados de transporte de mercancías por la utilización de determinadas infraestructuras (DO L 187 de 20.7.1999, pp. 42-50).

([2]) Se pueden consultar en la dirección siguiente: http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-005818/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(11 June 2012)

Subject: European transport system

According to a report from the Government of Catalonia, 22% of Spain's toll roads are concentrated in the autonomous community of Catalonia, and toll roads in turn represent 47% of Catalonia's high-capacity network. Furthermore, the report shows that, on average, Catalonia's toll roads generate income of EUR 95.75 per inhabitant, compared with an average of EUR 30.30 in the rest of Spain.

In 2010, Catalonia accounted for 16% of Spain's population and produced 18.7% of Spain's GDP. Despite this, it has only 14.3% of Spain's total infrastructure.

In view of the above, and taking into account both the Commission's White Paper and Directive 2006/38/EC:

1. Can the Commission say whether this toll road network is distorting Spain's transport system, and, therefore, that of Europe?

2. Do cases such as this not demonstrate the need to impose the 'the user pays' and 'the polluter pays' principles on a mandatory basis across Europe?

3. Does the Commission believe, in general, that insufficient infrastructure can make an economy less competitive?

Answer given by Mr Kallas on behalf of the Commission
(26 July 2012)

1. Tolls for heavy goods vehicles must comply with the provisions of Directive 1999/62/EC ([1]). In the absence of specific legislation governing tolls for other types of road vehicles, such tolls must respect the Treaty, and in particular the principles of non-discrimination on the grounds of nationality and proportionality. As long as these conditions are met, the tolls are deemed not to be distorting the *European* transport system. The Commission is not in the position to comment whether the fact that a large share of the Spanish tolled road network is in Catalonia is distorting the *Spanish* transport system.

2 and 3. The Commission would like to refer to the replies provided to Questions E-005815/2012, E-005816/2012 and E-005817/2012 ([2]) on the issues addressed in the question 2 and 3 of the Honourable Member.

([1]) Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, OJ L 187, 20.7.1999, pp. 42-50.

([2]) Avalaible at http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005819/12
προς την Επιτροπή
Georgios Koumoutsakos (PPE)
(11 Ιουνίου 2012)

Θέμα: Ανησυχία για την ιατροφαρμακευτική περίθαλψη εξαιτίας της υποχρηματοδότησης του Εθνικού Οργανισμού Παροχής Υπηρεσιών Υγείας (ΕΟΠΥΥ)

Τις τελευταίες μέρες έχει διαμορφωθεί μια εκρηκτική κατάσταση στο χώρο της υγείας στην Ελλάδα. Ο πρόσφατα συσταθείς Εθνικός Οργανισμός Παροχής Υπηρεσιών Υγείας (ΕΟΠΥΥ) δεν μπορεί να ανταπεξέλθει στις υποχρεώσεις του απέναντι σε φαρμακοποιούς, γιατρούς, νοσηλευτικό προσωπικό, προμηθευτές νοσοκομείων, κτλ. Τα φαρμακεία και τα νοσοκομεία έχουν αναστείλει την επί πιστώσει χορήγηση φαρμάκων στους ασφαλισμένους ασθενείς ενώ, εξαιτίας των ανεξόφλητων οφειλών τους προς τις φαρμακευτικές εταιρείες, έχουν παρουσιαστεί σημαντικές ελλείψεις σε ακριβά φάρμακα.

Υπό αυτές τις συνθήκες, οι ασθενείς καλούνται να πληρώσουν το σύνολο της αξίας των φαρμάκων τους. Το πρόβλημα είναι ιδιαίτερα σοβαρό για ομάδες ασθενών, όπως καρκινοπαθείς, ασθενείς με σοβαρές ή και χρόνιες παθήσεις, άτομα με αναπηρίες, κτλ.

Σε αυτό το πλαίσιο, ερωτάται η Ευρωπαϊκή Επιτροπή:

1. Στην ανακοίνωση της Επιτροπής (COM(2012)0183) σχετικά με την Ανάπτυξη για την Ελλάδα, υπογραμμίζεται ότι «Η Ελλάδα θα πρέπει να εργαστεί για μια πλήρη σειρά μέτρων (…) προς μια αληθινά εθνική υπηρεσία υγείας που θα εγγυάται δίκαιη αντιμετώπιση, ίση μεταχείριση, αποτελεσματικότητα και ποιότητα υπηρεσιών και δαπανών».

Με δεδομένη την εξαιρετικά δυσχερή οικονομική κατάσταση στην οποία έχει περιέλθει ο ΕΟΠΥΥ, με ποιο τρόπο προτείνει η Επιτροπή να διασφαλιστεί η ισότιμη πρόσβαση και μεταχείριση όλων των ασθενών στην ιατροφαρμακευτική περίθαλψη, ειδικά των ασθενών με σοβαρές παθήσεις;

2. Στην δεύτερη τριμηνιαία έκθεση (Μάρτιος 2012) της Ομάδας Δράσης για την Ελλάδα αναφέρεται ότι «Προετοιμάζεται τεχνική βοήθεια (…) για τη δημιουργία του ενοποιημένου ταμείου ασθενείας (…) που συμφωνήθηκε στο Μνημόνιο Συνεννόησης».

Πιστεύει ότι με την τεχνική βοήθεια που παρέχεται θα βρεθεί αποτελεσματική λύση στο πρόβλημα της χρηματοδότησης του ΕΟΠΥΥ;

3. Υπάρχουν βέλτιστες πρακτικές που θα μπορούσαν να αξιοποιηθούν στην προσπάθεια της Ελλάδας να αναβαθμίσει, να οργανώσει καλύτερα και να μειώσει το κόστος της υγειονομικής περίθαλψης; Υπάρχουν άλλα κράτη μέλη που διαθέτουν αντίστοιχους εθνικούς οργανισμούς, στους οποίους εντάσσονται όλα ή η πλειοψηφία των ασφαλιστικών ταμείων;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(31 Ιουλίου 2012)

1. Σύμφωνα με το πρόγραμμα δημοσιονομικής προσαρμογής, οι ελληνικές αρχές έχουν δεσμευθεί το κόστος λειτουργίας του συστήματος υγείας τους, διατηρώντας παράλληλα την καθολική πρόσβαση σε αυτό. Η μεταρρύθμιση του συστήματος υγείας έχει ως στόχο να αντιμετωπιστούν προβλήματα στην οργάνωση, τη χρηματοδότηση και την παροχή υγειονομικής περίθαλψης στην Ελλάδα. Τα σχετικά μέτρα προβλέπουν, μεταξύ άλλων, τη μείωση των φαρμακευτικών δαπανών για τους ασθενείς με τη μεγαλύτερη χρήση των φθηνότερων γεννόσημων φαρμάκων, την ολοήμερη λειτουργία των νοσοκομείων, τη βελτίωση της παρακολούθησης και της ασφάλειας των ασθενών καθώς και τον καλύτερο επιμερισμό των κινδύνων, ενιαίους συντελεστές συμμετοχής και ομοιόμορφα πακέτα παροχών μέσω της συγχώνευσης των ταμείων κοινωνικής ασφάλισης και της δημιουργίας του Εθνικού Οργανισμού Παροχής Υπηρεσιών Υγείας (ΕΟΠΥΥ) ([1]).

Το πρόγραμμα προβλέπει επίσης την εξόφληση των εκκρεμών οφειλών από φορείς του δημοσίου αρχής γενομένης από το τρίτο τρίμηνο του 2012. Η εξόφληση των εκκρεμών οφειλών θα μπορούσε να βοηθήσει στο να αποφεύγονται καταστάσεις ανάλογες με αυτές που αναφέρει το Αξιότιμο Μέλος του Κοινοβουλίου. Στην περίπτωση των ακριβών φαρμάκων που σώζουν ζωές ο ΕΟΠΥΥ ενισχύει την άμεση διανομή των εν λόγω φαρμάκων μέσω του δικτύου των φαρμακείων του ΕΟΠΥΥ.

([1]) Εθνικός Οργανισμός Παροχής Υπηρεσιών Υγείας.

2. Στο πλαίσιο των ενεργειών της Ομάδας Δράσης για την Ελλάδα ([2]) τον Απρίλιο του 2012 υπεγράφη Μνημόνιο Συμφωνίας για την παροχή τεχνικής βοήθειας στον τομέα της υγείας μεταξύ της Γερμανίας και της Ελλάδας, στο οποίο προσδιορίζονται οι αντίστοιχοι τομείς προτεραιότητας. Βρίσκονται εξάλλου σε εξέλιξη αξιολογήσεις που καλύπτουν όλες τις κύριες περιοχές της μεταρρύθμισης με τη συμμετοχή εμπειρογνωμόνων από τη Γερμανία, τη Σουηδία, το Βέλγιο και την Ομάδα Δράσης για την Ελλάδα.

3. Όπως έχει τονισθεί και στο πλαίσιο άλλων διαδικασιών της ΕΕ ([3]), τα κράτη μέλη μπορούν να μάθουν πολλά το ένα από το άλλο ώστε να βρεθούν λύσεις σε κοινά προβλήματα. Ο ΕΟΠΥΥ ιδρύθηκε πρόσφατα στην Ελλάδα, αλλά ανάλογοι οργανισμοί υπάρχουν εδώ και πολύ καιρό σε πολλά από τα άλλα κράτη της ΕΕ. Οι οργανισμοί αυτοί μπορούν να χρησιμεύσουν ως παραδείγματα ορθών πρακτικών λόγω της μακροχρόνιας πείρας τους.

([2]) Ομάδα Δράσης για την Ελλάδα.

([3]) Όπως η Ανοικτή Μέθοδος Συντονισμού για την Κοινωνική Προστασία και την Κοινωνική Ένταξη.

(English version)

Question for written answer E-005819/12
to the Commission
Georgios Koumoutsakos (PPE)
(11 June 2012)

Subject: Concern over medical care due to the under-funding of the National Organisation for the Provision of Health Services (EOPYY)

The last few days have seen an explosive situation take shape in the health services sphere in Greece. The recently established National Organisation for the Provision of Health Services (EOPYY) is unable to meet its obligations towards pharmacists, doctors, nursing staff, hospital suppliers, etc. Chemists and hospitals have stopped administering drugs to insured patients on credit while, because of their unpaid debts to pharmaceutical companies, there are now significant shortages of expensive drugs.

Under these conditions, patients are being asked to pay the full amount for their drugs. The problem is particularly serious for groups of patients such as those suffering from cancer, patients with serious or chronic diseases, people with disabilities, etc.

Can the Commission state,

1. The Commission Communication (COM(2012) 0183) on Growth for Greece, stresses that: 'Greece should work towards a comprehensive set of measures (…) towards a truly national health service guaranteeing fairness, equity, efficiency and quality of services and expenditures'.

Given the extremely difficult economic situation facing the EOPYY, how does it propose to guarantee all patients, especially those with serious illnesses, equal access to medical care and equal treatment?

2. The second quarterly report (March 2012) of the Task Force for Greece states that: 'Technical assistance is being prepared to support (…) the setting-up of the integrated sickness fund (…) agreed in the memorandum of understanding'.

Does it believe that the technical assistance provided will enable an effective solution to be found to the problem of the funding of the EOPYY?

3. Are there best practices which could be implemented in Greece's attempt to upgrade, better organise and reduce medical care costs? Are there other Member States with corresponding national organisations in which all or a majority of insurance funds are incorporated?

Answer given by Mr Rehn on behalf of the Commission
(31 July 2012)

1. Under the Economic Adjustment Programme, Greek Authorities have committed to improving the cost-effectiveness of their health system, while maintaining universal access. The healthcare reform aims to address problems in the organisation, financing and delivery of healthcare in Greece. Related measures include, among others, the reduction of patients pharmaceuticals spending through greater use of cheaper generic medicines, a whole-day hospital operation, improved monitoring and patient safety, and better risk pooling, uniform contribution rates and uniform package of benefits through the merging of social security funds and the creation of EOPYY ([1]).

The Programme also includes provisions for the payment of arrears in payments by public bodies starting in Q3-2012. Addressing arrears can help ensuring that situations such as those the Honourable Member reports do not develop. In the case of expensive life-savings medicines, EOPPY is strengthening the direct distribution of such medicines through its network of EOPYY pharmacies.

2. In the framework of the actions of the TFGR ([2]), a memorandum of understanding on technical assistance for health has been signed between Germany and Greece in April 2012, which identifies priority areas. Assessments covering all the main areas of reform are currently under way, involving experts from Germany, Sweden, Belgium and the TFGR.

([1]) National Organisation for Healthcare Provision.
([2]) Task Force for Greece.

3. As highlighted in other EU processes ([3]), Member States can learn much from each other so as to find solutions to common problems. While EOPYY is a very recent institution in Greece, similar and long established institutions exist in many other EU Member States. These institutions can be helpful in providing examples of good practices resulting from their longer experience.

([3]) Such as the Open Method of Coordination on Social Protection and Social Inclusion.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005821/12
adresată Comisiei
Vasilica Viorica Dăncilă (S&D)
(11 iunie 2012)

Subiect: Politica Uniunii Europene privind cutremurele

Având în vedere faptul că seismele sunt un fenomen natural complex care implică mai mulți parametri și mai multe aspecte de care trebuie să se țină cont în cazul în care se dorește o gestionare eficientă, în special cele legate de mediu, de infrastructură, aspectele antreprenoriale, locale, regionale și educaționale și necesitatea cooperării internaționale, consideră Comisia Europeană, mai ales în urma recentelor seisme în valuri din Italia, că aceste dezastre naturale au o dimensiune europeană — nu doar una regională sau națională — și că, prin urmare, este necesară publicarea unei comunicări destinate în special și exclusiv gestionării eficiente a cutremurelor?

Ce fel de inițiative intenționează să ia în viitor Comisia în vederea gestionării eficiente a cutremurelor din diferite regiuni ale statelor membre?

Intenționează Comisia să evalueze toate instrumentele existente de prevenire, gestionare și protecție civilă împotriva catastrofelor naturale, promovate prin diverse politici ale Uniunii Europene (mediu, politica de coeziune, cercetare etc.) și să propună, în vederea unei mai bune coordonări, un instrument centralizat de prevenire și gestionare?

Răspuns dat de dna Georgieva în numele Comisiei
(6 august 2012)

Având în vedere că, adesea, dezastrele naturale au o dimensiune europeană, în 2001 a fost creat mecanismul european de protecție civilă. Rolul principal al acestuia este de a facilita cooperarea între cele 32 de state participante. Prin punerea în comun a capacităților de protecție civilă a acestor state, se poate asigura o mai bună protecție a persoanelor, în primul rând, dar și a mediului și a proprietăților, nu numai în cazul seismelor, ci și în cazul altor dezastre naturale sau provocate de om.

La 20 decembrie 2011, Comisia a prezentat o propunere legislativă ([1]) menită să consolideze mecanismul, cu obiectivul de a asigura un răspuns mai eficient, eficace, coerent și vizibil al UE în caz de dezastre, de a spori nivelul de pregătire, de a integra politica de prevenire și instrumentele de planificare în materie de gestionare a riscurilor, precum și de a îmbunătăți coordonarea și coerența activității de protecție civilă internațională.

În plus, Comisia și-a intensificat în mod considerabil eforturile în ceea ce privește prevenirea riscurilor în caz de dezastre. Există o serie de măsuri care promovează evaluarea riscurilor și întocmirea unor planuri de gestionare, îmbogățirea cunoștințelor, schimbul de bune practici și elaborarea unor standarde minime în ceea ce privește prevenirea. De asemenea, Comisia finanțează proiecte selectate în cadrul cererii anuale de propuneri pentru prevenirea și pregătirea în domeniul protecției civile, inclusiv proiecte privind seismele.

Totodată, Comisia se asigură că, la punerea în aplicare, revizuirea și dezvoltarea ulterioară a legislației UE în domeniu și a instrumentelor de finanțare, sunt luate în considerare aspectele privind gestionarea dezastrelor. De exemplu, propunerile pentru politica de coeziune din perioada 2014-2020 cuprind dispoziții mai stricte privind prevenirea și gestionarea riscurilor.

([1]) COM (2011) 934 final.

(English version)

Question for written answer E-005821/12
to the Commission
Vasilica Viorica Dăncilă (S&D)
(11 June 2012)

Subject: EU policy in respect of earthquakes

Earthquakes are complex natural phenomena involving many factors and many facets that need to be taken into account if they are to be managed effectively. These include, in particular, the environment and infrastructure, as well as entrepreneurial, local, regional and educational considerations and the need for international cooperation. Following the recent wave of earthquakes in Italy, does the Commission feel that these natural disasters have a European rather than just a regional or national dimension, and that it is therefore necessary to publish a communication aimed specifically and exclusively at effective earthquake management?

What initiatives will the Commission take in the future to ensure effective earthquake management in the various Member State regions?

Will the Commission assess all the existing civil protection, prevention and management instruments in respect of natural catastrophes that are promoted through the EU's various policies (environment, cohesion policy, research, etc.) and propose a centralised prevention and management tool that will improve coordination?

Answer given by Ms Georgieva on behalf of the Commission
(6 August 2012)

As natural disasters often have a European dimension the European Civil Protection Mechanism was created in 2001. Its main role is to facilitate cooperation between the 32 Participating States. By pooling their civil protection capabilities, a better protection primarily of people, but also of the environment and property can be ensured — not only for earthquakes, but also for other natural and man-made disasters.

On 20 December 2011 the Commission submitted a legislative proposal ([1]) to strengthen the Mechanism by aiming to ensure a more efficient, effective, coherent and visible EU disaster response, to increase the level of preparedness, to integrate prevention policy and risk management planning instruments, and to improve the coordination and consistency in international civil protection work.

In addition, the Commission has significantly increased its efforts in disaster risk prevention. There are a number of measures to promote risk assessment and management planning, improve knowledge, exchange best practices and develop minimum prevention standards. The Commission also finances projects selected under the annual call for proposals for prevention and preparedness in civil protection, including projects on earthquakes.

The Commission also ensures that the implementation, review and further development of relevant EU legislation and funding instruments take into account disaster management concerns. For example, the proposals for cohesion policy for the period 2014-2020 include strengthened provisions regarding risk prevention and management.

([1]) COM(2011) 934 final.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005822/12
alla Commissione
Iva Zanicchi (PPE)
(11 giugno 2012)

Oggetto: Sostegno al settore delle auto d'epoca o di interesse storico

Il mercato europeo dell'automobile nel corso del mese di marzo ha registrato 1 499 380 immatricolazioni, con una flessione media del 6,6 % e picchi particolarmente negativi per Italia (-26,7 %), Francia (-23,2 %) e Spagna (-4,5 %).

Accanto al mercato dell'auto tradizionale c'è un settore di nicchia, quello delle auto d'epoca o di interesse storico, che muove un giro di affari di svariate decine di milioni di euro ogni anno.

Da non sottovalutare anche il risvolto occupazionale del mercato delle auto d'epoca, che all'interno dell'Unione europea dà lavoro a circa 55 000 figure professionali legate a questo business, coinvolgendo imprese artigiane di carrozzeria e meccanici e tappezzieri specializzati.

In tempi di crisi va inoltre considerata la convenienza di avere un'auto di interesse storico, dunque con più di 25 anni dalla data di prima immatricolazione: per l'auto storica o di interesse storico, infatti, la tassa di circolazione è di poche decine di euro all'anno (indipendentemente dalla cilindrata e dal tipo di emissioni) e quanto al premio assicurativo per la responsabilità civile, solitamente non si superano i 160 euro annui, per un uso quotidiano normale. Anche per questi motivi negli ultimi sei anni è cresciuto costantemente il numero degli automobilisti, proprietari di auto degli anni 80, che hanno ottenuto il riconoscimento di «auto storica», con tutti i benefici che ne derivano.

Intende dunque la Commissione sostenere un particolare settore come quello delle auto d'epoca o di interesse storico, che in un periodo di crisi continua a garantire occupazione e movimenta un giro d'affari consistente?

Risposta di Antonio Tajani a nome della Commissione
(19 luglio 2012)

Le auto d'epoca o auto classiche sono di norma definite sul piano nazionale quali automobili aventi più di 25 o 30 anni di età. Rappresentano un segmento molto piccolo a livello di UE e sono più inquinanti e meno sicure degli autoveicoli moderni. Questo è il motivo per cui non è prevista nessuna azione dell'UE per promuovere tali veicoli. Essi sono pertanto coperti dalla legislazione nazionale, che può concedere o meno esenzioni per quanto concerne la tassazione, i test di idoneità alla circolazione, ecc.

La registrazione dei veicoli usati importati ricade sotto gli articoli 34 e 36 in tema di libera circolazione dei beni di cui al trattato sul funzionamento dell'UE.

Va ricordato che la Commissione ha recentemente presentato proposte per un nuovo regolamento ([1]) sulla registrazione degli autoveicoli, che agevolerà ulteriormente il trasferimento di automobili usate nell'UE, nonché per un nuovo regolamento ([2]) sui controlli tecnici periodici, che definirà in modo più preciso i veicoli storici concedendo loro un'esenzione dai controlli periodici. Una volta che il Consiglio e il Parlamento lo avranno approvato, le automobili d'epoca dovrebbero pertanto beneficiare delle disposizioni di tale regolamento.

([1]) COM(2012)164 definitivo.
([2]) COM(2012)380.

(English version)

Question for written answer E-005822/12
to the Commission
Iva Zanicchi (PPE)
(11 June 2012)

Subject: Support for the vintage and classic car sector

In March of this year, there were 1 499 380 new car registrations in the European market, with an average fall of 6.6% and particularly poor levels for Italy (-26.7%), France (-23.2%) and Spain (-4.5%).

Alongside the traditional car market, there is a niche sector, that of vintage and classic cars, which generates sales of tens of millions of euros every year.

The employment aspect of the vintage car market should also not be underestimated. Within the European Union, it provides work for around 55 000 people connected with this business, involving body workshops, mechanics and specialist upholsterers.

In times of crisis, there are also considerable advantages to owning a classic car, meaning one first registered more than 25 years ago: the road tax on a vintage or classic car is just a few tens of euros a year (regardless of capacity or emissions) and third-party insurance is usually no more than EUR 160 a year for everyday use. This is partly why there has been a constant increase, over the last six years, in the number of drivers owning cars from the 1980s that have been given 'classic' status, with all the associated benefits.

Will the Commission therefore support a special sector like that of vintage and classic cars, which in a period of crisis continues to provide employment and generates substantial sales?

Answer given by Mr Tajani on behalf of the Commission
(19 July 2012)

Vintage cars or classic cars are usually nationally defined as a car of more than 25 or 30 years old. They represent a very small volume at EU level, they are more polluting and less safe than modern cars. This is why there is no specific EU action to promote these vehicles. Such cars are therefore mainly covered by national legislation which may or not grant exemptions to these vehicles with regard to taxation, road worthiness tests, etc.

The registration of imported used cars falls under Article 34 and 36 on the free movement of goods of the Treaty on the Functioning of the EU.

It should be mentioned that the Commission has recently made proposals for a new regulation ([1]) on car registration that will further ease the transfer of used cars inside the EU and for a new regulation ([2]) on periodic roadworthiness tests that will more precise define historic vehicles and provide them with an exemption of periodic testing. Once adopted by the Council and the Parliament, vintage cars should therefore benefit from the provisions of such regulation.

([1]) COM(2012) 164 final.
([2]) COM(2012) 380.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005823/12
alla Commissione
Iva Zanicchi (PPE)
(11 giugno 2012)

Oggetto: Danni alla salute e all'ambiente causati da uno sfruttamento troppo intenso delle risorse minerarie

La forte ripresa delle attività legate all'industria mineraria nel continente sudamericano rappresenta una forte minaccia sia per le comunità locali che per l'ambiente.

In molti luoghi le popolazioni locali cercano di difendere il loro ambiente naturale, perché con sempre maggiore frequenza lo sfruttamento delle risorse minerarie porta all'inquinamento delle falde acquifere e ad altri gravi problemi che influiscono sulla salute delle persone.

Il caso forse più celebre è quello di La Oroya, un piccolo centro delle Ande peruviane, dove si trova l'omonimo grande complesso minerario siderurgico, dal 1997 di proprietà di una multinazionale americana che estrae e tratta rame, piombo, zinco e altri metalli, sprigionando ogni giorno nell'aria una nube tossica le cui concentrazioni di biossido di zolfo nell'aria ne fanno uno dei luoghi più inquinati dell'intero pianeta.

Due dati su tutti aiutano a inquadrare meglio la drammatica situazione:

— l'aspettativa di vita per gli abitanti di La Oroya è di 45 anni contro i 70 di Lima, la capitale del Perù;

— nove bambini su 10 hanno livelli di piombo nel sangue che superano il limite di 10 microgrammi per decilitro di sangue, il livello ritenuto accettabile dall'Organizzazione mondiale della salute.

Il 99 % dei neonati di La Oroya presenta inoltre concentrazioni di piombo nel sangue anche tre volte oltre i limiti, con effetti devastanti che possono provocare, nei primi anni di età, danni permanenti al sistema nervoso, cancro ai polmoni e altre malattie dell'apparato respiratorio.

È la Commissione a conoscenza di tale drammatica situazione? Intende la Commissione promuovere rapide azioni per richiedere ai paesi coinvolti di prendere provvedimenti per arginare tale fenomeno, così dannoso sia per la salute umana che per l'ambiente?

Risposta di Janez Potočnik a nome della Commissione
(31 luglio 2012)

È noto alla Commissione l'impatto ambientale e sanitario delle attività minerarie in America latina, ivi compreso a La Oroya. Rileviamo al riguardo l'impegno profuso dai rispettivi governi per affrontare il problema.

In particolare la Commissione riconosce le misure adottate dal governo peruviano per rafforzare la politica ambientale e promuovere lo sviluppo sostenibile e lo sfruttamento minerario responsabile. In questo contesto passi importanti per l'attenuazione dei conflitti sociali e il miglioramento degli standard sociali e ambientali sono stati compiuti con l'adozione, l'anno scorso, della legge sulla consultazione delle comunità indigene (in attuazione della convenzione 169 dell'OIL), con l'attuale processo di revisione delle procedure per l'adozione delle valutazioni d'impatto ambientale e con il raggiungimento di un accordo con il settore minerario riguardo alle imposte sui proventi straordinari, il cui gettito è destinato a programmi sociali e alla promozione di uno sviluppo locale sostenibile. La Commissione incoraggia e sostiene finanziariamente le autorità peruviane e le organizzazioni non governative nella promozione dello sviluppo sostenibile e nella gestione delle risorse naturali. Anche l'accordo commerciale concluso dall'UE con il Perù e la Colombia contribuirà, grazie agli incentivi e impegni che prevede, a un ulteriore miglioramento delle condizioni sociali, dei diritti umani e del rispetto delle norme ambientali in tali paesi.

Per quanto riguarda specificamente La Oroya, la Commissione è al corrente del fatto che la Doe Run Company ha cessato le attività nel 2009 e che i problemi finanziari e l'inadempimento degli obblighi ambientali l'hanno indotta ad avviare la procedura fallimentare, processo che è, tuttavia, reversibile qualora la società presenti un piano di ristrutturazione praticabile e ottemperi agli impegni previsti dal programma di bonifica e gestione ambientali.

(English version)

Question for written answer E-005823/12
to the Commission
Iva Zanicchi (PPE)
(11 June 2012)

Subject: Damage to health and the environment caused by over-exploitation of mineral resources

The intensification of mining activities on the South American continent poses a serious threat both to local communities and to the environment.

In many places the local populations are trying to defend their natural environment, as increasingly often the exploitation of mineral resources leads to the pollution of aquifers and other serious problems affecting human health.

Perhaps the best-known case is that of La Oroya, a small town in the Peruvian Andes. This is the location of the large smelting complex of the same name owned since 1997 by an American multinational, which extracts and processes copper, lead, zinc and other metals. Every day the plant gives off a toxic cloud whose sulphur dioxide concentrations make the town one of the most polluted places on the entire planet.

Two statistics in particular help to put this tragic situation in context:

— the life expectancy for the inhabitants of La Oroya is 45 years, compared with 70 in the Peruvian capital, Lima;

— nine out of ten children have blood-lead levels exceeding 10 microgrammes per decilitre of blood, the level regarded as acceptable by the World Health Organisation.

Furthermore, 99% of newborn babies in La Oroya have blood-lead concentrations three times higher than the limit, with devastating effects that can, in the early years of life, cause permanent damage to the nervous system, lung cancer and other respiratory tract diseases.

Is the Commission aware of this tragic situation? Does it intend to take swift action to ask the countries involved to take measures to stem this pollution, which is so damaging both to human health and to the environment?

Answer given by Mr Potočnik on behalf of the Commission
(31 July 2012)

The Commission is aware of the environmental and health impacts of mining activities in Latin America, including La Oroya. We note the efforts undertaken by the respective governments to tackle this problem.

In particular, the Commission recognises the measures adopted by the Peruvian government to strengthen environmental policy and promote sustainable development and responsible mining. In this context the adoption last year of the consultation law of indigenous communities (implementing ILO Convention 169), the ongoing revision of the procedures for the adoption of Environmental Impact Assessments, as well as the agreement with mining sector on windfall taxes to be spent on social programmes and the promotion of sustainable local development, are important steps towards reducing social conflicts and improving social and environmental standards. The Commission is encouraging and supporting financially the Peruvian authorities and non-governmental organisations in the promotion of sustainable development and management of natural resources. Through the incentives and the commitments it contains, the EU Trade Agreement with Peru and Colombia will also contribute to the further improvement of social conditions, human rights and respect for environmental rules in these countries.

In the specific case of La Oroya, the Commission is aware that the activities of the Doe Run Company ceased in 2009 and that, due to financial problems and non-compliance with environmental obligations, the company initiated bankruptcy proceedings. This process could be reversed if the company presents a viable restructuring plan and fulfils commitments resulting from the Environmental Remediation and Management Programme.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005824/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Iva Zanicchi (PPE)
(11 giugno 2012)

Oggetto: VP/HR — La violazione dei diritti umani in Uzbekistan

L'Uzbekistan vive una situazione drammatica sul fronte del rispetto dei diritti umani. Secondo una recente inchiesta di Human Rights Watch, nel paese asiatico, fra i più poveri del mondo, attivisti e avvocati sono ridotti sistematicamente al silenzio e torture e violenze sono una prassi diffusa su larga scala.

A finire nel mirino sarebbero in particolar modo gli attivisti. Gli agenti della polizia uzbeka, secondo i dati e le testimonianze raccolti dagli operatori di Human Rights Watch, farebbero ricorso sistematicamente a torture di vario genere (tra cui percosse con manganelli di gomma e bottiglie piene d'acqua, sevizie con fili metallici, stupri e vessazioni) per estorcere confessioni e ottenere la denuncia di altre persone.

A ciò va aggiunta la compiacenza di taluni magistrati che avallerebbero le richieste di incarcerazione avanzate dalle procure in maniera quasi sistematica, senza valutare la fondatezza delle accuse. Il tutto mentre i sospettati possono essere tenuti in stato di fermo anche per tre giorni prima dell'udienza di convalida.

Il quadro è dunque tra i più allarmanti al mondo, con gli attivisti per i diritti umani oggetto di arresti arbitrari, tenuti in cella anche per mesi in attesa di conoscere la propria sorte, organizzazioni indipendenti della società civile chiuse e altre alle prese con una repressione impietosa mentre il paese continua a scivolare verso un pericolosissimo isolamento internazionale.

Su tutto questo, sottolinea il rapporto di Human Rights Watch, pesa anche l'ostinato silenzio internazionale.

È l'Alto Rappresentante a conoscenza della situazione descritta dal rapporto di Human Rights Watch? Se sì, quali azioni intende avviare per arginare le violazioni dei diritti umani in Uzbekistan?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(25 luglio 2012)

La ringrazio per l'interrogazione riguardante i diritti dell'uomo in Uzbekistan e in particolare per aver attirato la nostra attenzione sulle conclusioni della relazione di Human Rights Watch sul citato paese, specialmente sui casi di maltrattamenti, torture e abusi all'interno del sistema giudiziario.

Come Lei ben saprà, il continuo verificarsi di questi casi è una questione sollevata regolarmente nell'ambito del dialogo politico tra Unione europea e Uzbekistan, anche ai massimi livelli, come avvenuto ad esempio nell'incontro a Bruxelles nel 2011 tra il presidente Karimov e il presidente Barroso.

Inoltre l'Alta Rappresentante/Vicepresidente continua ad affrontare tali questioni nell'ambito del nostro dialogo annuale strutturato con l'Uzbekistan sui diritti dell'uomo, e conformemente a quest'approccio l'UE cerca al contempo di giungere ad adeguate e realistiche soluzioni di cooperazione.

Nonostante le difficoltà questi sforzi hanno iniziato a dare i primi frutti. Ad esempio, dal febbraio 2012 l'Unione realizza un progetto in Uzbekistan di 10 milioni di EUR per la «riforma della giustizia penale» con la piena partecipazione degli Stati membri. Allo stesso modo, l'UE ha predisposto un progetto specifico sulla «prevenzione della tortura» la cui approvazione finale da parte dei beneficiari è ancora in corso.

Oltre ai programmi bilaterali, l'UE si sta inoltre impegnando sempre di più con l'Uzbekistan a livello regionale, specialmente nell'ambito dell'iniziativa dell'UE su Stato di diritto e democrazia con la partecipazione del Consiglio d'Europa e della Commissione di Venezia.

(English version)

Question for written answer E-005824/12
to the Commission (Vice-President/High Representative)
Iva Zanicchi (PPE)
(11 June 2012)

Subject: VP/HR — Breach of human rights in Uzbekistan

Uzbekistan is in a dramatic situation with regard to human rights. According to a recent investigation by Human Rights Watch, activists and lawyers in this Asian country, which is among the poorest in the world, are being systematically silenced, while torture and violence are widespread.

Activists are the main target. According to the data and evidence collected by Human Rights Watch, the Uzbek police systematically resort to various forms of torture (including torture with metal wires, beating with rubber clubs and water bottles, rape and harassment) in order to extract confessions and denouncements of other people.

A number of magistrates are complacent and almost systematically accept the requests for imprisonment put forward by the authorities without evaluating the grounds for the charges made. Suspects can be locked up for three days before having their charges confirmed in court.

This picture is among the most alarming in the world, with human rights activists being arbitrarily arrested and locked in cells for months awaiting their fate, independent civil society organisations closed down and others subject to pitiless repression as the country continues to slide towards a very dangerous state of international isolation.

According to Human Rights Watch, this situation is made worse by the stubborn silence of the international community.

Is the High Representative aware of the situation described by Human Rights Watch? If so, what action does she intend to take to stem the breach of human rights in Uzbekistan?

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

Thank you for your question on human rights in Uzbekistan and in particular for drawing our attention to the findings of the Human Rights Watch report on Uzbekistan, especially the cases related to ill-treatment, tortures and abuses within the judiciary.

As you know, the continued occurrence of such cases remains an issue that is regularly raised in the framework of our political dialogue with Uzbekistan, including at the highest level. Such was notably the case during President Karimov's meeting with President Barroso in 2011 in Brussels.

Moreover, the HR/VP keeps addressing these issues under our structured annual Human Rights Dialogue with Uzbekistan, and in consistency with this approach the EU is also trying at the same time to come up with appropriate and realistic cooperation responses.

Though difficult, this effort has started to bear some fruits. In this sense, the EU has been implementing since February 2012 a EUR 10 million project in Uzbekistan targeting 'Criminal justice reform', with the full participation of EU Member States. Likewise, the EU designed a specific project on 'Torture prevention', whose final endorsement by the beneficiary is currently pending.

Beyond bilateral programmes, the EU is also increasingly engaging with Uzbekistan at regional level, especially under the EU Initiative on Rule of Law and Democracy and with the participation of the Council of Europe and the Venice Commission.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005825/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(11 Ιουνίου 2012)

Θέμα: Κατάσταση της υγείας στην Ελλάδα

Οι αρμόδιοι κυβερνητικοί φορείς στην Ελλάδα και τα πολιτικά κόμματα έλαβαν την εξής επιστολή από τον Αναπληρωτή Διοικητή του Κρατικού Θεραπευτηρίου της Λέρου: «Σας ενημερώνουμε ότι αδυνατούμε να ανταποκριθούμε στις βασικές ανάγκες σίτισης των ψυχασθενών μας, οι οποίοι υποσιτίζονται αυτή τη στιγμή, λόγω των μεγάλων ελλείψεων σε τρόφιμα. Οι προμηθευτές μας αρνούνται πλέον να μας προμηθεύσουν τρόφιμα, λόγω του μεγάλου χρέους μας σε αυτούς. Τα ασφαλιστικά Ταμεία (ΕΟΠΥΥ) μας οφείλουν υπέρογκα ποσά με αποτέλεσμα το Κρατικό Θεραπευτήριο Υγείας Λέρου να μην μπορεί να εξοφλήσει τα χρέη του … παρακαλούμε όπως επιληφθείτε άμεσα του θέματος, ούτως ώστε να μην υπάρχουν προβλήματα στην υγεία των ασθενών». Παραθέτω την επιστολή αυτή –που έλαβε μεγάλη δημοσιότητα και ευτυχώς βρέθηκε προσωρινή λύση 2 μηνών για την σίτιση των ασθενών– ως απολύτως ενδεικτική της κατάστασης που επικρατεί στο χώρο της υγείας στην Ελλάδα. Σας αναφέρω επιπλέον ότι:

— Πριν λίγες μέρες διακόπηκε η παροχή φαρμάκων χημειοθεραπείας σε ασφαλισμένους καρκινοπαθείς διότι δεν υπήρχαν σχετικά κονδύλια.

— Οι προμηθευτές φαρμάκων και υλικών έχουν σταματήσει την παροχή σε πολλά νοσοκομεία και απειλούν να την επεκτείνουν και σε άλλα.

— Οι φαρμακοποιοί έχουν επίσης σταματήσει την παροχή φαρμάκων στα εκατομμύρια ασφαλισμένους του ΕΟΠΥΥ, του μεγαλύτερου ασφαλιστικού οργανισμού στην Ελλάδα, διότι το Ταμείο τους οφείλει τεράστια ποσά από το 2011.

— Ο ΕΟΠΥΥ αδυνατεί να αντεπεξέλθει στις υποχρεώσεις του, αφενός λόγω της χαμηλής κρατικής επιχορήγησης και αφετέρου διότι τα έσοδα των ασφαλιστικών ταμείων έχουν μειωθεί δραματικά λόγω της τεράστιας ανεργίας, της αδυναμίας πολλών εργοδοτών, κυρίως μικρών και μεσαίων επιχειρήσεων, να καταβάλουν τις εισφορές τους λόγω της τεράστιας οικονομικής κρίσης, αλλά και του «κουρέματος» των ομολόγων που κατείχαν.

Είναι σαφές ότι όσα περιγράφονται συνιστούν κατάρρευση του συστήματος δημόσιας υγείας στην Ελλάδα. Ερωτάται η Επιτροπή:

1. Έχει άλλη εικόνα για το ζήτημα από αυτή που περιγράφω; Αν ναι, ποια;

2. Αν όχι, εξακολουθεί να θεωρεί ότι είναι προτεραιότητα η εξόφληση των δανειστών της Ελλάδας έναντι της προστασίας της ζωής και της αξιοπρέπειας των ελλήνων πολιτών; Τι μέτρα προτίθεται να πάρει;

3. Υπάρχουν στη βιβλιογραφία έρευνες και στοιχεία για ανάλογες καταστάσεις κατάρρευσης δημόσιων συστημάτων υγείας και την επίδρασή τους στο προσδόκιμο ζωής των πολιτών;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(3 Αυγούστου 2012)

1. Η Επιτροπή θεωρεί ότι η κατάσταση που περιγράφεται αφορά κυρίως ενέργειες ιδιωτών προμηθευτών, συμπεριλαμβανομένων των φαρμακείων, σε ένδειξη διαμαρτυρίας για το γεγονός ότι τους οφείλονται σημαντικά καθυστερούμενα ποσά ([1]) προηγούμενων ετών. Ο προσφάτως ιδρυθείς ΕΟΠΥΥ ([2]) έχει εκκαθαρίσει τιμολόγια μέχρι τον Απρίλιο του 2012 και τα φαρμακεία αποκατέστησαν τη λειτουργία τους.

2. Σημειωτέον ότι, σύμφωνα με το άρθρο 168 της ΣΛΕΕ, η δράση της ΕΕ πρέπει να σέβεται τις αρμοδιότητες των κρατών μελών (ΚΜ) όσον αφορά τη διαμόρφωση της πολιτικής τους στον τομέα της υγείας, καθώς και την οργάνωση και παροχή υπηρεσιών υγείας/ιατρικής περίθαλψης. Επομένως, υπάρχουν σαφείς περιορισμοί στις ενδεχόμενες δράσεις όσον αφορά την παροχή υγειονομικής περίθαλψης στα κράτη μέλη.

([1]) Τιμολόγια που παρέμειναν απλήρωτα για περισσότερες από 90 ημέρες πέραν μιας καθορισμένης καταληκτικής ημερομηνίας.
([2]) Εθνικός Οργανισμός Παροχής Υπηρεσιών Υγείας.

Όσον αφορά τις αρμοδιότητες των κρατών μελών στον εν λόγω τομέα, η Επιτροπή παραμένει σε εγρήγορση στο πλαίσιο του προγράμματος οικονομικής προσαρμογής (ΠΟΠ) στην Ελλάδα. Είναι αναγκαίες μεταρρυθμίσεις στην υγειονομική περίθαλψη για την αντιμετώπιση των προβλημάτων οργάνωσης, χρηματοδότησης και παροχής υγειονομικής περίθαλψης στην Ελλάδα και τη διασφάλιση καλύτερης χρήσης των υπηρεσιών, συμβαδίζοντας με άλλα κράτη μέλη της ΕΕ. Για τον λόγο αυτό, οι αρχές και η Επιτροπή, εξ ονόματος των δανειστών κρατών μελών, έχουν συμφωνήσει μια σειρά μέτρων στο πλαίσιο του Μνημονίου Συμφωνίας ([3]) για την Ελλάδα. Το ΠΟΠ περιλαμβάνει διατάξεις για την πληρωμή των καθυστερημένων οφειλών από δημόσιους φορείς αρχής γενομένης από 2012 και μέτρα για να αποφευχθεί η συσσώρευση νέων καθυστερούμενων οφειλών. Η καταβολή των καθυστερούμενων οφειλών και η αποφυγή δημιουργίας περισσότερων καθυστερούμενων οφειλών μπορεί να βοηθήσει να διασφαλιστεί ότι γεγονότα όπως αυτά που περιγράφονται δεν θα συμβούν στο μέλλον.

Επιπλέον, διάφορα άλλα μέτρα που συμφωνήθηκαν στο πλαίσιο του ΠΟΠ έχουν σχέση με την ενίσχυση της οικονομικής και πληροφοριακής υποδομής του ΕΟΠΥΥ δεδομένου ότι πρόκειται ακόμη για πολύ πρόσφατο οργανισμό.

3. Η Επιτροπή δεν είναι ενήμερη για σχετικές μελέτες που τεκμηριώνουν τις επιπτώσεις συγκρίσιμων καταστάσεων στα μακροπρόθεσμα αποτελέσματα στη δημόσια υγεία.

([3]) Μνημόνιο Συμφωνίας.

(English version)

Question for written answer E-005825/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(11 June 2012)

Subject: Healthcare situation in Greece

The relevant governmental bodies in Greece and the political parties have received the following message from the Deputy Director of Leros State Hospital: 'I would like to inform you that we are unable to meet the basic nutritional needs of our psychiatric patients, who are now suffering from malnutrition on account of serious food shortages. Our suppliers are refusing to provide us with any more food because of the large amounts of money we owe them. The insurance fund (EOPYY) owes us huge sums and as a result Leros State Hospital cannot pay its debts (…) We do however ask that you deal with the situation immediately, so that the patients do not suffer damage to their health.' I quote from this letter — which received great publicity and resulted in provisional solution for providing food to patients for two months — as entirely indicative of the situation prevailing in the health service in Greece. I would also like to point out that:

— A few days ago supplies of chemotherapy drugs to cancer patients with insurance coverage were terminated due to lack of relevant funding.

— Suppliers of medicines and materials have stopped supplying many hospitals and are threatening to extend this decision to others.

— Pharmacists have similarly ceased providing medicines to millions of people insured with EOPYY, Greece's largest insurance organisation, because the fund owes them enormous sums dating from 2011.

— EOPYY is unable to fulfil its obligations on the one hand because of the low level of subsidies from the State and, on the other hand, because insurance fund revenues have contracted dramatically owing to astronomical unemployment, the inability of many employers, mainly in small and medium-sized enterprises, to pay their contributions as a result of the massive economic crisis, and also because of the haircut to which the bonds they owned have been subjected.

It is clear that the situation described amounts to a collapse of the public health system in Greece.

1. Does the Commission take a different view of the situation I have described? If so, what is it?

2. If not, does it still believe that payment of Greece's creditors takes priority over protecting the lives and dignity of Greek citizens? What measures does it intend to take?

3. Does the relevant literature contain any studies of, and data on, comparable collapses of public health systems and their effects on citizens' life expectancy?

Answer given by Mr Rehn on behalf of the Commission
(3 August 2012)

1. The Commission finds that the situation described concerns mostly actions by private suppliers, including pharmacies, as a protest to the fact that they are owed significant arrears ([1]) from previous years. The recently established healthcare insurance fund EOPYY ([2]) has now cleared invoices up to April 2012 and pharmacies have called off the action.

2. Please note that under Article 168 TFEU, EU action must respect the responsibilities of the Member States (MS) for the definition of their health policy and for the organisation and delivery of health services/medical care. There are therefore clear limitations to possible actions as regards healthcare delivery in MS.

([1]) Invoices that have remained unpaid for more than 90 days beyond a specified due date.
([2]) National Organisation for Health Care.

In respect of MS competences in this area, the Commission remains attentive, in the context of the Economic Adjustment Programme (EAP) in Greece. Healthcare reforms are needed to address problems in the organisation, financing and delivery of healthcare in Greece and ensure a better use of services, in line with other EU MS. This is why Authorities and the Commission, on behalf of the Lending MS, have agreed to a number of measures under the MoU ([3]) for Greece. The EAP includes provisions for the payment of arrears in payments by public bodies starting in Q3-2012, and measures to avoid the build-up of new arrears. Solving arrears in payments and avoiding the build-up of more arrears can help ensuring that events such as in the described situation do not occur in future.

Furthermore, several other measures agreed under the EAP are related to strengthening EOPYY financial and information capacity given that it is still a very recent institution.

3. The Commission is not aware of relevant studies documenting the impact of comparable situations on long-term public health outcomes.

([3]) Memorandum of Understanding.

(English version)

Question for written answer E-005826/12
to the Commission
Catherine Stihler (S&D)
(11 June 2012)

Subject: Children's bank accounts

Does the Commission support the introduction of universal access to bank accounts for children? In some Member States, bank branches stipulate that the guardian of the child must also be an account holder. Does the Commission believe that this is an uncompetitive practice?

Even where children's bank accounts are available, often all that is provided is an annual paper statement, or a visit must be paid to the branch in order to check the balance. At a time when the next generation needs encouragement to save and be vigilant with their finances, does the Commission intend to review the means of access banks must provide to consumers?

Answer given by Mr Barnier on behalf of the Commission
(23 July 2012)

The Commission is concerned about difficulties that EU citizens face when they try to open an account. In this context, the Commission adopted in July 2011 a recommendation inviting Member States to ensure access to basic banking services.

Currently, the Commission services are assessing whether the national measures adopted by the Member States as a response to this recommendation are adequate. Furthermore, the Commission launched in spring 2012 a public consultation on a number of issues relating to bank accounts, including problems of access. The consultation which ended on 12 June 2012 confirmed findings of previous consultations on this matter in 2009.

The Payment Services Directive regulates rights and obligations of the payment account holder, providing only a general rule that a payment account can be held by a natural or legal person. Whether banks offer accounts to children and under what conditions such service is offered is not regulated by EC law and depends on the banks' commercial policy. If banks offer children accounts, those accounts are subject to the same rules as other payment accounts. The Payment Services Directive stipulates that the user needs to be informed of the payment amount, date and related charges after each payment. Subject to the conditions of the relevant framework contract, this information should be provided periodically and at least once a month, as agreed between the parties.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005828/12
alla Commissione
Mario Borghezio (EFD)
(11 giugno 2012)

Oggetto: Tutela dei prodotti europei in Argentina e dei salumi italiani

In Argentina permane il problema delle differenze sul piano dei controlli igienico-sanitari che porta sul mercato prodotti alimentari di dubbia salubrità a prezzi molto competitivi anche a causa dello sfruttamento della manodopera. Questo va a detrimento dei prodotti di qualità europei e, in particolare, dei prodotti alimentari italiani quali i salumi, che rischiano di perdere quote nell'export a causa della sleale concorrenza dovuta a contraffazioni locali di qualità scadente.

1. Quali azioni intende intraprendere la Commissione per tutelare i prodotti alimentari ed agricoli europei in Argentina?

2. Quali standard comuni igienico-sanitari intende richiedere affinché sia tutelata la salute dei consumatori europei di prodotti argentini?

3. Quali regole comuni intende concordare con l'Argentina per assicurare il reciproco riconoscimento dei marchi di qualità?

Risposta di Dacian Cioloş a nome della Commissione
(24 luglio 2012)

Sono in corso alcuni negoziati tra l'UE e il Mercosur per raggiungere un accordo di libero scambio globale ed equilibrato che includa disposizioni sulla protezione delle indicazioni geografiche. Tali disposizioni sulla protezione delle indicazioni geografiche saranno applicate anche al territorio dell'Argentina in quanto membro della regione del Mercosur. Oltre alla protezione che potrebbe essere fornita attraverso l'accordo Mercosur regionale, l'Argentina è vincolata, come membro dell'OMC, dal suo accordo multilaterale sugli aspetti dei diritti di proprietà intellettuale attinenti al commercio (TRIPS) che conferisce protezione alle indicazioni geografiche europee ai sensi del suo articolo 22.

La Commissione esige che i prodotti agricoli provenienti dai paesi terzi siano conformi ai pertinenti requisiti UE relativi all'importazione stabiliti dalla normativa UE o almeno a requisiti equivalenti. Le prescrizioni sanitarie e fitosanitarie all'importazione, comprese le prescrizioni relative alla sicurezza degli alimenti non sono soggette a negoziati con i paesi terzi e, pertanto, sono pienamente applicate ai prodotti importati nell'UE.

Nel contesto dei negoziati con il Mercosur, la Commissione mira a conseguire un livello più elevato di protezione (rispetto all'articolo 22 del TRIPS) per le indicazioni geografiche (comprese le denominazioni di origine) destinato ad un elenco di denominazioni europee e Mercosur. Tale livello di protezione servirebbe ad impedire l'utilizzazione abusiva del nome, comprese le imitazioni o i riferimenti alle indicazioni geografiche originali. L'elenco indicativo delle indicazioni geografiche europee comprende diverse denominazioni relative agli insaccati italiani.

(English version)

Question for written answer E-005828/12
to the Commission
Mario Borghezio (EFD)
(11 June 2012)

Subject: Protection of European products and of Italian cured meats in Argentina

Lower hygiene and health control standards in Argentina are creating a problem for European products. These allow food of dubious quality to enter the market and be sold at extremely competitive prices, partly due to exploitation of the labour force. This puts quality European products at a disadvantage, particularly Italian foods such as cured meats, which run the risk of losing export market share due to unfair competition from poor-quality local imitations.

1. What action does the Commission intend to take to protect European food and farming products in Argentina?

2. What common hygiene and health standards does it intend to request to protect the health of European consumers of Argentinian products?

3. What common rules does it intend to agree with Argentina to ensure the reciprocal recognition of quality marks?

Answer given by Mr Cioloş on behalf of the Commission
(24 July 2012)

The EU is conducting negotiations with Mercosur to reach a comprehensive and balanced free trade agreement, including provisions on protection of geographical indications. Those provisions on protection of geographical indications will also apply to the territory of Argentina as member of the Mercosur region. Besides the protection that could be provided through the regional Mercosur agreement, Argentina as a member of the WTO is bound by its multilateral Agreement on trade-related aspects of intellectual property rights (TRIPS) that provides protection to European geographical indications under its Article 22.

The Commission requires agriculture products from third countries to comply with the relevant EU import requirement laid down in the EU legislation or at least conditions equivalent thereto. The sanitary and phytosanitary import requirements, including those related to food safety are not subject to negotiation with third countries and therefore they are fully applied to imports into the EU.

In the context of Mercosur negotiations, the aim of the Commission is to achieve a higher level of protection (in relation to TRIPS Article 22) for geographical indications (including designations of origin) for a list of European and Mercosur names. That level of protection would prevent against any misuse of the name, including imitations or evocations of the genuine geographical indications. The indicative list of European geographical indications includes several names referring to Italian cured meats.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005829/12
alla Commissione
Mario Borghezio (EFD)
(11 giugno 2012)

Oggetto: Tutela dei diritti di uno Stato nell'ambito dell'approvvigionamento energetico

La Commissione ha presentato al WTO una richiesta di consultazioni con l'Argentina quale primo passo formale nell'ambito delle procedure per la composizione delle controversie, in seguito alla recente decisione del governo argentino di espropriare alla compagnia spagnola Repsol il pacchetto di controllo di YPF. L'esproprio ha riguardato il 51 % delle azioni della compagnia che sono passate nelle mani del governo: il 49 % di questa fetta sarà distribuito tra le province produttrici di petrolio, il 51 % resterà allo Stato centrale.

Il governo argentino ha spiegato la misura con il fatto che nel 2010 il paese si è visto obbligato a importare combustibili per un totale di 10 miliardi di dollari. La decisione è stata presentata come recupero della «sovranità degli idrocarburi della Repubblica Argentina» con la finalità del raggiungimento dell'autosufficienza.

1. La Commissione non ritiene che la sua azione violi il principio di sovranità dell'Argentina?

2. È consapevole che ogni Nazione debba e possa tutelare la propria indipendenza energetica applicando azioni che le competono?

Risposta di Karel De Gucht a nome della Commissione
(25 luglio 2012)

Il 25 maggio 2012 l'UE ha avviato una procedura formale di consultazioni per la composizione di una controversia in seno all'OMC sulle restrizioni alle importazioni adottate dall'Argentina. Tali consultazioni riguardano una vasta gamma di pratiche commerciali restrittive, quali le licenze di importazione non automatiche estese ad oggi a circa 600 linee tariffarie, le licenze di importazione automatiche utilizzate in modo non automatico, un nuovo sistema di dichiarazione giurata anticipata degli importatori e approvazioni per tutte le importazioni effettuate dal febbraio 2012, nonché obblighi informali per le imprese di equilibrare fra importazioni ed esportazioni. L'OMC è la sede appropriata per risolvere le controversie commerciali tra i paesi membri di tale organizzazione.

Questa iniziativa dell'UE in sede OMC sulle misure applicate alle importazioni è separata ed indipendente dalla decisione dell'Argentina di espropriare la partecipazione di controllo di YPF detenuta da Repsol, pur se entrambi i casi sono manifestazione della stessa preoccupante politica perseguita dall'Argentina. Per quanto riguarda l'esproprio della quota di Repsol (come anche indicato nelle risposte alle precedenti interrogazioni in proposito P-3627/12 E-4141/12 e E-4174/12) ([1]), la Commissione ha reagito tramite canali diplomatici e politici e nell'ambito delle competenze sugli investimenti conferitele dal trattato di Lisbona. L'obiettivo dell'azione risoluta della UE in questo caso è stato quello di ottenere dall'Argentina il rispetto dei suoi impegni internazionali, compreso il trattato bilaterale sugli investimenti Spagna-Argentina, che è il più pertinente strumento giuridico internazionale applicabile in materia. In base a tale strumento le nazionalizzazioni non sono di per sé illegali, ma devono rispettare determinate condizioni. Tale trattato obbliga l'Argentina ad indennizzare adeguatamente Repsol per l'esproprio subito e dà la possibilità alla società di richiedere un arbitrato internazionale nei confronti dell'Argentina dinanzi al Centro internazionale per la risoluzione delle controversie in materia di investimenti di Washington.

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-005829/12
to the Commission
Mario Borghezio (EFD)
(11 June 2012)

Subject: Protection of the rights of a State in regard to energy procurement

The Commission has filed a request with the WTO for consultations with Argentina as the first formal step in dispute settlement procedures following the Argentinian Government's recent decision to expropriate the Spanish company Repsol's controlling interest in YPF. The expropriation involved 51% of the company's shares, which are now owned by the government: 49% of these will be distributed among the oil-producing provinces, while the remaining 51% will be retained by the State.

The Argentinian Government has explained the measure by pointing to the fact that in 2010 the country was obliged to import fuels at a total cost of USD 10 billion. The decision has been presented as a recovery of 'sovereignty over oil and gas in the Republic of Argentina', with the aim of achieving energy self-sufficiency.

1. Does the Commission not feel that its action violates the principle of Argentina's sovereignty?

2. Is it aware that every nation can and must protect its energy independence by all due means?

Answer given by Mr De Gucht on behalf of the Commission
(25 July 2012)

On 25 May 2012, the EU launched a formal process of dispute settlement consultations in the WTO against import restricting measures introduced by Argentina. These consultations cover a wide range of trade restrictive practices such as non-automatic import licensing extending to about 600 tariff lines now, automatic import licensing used in a non-automatic manner, a new system of prior sworn importer declarations and approvals on all imports in place since February 2012 as well as the informal obligations on companies to balance imports with exports. The WTO is the adequate forum to address trade disputes between its Members.

The EU's WTO action on import measures is separate from and independent to Argentina's decision to expropriate Repsol's controlling interest in YPF, even if both cases are an expression of the same worrying policy pursued by Argentina. With regard to the Repsol's expropriation (and as indicated in answers to earlier questions on this matter P-3627/12 E-4141/12 and E-4174/12) ([1]), the Commission has reacted through diplomatic and political channels and within its competences for investment under the Lisbon Treaty. The objective of the EU's firm action in this matter has been to urge Argentina to respect its own international commitments, including the Spain-Argentina Bilateral Investment Treaty, which is the most relevant international legal instrument applicable in this matter. Under this instrument nationalisations are not illegal per se and can be allowed as long as specific conditions are fulfilled. This treaty obliges Argentina to pay due compensation to Repsol for this expropriation and gives a possibility for the company to request international arbitration against Argentina in the International Centre for the Settlement of Investment Disputes in Washington.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005830/12
an die Kommission
Rebecca Harms (Verts/ALE)
(11. Juni 2012)

Betrifft: Atommüllentsorgung auf dem Meeresboden

Von den 60ern bis Anfang der 80er Jahre fanden vor der Küste Europas internationale Verklappungen von Atommüll statt. Als Ergebnis liegen heute etwa 200 000 Fässer mit Atommüll vor Europas Küsten. Ein aktueller OSPAR-Bericht über die Auswirkungen der Atommüllversenkungen stellt erhöhte Mengen von Pu238 in den Verklappungsgebieten fest. Dies deutet auf Lecks in den versenkten Fässern hin. Auch in Fischen wurde bereits Plutonium nachgewiesen. Allerdings gibt es seit 12 Jahren keine systematischen Messungen in den Verklappungsgebieten.

1. Wie bewertet die Kommission die Anreicherung radioaktiver Stoffe aus den Fässern über die Bioakkumulation in der Nahrungskette?

2. Hält die Kommission das gegenwärtige Monitoring-System zur Risikobewertung des versenkten Atommülls für ausreichend, insbesondere was die zeitlichen Abstände betrifft, in denen Monitorings stattfinden?

3. Bei Hurd Deep im Ärmelkanal liegen in ca. 100 m Tiefe Tausende Fässer mit radioaktiven Abfällen. Wie bewertet die Kommission speziell an diesem Standort die Gefahrenlage?

4. Welchen Handlungsbedarf sieht die Kommission an diesem Versenkungsort (Monitoring, Abdeckung, Bergung)?

Antwort von Herrn Oettinger im Namen der Kommission
(17. Juli 2012)

1. & 2. Der Kommission liegen keine Informationen vor, die eine erhebliche Anreicherung oder Akkumulation radioaktiver Stoffe in der Nahrungsmittelkette belegen.

Nach Artikel 35 Euratom-Vertrag sind die Mitgliedstaaten zur Überwachung (Monitoring) des Radioaktivitätsgehalts der Luft, des Wassers, des Bodens und der Lebensmittel verpflichtet. Es liegt daher in der Verantwortung des betreffenden Mitgliedstaates, in seinen Hoheitsgewässern den Radioaktivitätsgehalt des Meeres, einschließlich der Lebensmittel marinen Ursprungs, zu überwachen. Die Kommission kann die Regelungen und Vorkehrungen der Mitgliedstaaten für diese Überwachung nachprüfen.

Abgesehen von auf Kernbrennstoffwiederaufarbeitungsanlagen zurückgehende Freisetzungen von Radioaktivität wurde im Rahmen der von den Mitgliedstaaten durchgeführten Programme zur langfristigen Überwachung keine signifikante Zunahme der Meeres-Radioaktivität in den letzten 30 Jahren festgestellt. Die Kommission hält die derzeitige Frequenz der Überwachungsmaßnahmen für angemessen.

3. Nach Angaben eines Berichts des Vereinigten Königreichs über die Radioaktivität in Lebensmitteln und der Umwelt ([1]) gibt es keine Anhaltspunkte für eine Kontamination der Verklappungsgebiete im Ärmelkanal. Von der Regierung des Vereinigten Königreichs 1990-2009 ([2]) durchgeführte Langzeitstudien kamen zu dem Schluss, dass etwaige Freisetzungen von Radioaktivität im „Hurd Deep"-Gebiet keine nachweisbaren Auswirkungen auf die Kanalinselgewässer hatten. Die Kommission ist der Auffassung, dass kein erhöhtes Gefahrenrisiko in diesem Gebiet besteht.

4. Die einzige gangbare Option ist, die Überwachung (Monitoring) der Verklappungsgebiete fortzuführen. Die beiden anderen von dem Herrn Abgeordneten genannten Optionen würden höchstwahrscheinlich die Freisetzung von Radionukliden beschleunigen.

Sollte die Kommission davon in Kenntnis gesetzt werden, dass der Umfang der Plutoniumfreisetzungen erheblich zugenommen hat, wird sie selbstverständlich Nachprüfungen gemäß Artikel 35 des Euratom-Vertrages vornehmen.

([1]) Radioactivity in Food and Environment, 2010, RIFE, vom 16.10.2011, Environment Agency, Food Standards Agency, Northern Ireland Environment Agency, Scottish Environment Protection Agency.

([2]) Maritime radioactivity in the Channel Islands, 1990-2009, L.M. Hughes, S.M. Runacres und K.S. Leonard.

(English version)

Question for written answer E-005830/12
to the Commission
Rebecca Harms (Verts/ALE)
(11 June 2012)

Subject: Disposal of radioactive waste on the seabed

From the 1960s to the early 1980s, nuclear waste was dumped off the coast of Europe by a number of different countries. As a result, there are now around 200 000 containers of radioactive waste lying off Europe's coastline. A recent OSPAR report on the consequences of the dumping of nuclear waste noted increased levels of Pu-238 in the dumping grounds, which would indicate that the sunken containers are leaking. Plutonium has also already been detected in fish. No systematic measurements have been taken in the dumping grounds for 12 years, however.

1. In the Commission's view, how likely is it that radioactive materials from the containers will be enriched as a result of bioaccumulation in the food chain?

2. Does the Commission consider the current monitoring system to be adequate to assess the risks associated with sunken radioactive waste, in particular with regard to the intervals at which checks are carried out?

3. At Hurd Deep in the English Channel there are thousands of containers of radioactive waste lying at a depth of around 100 metres. How does the Commission assess the dangers at this location in particular?

4. What action does the Commission consider necessary at this dumping ground (monitoring, covering, recovery)?

Answer given by Mr Oettinger on behalf of the Commission
(17 July 2012)

1 and 2. The Commission has no information substantiating any significant enrichment or accumulation in the food chain.

Under Article 35 of the Euratom Treaty, Member States are required to monitor radioactivity in air, water, soil and foodstuffs. It is therefore the responsibility of the Member State concerned to monitor marine radioactivity, including foodstuffs of marine origin, in its territorial waters. The Commission has the right to carry out verifications of Member States' arrangements for this monitoring.

Apart from releases originating from nuclear fuel reprocessing facilities, the long-term monitoring programmes carried out by the Member States have detected no significant increases in marine radioactivity during the last 30 years. The Commission considers the current monitoring frequency to be adequate.

3. According to the United Kingdom report on Radioactivity in Food and the Environment ([1]), there is no indication of contamination around the dumpsites in the English Channel. According to long-term studies carried out by the United Kingdom government with reference to the time period 1990-2009 ([2]), there was no detectable effect of any releases of radioactivity from the Hurd Deep site on Channel Islands waters. The Commission's opinion is that there is no increased risk level in this area.

4. The only viable option is to continue monitoring the dumping sites. The other two options mentioned by the Honourable Member would most likely accelerate the release of radionuclides.

In the event that the Commission was informed that levels of plutonium releases have significantly increased, it would no doubt carry out verifications under Article 35 of the Euratom Treaty.

([1]) Radioactivity in Food and Environment, 2010, RIFE — 16 , October 2011, Environment Agency, Food Standards Agency, Northern Ireland Environment Agency, Scottish Environment Protection Agency.

([2]) Maritime radioactivity in the Channel Islands, 1990-2009, L.M. Hughes, S.M. Runacres and K.S. Leonard.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005831/12
an die Kommission
Rebecca Harms (Verts/ALE)
(11. Juni 2012)

Betrifft: Versunkene Atom-U-Boote und hoch radioaktiver Atommüll auf dem Meeresgrund

1989 versank das sowjetische Atom-U-Boot K-278 „Komsomolets" in der Barentssee mit zwei Atomreaktoren und nuklearen Torpedoköpfen in 1 680 Metern Tiefe. 2003 versank das russische Atom-U-Boot K-159 mit zwei Atomreaktoren und 800 kg hoch angereichertem Kernbrennstoff in der Barentssee in einer Tiefe von 240 Metern. Nach einem offiziellen Bericht des russischen Staatsrates vom Juni 2011 ist in den Atomreaktoren eine nicht mehr zu kontrollierende Kettenreaktion „hochwahrscheinlich". Insgesamt lagern dem Bericht zufolge auf dem Grund des Polarmeeres drei Atom-U-Boote, 14 Atomreaktoren, 19 Schiffe mit festem Atommüll, 735 radioaktive Gebilde und mehr als 17 000 Container mit Atommüll.

1. Wie bewertet die Kommission die Gefährdung durch versenkten hoch radioaktiven Abfall und versunkene Atom-U-Boote (K-159, K-278 Komsomolets?) im Arktischen Meer?

2. Russische Wissenschaftler gehen davon aus, dass eine nicht zu kontrollierende nukleare Kettenreaktion in den Reaktoren der K-159 und der K-278 „hochwahrscheinlich" ist. Was bedeutet dies für die Fischgründe in der Karasee und der Barentssee aus Sicht der Kommission?

3. Wie steht die Kommission zu der Forderung, die K-159, die K-278 und die versenkten Atomreaktoren mit Kernbrennstäben und anderen hoch radioaktiven Abfällen zu bergen?

Antwort von Herrn Piebalgs im Namen der Kommission
(25. Juli 2012)

Die Kommission ist sich der von den versunkenen Atom-U-Booten und radioaktiven Abfällen ausgehenden Gefahr bewusst, die sie als besorgniserregend einstuft. Die internationalen Abhilfemaßnahmen verfolgt sie daher mit großer Aufmerksamkeit. In der Vergangenheit hat sich die Kommission sehr aktiv für die Zusammenarbeit bei der Entsorgung von radioaktiven Abfällen und U-Boot-Reaktoren in den Häfen Nordwestrusslands sowie an Land eingesetzt.

Infolge der Globalen Partnerschaft, die auf dem Gipfeltreffen von Kananaskis im Jahr 2002 ins Leben gerufen wurde, kam eine bilaterale und multilaterale Zusammenarbeit bei Umweltfragen in Nordrussland zustande. Die Kommission hat einen Beitrag zu den multilateralen Initiativen im Rahmen des Unterstützungsfonds der Umweltpartnerschaft für die Nördliche Dimension (NDEP) geleistet.

Die Kontakt-Expertengruppe, die unter der Leitung der Internationalen Atomenergie-Organisation (IAEO) eingerichtet wurde, gewährleistet eine enge Abstimmung der Geber und der Russischen Föderation.

Die von der russischen Regierung bereitgestellten Informationen bieten der Kommission keine Anhaltspunkte zu der Vermutung, dass eine unmittelbare Kettenreaktion in den versunkenen Atomreaktoren „hochwahrscheinlich" wäre.

(English version)

Question for written answer E-005831/12
to the Commission
Rebecca Harms (Verts/ALE)
(11 June 2012)

Subject: Sunken nuclear-powered submarines and highly radioactive nuclear waste on the seabed

In 1989, the Soviet nuclear-powered submarine K-278, the *Komsomolets*, which was fitted with two nuclear reactors and torpedoes with nuclear warheads, sank in the Barents Sea at a depth of 1 680 metres. In 2003, the Russian nuclear-powered submarine K-159, which was fitted with two nuclear reactors and had 800 kg of highly enriched nuclear fuel on board, sank in the Barents Sea at a depth of 240 metres. According to an official report published by the Russian State Council in June 2011, an uncontrollable chain reaction in the nuclear reactors is 'highly likely'. In total, according to the report, there are three nuclear-powered submarines, 14 nuclear reactors, 19 ships carrying solid nuclear waste, 735 radioactive objects and over 17 000 containers of radioactive waste lying on the seabed in the Arctic Ocean.

1. How does the Commission assess the danger from sunken highly radioactive waste and sunken nuclear-powered submarines (K-159, K-278 *Komsomolets*?) in the Arctic Ocean?

2. Russian scientists believe that an uncontrollable nuclear chain reaction in the reactors of the K-159 and K-278 submarines is 'highly likely'. In the Commission's view, what implications does this have for the fishing grounds in the Kara Sea and the Barents Sea?

3. Where does the Commission stand on the calls to recover the K-159 and K-278 submarines and the sunken nuclear reactors, as well as the fuel rods and other highly radioactive waste?

Answer given by Mr Piebalgs on behalf of the Commission
(25 July 2012)

The Commission is aware of the situation created by the sunken nuclear powered submarines as well as sunken nuclear wastes and takes the issue as a major concern. The Commission therefore follows closely the international initiatives to remedy the situation. In the past, the Commission has contributed very actively to common work to dispose of radioactive waste including submarine reactors in the ports and on land in Russia's Northwest.

The Global Partnership that was launched at the 2002 Kananaskis Summit resulted in bilateral and multilateral cooperation addressing environmental issues in Northern Russia. The Commission contributed to multilateral initiatives implemented through the Northern Dimension Environmental Partnership (NDEP) Support Fund.

Close coordination among the donors and the Russian Federation is achieved through the Contact Expert Group (CEG), established under the aegis of the International Atomic Energy Agency (IAEA).

In the light of the information shared by the Russian Government, the Commission has no evidence of an imminent 'highly likely' chain reaction that could take place in the sunken nuclear reactors.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005832/12
alla Commissione
Alfredo Antoniozzi (PPE)
(11 giugno 2012)

Oggetto: La Széchenyi Card, un nuovo strumento finanziario per le PMI — possibile estensione a livello di UE

La Széchenyi Card è un progetto ungherese di successo che offre alle PMI un facile accesso ai prestiti mediante una carta di credito. Questo progetto si è dimostrato particolarmente valido nel contesto della crisi economica. Per questo motivo, le organizzazioni imprenditoriali di altri Stati membri, come quelle della Repubblica ceca, stanno esaminando la possibilità di lanciare un progetto analogo. La finalità di questa carta è fornire alle PMI un credito rinnovabile di quantità crescente, partendo da piccoli importi per arrivare fino a un massimo di 100 000 EUR o equivalenti. Le camere di commercio e le altre organizzazioni imprenditoriali si occuperebbero della preselezione dei potenziali utenti della carta, avvalendosi di strumenti di rating per le PMI da sviluppare in collaborazione con i soggetti istituzionali, le banche e altri partner. I valori soglia per la qualificazione definitiva sarebbero stabiliti dalla o dalle banche. I prestiti sarebbero concessi per un anno e dovrebbero essere rimborsati a rate trimestrali. In caso di inadempienza, la banca chiuderebbe automaticamente la linea di credito. La carta sarebbe equiparabile a una carta di credito bancaria a tutti gli effetti e sarebbe accettata internazionalmente. Ciò offrirebbe alle PMI, in un clima di reticenza da parte delle banche dell'UE riguardo alla possibilità di concedere loro prestiti, un agile strumento per poter disporre di finanziamenti per le loro attività economiche. I crediti sarebbero disponibili per un'ampia gamma di PMI, ivi incluse le nuove imprese che non sono in grado di ottenere prestiti bancari, data la mancanza di dati storici o garanzie. Grazie a queste linee di credito, le PMI sarebbero in grado di creare crescita e occupazione. I prestiti sarebbero basati sulle reali necessità operative delle PMI e la rapida disponibilità della linea di credito eliminerebbe le difficoltà burocratiche, a vantaggio di questa categoria di imprese.

Questo sistema offrirebbe, nell'insieme, un trattamento semplice e standardizzato a basso costo e una modalità di finanziamento rapida rispetto ad altri strumenti, quali le soluzioni di microcredito, lo strumento JEREMIE, ecc., e avrebbe inoltre una funzione educativa, in quanto le PMI imparerebbero a utilizzare i servizi finanziari e a far fronte ai propri obblighi verso le banche e la pubblica amministrazione. L'attuazione di questo sistema creerebbe una maggiore concorrenza nell'UE tra le banche commerciali per quanto riguarda il finanziamento alle PMI e comporterebbe l'espansione dei servizi finanziari richiesti da queste ultime. Il sistema migliorerebbe inoltre la qualità dell'imprenditorialità, dato che le PMI dovrebbero soddisfare determinati requisiti al fine di ottenere l'accesso alla carta, oltre a tenere la contabilità in modo trasparente.

1. La Commissione concorda sul fatto che l'idea di questa carta si potrebbe estendere ad altri Stati membri interessati, disponibili a istituire un siffatto sistema di credito per le PMI?

2. Considerando che, a causa della crisi finanziaria, i governi degli Stati membri non sarebbero in grado di fornire le necessarie garanzie di credito per sostenere questo tipo di progetto, la Commissione concorda sul fatto che un suo coinvolgimento, unitamente a quello della BEI, faciliterebbe l'attuazione di un sistema analogo negli Stati membri?

3. Intende la Commissione valutare la possibilità di studiare un meccanismo siffatto, che potrebbe rientrare fra i nuovi strumenti finanziari per le PMI proposti nell'ambito dei progetti COSME e Horizon 2020?

Risposta di Antonio Tajani a nome della Commissione
(16 luglio 2012)

1. Nulla vieta che gli Stati membri possano considerare l'idea di istituire un regime creditizio siffatto, a condizione che si presti ad affrontare le particolari carenze del loro mercato interno del credito alle PMI e rispetti le norme del Trattato in materia di aiuti di Stato.

2. L'utilità di tale sistema di carta di credito dev'essere innanzi tutto valutata da ciascuno Stato membro; ove lo si ritenga opportuno, i finanziamenti richiesti dovranno provenire dai bilanci nazionali. Qualora ciò non fosse possibile a causa di vincoli di bilancio, gli Stati membri potrebbero prendere in esame la possibilità di finanziare tali sistemi attingendo ai Fondi strutturali. Giacché le misure previste implicherebbero, ad ogni modo, l'utilizzo di risorse statali, nella valutazione di tale meccanismo deve rientrare anche la necessaria notifica alla Commissione, in conformità con il regolamento n. 659/1999 del Consiglio, del 22 marzo 1999, recante modalità di applicazione dell'articolo 93 (ora 108) del TFUE.

3. La Commissione sta attualmente esaminando i meccanismi di garanzia da attuare nel corso del prossimo periodo di programmazione 2014-2020. Tra gli elementi che verranno presi in considerazione nella definizione dei futuri meccanismi di garanzia figurano le esigenze del mercato (con l'obiettivo di trovare una risposta su base paneuropea), gli obiettivi politici dei futuri programmi di finanziamento del regime di garanzia nonché il rispetto di tutte le prescrizioni che scaturiscono dalla legislazione UE.

(English version)

Question for written answer E-005832/12
to the Commission
Alfredo Antoniozzi (PPE)
(11 June 2012)

Subject: The Széchenyi Card, a new financial instrument for SMEs — possible extension at EU level

The Széchenyi Card is a successful Hungarian project offering SMEs easy access to credits via a credit card. This project has proved especially successful in the context of the economic crisis. For this reason, business organisations from other Member States such as the Czech Republic are examining the possibility of launching a similar project. The purpose of this card is to provide SMEs with gradually increasing revolving credit, starting with small amounts and going up to EUR 100 000 or the equivalent. Chambers of commerce and other business organisations would undertake the preselection of potential card users, using SME rating tools to be developed in cooperation with institutional actors, banks and other partners. The final qualification thresholds would be decided by the bank or banks. The credits would be offered for a one-year period. Settlement of credited amounts would be required quarterly. Where a user defaulted on repayment of the credit, the bank would automatically close the credit line. The card would have the status of a fully-fledged bank card, accepted internationally. It would offer SMEs an easy means of acquiring financing for their businesses, in a climate characterised by reticence on the part of banks in the EU regarding credits for SMEs. The credits would be available to a wide range of SMEs, including start-ups unable to secure bank loans for lack of history or collateral. Thanks to these credit lines, SMEs would be able to generate growth and jobs. The credits would be based on SMEs' real operating needs, and the fast provision of the credit line would eliminate red tape, to the SMEs' benefit.

This system as a whole would provide low-cost, simple, standardised treatment and fast funding by comparison with other tools such as microcredit facilities, JEREMIE, etc. It would also have an educational aspect, since it would educate SMEs in using financial services and fulfilling their obligations towards banks and the state administration. Implementation of this system would create stronger competition in the EU between commercial banks in the area of SME financing and would lead to the expansion of the financial services required by SMEs. The system would also enhance the quality of entrepreneurship, since SMEs would have to fulfil certain requirements in order to gain access to the card, as well as maintaining transparent accounting.

1. Does the Commission agree that the idea of this card could be extended to other interested Member States which are ready to establish a similar credit system for SMEs?

2. Considering that as a consequence of the financial crisis the Member State governments would be unable to provide the necessary credit guarantees to support this type of project, does the Commission agree that its own involvement, alongside that of the EIB, would facilitate implementation of such a system in the Member States?

3. Will the Commission consider studying a similar mechanism that could fit within the new financial instruments for SMEs proposed under COSME and Horizon 2020?

Answer given by Mr Tajani on behalf of the Commission
(16 July 2012)

1. Member States could consider establishing a similar scheme, provided that it is suitable for addressing the particular shortcomings of their national SME lending market and complies with the rules of the Treaty regarding state aids.

2. The evaluation of the usefulness of such a credit card scheme should, in the first instance, be carried out by each Member State and, if deemed appropriate, the required funding should be provided through national budgets. If this is not possible due to budgetary constraints, the Member States may consider implementing such schemes using funding from the Structural Funds. As the envisaged measures would imply, in any case, the use of State resources, the evaluation of this mechanism should also assess the need for a notification to the Commission pursuant to Council Regulation 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 (now 108) of the TFEU.

3. The Commission is in the process of studying guarantee mechanisms for implementation under the next programming period 2014-2020. Elements which will be taken into consideration for the design of future guarantee mechanisms are the needs of the market (whereby the objective will be to serve markets needs on a pan-European basis), the policy objectives of the future programmes funding the guarantee scheme, as well as any requirements stemming from EC law.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005833/12
til Kommissionen (Næstformand / Højtstående repræsentant)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) og Margrete Auken (Verts/ALE)
(11. juni 2012)

Om: VP/HR — Israels politik om administrativ frihedsberøvelse

Administrativ frihedsberøvelse er en procedure, som gør det muligt for Israel at tilbageholde tilbageholdte uden anklage eller rettergang for en periode på op til seks måneder, og som kan fornys gentagne gange. I april 2012 blev der tilbageholdt 309 palæstinensere af de israelske myndigheder, inklusive en mand, som har været tilbageholdt i over fem år, og 24 medlemmer af Det Palæstinensiske Lovgivningsråd. Indtil for nyligt har ca. 2 000 fanger sultestrejket og krævet bedre fængselsforhold og en afslutning af tilbageholdelse uden rettergang.

International lov tillader kun administrativ frihedsberøvelse i specifikke og snævert indgrænsede situationer, som defineret i den fjerde Genève-konvention — for eksempel som en nødforanstaltning under krigsforhold. Den forlængede brug af administrativ frihedsberøvelse fra de israelske myndigheders side, der primært rettet som et tiltag mod at hindre palæstinensisk politisk aktivisme, overtræder klart reglerne i den fjerde Genève-konvention og fangernes ret til en fair rettergang, som garanteres af artikel 14 i Den Internationale Konvention om Borgerlige og Politiske Rettigheder (ICCPR) og artiklerne 9 og 10 i FN's menneskerettighedserklæring.

FN's særlige rapportør om menneskerettighedssituationen i de besatte palæstinensiske territorier, Richard Falk, har udtalt, at Israels udbredte brug af administrativ frihedsberøvelse er i direkte modstrid med internationale standarder for en fair rettergang. Den højtstående repræsentant har for nyligt atter gentaget EU's længerevarende bekymring over Israels udbredte brug af administrativ frihedsberøvelse uden formel anklage og udtalte, at fanger har ret til at blive oplyst om anklagerne for enhver frihedsberøvelse og at få en fair rettergang. Derudover har EU-missionerne i Jerusalem og Ramallah genspejlet den højtstående repræsentants udtalelse og opfordret til, at alle internationale retsforpligtelser overholdes fuldt ud over for alle fanger.

Med henblik på artikel 2 i associeringsaftalen EU-Israel, der angiver, at »forbindelserne mellem parterne samt alle bestemmelserne i denne aftale bygger på respekten for menneskerettighederne og de demokratiske principper«:

1. Hvad er EU's formelle holdning med henblik på administrativ frihedsberøvelse?

2. Hvilken handling har vicepræsidenten/den højtstående repræsentant foretaget indtil dags dato, og hvilken handling foreslår hun angående administrativ frihedsberøvelse?

3. Vil vicepræsidenten/den højtstående repræsentant støtte oprettelsen af en fact-finding-mission fra Parlamentets side for at undersøge brugen af administrativ frihedsberøvelse?

4. Har vicepræsidenten/den højtstående repræsentant overvejet et mandat til EU-missionerne i Jerusalem og Ramallah til at intervenere direkte i individuelle sager med administrativ frihedsberøvelse?

Svar afgivet på Kommissionens vegne af den højtstående repræsentant og næstformand Catherine Ashton
(14. august 2012)

Den højtstående repræsentant/næstformanden har gentagne gange offentligt givet udtryk for sin bekymring over Israels udbredte og overdrevne brug af administrativ frihedsberøvelse. Administrativ frihedsberøvelse er en helt særlig foranstaltning, som bør bruges mindst muligt. Alle fanger har ret til straks at blive oplyst om årsagerne til frihedsberøvelsen og til en fair retssag.

I øjeblikket lever Israels praksis med hensyn til administrativ frihedsberøvelse ikke op til Europas forventninger, idet tilgangen til Israels sikkerhed ikke kan siges at bygge på retsstatsprincipperne. Fanger frihedsberøves uden retssag, og deres advokater har kun lille eller ingen adgang til beviserne mod deres klient. Fanger kan ganske vist appellere frihedsberøvelsen, men når der er tale om mennesker, der er frihedsberøvede af sikkerhedshensyn, og som skal indbringes for en militærdomstol, er det umuligt at føre en sag uden anklage og bevismateriale. Afgørelser om administrativ frihedsberøvelse er gyldige i op til seks måneder og kan fornys uden begrænsning.

Chefen for EU's mission i Jerusalem har gentaget EU's velkendte holdning til Israels brug af administrativ frihedsberøvelse i en erklæring, der blev offentliggjort i Israel den 8. maj 2012.

EU rejser regelmæssigt spørgsmålet om administrativ frihedsberøvelse med Israel i forbindelse med de bilaterale forbindelser.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005833/12
προς την Επιτροπή (Αντιπρόεδρος/Ύπατη Εκπρόσωπος)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) και Margrete Auken (Verts/ALE)
(11 Ιουνίου 2012)

Θέμα: VP/HR — Πολιτική διοικητικής κράτησης του Ισραήλ

Η διοικητική κράτηση αποτελεί διαδικασία που επιτρέπει στο Ισραήλ να προβαίνει σε κράτηση ανθρώπων χωρίς απαγγελία κατηγοριών ή διεξαγωγή δίκης για περίοδο έως και έξι μηνών, που μπορεί να ανανεώνεται επανειλημμένως. Από τον Απρίλιο του 2012, 309 Παλαιστίνιοι βρίσκονται υπό διοικητική κράτηση από τις ισραηλινές αρχές, συμπεριλαμβανομένου ενός άνδρα που κρατείται για διάστημα άνω των πέντε ετών και 24 μελών του Παλαιστινιακού Νομοθετικού Συμβουλίου. Μέχρι πρόσφατα, περίπου 2 000 κρατούμενοι πραγματοποιούσαν απεργία πείνας και απαιτούσαν καλύτερες συνθήκες κάθειρξης και να μπει τέλος στην κράτηση χωρίς δίκη.

Το διεθνές δίκαιο επιτρέπει τη διοικητική κράτηση μόνο υπό συγκεκριμένες, σαφώς καθορισμένες περιστάσεις, όπως ορίζεται από την Τέταρτη Σύμβαση της Γενεύης — για παράδειγμα, ως μέτρο έκτακτης ανάγκης σε περίοδο πολέμου. Ωστόσο, η παρατεταμένη χρήση της πρακτικής της διοικητικής κράτησης από τις αρχές του Ισραήλ, ιδίως ως μέτρο περιορισμού του παλαιστινιακού πολιτικού ακτιβισμού, παραβιάζει σαφώς τους κανόνες της Τέταρτης Σύμβασης της Γενεύης και το δικαίωμα των κρατουμένων σε δίκαιη δίκη, το οποίο διασφαλίζεται από το άρθρο 14 του Διεθνούς Συμφώνου για τα ατομικά και πολιτικά δικαιώματα (ICCPR) και από τα άρθρα 9 και 10 της Οικουμενικής Διακήρυξης των Δικαιωμάτων του Ανθρώπου.

Ο ειδικός απεσταλμένος των Ηνωμένων Εθνών σχετικά με την κατάσταση των ανθρωπίνων δικαιωμάτων στα παλαιστινιακά εδάφη, Richard Falk, δήλωσε ότι η ευρεία χρήση από το Ισραήλ της πρακτικής της διοικητικής κράτησης αντιβαίνει στα διεθνή πρότυπα σχετικά με τη δίκαιη δίκη. Για την ακρίβεια, η Ύπατη Εκπρόσωπος επανέλαβε πρόσφατα τον μακροχρόνιο προβληματισμό της ΕΕ σχετικά με την εντατική χρήση από το Ισραήλ της πρακτικής της διοικητικής κράτησης χωρίς επίσημη απαγγελία κατηγορίας, δηλώνοντας ότι οι κρατούμενοι έχουν δικαίωμα σε πληροφόρηση σχετικά με τις κατηγορίες στις οποίες βασίζεται τυχόν κράτησή τους και σε υπαγωγή σε δίκαιη δίκη. Επιπλέον, οι αποστολές της ΕΕ στην Ιερουσαλήμ και τη Ραμάλα επανέλαβαν και αυτές με τη σειρά τους τη δήλωση της Ύπατης Εκπροσώπου και ζήτησαν τον πλήρη σεβασμό των υποχρεώσεων που αφορούν τα διεθνή δικαιώματα όλων των κρατουμένων.

Δεδομένου ότι το άρθρο 2 της συμφωνίας σύνδεσης μεταξύ ΕΕ και Ισραήλ προβλέπει ότι οι σχέσεις μεταξύ των μερών, καθώς και όλες οι διατάξεις της ίδιας της συμφωνίας βασίζονται στον σεβασμό των ανθρωπίνων δικαιωμάτων και των δημοκρατικών αρχών,

1. Ποια είναι η επίσημη στάση της ΕΕ όσον αφορά τη διοικητική κράτηση;

2. Ποιες δράσεις έχει αναλάβει μέχρι στιγμής η Αντιπρόεδρος της Επιτροπής/Ύπατη Εκπρόσωπος, και ποιες δράσεις προτείνει να αναλάβει σε σχέση με τη διοικητική κράτηση;

3. Θα υποστηρίξει η Αντιπρόεδρος της Επιτροπής/Ύπατη Εκπρόσωπος τη συγκρότηση διερευνητικής αποστολής του Κοινοβουλίου για να ερευνήσει τη χρήση της διοικητικής κράτησης;

4. Έχει η Αντιπρόεδρος της Επιτροπής/Ύπατη Εκπρόσωπος εξετάσει το ενδεχόμενο να παράσχει εντολή στις αποστολές της ΕΕ στην Ιερουσαλήμ και τη Ραμάλα για άμεση επέμβαση σε μεμονωμένες περιπτώσεις διοικητικής κράτησης;

Απάντηση της Ύπατης Εκπροσώπου/Αντιπροέδρου κας Ashton εξ ονόματος της Επιτροπής
(14 Αυγούστου 2012)

Η Ύπατη Εκπρόσωπος/Αντιπρόεδρος έχει επανειλημμένως και δημοσίως εκφράσει την ανησυχία της για την εκτεταμένη και υπερβολική προσφυγή του Ισραήλ στο μέτρο της διοικητικής κράτησης. Η διοικητική κράτηση αποτελεί έκτακτο μέτρο το οποίο θα πρέπει να χρησιμοποιείται με τη μεγαλύτερη δυνατή φειδώ. Όλοι οι κρατούμενοι έχουν το δικαίωμα να ενημερώνονται για τους λόγους της κράτησής τους και να υπόκεινται σε δίκαιη δίκη χωρίς αδικαιολόγητη καθυστέρηση.

Η τρέχουσα ισραηλινή πρακτική της διοικητικής κράτησης δεν ανταποκρίνεται στις ευρωπαϊκές προσδοκίες για μια βασισμένη στο κράτος δικαίου προσέγγιση της ισραηλινής ασφάλειας. Οι κρατούμενοι κρατούνται χωρίς δίκη, οι δικηγόροι τους έχουν ελάχιστη ή καμία πρόσβαση στα αποδεικτικά στοιχεία εις βάρος των πελατών τους. Ενώ οι κρατούμενοι μπορούν, κατά κανόνα, να ασκήσουν προσφυγή κατά της κράτησής τους, στην περίπτωση κρατουμένων για λόγους ασφαλείας που προσάγονται στα στρατοδικεία, χωρίς απαγγελία κατηγορίας ή αποδεικτικά στοιχεία, είναι αδύνατο να ασκηθεί προσφυγή. Τα εντάλματα διοικητικής κράτησης ισχύουν για περίοδο έως έξι μήνες και δύνανται να ανανεωθούν εις το διηνεκές.

Ο αρχηγός της αποστολής της ΕΕ στην Ιερουσαλήμ επανέλαβε την πάγια θέση της ΕΕ όσον αφορά τη χρήση από το Ισραήλ της διοικητικής κράτησης χωρίς απαγγελία κατηγορίας σε μια δήλωση που εξέδωσε στις 8 Μαΐου 2012.

Η ΕΕ εγείρει τακτικά το ζήτημα της διοικητικής κράτησης στο πλαίσιο των διμερών σχέσεων με το Ισραήλ.

(English version)

Question for written answer E-005833/12
to the Commission (Vice-President/High Representative)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) and Margrete Auken (Verts/ALE)
(11 June 2012)

Subject: VP/HR — Israel's policy of administrative detention

Administrative detention is a procedure that allows Israel to hold detainees without charge or trial for a period up to six months, which can be renewed repeatedly. As of April 2012, 309 Palestinians are being held in administrative detention by the Israeli authorities, including one man who has been held for over five years and 24 members of the Palestinian Legislative Council. Until recently, some 2 000 prisoners had been on hunger strike and had been demanding better conditions during confinement and an end to detention without trial.

International law only permits administrative detention under specific, narrowly prescribed circumstances as defined by the Fourth Geneva Convention — for example, as an emergency measure in wartime. However, the protracted use of administrative detention by the Israeli authorities, principally as a measure to constrain Palestinian political activism, clearly violates the rules of the Fourth Geneva Convention and detainees' right to a fair trial, which is guaranteed by Article 14 of the International Covenant on Civil and Political Rights (ICCPR) and by Articles 9 and 10 of the Universal Declaration of Human Rights.

The UN Special Rapporteur on the situation of human rights in the Palestinian territories, Richard Falk, has stated that Israel's wide use of administrative detention flies in the face of international fair trial standards. Indeed, the High Representative has recently reiterated the EU's longstanding concern over the extensive use by Israel of administrative detention without formal charge, stating that detainees have the right to be informed about the charges underlying any detention and to be subject to a fair trial. Moreover, the EU missions in Jerusalem and Ramallah have echoed the High Representative's statement and called for the full respect of international rights obligations towards all prisoners.

Given that Article 2 of the EU-Israel Association Agreement states that relations between the parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles,

1. What is the EU's formal position regarding administrative detention?

2. What action has the Vice-President/High Representative taken to date, and what action does she propose to take regarding administrative detention?

3. Would the Vice-President/High Representative support the establishment of a fact-finding mission of Parliament to investigate the use of administrative detention?

4. Has the Vice-President/High Representative considered mandating the EU missions in Jerusalem and Ramallah to intervene directly in individual cases of administrative detention?

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

The HR/VP has repeatedly and publicly expressed her concern at the extensive and exessive recourse to administrative detention by Israel. Administrative detention is an exceptional measure which should be used as sparingly as possible. All detainees have the right to be informed of the reasons for their detention and be subject to a fair trial without undue delay.

Current Israeli practices on adminstrative detention fall short of European expectations with regards to a rule of law based approach to Israeli security. Detainees are held without trial, their lawyers have little or no access to the evidence against their clients. While detainees may appeal their detention, in the case of detainees for security reasons before military courts, without charges or evidence it is impossible to make a case. Administrative detention orders are valid for up to six months and can be renewed indefinitely.

EU HoMs in Jerusalem reiterated the EU's longstanding position on the use by Israel of administrative detention without charge in a local statement issued on 8 May 2012.

The EU regularly raises the question of administrative detention with Israel in the framework of its bilateral relations.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005834/12
til Kommissionen (Næstformand / Højtstående repræsentant)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) og Margrete Auken (Verts/ALE)
(11. juni 2012)

Om: VP/HR — Kendelse fra Israels højesteret, der legitimerer israelsk minedrift på Vestbredden

Den 26. december 2011 afviste Israels højesteret en sag, indgivet af den israelske menneskerettighedsorganisation, Yesh Din, som gjorde indsigelse mod lovligheden af at anvende naturressourcer, der udvindes af 11 israelske virksomheder, som foretager brydning og minedrift på den besatte Vestbred.

Grundlaget for sagen var, at en besættelsesmagts sådanne udnyttelse af naturressourcer er strengt ulovligt i henhold til artikel 43 og 55 i Haag-konvention IV. Dog afsagde Israels højesteret kendelse om, at det er lovligt for Israel at udnytte Vestbreddens naturressourcer med henblik på sine egne økonomiske behov. Det rapporteres, at omkring 95 % af udbyttet fra brydningerne sælges til Israel og forsyner næsten 25 % af Israels forbrug af råmaterialer til byggeindustrien.

Dette er klart i modstrid med international ret. Faktisk indgav førende israelske eksperter i international ret et indlæg til støtte (amicus brief) af indsigelse mod dommen med begrundelserne, at den misfortolker lovene for besættelse og bestemmelserne vedrørende besættelsesmagtens forvaltning af offentlig ejendom i de besatte områder.

I overensstemmelse med artikel 21 i EU-traktaten skal EU's optræden udadtil bl.a. bygge på overholdelse af principperne i international ret. Desuden minder konklusionerne fra mødet i EU's Udenrigsråd af 14. maj 2012 om gyldigheden af international humanitær ret i det besatte palæstinensiske område.

1. Hvilke konklusioner er Tjenesten for EU's Optræden Udadtil kommet frem til efter at have undersøgt konsekvenserne af denne afgørelse?

2. Deler næstformanden/den højtstående repræsentant den opfattelse, at denne afgørelse indebærer, at de israelske myndigheder ikke længere anser international ret som gældende for Vestbredden?

3. Hvilket tiltag foreslår næstformanden/den højtstående repræsentant med henblik på at sikre, at international ret implementeres i det besatte palæstinensiske område?

Svar afgivet på Kommissionens vegne af den højtstående repræsentant/næstformand Catherine Ashton
(27. august 2012)

Det fremgår klart af Rådets konklusioner af 14. maj 2012, at den sociale og økonomiske udvikling i område C er af kritisk betydning for en fremtidig palæstinensisk stats levedygtighed. I konklusionerne understreges det desuden, at den humanitære folkeret finder anvendelse i de besatte palæstinensiske områder. Den højtstående repræsentant/næstformanden noterer sig, at den israelske højesteret i sin kendelse af 26. december 2011 om minedrift på Vestbredden tog stilling til en række materielle spørgsmål. I rettens dom af 25. juli 2012, hvori den afviste menneskerettighedsorganisationen Yesh Dins appel, fastslog den, at den oprindelige afgørelse ikke skaber præcedens for udvinding af ressourcer på Vestbredden.

Ifølge oplysninger fra den israelske regering betales der royalties af minedriften direkte til besættelsesmagtens centralforvaltning i område C i de besatte palæstinensiske områder. Det hævdes, at minerne i øjeblikket beskæftiger ca. 1 200 palæstinensere. Den højtstående repræsentant/næstformanden er opmærksom på den palæstinensiske lokalbefolknings legitime forventninger om, at den også skal nyde godt af disse aktiviteter. Det skal nævnes, at i henhold til artikel 55 i IV. Haagerkonvention af 1907 om regler og vedtægter for krig til lands »[må] den besættende stat (…) kun betragte sig som bestyrer og bruger af de offentlige bygninger, faste ejendomme, skove og landbrug, der tilhøre den fjendtlige stat og befinde sig i det besatte område. Den skal bevare disse ejendommes substans og bestyre dem i overensstemmelse med reglerne for brugsret.« Den højtstående repræsentant/næstformanden har givet sine tjenestegrene og EU-delegationen i Tel Aviv instruks om at overvåge udviklingen på dette område og rejse spørgsmålet igen på bilaterale møder med Israel.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005834/12
προς την Επιτροπή (Αντιπρόεδρος/Ύπατη Εκπρόσωπος)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) και Margrete Auken (Verts/ALE)
(11 Ιουνίου 2012)

Θέμα: VP/HR — Απόφαση του Ανώτατου Δικαστηρίου του Ισραήλ νομιμοποιεί τις εξορυκτικές δραστηριότητες του Ισραήλ στη Δυτική Όχθη

Στις 26 Δεκεμβρίου 2011, το Ανώτατο Δικαστήριο του Ισραήλ απέρριψε αναφορά που είχε υποβάλει η ισραηλινή οργάνωση για τα ανθρώπινα δικαιώματα Yesh Din, η οποία αμφισβητούσε τη νομιμότητα της χρήσης φυσικών πόρων που λαμβάνονται μέσω των δραστηριοτήτων λατόμευσης και εξόρυξης 11 ισραηλινών εταιρειών στην κατεχόμενη παλαιστινιακή Δυτική Όχθη.

Η αναφορά βασιζόταν στο επιχείρημα ότι τέτοιου είδους εκμετάλλευση των φυσικών πόρων από μια δύναμη κατοχής είναι εντελώς παράνομη σύμφωνα με τα άρθρα 43 και 55 της Τέταρτης Σύμβασης της Χάγης. Ωστόσο, το Ανώτατο Δικαστήριο του Ισραήλ έκρινε ότι είναι νόμιμη η εκμετάλλευση από το Ισραήλ των φυσικών πόρων της Δυτικής Όχθης για την κάλυψη των οικονομικών του αναγκών. Αναφέρεται ότι περίπου 95 % της απόδοσης των λατομείων πωλείται στο Ισραήλ, προμηθεύοντας σχεδόν 25 % των πρώτων υλών που καταναλώνει το Ισραήλ για τον κατασκευαστικό κλάδο.

Αυτό είναι σαφές ότι αντιβαίνει στο διεθνές δίκαιο. Για την ακρίβεια, κορυφαίοι ισραηλινοί νομικοί, στον κλάδο του διεθνούς δικαίου, υπέβαλαν με πρωτοβουλία τους επιστολή αμφισβητώντας την απόφαση με το αιτιολογικό ότι παρερμηνεύει τους νόμους περί κατοχής και τις διατάξεις που αφορούν τη διαχείριση της δημόσιας περιουσίας από τη δύναμη κατοχής στα κατεχόμενα εδάφη.

Σύμφωνα με το άρθρο 21 ΣΕΕ, η εξωτερική δράση της ΕΕ έχει ως γνώμονα, μεταξύ άλλων, τον σεβασμό των αρχών του διεθνούς δικαίου. Επιπλέον, τα συμπεράσματα της συνεδρίασης της 14ης Μαΐου 2012 του Συμβουλίου Εξωτερικών Υποθέσεων της ΕΕ υπέβαλαν εκ νέου έκκληση για την εφαρμογή του διεθνούς ανθρωπιστικού δικαίου στα κατεχόμενα παλαιστινιακά εδάφη.

1. Έχοντας μελετήσει τις συνέπειες της εν λόγω απόφασης, σε ποια συμπεράσματα έχει καταλήξει η Ευρωπαϊκή Υπηρεσία Εξωτερικής Δράσης;

2. Συμμερίζεται η Αντιπρόεδρος της Επιτροπής/Ύπατη Εκπρόσωπος την άποψη ότι η εν λόγω απόφαση υποδηλώνει ότι οι ισραηλινές αρχές δεν θεωρούν πλέον το διεθνές δίκαιο εφαρμοστέο στη Δυτική Όχθη;

3. Τι είδους δράση προτείνει η Αντιπρόεδρος της Επιτροπής/Ύπατη Εκπρόσωπος να αναληφθεί ώστε να διασφαλισθεί η εφαρμογή του διεθνούς δικαίου στα κατεχόμενα παλαιστινιακά εδάφη;

Απάντηση της Ύπατης Εκπροσώπου/Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(27 Αυγούστου 2012)

Στα Συμπεράσματα του Συμβουλίου της 14ης Μαΐου 2012 δηλωνόταν απερίφραστα ότι οι κοινωνικές και οικονομικές εξελίξεις στη Ζώνη Γ έχουν καίρια σημασία για τη βιωσιμότητα ενός μελλοντικού παλαιστινιακού κράτους. Τα συμπεράσματα υπενθύμιζαν επίσης ότι το διεθνές ανθρωπιστικό δίκαιο είναι εφαρμοστέο στα κατεχόμενα παλαιστινιακά εδάφη. Η ΥΕ/ΑΠ σημειώνει ότι το Ανώτατο Δικαστήριο του Ισραήλ ασχολήθηκε με τη διευθέτηση ζητημάτων ουσιαστικού δικαίου στην απόφαση την οποία εξέδωσε στις 26 Δεκεμβρίου 2011 σχετικά με τις δραστηριότητες λατόμησης στη Δυτική Όχθη. Εξάλλου, σε απόφαση που εξέδωσε στις 25 Ιουλίου 2012 και με την οποία απέρριπτε την αναφορά της οργάνωσης για τα ανθρώπινα δικαιώματα Yesh Din με αίτημα την πραγματοποίηση νέας ακροαματικής διαδικασίας, το ίδιο δικαστήριο απεφάνθη ότι η αρχική απόφαση δεν συνιστούσε δικαστικό προηγούμενο σε σχέση με την εκμετάλλευση πόρων στη Δυτική Όχθη.

Με βάση πληροφοριακά στοιχεία που έχουν υποβληθεί από την κυβέρνηση του Ισραήλ, για τις δραστηριότητες λατόμησης εισπράττονται από το κράτος δικαιώματα εκμετάλλευσης, τα οποία καταβάλλονται απευθείας στην Πολιτική Διοίκηση της αρχής κατοχής της Ζώνης Γ των κατεχόμενων παλαιστινιακών εδαφών. Υποστηρίζεται ότι τα λατομεία σήμερα παρέχουν απασχόληση σε περίπου 1200 Παλαιστίνιους. Η ΥΕ/ΑΠ έχει επίγνωση της θεμιτής προσδοκίας να προκύπτουν οφέλη από τις εν λόγω οικονομικές δραστηριότητες και για τον παλαιστινιακό πληθυσμό της περιοχής. Υπενθυμίζεται ότι το άρθρο 55 της Σύμβασης της Χάγης του 1907 (IV) περί των νόμων και εθίμων του πολέμου στην ξηρά ορίζει τα εξής: «Το κράτος κατοχής μπορεί να θεωρείται μόνον ως διαχειριστής και επικαρπωτής των δημοσίων κτιρίων, της ακίνητης περιουσίας, των δασών και των γεωργικών κλήρων που αποτελούν περιουσία του αντίπαλου κράτους και βρίσκονται εντός της κατεχόμενης χώρας. Οφείλει να διασφαλίζει το κεφάλαιο των εν λόγω περιουσιακών στοιχείων και να τα διαχειρίζεται σύμφωνα με τους κανόνες της επικαρπίας.» Η ΥΕ/ΑΠ έχει δώσει εντολή στις υπηρεσίες των οποίων προΐσταται καθώς και στην Αντιπροσωπεία της ΕΕ στο Τελ Αβίβ να παρακολουθούν τις εξελίξεις σχετικά με το συγκεκριμένο ζήτημα και να το θέσουν εκ νέου προς συζήτηση στο πλαίσιο των διμερών συναντήσεων που πραγματοποιούνται με τις αρχές του Ισραήλ.

(English version)

Question for written answer E-005834/12
to the Commission (Vice-President/High Representative)
Emer Costello (S&D), Kyriacos Triantaphyllides (GUE/NGL) and Margrete Auken (Verts/ALE)
(11 June 2012)

Subject: VP/HR — Israel's High Court of Justice ruling legitimising Israeli mining in the West Bank

On 26 December 2011, Israel's High Court of Justice rejected a petition filed by the Israeli human rights organisation Yesh Din, which challenged the legality of the use of natural resources extracted by 11 Israeli companies quarrying and mining in the occupied Palestinian West Bank.

The basis of the petition was that such exploitation of natural resources by an occupying power is strictly illegal under Articles 43 and 55 of the Fourth Hague Convention. However, Israel's High Court of Justice ruled that it is legal for Israel to exploit the West Bank's natural resources for its own economic needs. It is reported that some 95% of the quarries' yield is sold to Israel, supplying almost 25% of Israel's consumption of raw materials for the construction industry.

This is in clear contradiction with international law. Indeed, leading Israeli international law scholars have filed an amicus brief challenging the judgment on the grounds that it misinterprets the laws of occupation and the provisions regarding the occupying power's management of public property in the occupied territories.

According to Article 21 TEU, the EU's external action shall be guided by, amongst other things, respect for the principles of international law. Moreover, the conclusions of the EU Foreign Affairs Council meeting of 14 May 2012 recalled the applicability of international humanitarian law in the occupied Palestinian territory.

1. Having studied the implications of this ruling, what conclusions has the European External Action Service reached?

2. Does the Vice-President/High Representative share the view that this ruling implies that the Israeli authorities no longer view international law as applicable to the West Bank?

3. What action does the Vice-President/High Representative propose to take to ensure that international law is implemented in the occupied Palestinian territory?

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

The Council conclusions of 14 May 2012 clearly stated that social and economic developments in Area C are of critical importance for the viability of a future Palestinian state. The conclusions further recalled the applicability of international humanitarian law in the occupied Palestinian territory.

The HR/VP notes that, the High Court of Israel sought to address substantive issues in its 26 December 2011 ruling on quarrying activity in the West Bank. In its decision of 25 July 2012 to reject the appeal by the human rights organisation Yesh Din for a further hearing, the Court ruled that the original decision did not set a precedent for the exploitation of resources in the West Bank.

According to information received from the government of Israel, royalties from the quarrying activity are paid directly to the Civil Administration of the occupying power in Area C of the occupied Palestinian territory. It is claimed that the quarries currently provide employment for some 1200 Palestinians. The HR/VP is mindful of the legitimate expectation that the local Palestinian population should also benefit from these undertakings. It is recalled that Article 55 of the 1907 Hague Convention (IV) respecting the Laws and Customs of War on Land stipulates that 'The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.'

The HR/VP has instructed her services and the EU Delegation in Tel Aviv to monitor developments on this issue and to raise the matter further with Israel in the framework of bilateral meetings.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005835/12
an die Kommission
Karin Kadenbach (S&D)
(11. Juni 2012)

Betrifft: Kürzungen der nationalen Haushaltsmittel für die Gesundheitsversorgung und die Prävalenz von Erkrankungen des Mund- und Rachenraums in Europa — das steigende Risiko der Ungleichheit

In seiner Entschließung vom 8. März 2011 zu dem Abbau gesundheitlicher Ungleichheit in der EU ([1]) hob das Parlament hervor, dass die Prävalenz von Erkrankungen des Mund- und Rachenraums Ungleichheit widerspiegelt und dass die gesundheitliche Ungleichheit mit Schwierigkeiten beim Zugang zur alltäglichen Versorgung wie in der Zahnheilkunde verbunden ist, und zwar aus wirtschaftlichen Gründen.

Ein kürzlich von der Universität von Löwen, der Universität von Gent und dem Verband der Flämischen Zahnärzte VVT (Verbond der Vlaamse Tandartsen) in Belgien durchgeführtes Pilotprojekt hat gezeigt, dass betreuungsbedürftige Menschen und Menschen mit besonderen Bedürfnissen weniger Zugang zur alltäglichen Mundpflegebehandlung als andere Teile der Bevölkerung haben und im Durchschnitt in Bezug auf Mundhygiene und Gesundheitsstandards benachteiligt sind ([2]).

Das steigende Risiko der mit den Kosten von Erkrankungen des Mund- und Rachenraums verbundenen sozioökonomischen Ungleichheit ist angesichts der Kürzungen der nationalen Haushaltsmittel für die Gesundheitsversorgung sogar noch besorgniserregender.

— Die Kommission wird gebeten darzulegen, wie das Problem der Ungleichheit in Bezug auf den Zugang zur Mundgesundheitsversorgung im Rahmen der Weiterbehandlung der Entschließung angegangen werden soll.

Antwort von Herrn Dalli im Namen der Kommission
(18. Juli 2012)

Gemäß dem Vertrag über die Arbeitsweise der Europäischen Union sind die Mitgliedstaaten für die Verwaltung des Gesundheitswesens und der medizinischen Versorgung zuständig, was auch Dienste zur Behandlung von Erkrankungen des Mund- und Rachenraums sowie die Bereitstellung entsprechender Ressourcen einschließt.

Zu den von den Mitgliedstaaten angenommenen gemeinsamen Zielen für den Sozialschutz und die soziale Inklusion zählen u. a. die Gewährleistung des Zugangs aller zu einer angemessenen Gesundheitsversorgung und die Beseitigung von Ungleichheiten beim Zugang zur Pflege und bei den Gesundheitsergebnissen. Die Kommission hat ihre Maßnahmen zum Abbau gesundheitlicher Ungleichheiten in ihrer Mitteilung „Solidarität im Gesundheitswesen“ ([3]) dargelegt. Auf ein entsprechendes Ersuchen des Rates vom Juni 2011 hin hat die Kommission zudem gemeinsam mit den Mitgliedstaaten einen Reflexionsprozess eingeleitet, um zu ermitteln, wie am besten in den Gesundheitssektor investiert werden sollte, damit moderne, bedarfsgerechte und tragfähige Gesundheitssysteme entstehen.

Auch die Vorschläge der Kommission zur Nutzung der Strukturfonds im nächsten Programmplanungszeitraum ([4]) bergen ein erhebliches Potenzial zum Ausgleich von Diskrepanzen im Gesundheitswesen, da sie eine Verbesserung des Zugangs zur Gesundheitsversorgung anstreben.

([1]) Angenommene Texte, P7_TA(2011)0081.
([2]) „Projet Pilote — Soins bucco-dentaires pour les Personnes à Besoins Particuliers“, Universiteit Gent, Katholieke Universiteit Leuven, Verbond der Vlaamse Tandartsen (2011).
([3]) KOM(2009)567.
([4]) KOM(2011)615, KOM(2011)607 und KOM(2011)614.

(English version)

Question for written answer E-005835/12
to the Commission
Karin Kadenbach (S&D)
(11 June 2012)

Subject: Shrinking national healthcare budgets and the prevalence of oral diseases in Europe — the rising risk of inequalities

In its resolution of 8 March 2011on reducing health inequalities in the EU ([1]), Parliament highlighted the fact that the prevalence of oral diseases reflects substantial inequalities, and that health inequalities are linked to problems in accessing everyday dental care for economic reasons.

A recent pilot project conducted by the University of Leuven, the University of Ghent and the Flemish dental association VVT (Verbond der Vlaamse Tandartsen) in Belgium has shown that dependent people and people with special needs have less access to everyday oral care treatment than other segments of the population and, on average, rank lower as regards oral hygiene and health standards ([2]).

The rising risk of socioeconomic inequalities linked to the cost of oral diseases is even more serious in the context of shrinking national healthcare budgets.

— Can the Commission indicate how the issue of inequalities related to access to oral healthcare is being addressed in the context of action taken on the resolution?

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

Under the Treaty on the Functioning of the European Union, Member States are responsible for the management of health services and medical care, which includes services for oral diseases, and the allocation of resources assigned to them.

In the context of the Common objectives on Social Protection and Social Inclusion, Member States have adopted an objective to guarantee access for all to adequate healthcare and to address inequities in access to care and in health outcomes. Actions by the Commission to contribute to reducing health inequalities are set out in the Commission Communication Solidarity in Health ([3]). Following an invitation from the Council in June 2011, the Commission is also working together with Member States on a reflection process aiming to identify effective ways of investing in health, so as to develop modern, responsive and sustainable health systems.

Commission proposals for the use of the Structural Funds for the next programming period ([4]) can significantly contribute to bridging health inequalities by improving access to health services as foreseen in the Commission proposal.

([1]) Texts adopted, P7_TA(2011)0081.
([2]) 'Projet Pilote — Soins bucco-dentaires pour les Personnes à Besoins Particuliers', Universiteit Gent, Katholieke Universiteit Leuven, Verbond der Vlaamse Tandartsen (2011).
([3]) COM(2009) 567.
([4]) COM(2011) 615, COM(2011) 607 and COM(2011) 614.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005836/12
an die Kommission
Karin Kadenbach (S&D)
(11. Juni 2012)

Betrifft: Unterstützung der Mundhygiene und der Prävention oraler Erkrankungen

Orale Erkrankungen betreffen die große Mehrheit der europäischen Bürger und beeinträchtigen die Menschen durch Schmerzen und Leiden, Einschränkung der Funktion und Auswirkungen auf die Lebensqualität schwerwiegend. Auch in der Behandlung sind sie die viertteuersten Krankheiten, und die Kosten der oralen Gesundheitsversorgung belaufen sich nach Schätzungen auf knapp 5-10 % der jährlichen Ausgaben im Gesundheitswesen in Europa (Petersen P.E., Bourgeois D., Ogawa H., Estupinan-Day S., Ndaye C. (2005): The global burden of oral diseases and risks to oral health. Bulletin of the World Health Organisation; 83, 661-669).

Diese Krankheiten können einfach durch regelmäßige Hygienemaßnahmen, darunter das richtige Zähneputzen und die Verwendung fluorhaltiger Zahnpasten und Mundspülungen, Reinigung der Zahnzwischenräume, Kauen von zuckerfreiem Kaugummi und regelmäßige Kontrollen beim Zahnarzt, vermieden werden. Jedoch kennen heute viele Europäer diese grundlegenden Maßnahmen nicht, wodurch langfristig kostspielige Behandlungen erforderlich werden. Darüber hinaus entwickeln nur wenige Mitgliedstaaten einheitliche Werbemaßnahmen zur Mundgesundheit, und es existieren nur wenige qualitativ hochwertige Maßstäbe zur Beurteilung solcher Maßnahmen, um bewährte Praktiken zu identifizieren und Lernergebnisse zu teilen.

Kann die Kommission mitteilen:

1. wie viel die Regierungen ihres Wissens jährlich für Prävention in der Mundgesundheit ausgeben?

2. ob es im Rahmen des zukünftigen Programms „Gesundheit für Wachstum" Raum für den Austausch bewährter Verfahren in Bezug auf Prävention in der Mundgesundheit, Aufklärung und Sensibilisierung, abgesehen von der Bekämpfung der wichtigsten Risikofaktoren, gibt?

3. welche EU-Mittel zur Verfügung stehen für den Austausch bewährter Verfahren, für Kampagnen zur Mundgesundheits-Erziehung und zur Sensibilisierung sowie für die Untersuchung der Qualität der Ergebnisse zur Bewertung von Strategien in der Mundgesundheit und Werbemaßnahmen?

Antwort von Herrn Dalli im Namen der Kommission
(18. Juli 2012)

Bei der Entwicklung der Mundgesundheit spielen die Hygienegewohnheiten eine wichtige Rolle, die hauptsächlich in der frühen Kindheit durch Familie und Bildung erworben werden.

Die Europäische Union hat kein Mandat für nationale Maßnahmen zur Förderung der Mundgesundheit. Außerdem zeigen die Erfahrungen mit den EU-Gesundheitsprogrammen, dass Bewusstseinsbildungskampagnen am wirksamsten sind, wenn sie auf einzelstaatlicher Ebene durchgeführt werden und speziell auf das Alter, die Sprache und die kulturellen Gegebenheiten der Zielgruppen zugeschnitten sind.

Es liegt nicht in der Zuständigkeit der Kommission, die Ausgaben der nationalen Regierungen für solche Kampagnen zu verfolgen. Nach dem Vertrag über die Arbeitsweise der Europäischen Union werden nationale Maßnahmen durch EU-Maßnahmen ergänzt. Solche ergänzenden Maßnahmen können die Form von Leitlinien und Indikatoren sowie des Austauschs bewährter Verfahren und Kriterien für Überwachung und Bewertung annehmen.

Die Europäische Kommission hat zwei Projekte zur Mundgesundheit finanziert: erstens das europäische globale Projekt für Mundgesundheitsindikatoren (EGOHID) im Jahr 2002, mit dem wichtige Indikatoren für die Mundgesundheit, Determinanten und Risikofaktoren in Bezug auf den Lebensstil, die Versorgungsqualität und die Verfügbarkeit wesentlicher Gesundheitsressourcen bestimmt wurden, und zweitens im Jahr 2005, mit einem EU-Beitrag von mehr als 1 Mio. EUR, das Projekt EGOHID II, mit dem die Anstrengungen der Mitgliedstaaten zur Verringerung der Auswirkungen von Krankheit und Behinderung im Zusammenhang mit oralen Erkrankungen unterstützt wurden.

Das künftige Gesundheitsprogramm 2014-2020 wird derzeit im Europäischen Parlament und im Rat erörtert. Deshalb ist es noch zu früh, den genauen Umfang der aus dem Programm zu fördernden Programme anzugeben.

(English version)

Question for written answer E-005836/12
to the Commission
Karin Kadenbach (S&D)
(11 June 2012)

Subject: Supporting oral hygiene and the prevention of oral diseases

Oral diseases affect the vast majority of European citizens and have a severe impact on people in terms of pain and suffering, impairment of function and effect on quality of life. They are also the fourth most expensive disease type to treat, and the cost of oral healthcare is estimated to amount to nearly 5-10% of annual health spending in Europe (Petersen, P.E., Bourgeois, D., Ogawa, H., Estupinan-Day, S. and Ndaye, C., *The global burden of oral diseases and risks to oral health*, Bulletin of the World Health Organisation, 83, 2005, 661-669).

These diseases are easily preventable by routine hygiene practices, including proper brushing, using fluoridated toothpaste and mouthwashes, interdental cleaning, chewing sugar-free chewing gum and regular dental check-ups. However, many Europeans today do not know about these basic practices, and as a result there is a need for expensive care in the long run. In addition, few Member States develop oral health promotional activities in a consistent manner, and few high-quality measures exist for use in the evaluation of such policies, which creates difficulties when trying to identify best practice and share learning outcomes.

Can the Commission state:

1. how much, to its knowledge, is spent annually on oral health prevention by governments;

2. whether there is scope under the future Health for Growth Programme for the exchange of best practice in the area of oral health prevention, education and awareness raising, in addition to tackling the main risk factors;

3. what EU funding is available for the exchange of best practice, oral health education and awareness raising campaigns, as well as for quality outcome research for use in the evaluation of oral health policy and promotion activities?

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

Hygiene practices, mainly acquired in early childhood through the family environment and education, play an important role for the development of good oral health.

The Union does not have a mandate to provide for national oral health promotion activities. In addition, experience within the EU Health Programmes demonstrates that awareness raising campaigns are most effective when carried out at national level and tailor made to the age, language and cultural context of the target population.

The Commission does not have the competence to track the spending of national governments on such campaigns. According to the Treaty on the Functioning of the European Union, Union action complements national policies. Such complementary action can take the form of guidelines and indicators, exchange of best practice, and elements for monitoring and evaluation.

The European Commission has financed two projects on oral health. First, in 2002, the European Global Oral Health Indicators Project (EGOHID), which identified essential indicators of oral health, determinants and risk factors related to lifestyle, quality of care and availability of essential health resources. And secondly, in 2005, the project EGOHID II with an EU contribution of over EUR 1 million, which supported Member States' efforts in reducing the public health impact of morbidity and disability related to oral diseases.

The future Health Programme 2014-2020 is currently being discussed by the European Parliament and the Council and it is therefore too early to establish the exact scope of projects to be supported under the Programme.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005837/12
alla Commissione
Mara Bizzotto (EFD)
(11 giugno 2012)

Oggetto: Regionalizzazione del debito

La Commissione ha il compito di promuovere le politiche comuni, garantendo che le riforme strutturali siano frutto di un'attenta analisi d'impatto e verifica e raggiungano, pertanto, risultati in grado di incidere positivamente sugli Stati membri.

In un momento in cui l'Europa si trova alle prese con una profonda crisi del sistema economico che impone agli Stati nuove politiche di austerity, contenimento della spesa pubblica ma anche di adozione di efficaci misure di crescita, la Commissione non ritiene necessario adeguare gli strumenti d'indagine e gli indicatori utilizzati per la loro pianificazione alla dimensione regionale e locale?

Non reputa opportuno poter operare chiari distinguo regionalizzando il debito complessivo del mercato interno per poter individuare le aree che sperperano e distinguerle da quelle che contribuiscono invece alla crescita?

Risposta di Olli Rehn a nome della Commissione
(23 luglio 2012)

Lo strumento principale per assicurare che gli Stati membri perseguano le corrette politiche economiche e di bilancio è rappresentato dal coordinamento delle politiche economiche, come prescritto dall'articolo 121 del trattato sul funzionamento dell'Unione europea. Ciò avviene attraverso la vigilanza sulle politiche nell'ambito del semestre europeo. In tale contesto la Commissione ha presentato raccomandazioni specifiche per paese, adattate alle circostanze proprie di ciascuno Stato membro, ai fini dell'adozione da parte del Consiglio. Le raccomandazioni della Commissione tengono conto, dunque, delle differenze rilevanti tra i paesi. Spetta agli Stati membri attuare tali raccomandazioni, in seguito alla loro adozione da parte del Consiglio.

(English version)

Question for written answer E-005837/12
to the Commission
Mara Bizzotto (EFD)
(11 June 2012)

Subject: Debt regionalisation

It is the task of the Commission to promote the common policies and ensure that structural reforms are based on a careful impact analysis and verification and, therefore, that they yield results that can have a positive influence on the Member States.

At a time when Europe is tackling a deep crisis of the economic system that requires Member States to adopt new austerity policies and curbs on public spending, as well as effective growth measures, does the Commission not consider it necessary to adjust, to a regional and local scale, the investigative tools and the indicators used to plan these?

Would it not consider it worthwhile to be able to make clear distinctions, by regionalising the overall debt of the internal market, so that it can pinpoint the areas which are squandering resources, and distinguish these from ones which, by contrast, are contributing to growth?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

The main tool for ensuring that the right economic and budgetary policies are pursued by Member States is the coordination of economic policies as mandated by Article 121 of the Treaty on the Functioning of the EU. This is done through the policy surveillance under the European Semester. In that context, the Commission presented country-specific recommendations for adoption by the Council, which are tailored to the specific circumstances of each Member State. The Commission's recommendations therefore take account of relevant differences across countries. Once adopted by the Council, it is for Member States to implement the recommendations.

(българска версия)

Въпрос с искане за писмен отговор E-005838/12
до Комисията
Мария Неделчева (PPE)
(12 юни 2012 г.)

Относно: Директни плащания на площ / Приоритетни екологични площи

В член 32 от предложението за регламент на Европейския парламент и на Съвета за установяване на правила за директни плащания за селскостопански производители по схеми за подпомагане в рамките на Общата селскостопанска политика се посочва, че „селскостопанските производители гарантират, че най-малко 7 % от техните хектари, отговарящи на условията за подпомагане, съгласно определеното в член 25, параграф 2, с изключение на площи с постоянни пасища, са приоритетни екологични площи, например оставена под угар земя, тераси, особености на ландшафта, буферни ивици и залесени площи съгласно член 25, параграф 2, буква б), подточка ii)“.

В случай че площи с постоянни пасища са залесени със защитени видове храсти (напр. хвойна), ще налага ли Европейската комисия санкции на тези земеделски производители за непочистените площи?

Как могат да бъдат подпомогнати земеделците, в чиито пасища растат защитени видове храсти и растителност?

Отговор, даден от г-н Чолош от името на Комисията
(25 юли 2012 г.)

В законодателното си предложение от октомври 2011 г. относно ОСП към 2020 г., Европейската комисия предложи ново определение за „постоянно пасище ([1])“. На основата на предложеното определение, което разширява настоящото определение за „постоянно пасище“, става възможно да се счита за постоянно пасище земя, върху която присъстват нетревни фуражи, дотолкова доколкото тревата и другите тревни фуражи остават преобладаващи.

Освен това, в концепцията относно екологизирането, изпратена до Европейския парламент и Съвета и представена от комисаря на заседанието на Съвета по селско стопанство, състояла се през май, беше предложено да бъде допълнено предложеното определение за постоянно пасище с евентуалното включване на някои площи, които се използват като част от екстензивните традиционни пасищни/земеделски системи, с цел да бъде призната ключовата роля на подобни площи за биоразнообразието и предотвратяването на ерозията на почвата и отделянето на въглерод в атмосферата.

Това би могло да се осъществи като бъдат счетени за допустими площи, където тревата и другите тревни фуражи традиционно не преобладават, но въпреки това са подходящи за паша и са част от традиционни земеделски системи.

Земеделските стопани, на чиито пасища растат защитени видове храсти и подобна растителност, могат да получат достъп до директно подпомагане, както и до плащане за екологизиране, ако са изпълнени всички приложими условия.

([1]) „постоянно пасище“ означава земя, използвана за отглеждане на трева или други тревни фуражи естествени или чрез култивиране (изкуствено засети), която не е включена в сеитбооборота на стопанството за пет години или повече; то може да включва други подходящи за паша видове , при условие че тревата и другите тревни фуражи остават преобладаващи“ .

(English version)

Question for written answer E-005838/12
to the Commission
Mariya Nedelcheva (PPE)
(12 June 2012)

Subject: Direct area payments/Ecological focus areas

Article 32 of the proposal for a regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy states that 'Farmers shall ensure that at least 7% of their eligible hectares as defined in Article 25(2), excluding areas under permanent grassland, is ecological focus area such as land left fallow, terraces, landscape features, buffer strips and afforested areas as referred to in Article 25(2)(b)(ii)'.

If areas under permanent grassland are planted with protected shrub species, e.g. juniper, will the European Commission impose sanctions on those farmers for the uncleaned areas?

What help can be provided for farmers who have protected shrub species and vegetation growing in their grasslands?

Answer given by Mr Cioloş on behalf of the Commission
(25 July 2012)

In its legislative proposal of October 2011 on the CAP towards 2020, the European Commission proposed a new definition for 'permanent grassland' ([1]). With the proposed definition, which extends the current definition of 'permanent pasture', it is very well possible to consider as permanent grassland, land on which non-herbaceous forage is present as long as grasses and other herbaceous forage remain predominant.

Moreover, in the concept paper on greening, sent to European Parliament and Council, and presented by the Commissioner during the Agricultural Council meeting of last May, it was suggested to complement the proposed definition of permanent grassland with the possible inclusion of some areas used within extensive traditional pastoral/agricultural systems with a view to recognising the key role such areas play for biodiversity and the prevention of soil erosion and carbon release.

This could be done by considering as eligible, areas where grasses and other herbaceous forage are traditionally not predominant but still suitable for grazing and that form part of traditional agricultural systems.

Farmers who have protected shrub species and similar vegetation growing on their grasslands may have access to direct support as well as the greening payment, if all the applicable conditions have been met.

([1]) 'Permanent grassland' means land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or longer; it may include other species suitable for grazing provided that the grasses and other herbaceous forage remain predominant.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005839/12
a la Comisión
Willy Meyer (GUE/NGL)
(12 de junio de 2012)

Asunto: Acaparamiento de tierra en países empobrecidos

En los últimos años se ha intensificado la compra de tierras fértiles en países empobrecidos por parte de fondos de inversión privados y públicos y grandes fortunas como nuevo modelo de negocio.

Esta práctica acaparadora de tierras imposibilita la consecución de la seguridad alimentaria por partes de países cuya mayor parte de la población tiene que enfrentarse diariamente contra la hambruna a través de la agricultura y la ganadería.

La intensificación de la compra de tierra fértil y con acceso a fuentes de agua en países empobrecidos está causando un incremento de la pobreza y el hambre, la aceleración del cambio climático y en la pérdida de biodiversidad, al llevar aparejado el desplazamiento de la población local, el incremento del precio de la tierra y de los alimentos, la desaparición de las pequeñas propiedades agrícolas, bosques y espacios naturales con alto valor medioambiental, la privatización de recursos básicos y necesarios como el agua o la propia tierra, en definitiva, la pérdida de las tierras destinadas a la producción de alimentos para los mercados locales a favor de la expansión del modelo de agricultura intensiva y especulativa basado en los monocultivos y la exportación.

Además el acaparamiento de tierras, tal y como alertan numerosas ONGs, está exponiendo a buena parte del campesinado de estos países a condiciones de explotación laboral y esclavitud al haber pasado de cultivar tierras comunales o pequeñas propiedades para el abastecimiento de la comunidad a tener que trabajar para grandes terratenientes y transnacionales en países donde no existe ningún tipo de protección laboral de los trabajadores. Esto ha llevado a algunos países como Bolivia, Argentina, Ecuador o Uruguay a poner en marcha medidas legislativas contundentes para limitar la compra de tierras por parte de fondos extranjeros.

Teniendo en cuenta que muchos de estos fondos de inversión y multinacionales acaparadoras de tierra cuentan con capitales privados de origen europeo e incluso con fondos públicos de algunos estados,

¿Investiga y está al tanto la Comisión de las graves consecuencias del acaparamiento de tierras en los países empobrecidos? ¿Ha recomendado la Comisión a los países con los que la UE mantiene acuerdos comerciales que regulen la compra de tierra para evitar las consecuencias descritas? ¿Piensa la Comisión implementar medidas regulatorias encaminadas a evitar el acaparamiento de tierras por parte de fondos de inversión de capital público o privado europeo?

Respuesta del Sr. Piebalgs en nombre de la Comisión
(6 de agosto de 2012)

La Comisión es plenamente consciente de la amplitud de las adquisiciones de tierras a gran escala por los inversores locales e internacionales en los países en desarrollo, y de sus consecuencias para los pequeños agricultores. A este respecto, la Comisión apoya los mecanismos mundiales de supervisión de las transacciones de tierras, como el Observatorio de las tierras y la Matriz de las tierras concebidos por la Coalición Internacional para el Acceso a la Tierra (ILC) y las Directrices voluntarias sobre la gobernanza responsable de la tenencia de la tierra, la pesca y los bosques (VGGT).

Remito a Su Señoría a la respuesta a la anterior pregunta escrita E-005522/2012 ([1]), en la que se pormenoriza la participación de la Comisión en la elaboración, negociación y adopción de las VGGT y las consultas relativas a la definición de principios para una inversión responsable en la agricultura.

La Comisión, uno de los donantes más activos en estos ámbitos, seguirá participando activamente en los procesos de «operacionalización» de las VGGT, con un considerable apoyo de la Unión Europea a esta iniciativa en África y al ensayo piloto de los siete Principios para una inversión responsable en la agricultura (PRAI).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp?language (véanse también las preguntas parlamentarias E-009587/10, E-009588/10, E-010754/10, E-006626/11).

Incorporar las VGGT a la legislación nacional y los sistemas de gobernanza de las tierras es responsabilidad de los gobiernos y partes interesadas nacionales. La Comisión está participando actualmente en la identificación de las necesidades, y puede considerar, cuando así proceda, apoyar su ejecución junto con todos los socios, ya sean mundiales (FAO ([2]), ILC ([3])), regionales (UA/CAADP ([4]) para la Iniciativa africana de política de tierras (LPI) o locales.

([2]) FAO = Organización de las Naciones Unidas para la Alimentación y la Agricultura.
([3]) ILC = Coalición Internacional para el Acceso a la Tierra.
([4]) UA/CAADP = Unión Africana/Programa general para el desarrollo de la agricultura en África.

(English version)

Question for written answer E-005839/12
to the Commission
Willy Meyer (GUE/NGL)
(12 June 2012)

Subject: Land hoarding in impoverished countries

In recent years, the purchase of fertile land in impoverished countries by public and private investment funds and by high-net-worth individuals has become an increasingly common business model.

This practice of land hoarding makes it impossible to achieve food security in countries where the majority of the population engages in agriculture and livestock farming as part of a daily struggle to stave off hunger.

The purchase of an increasing amount of fertile land with access to sources of water in impoverished countries is causing greater poverty and hunger, an acceleration of climate change and the loss of biodiversity — since it leads to the displacement of the local population — as well as an increase in the price of land and foodstuffs, the disappearance of smallholdings, forests and areas of natural beauty and the concentration of basic and necessary resources such as water or land itself in private hands. In sum, land intended for the production of foodstuffs for local markets is being lost as a result of the expansion of the intensive and speculative farming model based on single crops and for export.

In addition, land hoarding, as numerous NGOs warn, is causing many agricultural workers in those countries to be exploited and placed in economic slavery, since they have moved from cultivating communal land or smallholdings for the supply of the community to having to work for large landowners and multinationals in countries where there is no employment protection for workers. This has led some countries, such as Bolivia, Argentina, Ecuador and Uruguay, to pass legislation placing strict limits on the purchase of land by foreign funds.

Given that many of these investment funds and land-hoarding multinationals are backed by private capital of European origin, and even the public funds of some states,

Is the Commission investigating, and is it aware of, the serious consequences of land hoarding in impoverished countries? Has the Commission asked countries with which the EU maintains commercial agreements to regulate the purchase of land so as to avoid the consequences described? Does the Commission intend to introduce rules to prevent land hoarding by European public or private-equity investment funds?

Answer given by Mr Piebalgs on behalf of the Commission
(6 August 2012)

The Commission is fully aware of the extent of large scale land acquisitions by local and international investors in developing countries, and of its consequences on small holder agriculture. In this respect, the Commission supports global mechanisms to monitor large scale land transactions, such as the land observatory and land matrix developed by the International Land Coalition (ILC) and the Voluntary Guidelines on the Responsible Governance of Tenure (VGGTs) of Land, Fisheries and Forests.

The Honourable Member is referred to the answer to previous Written Question E-005522/2012 ([1]) detailing the involvement of the Commission in the elaboration, negotiation and adoption of the VGGTs and consultations related to the definition of principles for responsible investment in agriculture.

The Commission, one of the most active donors in these fields, will continue to engage actively in the processes of operationalization of the VGGTs, with substantial EU financial support to this initiative in Africa and to the pilot testing of the seven Principles for Responsible Investment in Agriculture (PRAI).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp?language (see also parliamentary questions E-009587/10, E-009588/10, E-010754/10, E-006626/11).

Transposing the VGGTs into national legislation and land governance systems is a responsibility of national governments and stakeholders. The Commission is presently participating in the identification of needs and may consider, where relevant and appropriate, support for their implementation, together with all partners, both global (FAO ([2]), ILC ([3])), regional (AU/CAADP ([4]) for the African Land Policy Initiative (LPI)) and local.

([2]) FAO = Food and Agriculture Organisation.
([3]) ILC = International Land Coalition.
([4]) AU/CAADP = African Union/Comprehensive Africa Agriculture Development Programme.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005840/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(12 de junio de 2012)

Asunto: Supervivencia de los astilleros navales en el Estado español

Los astilleros privados gallegos llevan diez meses fuera del mercado de la construcción de grandes buques. Desde que la Comisión Europea admitió una denuncia por supuesta competencia desleal en el sistema de bonificaciones fiscales a la contratación naval (*tax lease*), el sector espera una alternativa que le permita acudir a los concursos en condiciones competitivas ([1]).

La crisis del *tax lease* se abrió en plena crisis del Gobierno socialista y, con las elecciones a la vuelta de la esquina, la propuesta del Gobierno socialista ni siquiera llegó a entrar oficialmente en Bruselas. La del Gobierno del PP tardó casi 4 meses, pero fue rechazada y se continúa negociando.

Las consecuencias son negativas. Mientras en Francia, Alemania o Noruega la construcción naval mantiene un ritmo creciente, en el último año los astilleros gallegos no han logrado cerrar ni una sola contratación de gran calado, porque sus ofertas no son competitivas. En este tiempo, han cerrado más de 50 empresas auxiliares del naval y la inactividad en los astilleros ha destruido más de 9 000 puestos de trabajo.

Según publica el periódico del transporte y la logística en España «Transporte XXI», de fecha 1 de junio de 2012, en su página 7, «*la construcción naval española lleva meses esperando a que Bruselas dé luz verde al nuevo esquema para financiar buques (…). El comisario Almunia había alentado que todo estaba arreglado para que el nuevo sistema, similar al del resto de países de nuestro entorno, entrara en vigor. Sin embargo sigue sin haber noticias*».

A la vista de lo anterior,

¿Puede informar la Comisión en qué fase se encuentran las negociaciones con el Gobierno para la supervivencia de la construcción naval en los astilleros del Estado español?

¿Cuándo tiene previsto la Comisión la resolución de este conflicto?

Respuesta del Sr. Almunia en nombre de la Comisión
(26 de julio de 2012)

Desde la apertura del procedimiento de investigación formal respecto al denominado sistema de arrendamiento fiscal español (*Tax Lease*), vigente desde 2002, España ha analizado con la Comisión distintas propuestas destinadas a modificar este sistema para el futuro.

El 30 de mayo de 2012 España notificó formalmente una nueva propuesta de medida para su aplicación en el futuro. Esta medida se refiere a una modificación de la legislación en materia de amortización fiscal anticipada de activos arrendados. La Comisión ha solicitado a España que le facilite información adicional y más detallada sobre esta medida. Cuando disponga de toda la información, la Comisión dispondrá de dos meses para adoptar una decisión formal, bien en el sentido de autorizar la medida, bien en el de incoar un procedimiento formal. En el momento actual, la Comisión todavía no ha adoptado una posición.

La Comisión está deseando ayudar a España a diseñar un nuevo sistema de arrendamiento fiscal que constituya una medida general (que no sea selectiva y, por tanto, no implique una ayuda estatal) o que sea compatible con el Tratado y las *Directrices comunitarias sobre ayudas de Estado al transporte marítimo*. De hecho, se ha comprometido a seguir estudiando las propuestas españolas. No obstante, hay que recordar que el objetivo de las Directrices en materia de transporte marítimo es apoyar al sector de transporte marítimo europeo, no a un sector de construcción naval nacional. Lo que es más, dichas Directrices fijan un límite para la ayuda que puede concederse una compañía naviera concreta. Si la medida notificada por España implica una ayuda estatal, la Comisión deberá asegurarse de que se respetan estas limitaciones.

La Comisión no puede prever cuándo se llegará a una solución.

([1]) http://www.lavozdegalicia.es/noticia/economia/2012/04/30/falta-voluntad-politica-frustra-reforma-tax-lease-pide-ue/0003_201204G30P26991.htm

(English version)

Question for written answer E-005840/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(12 June 2012)

Subject: Survival of Spanish shipyards

The private Galician shipyards have been out of the large vessel construction market for ten months. Since the European Commission allowed a complaint for alleged unfair competition in the system of tax allowances for shipbuilding contracts (tax leases), the sector has been waiting for an alternative which will allow it to take part in tenders on competitive conditions ([1]).

The tax lease crisis arose in the middle of the crisis with the socialist government and, with elections around the corner, the proposal of the socialist government did not even officially reach Brussels. The People's Party government took almost four months to submit a proposal, but it was rejected, and negotiations continue.

The consequences are negative. Whereas in France, Germany and Norway shipbuilding is growing, over the last year the Galician shipyards have not been able to win a single major contract, because their bids are uncompetitive. During this period, more than 50 ancillary companies have closed down and the inactivity of the shipyards has meant the loss of more than 9 000 jobs.

As stated on page 7 of the Spanish transport and logistics journal 'Transporte XXI' published on 1 June 2012, '*Spanish shipbuilding has been waiting months for Brussels to give the green light to the new scheme for financing vessels (…). Commissioner Almunia had suggested that everything was in place for the new system, similar to that of our neighbouring countries, to come into force. However, there is still no news*'.

Can the Commission say what stage has been reached in negotiations with the government for the survival of shipbuilding in Spanish shipyards?

When does the Commission anticipate that this dispute will be resolved?

Answer given by Mr Almunia on behalf of the Commission
(26 July 2012)

Since the opening of the formal investigation procedure with respect to the so-called Spanish Tax Lease scheme in place since 2002, Spain has discussed with the Commission different proposals for amending that scheme for the future.

On 30 May 2012, Spain formally notified a new proposal for a measure to be implemented in the future. This measure concerns a modification to the legislation on early tax depreciation of leased assets. The Commission has asked Spain to provide additional and more detailed information about this measure. Once the information is complete, the Commission will have two months to take a formal decision whether to authorise the measure or to open formal proceedings. At this stage, the Commission has not taken a position.

The Commission is keen to help Spain design a new tax lease scheme that will either be a general measure (not selective, hence not involving state aid) or be compatible with the Treaty and the Guidelines on state aid to maritime transport. It is indeed commited to discuss Spain's proposals further. However, it should be recalled that the objective of the Maritime Guidelines is to support the European shipping industry — not any particular national shipbuilding industry. Moreover, those Guidelines impose a limit on the aid that can be granted to any individual shipping company. If the measure notified by Spain involves state aid, the Commission must make sure that these limitations are respected.

The Commission cannot anticipate when a solution will be found.

([1]) http://www.lavozdegalicia.es/noticia/economia/2012/04/30/falta-voluntad-politica-frustra-reforma-tax-lease-pide-ue/0003_201204G30P26991.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-005841/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(12 de junio de 2012)

Asunto: Juventud

El pasado 24 de mayo 2012 el Parlamento Europeo votó una resolución sobre la Iniciativa de Oportunidades para la Juventud (P7_TA(2012)0224).

En ella se hacía referencia a la asignación de recursos para elaborar proyectos pilotos en Estados Miembros.

En este sentido,

1. ¿Podría la Comisión especificar el importe de los recursos ya asignados?

2. ¿En qué proyectos pilotos se ha centrado?

3. ¿Cuál es el reparto por Estados Miembros de estos recursos?

4. ¿Tiene la Comisión el resultado de dichos proyectos pilotos?

Respuesta del Sr. Andor en nombre de la Comisión
(26 de julio de 2012)

En relación con la asignación de recursos de los Fondos Estructurales europeos con destino a medidas de fomento del empleo juvenil en los Estados miembros, la Comisión ruega a Su Señoría que se remita a su respuesta a P-002702/2012 ([1]) y a la nota del Presidente Barroso dirigida al Consejo Europeo ([2]).

De los recursos procedentes de los Fondos Estructurales a los que los Estados miembros pueden optar en el período 2007-2013, a finales de 2011 quedaba pendiente de asignar a proyectos concretos un importe de 82 000 millones EUR. Como es previsible, este importe se va reduciendo. Actualmente, según los datos más recientes de que dispone la Comisión, quedan sin asignar menos de 65 millones EUR, lo que representa el 19 % del total de Fondos Estructurales disponible durante el actual período de programación.

Los equipos de acción, creados por la Comisión Europea para trabajar con los ocho Estados miembros afectados por los niveles más altos de desempleo juvenil, han explorado las posibilidades de reorientar los Fondos Estructurales hacia el fomento del empleo juvenil en la medida de lo posible. El resultado es que se han seleccionado 7 300 millones EUR para su reasignación o su asignación acelerada. Por ejemplo, 1 100 millones EUR van a ser reasignados en España, 1 800 millones EUR, en Grecia y 3 700 millones EUR, en Italia. Confiamos en que así se proporcione una ayuda muy necesaria a 56 000 pequeñas y medianas empresas y a 460 000 jóvenes. Se espera que esta medida tenga impactos significativos en los Estados miembros ([3]). El uso real de esos fondos para proyectos destinados a apoyar especialmente a los jóvenes será la próxima etapa del proceso. La fecha de publicación de los primeros resultados de los proyectos dependerá en gran medida de la velocidad a la que los compromisos sean llevados a la práctica por los Estados miembros.

([1]) http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html
([2]) http://ec.europa.eu/commission_2010-2014/president/pdf/council_dinner/youth_action_team_es.pdf
([3]) En Grecia, 278 000 jóvenes se beneficiarán de las inversiones del FSE; en Italia son 128 000. Las PYME que se beneficiarán de un mayor acceso a la financiación son 12 400 en Grecia, 28 000 en Italia, 7 700 en España y 4 500 en Portugal.

(English version)

Question for written answer E-005841/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(12 June 2012)

Subject: Youth

On 24 May 2012 the European Parliament adopted a resolution on the Youth Opportunities Initiative (P7_TA(2012)0224).

It made reference to the allocation of resources for designing pilot projects in Member States.

1. Could the Commission specify the amount of resources already allocated?

2. On which pilot projects has it focused?

3. How are these resources divided between Member States?

4. Does the Commission have the results of these pilot projects?

Answer given by Mr Andor on behalf of the Commission
(26 July 2012)

With regard to the mobilisation of available EU Structural Funds for measures promoting youth employment in the Member States, the Commission would refer the Honourable Member to its reply to P-002702/2012 ([1]) and to President Barroso's note to the European Council ([2]).

Out of the current amount of Structural Funds the Member States have access to in the period 2007-13, EUR 82 billion remained unallocated to concrete projects at the end of 2011. This amount is reducing, as expected. Now, according to the most recent data available to the Commission, less than EUR 65 billion remains unallocated, accounting for 19% of the total Structural Funds available during the current programming period.

The Action Teams, which were formed by the European Commission to work with the eight Member States experiencing the highest levels of youth unemployment, have explored the possibilities to refocus Structural Funds toward promoting youth employment where possible. As a result, EUR 7.3 billion in structural funding has been earmarked for reallocation or accelerated mobilisation. For instance, EUR 1.1 billion will be reallocated in Spain, EUR 1.8 billion in Greece, EUR 3.7 billion in Italy. This is expected to provide much-needed support to 56 000 small to medium-sized enterprises and 460 000 young people. Significant impacts can be expected in Member States ([3]). The actual use of these funds for projects designed to support young people will be the next step in the process. The publication date of the first results of projects will largely depend on the speed at which the commitments are put in practice by the Member States.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://ec.europa.eu/commission_2010-2014/president/pdf/council_dinner/youth_action_team_en.pdf
([3]) 278 000 young people will benefit from ESF investments in Greece, 128 000 in Italy. While 12 400 SMEs will benefit from better access to finance in Greece, 28 000 in Italy, 7 700 in Spain and 4 500 in Portugal.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005842/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(12 de junio de 2012)

Asunto: Comisión de ayudas del apoyo presupuestario

Anualmente el Tribunal de Cuentas Europeo realiza un informe sobre la gestión por la Comisión del Apoyo Presupuestario General (APG) en los países ACP, de América Latina y de Asia.

En el informe número de 2010 hay ciertos puntos donde se habla de que la Comisión no gestiona adecuadamente los principales riesgos para la eficacia del APG, de los riesgos cada vez mayores en los países beneficiarios, de que la aplicación a veces no garantiza un impacto potencial óptimo de este apoyo, o de la no claridad en el fundamento de las dotaciones.

En este sentido se puede llegar a analizar si las ayudas que van directamente a ONGs tienen siempre fines solidarios o no.

En este sentido,

1. ¿Ha tomado la Comisión en consideración el informe del Tribunal arriba citado?

2. ¿Qué medidas se han tomado para una mayor eficacia en el reparto de esa ayuda?

3. ¿Se han percibido resultados en caso de que se hayan tomado esas medidas?

4. ¿Sabe la Comisión si el Tribunal está ya preparando su próximo informe?

Respuesta del Sr. Piebalgs en nombre de la Comisión
(3 de agosto de 2012)

La Comisión coincide con Su Señoría en la importancia de una buena gestión del apoyo presupuestario.

1. La Perspectiva futura del apoyo presupuestario de la UE a terceros países ([1]), propuesta por la Comisión y refrendada por el Consejo, tiene plenamente en cuenta las recomendaciones del Tribunal de Cuentas.

2. La nueva perspectiva introduce un cuarto criterio de elegibilidad referente a la transparencia presupuestaria, que debería redundar en una mayor eficacia del gasto público en los países beneficiarios. Un Comité Director para el Apoyo Presupuestario, de reciente creación y en el que participan servicios de la Comisión y el Servicio Europeo de Acción Exterior (SEAE), ofrece a las decisiones de la Comisión sobre desembolsos en concepto de apoyo presupuestario una gestión del riesgo reforzada y una mejor gobernanza. Por otra parte, ya en 2010 la Comisión introdujo la obligación de llevar a cabo un análisis sistemático de la gestión de las finanzas públicas en los países beneficiarios.

3. La mayor parte de las medidas mencionadas más arriba son medidas a largo plazo que se empiezan a aplicar a lo largo de 2012. Aún así, el Tribunal ya observó en su último informe anual que ha mejorado la calidad de la evaluación del criterio relativo a la gestión de las finanzas públicas, lo que da lugar a una mejor gestión por parte de los gobiernos y los organismos de supervisión, como los parlamentos nacionales y otras entidades fiscalizadoras.

4. El Tribunal analiza el apoyo presupuestario regularmente. Asimismo, durante el proceso de elaboración de su informe anual 2011, cuya versión definitiva se espera para noviembre de 2012, el Tribunal de Cuentas ha prestado especial atención a los programas de apoyo presupuestario.

([1]) COM(2011)638 final.

(English version)

Question for written answer E-005842/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(12 June 2012)

Subject: Commission management of budget support

The Court of Auditors draws up a report annually on the Commission's management of general budget support (GBS) in ACP, Latin American and Asian countries.

The 2010 annual report states in several places that the Commission is not properly managing the main risks to the effectiveness of GBS, or the increasing risks in recipient countries, that implementation does not always serve to optimise the potential impact of aid, and that the rationale for allocations is unclear.

One question to ask, therefore, is whether aid granted directly to NGOs invariably furthers solidarity objectives.

1. Has the Commission taken account of the Court's abovementioned report?

2. What measures have been taken to make the distribution of aid more effective?

3. If measures have been taken to that end, have they produced results?

4. Does the Commission know whether the Court is already drawing up its next report?

Answer given by Mr Piebalgs on behalf of the Commission
(3 August 2012)

The Commission concurs with the Honourable Member on the importance of sound management of budget support.

1. The 'Future Approach to EU Budget Support to Third Countries' ([1]) proposed by the Commission and endorsed by the Council, takes full account of the recommendations of the Court of Auditors.

2. The new approach introduces a fourth eligibility criterion on budgetary transparency that should result in greater public expenditure effectiveness in the beneficiary countries. A newly established Budget Support Steering Committee comprising Commission services and the EEAS provides strengthened risk management and enhanced governance for Commission decisions on budget support disbursements. Furthermore, the Commission introduced already in 2010 the obligation of carrying out a systematic analysis of Public Finance Management (PFM) in the beneficiary.

3. Most of the measures referred to above are long-term and their implementation starts during 2012. However, the Court already noted in its last annual report that the quality of the assessment of the PFM eligibility criterion has improved. This induces improvements of the way governments and oversight bodies such as national parliaments and audit institutions manage public funds.

4. The Court analyses Budget Support regularly. Also, during the process of elaborating the 2011 annual report, a final version of which is expected in November 2012, the Court of Auditors has paid special attention to budget support programmes.

([1]) COM(2011)638 final.

(English version)

Question for written answer E-005843/12
to the Commission
Julie Girling (ECR)
(12 June 2012)

Subject: Funding for superfast broadband

Parts of my constituency of South West England are extremely rural and are currently developing their superfast broadband networks and rolling out projects across the regions. Broadband is essential to our economic growth. A number of local council leaders have contacted me as they are extremely concerned that rollout plans are being delayed owing to lengthy delays in funding approvals.

Can the Commission tell me when funding applications for South Gloucestershire, Wiltshire and Swindon will be approved, so that local councils can go ahead with rolling out superfast broadband to our local communities in the knowledge that funds will be available for them to proceed?

Answer given by Mr Almunia on behalf of the Commission
(26 July 2012)

The Commission strongly supports the efforts of the South West of England to achieve the EU 2020 targets in high speed and very high speed broadband. The strong requirements for open access established in the context of the current EU State aid guidelines on broadband networks represent a guarantee for open competition for all potential suppliers of Internet services. The Commission services assess all state aid broadband schemes all over the EU in a coherent way and in accordance with those guidelines.

If a project falls under the notified Broadband Delivery UK scheme (BDUK), the UK authorities can implement it as soon as that scheme is approved under the EU State aid rules. For the sake of consistency, it is important that the same rules and conditions apply in all state aid measures within the UK. BDUK is also beneficial for small regions because they do not have to go through individual state aid notification. As soon as BDUK is approved by the Commission services, rural broadband projects in the UK can be expected to move ahead much faster.

The assessment of BDUK is a high priority for the Commission services. They will make every effort to finalise that assessment as soon as possible after they receive all the requested information from the UK authorities.

(Version française)

Question avec demande de réponse écrite E-005844/12
à la Commission (Vice-Présidente/Haute Représentante)
Patrick Le Hyaric (GUE/NGL)
(12 juin 2012)

Objet: VP/HR — Situation des travailleurs palestiniens dans les territoires occupés et processus de paix

La situation des travailleurs dans les territoires palestiniens occupés est extrêmement préoccupante, a révélé le rapport annuel de l'Organisation internationale du travail (OIT) ([1]).

Le rapport établit que la réalité de l'occupation sur le terrain et l'expansion sans répit des colonies israéliennes provoquent un rétrécissement de l'espace de développement des Palestiniens et que ce constat est particulièrement vrai dans la «zone C» de la Rive occidentale, qui devrait former une partie essentielle du futur État palestinien. Couvrant 60 % de la superficie de la Rive occidentale, cette zone continue d'être entièrement soumise au contrôle d'Israël. Les Palestiniens s'y voient refuser l'accès à leurs moyens de subsistance, ainsi qu'à leurs proches.

Les perspectives d'emploi sont clairement l'un des principaux défis pour la jeunesse palestinienne, selon le rapport de l'OIT. L'an dernier, 53,5 % des jeunes femmes et 32,2 % des jeunes hommes âgés de 15 à 24 ans étaient au chômage. Étant donné que 71 % des Palestiniens ont moins de trente ans, le rapport exhorte à agir immédiatement pour faire face à la crise de l'enseignement à Jérusalem-Est, pour faire cesser la démolition des écoles dans la Rive occidentale et pour enrayer l'érosion des compétences à Gaza.

La Vice-Présidente/Haute Représentante est-elle au courant du rapport annuel de l'OIT publié récemment? La Vice-Présidente/Haute Représentante tiendra-t-elle en compte les recommandations du rapport de l'OIT?

Quelles mesures ont été prises par les services de la Vice-Présidente/Haute Représentante concernant les conditions des travailleurs palestiniens?

Y-a-t-il eu de la part de l'UE des actions urgentes face à Israël concernant la démolition des écoles dans la rive occidentale? Quelles sont les mesures prévues pour que l'enseignement soit respecté à Jérusalem-est?

Quels sont les résultats des échanges que la Commission et la Conseil mènent avec Israël pour garantir le respect de la population palestinienne?

En quoi consistent les réunions que la Vice-Présidente/Haute Représentante maintient avec les représentants d'Israël?

Réponse donnée par Mme Ashton, Vice-présidente/Haute Représentante au nom de la Commission
(8 août 2012)

L'Union européenne suit de près l'évolution de la situation dans la zone C de la Cisjordanie. Dans les conclusions du Conseil «Affaires étrangères» du 14 mai 2012, elle a engagé Israël à respecter les obligations qui lui incombent s'agissant des conditions de vie de la population palestinienne dans cette région, notamment en mettant un terme à la démolition d'infrastructures et de logements palestiniens. Elle a également déclaré attendre d'Israël qu'il protège les investissements de l'UE visant à soutenir le développement palestinien dans la zone C en vue d'une utilisation ultérieure.

L'UE aborde régulièrement ces problématiques dans le cadre de son dialogue bilatéral avec Israël au moyen des instruments institués par l'accord d'association UE-Israël. Elle participe activement, au plus haut niveau politique, à un dialogue avec le gouvernement israélien en vue d'améliorer le système de planification actuel dans la zone C.

En ce qui concerne Jérusalem, l'UE a affirmé plus d'une fois, notamment dans les conclusions du Conseil susmentionnées, qu'il fallait, par la négociation, trouver un moyen de résoudre la question du statut de Jérusalem-Est comme future capitale de deux États. En attendant, l'UE demande que la population de la ville bénéficie d'une répartition équitable des ressources et des investissements. Par ailleurs, afin d'atténuer les difficultés auxquelles sont confrontés les Palestiniens vivant à Jérusalem-Est, l'UE a progressivement accru l'aide qu'elle octroie dans des domaines tels que la santé, l'éducation, l'urbanisme et la formation de revenu. L'aide de l'UE au secteur de l'éducation à Jérusalem-Est a pour objectif premier d'améliorer la qualité de l'enseignement, de contribuer à l'amélioration des infrastructures et de renforcer les structures d'appui.

([1]) http://www.ilo.org/global/lang--fr/index.htm

(English version)

Question for written answer E-005844/12
to the Commission (Vice-President/High Representative)
Patrick Le Hyaric (GUE/NGL)
(12 June 2012)

Subject: VP/HR — Situation of Palestinian workers in the occupied territories and the peace process

The annual report from the International Labour Organisation (ILO ([1])) reveals that the situation of workers in the occupied Palestinian territories is extremely worrying.

The report finds that the reality of occupation on the ground and the relentless expansion of Israeli settlements are causing the space available to Palestinians for development to shrink, indicating that this applies particularly in 'Area C' on the West Bank, which should form an essential part of the future Palestinian state. Accounting for 60% of the West Bank, this area remains wholly under Israeli control and Palestinians are being refused access to their livelihoods and families.

Job prospects are clearly one of the main issues for Palestinian youth, according to the ILO report. Last year, 53.5% of young women and 32.2% of young men aged between 15 and 24 were unemployed. Given that 71% of Palestinians are under 30 years of age, the report calls for immediate action to deal with the crisis in education in East Jerusalem, bring an end to school demolitions in the West Bank and curb the deterioration of the skill base in Gaza.

Is the HR/VP aware of the recently published ILO annual report? Will the HR/VP take account of the ILO report's recommendations?

What steps have been taken by the HR/VP with regard to the conditions of Palestinian workers?

Has any urgent action been taken by the EU against Israel in response to the demolition of schools in the West Bank? What measures are planned to ensure access to education in East Jerusalem?

What are the results of the discussions that the Commission and Council are holding with Israel to ensure respect for the Palestinian population?

What is the nature of the meetings the HR/VP is holding with Israeli representatives?

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

The EU is closely following developments in Area C of the West Bank. In the Foreign Affairs Council conclusions of 14 May 2012, the EU called upon Israel to meet its obligations regarding the living conditions of the Palestinian population in that area, including by halting the demolition of Palestinian housing and infrastructure. It also stated that it expects Israel to protect EU investments in support of Palestinian development in Area C for future use.

The EU regularly raises these issues in its bilateral dialogue with Israel by using the instruments established by the EU-Israel Association Agreement. The EU is actively engaged at the highest political level in dialogue with the Government of Israel in order to improve the current planning system in Area C.

Concerning Jerusalem, the EU has stated on more than one occasion, including in the same Council conclusions, that a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. Until then, the EU calls for an equitable provision of resources and investment to the city's population. Furthermore, in order to alleviate the difficulties faced by the Palestinians living in East Jerusalem, the EU has progressively increased its assistance in areas such as health, education, urban planning and income generation. The principal objective of the EU's support to the education sector in East Jerusalem is to improve the quality of education, contribute towards better infrastructure and strengthening support structures.

([1]) http://www.ilo.org/global/lang--en/index.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005845/12
alla Commissione
Mario Borghezio (EFD)
(12 giugno 2012)

Oggetto: Intervento dell'UE per bloccare l'addestramento dei ribelli siriani in Kosovo

Fonti di stampa rivelano che il 26 aprile 2012 una delegazione di oppositori siriani in esilio, capeggiata dal leader dei Fratelli Musulmani, Molham Aldroby, ha incontrato a Pristina il ministro degli esteri kosovaro Enver Hoxhaj. Inoltre, l'attivista dei diritti umani Ammar Abdulhamid ha dichiarato: «Siamo venuti qui per imparare. Il Kosovo ha già compiuto il percorso dell'insurrezione e possiede un'esperienza che potrebbe esserci molto utile. In particolare vorremmo capire come hanno fatto gruppi armati sparsi a organizzarsi nell'Uçk».

Dal canto suo, Ninoslav Krstic, ex comandante delle forze di sicurezza iugoslave, sostiene che i siriani si eserciteranno nei campi di addestramento abbandonati dell'Uçk, vicino alla frontiera con l'Albania e il ministro degli esteri ha ammesso che vi sono contatti.

È la Commissione a conoscenza di questa situazione?

Come valuta il fatto che il Kosovo, un Paese alle porte dell'Europa, sia un'area di addestramento internazionale di guerriglieri?

Risposta di Štefan Füle a nome della Commissione
(25 luglio 2012)

Oltre alle non meglio precisate fonti di stampa cui fa riferimento l'onorevole parlamentare, la Commissione non è a conoscenza della situazione da questi descritta circa il presunto addestramento di membri dell'opposizione siriana in Kosovo ([1]).

([1]) Tale designazione non pregiudica le posizioni riguardo allo status ed è in linea con la risoluzione 1244 (1999) dell'UNSC e con il parere della CIG sulla dichiarazione di indipendenza del Kosovo.

(English version)

Question for written answer E-005845/12
to the Commission
Mario Borghezio (EFD)
(12 June 2012)

Subject: EU intervention to prevent the training of Syrian rebels in Kosovo

Press sources reveal that on 16 April 2012, a delegation of exiled members of the Syrian opposition headed by Molham Aldroby, the leader of the Muslim Brotherhood, met Mr Enver Hoxhaj, the Minister of Foreign Affairs of the Republic of Kosovo, in Pristina. Ammar Abdulhamid, the human rights activist, declared 'We have come here to learn. Kosovo has already been down the insurrection path and has experience that could be very useful to us. We would particularly like to understand how scattered armed groups managed to organise themselves as the Kosovo Liberation Army (KLA)'.

Ninoslav Krstic, former commander of the Yugoslav security forces, maintains that the Syrians will exercise at the abandoned KLA training camps, close to the border with Albania. The Minister of Foreign Affairs has also admitted that there are ties with these camps.

Is the Commission aware of this situation?

What is its view on the use of Kosovo, a country on Europe's doorstep, as an international guerrilla training area?

Answer given by Mr Füle on behalf of the Commission
(25 July 2012)

Beyond the purported press sources referred to, the Commission is not aware of the situation, described by the Honourable Member, of the alleged training of members of the Syrian opposition in Kosovo ([1]).

([1]) This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005846/12
alla Commissione
Claudio Morganti (EFD)
(12 giugno 2012)

Oggetto: Discriminazione di persone con disabilità

Nei giorni scorsi a Firenze è avvenuto un ennesimo, grave episodio di discriminazione che ha avuto come vittima una persona con disabilità.

All'interno di un ufficio postale, ad un cittadino affetto da una grave forma di sordità non è stato consentito di poter fruire del servizio da lui richiesto (il pagamento di una imposta) a causa dell'incapacità dell'operatore di venire incontro alle richieste del cliente, cioè facendogli semplicemente scandire meglio le parole in maniera tale da poter leggere il labiale.

Questo episodio rappresenta certamente una palese violazione della Convenzione delle Nazione Unite sui diritti delle persone con disabilità, ratificata anche dall'Unione europea oltre che dall'Italia, ed è in netto contrasto con le disposizioni sancite all'articolo 26 della Carta dei diritti fondamentali dell'Unione europea.

La gravità della situazione è inoltre accentuata dal fatto che le Poste rappresentano un servizio di interesse pubblico, tutelato da particolari norme, tra cui una specifica Carta della qualità del servizio pubblico postale, nella quale sono presenti misure contro questo tipo di discriminazioni.

Prevede la Commissione di adottare misure specifiche per la tutela dei diritti delle persone con disabilità per quanto riguarda l'accesso ai servizi d'interesse economico generale (SIEG), come ad esempio i servizi postali?

Ritiene altresì doveroso sostenere ed incentivare grazie al suo supporto iniziative da parte degli Stati membri per permettere ai cittadini una piena fruizione di questi servizi di interesse pubblico?

Risposta di Viviane Reding a nome della Commissione
(19 luglio 2012)

La convenzione delle Nazioni Unite sui diritti delle persone con disabilità, ratificata dall'Italia, prevede obblighi in materia di accessibilità agli articoli 9 e 3. L'UE è vincolata dalla convenzione nell'ambito delle sue competenze ([1]). La Commissione può valutare se una legge o una misura nazionale è in linea con la convenzione e con la Carta dei diritti fondamentali soltanto nei casi in cui gli Stati membri stanno applicando il diritto dell'Unione europea.

Il comitato delle Nazioni Unite sui diritti delle persone con disabilità esaminerà la conformità dell'Italia dopo che questa avrà presentato il suo rapporto sull'attuazione della convenzione.

La direttiva sui servizi postali ([2]) obbliga gli Stati membri a garantire che tutti gli utilizzatori godano in particolare del diritto a un servizio universale di qualità determinata fornito permanentemente in tutti i punti del territorio (articolo 3). Fra gli utilizzatori rientrano i non vedenti e gli ipovedenti che possono beneficiare di taluni servizi gratuiti. È evidente che i servizi postali universali potrebbero essere altrettanto essenziali per altre persone con disabilità. Spetta all'autorità nazionale di regolamentazione, in Italia l'AGCOM, verificare che il servizio universale sia garantito a tutti gli utilizzatori.

La Commissione sta lavorando a una proposta per migliorare l'accessibilità di beni e servizi nel mercato interno, come annunciato nel programma di lavoro della Commissione per il 2012 (punto 99).

([1]) La dichiarazione relativa alla competenza figura all'allegato II della decisione 2010/48/CE del Consiglio.
([2]) Direttiva 97/67/CE, modificata dalle direttive 2002/39/CE e 2008/6/CE.

(English version)

Question for written answer E-005846/12
to the Commission
Claudio Morganti (EFD)
(12 June 2012)

Subject: Discrimination against persons with disabilities

In the past few days, yet another serious incident of discrimination against a person with disabilities has taken place in Florence.

It occurred at a post office, where a profoundly deaf person was unable to carry out the transaction required (a tax payment) because the member of staff failed to comply with the customer's requests that he articulate more clearly so that the customer could lip-read.

This incident is a clear breach of the UN Convention on the Rights of Persons with Disabilities, ratified by both the European Union and Italy, and clearly contravenes Article 26 of the Charter of Fundamental Rights of the European Union.

The situation is all the more serious, given that the post office performs a service of public interest, regulated by specific standards, including a specific Charter on the quality of the public postal service, which includes measures against this type of discrimination.

Does the Commission intend to adopt specific measures to protect the rights of persons with disabilities in terms of access to Services of General Economic Interest, such as postal services?

Does it also consider it appropriate to provide support and incentives for initiatives by Member States to enable citizens to make full use of these services of public interest?

Answer given by Mrs Reding on behalf of the Commission
(19 July 2012)

The UN Convention on the Rights of Persons with Disabilities, ratified by Italy, contains obligations on accessibility in Articles 9 and 3. The EU is bound by the Convention to the extent of its competence ([1]). Only where Member States are implementing EC law can the Commission assess whether a national law or measure complies with the Convention and with the Charter of Fundamental Rights.

The UN Committee on the Rights of Persons with Disabilities will examine Italy's compliance after submission of its implementation report.

The Postal Services Directive ([2]) obliges Member States to ensure that all users enjoy in particular the right to the permanent provision of a universal service of specified quality at all points of the territory (Article 3). All users notably comprise blind and partially sighted persons that may enjoy certain free services. It is evident that other persons with disabilities might equally be particularly dependent from postal universal services. It is up to the National regulatory Authority, in Italy AGCOM, to see that the universal service is ensured for all users.

The Commission is working on a proposal to improve the accessibility of goods and services in the internal market, as announced in the Commission Work Programme 2012 (item 99).

([1]) The Declaration of Competence in Annex II of Council Decision 2010/48/.
([2]) Directive 97/67/EC as amended by Directives 2002/39/EC and 2008/6/EC.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005847/12
an die Kommission
Jürgen Creutzmann (ALDE)
(12. Juni 2012)

Betrifft: Glühlampen in Haushaltsgeräten im Rahmen der Ökodesign-Richtlinie 2005/32/EG

Mit der Umsetzung der Ökodesign-Richtlinie kommt es in der Praxis teilweise zu Problemen und Unklarheiten. Im Fall der Verordnungen (EG) Nrn. 244/2009 und 245/2009 für Haushaltsbeleuchtungen scheint für manche Hersteller nicht ersichtlich, ob ihre Produkte in den Anwendungsbereich fallen oder nicht. Dieses Problem wird dadurch verstärkt, dass selbst nationale Behörden zum Teil keine rechtsverbindlichen Auskünfte geben wollen.

Während z. B. Glühbirnen in Kühlschränken unstrittig nicht der allgemeinen Beleuchtung dienen, ist dies bei in Abzugshauben verbauten Glühbirnen nicht klar, da diese durchaus den gesamten Arbeitsbereich in einer Küche beleuchten können. In diesem speziellen Fall stellen sich daher folgende Fragen, die einer rechtsverbindlichen Antwort bedürfen:

1. Handelt es sich bei Glühlampen, die in Haushaltsgeräten (z. B. Kühlschränken, Abzugshauben, Backöfen) verbaut sind, um allgemeine Beleuchtung, für die die Ökodesign-Anforderungen aus der Verordnung (EG) Nr. 245/2009 anwendbar sind, oder muss man gar bei den einzelnen Produkten differenzieren? Handelt es sich bei den in Abzugshauben eingebauten Lampen um eine Allgemeinbeleuchtung oder um eine ausgenommene Spezialbeleuchtung?

2. Wie geht die Kommission allgemein mit solchen Anwendungsfragen im Rahmen der Ökodesign-Richtlinie um? Ist sichergestellt, dass Unternehmen entweder über nationale oder europäische Einrichtungen rechtsverbindliche Antworten erhalten können?

Antwort von Herrn Oettinger im Namen der Kommission
(17. Juli 2012)

1. Artikel 1, 2 und 3 der Verordnung (EG) Nr. 244/2009 ([1]) der Kommission legen eindeutig fest, dass die Mindestanforderungen an die Arbeitsweise nach dieser Verordnung für Glühlampen gelten, die zur Raumbeleuchtung im Haushalt bestimmt sind, das heißt zur alleinigen oder zusätzlichen Beleuchtung eines Raumes im Haushalt. Einige Glühlampen sind aufgrund ihrer technischen Eigenschaften vollständig ausgenommen (zum Beispiel farbige Glühlampen, Glühlampen für den professionellen Gebrauch). Für andere Glühlampen schreibt die Verordnung vor, dass ihr Spezialzweck auf der Verpackung anzugeben ist, um von den Mindestanforderungen an die Arbeitsweise ausgenommen zu sein. Da Abzugshauben Teile der Räume im Haushalt beleuchten, sollten Glühlampen, die dort verbaut sind, als Haushaltslampen gelten. Glühlampen zur Beleuchtung von Geräteinnenflächen sind nicht dazu bestimmt, den Raum zu beleuchten, und können auf der Verpackung als Glühlampen für Spezialzwecke ausgewiesen werden.

2. Die Rechte und Pflichten der Mitgliedstaaten und der Kommission in Bezug auf die Überprüfung der Einhaltung der Verordnung sind in der „Ökodesign"-Richtlinie ([2]) festgelegt. Im Rahmen der Verwaltungszusammenarbeit nach Artikel 12 der Richtlinie tauschen die Mitgliedstaaten und die Kommission Informationen über die Auslegung der Bestimmungen der Richtlinie zu den Durchführungsmaßnahmen aus. Zu diesem Zweck werden Antworten auf häufig gestellte Fragen veröffentlicht ([3]).

Eine endgültige, rechtsverbindliche Auslegung der Richtlinie und der Durchführungsverordnung kann allein durch den Gerichtshof der Europäischen Union vorgenommen werden. Nationale Gerichte, die angerufen werden, um über die Auslegung von EU-Recht zu entscheiden, können (oder müssen in bestimmten Fällen sogar) die Fälle an den Europäischen Gerichtshof verweisen, der dann die endgültige Entscheidung trifft.

([1]) Verordnung (EG) Nr. 244/2009 der Kommission vom 18. März 2009 zur Durchführung der Richtlinie 2005/32/EG des Europäischen Parlaments und des Rates im Hinblick auf die Festlegung von Anforderungen an die umweltgerechte Gestaltung von Haushaltslampen mit ungebündeltem Licht, ABl. L 76 vom 24.3.2009.

([2]) Richtlinie 2009/125/EG des Europäischen Parlaments und des Rates vom 21. Oktober 2009 zur Schaffung eines Rahmens für die Festlegung von Anforderungen an die umweltgerechte Gestaltung energieverbrauchsrelevanter Produkte, ABl. L 285 vom 31.10.2009.

([3]) http://ec.europa.eu/enterprise/policies/sustainable-business/documents/eco-design/guidance/index_en.htm

(English version)

Question for written answer E-005847/12
to the Commission
Jürgen Creutzmann (ALDE)
(12 June 2012)

Subject: Light bulbs in household appliances in the context of the Ecodesign Directive 2005/32/EC

The implementation of the Ecodesign Directive is giving rise to a number of practical problems and questions. In the case of Regulations (EC) Nos 244/2009 and 245/2009 on household lighting systems, some manufacturers are unsure whether or not their products are affected. This problem is compounded by the fact that even national authorities are unwilling to offer legally binding information in some cases.

While there is no disputing that light bulbs in refrigerators are not used for general lighting, this issue is less clear in the case of light bulbs in extractor hoods, for example, because these can be used to light the entire work area in a kitchen. In this particular case, therefore, the following questions arise that require legally binding answers:

1. Do the incandescent light bulbs fitted in household appliances (such as refrigerators, extractor hoods and ovens) constitute general lighting systems to which the ecodesign requirements of Regulation (EC) No 245/2009 apply, or do the rules in fact differ for each individual product? Are the light bulbs fitted in extractor fans general lighting systems, or special lighting systems covered by a derogation?

2. How does the Commission generally deal with such applicability issues in the context of the Ecodesign Directive? Have steps been taken to ensure that businesses can get legally binding answers from either national or European bodies?

Answer given by Mr Oettinger on behalf of the Commission
(17 July 2012)

1. Articles 1, 2 and 3 of Commission Regulation 244/2009 ([1]) make it clear that the minimum performance requirements in the regulation apply to lamps intended for household room illumination, which is the full or partial illumination of a household room. Some lamp types are fully exempted on the basis of their technical parameters (e.g. coloured lamps, professional lamps). Other lamps are required by the regulation to display on their packaging their special purpose, in order to be exempted from the minimum performance requirements. As extractor hoods illuminate parts of household rooms, their lamps should be considered as household lamps. Lamps lighting the interiors of appliances are not intended to illuminate the room, and can be claimed to be special purpose lamps on the packaging.

2. The rights and obligations of the Member States and the Commission with regard to checking compliance with the regulation are set out in the Ecodesign Directive ([2]). In the framework of administrative cooperation under Article 12 of the directive, the Member States and the Commission exchange information about the interpretation of the provisions in the directive's implementing measures. In this context, answers to frequently asked questions are made public ([3]).

A final legally binding interpretation of the directive and the implementing Regulation can only be provided by the European Court of Justice of the European Union. National Courts which are seized to decide on the interpretation of Union law may (or in certain cases even must) refer cases to the European Court of Justice which will then provide for final clarification.

([1]) Commission Regulation (EC) No 244/2009 of 18 March 2009 implementing Directive 2005/32/EC of the Parliament and of the Council with regard to ecodesign requirements for non-directional household lamps, OJ L 76, 24.3.2009.
([2]) Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products, OJ L 285, 31.10.2009.
([3]) http://ec.europa.eu/enterprise/policies/sustainable-business/documents/eco-design/guidance/index_en.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005851/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mario Mauro (PPE)
(12 giugno 2012)

Oggetto: VP/HR — Nigeria: attacchi ai cristiani

Il 10 giugno si è verificato l'ennesimo attacco ai cristiani in Nigeria. Un'autobomba e un commando armato hanno colpito le chiese, rispettivamente di Jos e Biu, gremite di fedeli, causando almeno 4 morti e diverse decine di feriti. In serata è giunta la rivendicazione del gruppo estremista Boko Haram, che da un paio d'anni sta ormai mettendo a ferro e fuoco l'intera Nigeria con l'obiettivo di trasformarla in un califfato islamico e di cacciare i cristiani dal Nord del Paese.

Dalla Nigeria all'India, dalla Cina all'Iraq, sono almeno 60 i Paesi in cui si stanno consolidando discriminazioni nei confronti della comunità cristiana.

Il duplice attentato, avvenuto a soli 7 giorni dalla strage di 15 cristiani nella chiesa di Bauchi del 3 giugno, non fa che accrescere l'allarme sulla sicurezza della folta comunità cristiana. I cristiani sembrano non avere più pace in Nigeria essendo finiti nel mirino dei Boko Haram.

Si interroga l'Alto Rappresentante per sapere:

1. È al corrente della tragica evoluzione di questa situazione?

2. Quali politiche intende intraprendere per garantire la libertà religiosa come diritto che tocca l'integrità fondamentale della persona?

3. Quali provvedimenti e azioni possono essere intrapresi per instaurare una collaborazione col governo nigeriano?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(25 luglio 2012)

I recenti attentati terroristici in Nigeria hanno preso di mira, oltre alle chiese, edifici del governo e di sicurezza, mercati, scuole e civili innocenti senza distinzioni. L'Unione europea condanna questi attentati che rappresentano veri e propri atti criminali. Si veda inoltre la dichiarazione dell'Alta Rappresentante/Vicepresidente del 20 giugno 2012.

La collaborazione tra UE e Nigeria mira ad aiutare il paese a realizzare l'obiettivo di una sicurezza duratura, affrontando i molteplici fattori socioeconomici e politici che conducono alla radicalizzazione.

L'Unione ha già reindirizzato una considerevole parte dei suoi programmi di cooperazione verso il nord del paese in modo da velocizzare le iniziative per la lotta alla povertà e alle privazioni nella regione.

A breve, l'UE fornirà inoltre sostegno allo sviluppo delle capacità di mediazione in una delle aree più a rischio avvalendosi dei fondi provenienti dal progetto pilota per il sostengo alla mediazione (EEAS BL 2238) varato dal Parlamento europeo.

(English version)

Question for written answer E-005851/12
to the Commission (Vice-President/High Representative)
Mario Mauro (PPE)
(12 June 2012)

Subject: VP/HR — Attacks on Christians in Nigeria

On 10 June 2012, there was yet another attack on Christians in Nigeria. A car bomb exploded and armed gunmen attacked churches in Jos and Biu, which were packed with worshippers, killing at least four people and wounding dozens of others. The extremist group Boko Haram later claimed responsibility. This group has been waging war throughout Nigeria for the past two years, seeking to establish an Islamic state and to expel Christians from the north of the country.

Discrimination against Christians is becoming firmly rooted in at least 60 countries, from Nigeria to India, from China to Iraq.

The second attack took place just a week after 15 Christians were killed on 3 June in a church in Bauchi, adding to concerns about the safety of the large Christian community. Since becoming Boko Haram's target, Christians can seemingly no longer live in peace in Nigeria.

In view of the above, can the Vice-President/High Representative state:

1. whether she is aware of the tragic development of this situation;

2. what policies she intends to adopt to guarantee religious freedom as a right that affects a person's fundamental integrity;

3. what measures and steps can be taken to start cooperating closely with the Nigerian Government?

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

The recent attacks by terrorists in Nigeria have targeted government and security buildings, markets, schools and innocent civilians of all kinds as well as churches. All such attacks are criminal activities and have been condemned as such by the EU. Please also refer to HR/VP Ashton's statement of 20 June 2012.

The EU is working together with Nigeria to help it tackle the challenges of creating durable security and dealing with the multiple socioeconomic and political factors conducive to radicalisation.

The EU has already reoriented important parts of its cooperation programme with Nigeria to the North of the country to accelerate action against poverty and deprivation there.

In addition, the EU will shortly provide capacity building for mediation in one of the most fragile areas making use of funds from the mediation support pilot project (EEAS BL 2238) initiated by the European Parliament.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005852/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(12 de junio de 2012)

Asunto: Gestión de tasa por emisiones indirectas de CO_2

La Comisión Europea ha publicado esta semana las directrices relativas a las ayudas estatales en el contexto del régimen de comercio de derechos de emisión de gases de efecto invernadero (SWD(2012)0130 y SWD(2012)0131) que como no podía ser de otro modo ofrece un grado de precisión y meticulosidad encomiable. Sin embargo no he conseguido encontrar en todo el documento una referencia clara al procedimiento que va a seguirse para gestionar la tasa indirecta de CO_2.

La tasa se va a aplicar sobre la factura eléctrica que abonen los emisores indirectos pero en ningún apartado del documento de aclara como va a diferenciar el consumidor entre los dos conceptos básicos de la factura, consumo y tasa. También desconozco quién será el órgano recaudador de la tasa, si la recaudación será estatal o comunitaria, a qué fin se destinará lo recaudado y cómo se aplicarán las ayudas a los consumidores afectados. A la vista de que no he sido capaz de encontrar detalles sobre estos aspectos en ninguna de las normativas conexas con esta directriz:

1. ¿Disponen los suministradores de energía de instrucciones concretas sobre como informar a sus clientes de que parte de la factura proviene del precio de la energía y cuál es tasa?

2. ¿Quién va a recaudar la tasa y a que fin se va a destinar lo recaudado?

3. ¿Ha pensado la Comisión en poner en marcha un único mecanismo europeo de recaudación y gestión de la tasa y algún procedimiento de transparencia para que la ciudadanía conozca lo recaudado por este procedimiento y el uso que se da a los fondos recaudados?

Respuesta del Sr. Almunia en nombre de la Comisión
(26 de julio de 2012)

Como parte del paquete legislativo de la UE 2008, que contiene medidas destinadas a combatir el cambio climático y a promover las energías renovables y de bajo consumo de carbono, en la Directiva sobre el comercio de los derechos de emisión el legislador de la UE previó medidas específicas de ayuda para mitigar el riesgo de fuga de carbono, a saber, derechos gratuitos para los costes de emisiones directas y compensación financiera, a discreción de los Estados miembros, para los costes de emisiones indirectas.

Las nuevas Directrices relativas a las ayudas estatales en el contexto del régimen de comercio de derechos de emisión de la UE a partir de 2012 ([1]) definen las reglas para esta última categoría, a saber, la posibilidad de que los Estados miembros concedan ayudas estatales dirigidas a paliar el aumento de los costes derivados del CO_2 que se repercutirán en los precios de la electricidad como consecuencia de la aplicación del régimen de comercio de derechos de emisión de la UE.

Los Estados miembros son libres de decidir si se conceden o no tales ayudas estatales a las empresas para compensar los costes indirectos del CO_2 pero, si lo hacen, deberán respetar las condiciones marco expuestas en las Directrices. En consecuencia, no se trata de una tasa sobre el CO_2 que vayan a imponer los Estados miembros, sino de una subvención con cargo a los presupuestos nacionales para las empresas afectadas por el incremento de los costes indirectos del CO_2 que queda a discreción de los Estados miembros.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

(English version)

Question for written answer E-005852/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(12 June 2012)

Subject: Management of indirect CO_2 emission tax

The European Commission has this week published guidelines on certain state aid measures in the context of the greenhouse gas emission allowance trading scheme (SWD(2012)0130 and SWD(2012)0131) which, as expected, provide a commendable degree of precision and meticulousness. However, I have been unable to find in the entire document a clear reference to the procedure which will be adopted to manage the indirect tax on CO_2.

The tax will be applied to the electricity bill paid by indirect emitters of CO_2, but it is not made clear anywhere in the document how the consumer will differentiate between the two basic items of the bill, consumption and tax. I am also unaware of which body will collect the tax, whether a state or a Community body, how the revenue will be used, and how aid will be provided to affected consumers. Since I have been unable to find any details of these aspects in any of the regulations associated with these guidelines:

1. Do energy suppliers have specific instructions as to how to inform their customers as to which part of the bill relates to the price of the energy and which to tax?

2. Who is going to collect the tax, and what will the revenue be used for?

3. Has the Commission considered setting up a single European mechanism for collection and management of the tax and a transparency procedure by which citizens can be made aware of the amount collected by this procedure and the use to which the revenue collected is put?

Answer given by Mr Almunia on behalf of the Commission
(26 July 2012)

As part of the 2008 EU legislative package containing measures to fight climate change and promote renewable and low-carbon energy, the EU legislator in the ETS Directive foresaw specific support measures to mitigate the risk of carbon leakage, i.e. harmonised free allowances for direct emission costs and financial compensation, discretionary for Member States, for indirect emission costs.

The new guidelines for state aid in connection with the EU ETS after 2012 ([1]) define the rules for this latter category, i.e. the possibility for Member States to grant state aid for increased CO_2 costs passed through in electricity prices due to the EU ETS.

Member States are free to decide whether or not to grant any such state aid to companies for indirect CO_2 costs but if they do so, this has to be in line with the framework conditions set out in the guidelines. This is therefore not a CO_2 tax that Member States will impose, but a subsidy from national budgets, to companies affected by increased indirect CO_2 costs, which is discretionary for Member States.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-005853/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(12 de junio de 2012)

Asunto: Distorsión de la competencia por la tasa por emisiones indirectas de CO_2

La Comisión Europea ha publicado esta semana las directrices relativas a las ayudas estatales en el contexto del régimen de comercio de derechos de emisión de gases de efecto invernadero SWD(2012)0130 y SWD(2012)0131 que mejora las disposiciones anteriores sobre el tema en torno a las cuales remití a principios del pasado mes de mayo cuatro preguntas a la Comisión. Sin embargo las directrices siguen incorporando obligaciones y disposiciones que mantienen la incertidumbre que la aplicación de estas directrices ha generado en muchas empresas que consumen grandes cantidades de energía eléctrica.

En concreto en el punto ocho del citado documento se reconoce que las limitaciones presupuestarias existentes en algunos Estados miembros pueden ocasionar distorsiones al dar lugar a tratamientos diferentes en los distintos Estados miembros. Constatado el hecho no se plantea medida ni propuesta alguna para corregir esta circunstancia.

1. ¿Tiene previsto la Comisión utilizar los informes que de acuerdo con el punto 48 del apartado 5 deben enviar los Estados a la Comisión sobre las ayudas concedidas para controlar las posibles diferencias entre Estados, evaluar las distorsiones en la competencia y proponer o tomar en su caso las medidas correctoras oportunas?

2. ¿Considera la Comisión adecuada la estructura de los citados informes para satisfacer este objetivo?

3. ¿Tiene la Comisión previsto algún mecanismo que permita corregir y/o compensar las distorsiones de la competencia que, a la vista de los problemas presupuestarios de algunos estados van a derivarse de la aplicación de esta directriz?

Respuesta del Sr. Almunia en nombre de la Comisión
(30 de julio de 2012)

Como parte del paquete legislativo de 2008 de la UE que contiene medidas para luchar contra el cambio climático y promover las energías renovables y con baja emisión de carbono, en la Directiva sobre el régimen de comercio de derechos de emisión el legislador de la UE estableció medidas de ayuda específicas para mitigar el riesgo de *fuga de carbono*, es decir, armonizó las asignaciones gratuitas por los costes de emisión directos y la compensación financiera (discrecional para los Estados miembros) por los costes de emisión indirectos.

Las nuevas Directrices sobre ayudas estatales en relación con el régimen de comercio de derechos de emisión de la UE a partir de 2012 ([1]) definen las normas relativas a las ayudas estatales por el aumento de los costes de emisión de CO_2 repercutidos en los precios de la electricidad por los derechos de emisión de la UE. Las nuevas normas establecen un sutil equilibrio entre varios objetivos fundamentales. Pretenden mitigar el efecto de los costes indirectos del CO_2 de las industrias más vulnerables con el fin de evitar fugas de carbono que socavarían la eficacia del régimen de comercio de derechos de emisión de la UE. Al mismo tiempo, las normas han sido concebidas para proteger las señales de precios que establece el régimen de comercio de derechos de emisión de la UE con el fin de promover una descarbonización rentable. También se concibieron para minimizar las distorsiones de la competencia en el mercado interior, evitando una escalada de subvenciones dentro de la UE en momentos de incertidumbre económica y disciplina presupuestaria.

Los Estados miembros son libres de decidir si resulta o no oportuno conceder esta ayuda estatal a las empresas por los costes indirectos del CO_2 de acuerdo con las condiciones marco establecidas en las Directrices. La Comisión efectuará un seguimiento regular de esta ayuda concedida y también puede revisar las Directrices.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:158:0004:0022:ES:PDF.

(English version)

Question for written answer E-005853/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(12 June 2012)

Subject: Distortion of competition as a result of the tax on indirect CO_2 emissions

The European Commission has this week published guidelines on certain state aid measures in the context of the greenhouse gas emission allowance trading scheme SWD(2012)0130 and SWD(2012)0131 which improve previous measures on the subject, about which I forwarded four questions to the Commission in early May. However, the guidelines have not done away with certain existing unclear provisions, and have therefore not dispelled uncertainty among many businesses which consume large amounts of electricity.

Specifically, point eight of this document recognises that the budgetary constraints existing in some Member States may result in distortions of competition by giving rise to different treatment in the various Member States. Despite this, no measures are put forward or proposals made to correct this situation.

1. Does the Commission intend to use the aid reports which Member States are required to forward to the Commission under paragraph 5(48) to ascertain any possible discrepancies between Member States, to evaluate any distortions of competition and to propose, or take, as necessary, corrective measures?

2. Does the Commission expect these reports to be sufficiently comprehensive for this purpose?

3. Does the Commission intend to implement any mechanism to correct and/or compensate for the distortions of competition which, in view of the budgetary problems of some Member States, will arise from the application of these guidelines?

Answer given by Mr Almunia on behalf of the Commission
(30 July 2012)

As part of the 2008 EU legislative package containing measures to fight climate change and promote renewable and low-carbon energy, the EU legislator in the ETS Directive foresaw specific support measures to mitigate the risk of *carbon leakage*, i.e. harmonised free allowances for the direct emission costs and financial compensation (discretionary for Member States) for indirect emission costs.

The new Guidelines for state aid in connection with the EU ETS after 2012 ([1]) define the rules concerning state aid for increased CO_2 costs passed through in electricity prices due to the EU ETS. The new rules carefully balance several key objectives. They aim to mitigate the impact of indirect CO_2 costs for the most vulnerable industries, thereby preventing carbon leakage which would undermine the effectiveness of the EU ETS. At the same time, the rules have been designed to preserve the price signals created by the EU ETS in order to promote cost-effective decarbonisation. They are also designed to minimise competition distortions in the internal market by avoiding subsidy races within the EU at a time of economic uncertainty and budgetary discipline.

Member States are free to decide whether or not to grant any such state aid to companies for indirect CO_2 costs in line with the framework conditions set out in the Guidelines. The Commission will regularly monitor such aid granted and may also review the Guidelines.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-005854/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(12 de junio de 2012)

Asunto: Factores máximos de emisión de CO_2 en directrices sobre ayudas estatales

La Comisión Europea ha publicado esta semana las directrices relativas a las ayudas estatales en el contexto del régimen de comercio de derechos de emisión de gases de efecto invernadero (SWD(2012)0130 y SWD(2012)0131) que incluyen en su anexo cuarto los factores regionales máximos de emisión de CO_2. Aunque en dicho anexo se ofrecen algunas explicaciones sobre los métodos de cálculo, no se detallan los procedimientos para determinar los valores *ex ante* y cualquier referencia estadística más concreta se cubre con expresiones generales como que se ha considerado «el factor de emisión de CO_2 de la electricidad suministrada por las centrales de combustión en diferentes áreas geográficas».

Considerando esa la única variable analizada y sin entrar en más detalles sobre que parámetros se han utilizado para estimarla suponemos que los factores determinados reflejan el momento actual del parque de producción de energía eléctrica y la posible evolución en cada región, algo lógico a la vista del ámbito temporal que cubren estas directrices (2013-2020). De ser así también desconocemos si el cuadro que figura en el anexo 4 ha tenido en cuenta las notables modificaciones en las políticas públicas de promoción a las energías renovables que se han producido en algunos estados miembros y que sin duda van a afectar a la evolución de su capacidad de generación y a la naturaleza de la misma. La no ponderación de esas circunstancias pudiera ser la explicación de que la región «Iberia» tenga asignado un factor del 0,57 frente al 0,67 de la región nórdica 0,76 de la región Europa Centro, cifras que no parecen concordar con el actual estado y evolución del mercado de energía eléctrica verde en el seno de la Unión. En consecuencia:

1. ¿Podrían detallarse los parámetros con que se han calculado estos factores?

2. ¿Cuándo se ha finalizado dicho cálculo?

3. ¿Se han ponderado en el cálculo las variaciones en las políticas públicas de apoyo a la energía verde anunciadas por algunos Estados en los últimos meses y su incidencia en la progresión de la energía verde?

4. ¿De no ser así podría la Comisión replantearse los valores asignados antes del uno de enero de 2013?

Respuesta del Sr. Almunia en nombre de la Comisión
(30 de julio de 2012)

Las nuevas Directrices sobre ayudas estatales en relación con el régimen de comercio de derechos de emisión de la UE a partir de 2012 ([1]) definen las normas relativas a las ayudas estatales por el aumento de los costes de emisión de CO_2 repercutidos en los precios de la electricidad por los derechos de emisión de la UE. Las Directrices establecen las condiciones máximas que permiten a los Estados miembros, si así lo deciden, compensar una parte de los costes que asumen las empresas más eficientes en cada sector.

1. La compensación se calcula teniendo en cuenta la cantidad de CO_2 utilizada para generar electricidad a partir de combustibles fósiles en el Estado miembro o en la región en su conjunto. Este «factor de emisión de CO_2» se refiere a la cantidad de CO_2 (en t) utilizada para producir un MWh de electricidad a partir de combustibles fósiles en distintas zonas geográficas. De hecho, las plantas de combustible fósil establecen el precio en los mercados de generación de la electricidad. La diferenciación regional de los factores de emisión de CO_2 corresponde a la realidad de la integración del mercado de la electricidad en la UE.

2. El cálculo del factor de CO_2 se basaba en los datos más recientes de generación de electricidad de Eurostat (2009).

3. El cálculo solo tiene en cuenta la cantidad de electricidad producida a partir de combustibles fósiles, ya que la generación de electricidad basada en los combustibles fósiles (principalmente el gas y el carbón) es fundamental para la formación de los precios de la electricidad. En los mercados de la electricidad de la UE, cada vez más liberalizados, la «producción marginal» establece los precios mayoristas para todos los consumidores de la zona geográfica pertinente. La producción de electricidad libre de CO_2 (por ejemplo, la producción de electricidad hidráulica, nuclear y las renovables) no influye en la formación de los precios de la electricidad al por mayor.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:158:0004:0022:ES:PDF.

4. Las Directrices recientemente adoptadas entran en vigor el 1 de enero de 2013. La Comisión efectuará un seguimiento periódico de las subvenciones concedidas por los Estados miembros y podrá revisar las Directrices, en particular los factores de emisión de CO_2 regionales, tras los primeros años de aplicación de las Directrices.

(English version)

Question for written answer E-005854/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(12 June 2012)

Subject: Maximum CO_2 emission factors in guidelines on state aid measures

The European Commission has this week published guidelines on certain state aid measures in the context of the greenhouse gas emission allowance trading scheme (SWD(2012)0130 and SWD(2012)0131) which include in Annex A the maximum regional CO_2 emission factors. Although some explanations are provided in that Annex as to the methods of calculation, the procedures for determining the *ex ante* values are not explained in detail, and any further specific statistical details are couched in general terms such as that 'the CO_2 emission factor for electricity supplied by combustion plants in different geographic areas' has been taken into account.

If this is the only element taken into account, and without going how emission factors are estimated, let us suppose that these factors give a faithful picture of the current state of power stations and their possible growth; the timescale covered by these guidelines (2013-2020) certainly suggests this. If this is so, we are also unaware of whether the table which appears in Annex A has taken account of the significant changes made by some Member States to their policies of fostering renewable energy, which will, without doubt, affect the growth and nature of their generation capacity. The lack of weighting of these factors may explain why the Iberia region has been allocated a factor of 0.57 in comparison with 0.67 for the Nordic region and 0.76 for the Central Europe region. These figures do not appear to reflect the current state and growth of the green electrical energy market within the Union.

1. Could the Commission give details of how these factors were calculated?

2. When was this calculation made?

3. Do these calculations take account of changes announced in recent months by Member States to their policies to support green energy support policies and the effect they will have?

4. If not, will the Commission consider recalculating them before 1 January 2013?

Answer given by Mr Almunia on behalf of the Commission
(30 July 2012)

The new Guidelines for state aid in connection with the EU ETS after 2012 ([1]) define the rules concerning state aid for increased CO_2 costs passed through in electricity prices due to the EU ETS. The Guidelines set the maximum conditions that allow Member States to compensate part of these costs faced by the most efficient companies in each sector, if they decide to do so.

1. The compensation is calculated taking into account the amount of CO_2 used to generate electricity from fossil fuels in the Member State or wider region. This 'CO_2 emission factor' refers to the amount of CO_2 (in t) used to produce one MWh of electricity from fossil fuels in different geographic areas. In fact, in electricity generation markets, the fossil-fuel plants are setting the price. The regional differentiation for CO_2 emission factors corresponds to the reality in terms of electricity market integration in the EU.

2. The CO_2 factor calculation was based on the most recent Eurostat electricity generation data (2009).

3. The calculation takes into account only the amount of electricity produced from fossil fuels, because fossil fuel (mainly gas and coal)-based electricity generation is key to electricity price formation. In the EU's increasingly liberalised electricity market(s), 'marginal production' sets the wholesale price for all consumers in the relevant geographic area. CO_2-free electricity production (e.g. hydropower, nuclear power and renewable electricity production) do not influence wholesale electricity price formation.

4. The newly adopted Guidelines enter into force on 1 January 2013. The Commission will regularly monitor the subsidies granted by Member States and may review the Guidelines, in particular the regional CO_2 emission factors, after the first years of Guideline application.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

(Version française)

Question avec demande de réponse écrite E-005855/12
à la Commission
Frédérique Ries (ALDE)
(12 juin 2012)

Objet: Procédure formelle d'investigation de Belfius Banque (anciennement Dexia Banque Belgique)

Le 17 octobre 2011, les services de la Commission ont engagé une procédure formelle d'investigation de Belfius Banque (anciennement Dexia Banque Belgique), parallèlement à une autre procédure d'investigation concernant une aide au sauvetage dont a bénéficié Dexia SA.

Depuis novembre 2009, Belfius Banque s'est vu interdire le remboursement de tout instrument financier ou le paiement de coupons sur ces instruments.

Ces mesures faisaient partie de l'ensemble de mesures imposées à Dexia et à toutes ses filiales après que les groupes Dexia Belgique et Dexia France eurent bénéficié d'une première aide d'État. Cette décision interdisait tout remboursement ou paiement de coupons jusqu'à la fin décembre 2011. En octobre 2011, la Belgique et la France ont lancé un second plan de sauvetage en faveur de la banque Dexia en difficulté et de sa filiale française DCL. Ce plan comprenait, entre autres, la vente de Dexia et de sa filiale bancaire belge, aujourd'hui Belfius Banque. Depuis janvier 2012, aucune décision officielle n'a été rendue publique, mais Belfius Banque n'a pas encore repris les paiements de coupons normaux sur ses instruments financiers et n'a pas non plus communiquer clairement à propos de sa situation.

1. Eu égard à ce qui précède, la Commission peut-elle confirmer que Belfius Banque exerce ses activités sans bénéficier d'aucune aide d'État et en l'absence de toute distorsion de la concurrence (le plan de sauvetage agissant en faveur de Dexia et de DCL)?

2. De plus, la Commission estime-t-elle que Belfius Banque peut à nouveau adopter des pratiques courantes sur le marché à l'égard des investisseurs et des marchés financiers, comme les paiements de coupons (y compris les coupons différés sur les instruments cumulatifs)?

Réponse donnée par M. Almunia au nom de la Commission
(19 juillet 2012)

Depuis 2008, le groupe Dexia bénéficie d'importantes aides d'État de la France, de la Belgique et du Luxembourg, approuvées par la Commission à condition qu'un plan de restructuration soit mené à bien avant la fin 2014. Or, la banque a pris du retard dans la mise en œuvre de ce plan et l'accentuation de la crise de l'été 2011 a continué à déséquilibrer ses sources de financement.

Depuis, les États membres concernés ont accordé des mesures d'aide additionnelles au groupe Dexia, dont la cession de Belfius à l'État belge et des garanties d'État supplémentaires sur le nouveau refinancement de Dexia SA et de Dexia Crédit Local (DCL).

Dans sa décision du 17 octobre 2011 ([1]), la Commission a temporairement autorisé, sous le régime communautaire des aides d'Etat, l'acquisition par l'État belge de Belfius et a ouvert une procédure formelle d'investigation à cet égard. La Commission n'est, à ce stade, pas en mesure de conclure à la compatibilité de la transaction aux règles en matière d'aides d'Etat.

Jusqu'à la prise d'une décision finale par la Commission, Belfius reste sujet aux engagements pris (y compris notamment l'interdiction de paiement de coupons sur ses instruments de financiers) lors de la décision de restructuration du groupe Dexia du 26 février 2010.

([1]) JO C 38, 11.2.2012, p. 12.

(English version)

Question for written answer E-005855/12
to the Commission
Frédérique Ries (ALDE)
(12 June 2012)

Subject: In-depth investigation into Belfius Bank (previously Dexia Bank Belgium)

On 17 October 2011, the Commission's services carried out an in-depth investigation into Belfius Bank (previously Dexia Bank Belgium), together with another into the rescue aid received by Dexia SA.

Since November 2009, Belfius Bank has been prevented from redeeming any capital instrument or paying coupons on such instruments.

These measures was part of the package imposed on Dexia and all its subsidiaries after the first state rescue aid was received by the Dexia group from Belgium and France. This decision excluded any such redemption or coupon payment until the end of December 2011. In October 2011, Belgium and France launched a second rescue plan for the troubled Dexia and its French subsidiary DCL. This plan included, among other measures, the sale by Dexia of its Belgian banking subsidiary, now called Belfius Bank. Since January 2012 no official decision has been made public, but Belfius Bank has not yet resumed normal coupon payments on its capital instruments, nor is it communicating clearly on its situation.

1. Given these facts, can the Commission confirm that Belfius Bank is operating free of state aid and of any distortion of competition (the rescue plan being in favour of Dexia and DCL)?

2. Furthermore, is the Commission of the opinion that Belfius Bank can resume normal market practices towards investors and capital markets, such as coupon payments (including deferred coupons on cumulative instruments) and the possible redemption of capital instruments?

Answer given by Mr Almunia on behalf of the Commission
(19 July 2012)

As of 2008, the Dexia group has benefited from significant state support from France, Belgium and Luxembourg, approved by the Commission in return for a restructuring plan to be concluded by the end of 2014. However, the bank fell behind with the implementation of that plan and the deepening crises of summer 2011 continued to imbalance its financing sources.

Since then, the Member States concerned have granted additional aid to Dexia group, via the sale of Belfius to the Belgian State and additional state guarantees on the new refinancing measures for Dexia SA and Dexia Crédit Local (DCL).

The Commission, by decision of 17 October 2011 ([1]), temporarily authorised, under the Community rules on state aid, the acquisition of Belfius by the Belgian State, and for this purpose opened a formal investigation procedure. At this stage, the Commission is not in a position to conclude whether or not the transaction is compatible with the rules on state aid.

Until the Commission reaches its final decision, Belfius remains subject to the commitments entered into (including, in particular, a coupon ban on its financial instruments) at the time of the decision to restructure Dexia group on 26 February 2010.

([1]) OJ C 38, 11.2.2012, p. 12.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-005857/12
an die Kommission
Ingeborg Gräßle (PPE)
(12. Juni 2012)

Betrifft: Einsparungen durch eine Reform des EU-Personalstatuts

I. Laufende Reform des Personalstatuts

Im Dezember 2011 hat die Kommission den Vorschlag zur Reform des EU-Personalstatuts vorgelegt. Die Kommission gibt die Einsparung der darin vorgelegten Maßnahmen mit mehr als einer Milliarde EUR während der Laufzeit des kommenden mehrjährigen Finanzrahmens an. Langfristig sollen sogar Einsparungen von einer Milliarde EUR jährlich erzielt werden. Eine wesentliche Rolle in dieser Rechnung spielt der Vorschlag, Personal künftig in einer Besoldungsgruppe SC 1 einstellen zu können.

1. Mit welchen Mehrkosten muss die Haushaltsbehörde gegenüber dem Kommissionsvorschlag rechnen, wenn das Personal statt in SC 1 — wie von der Kommission vorgeschlagen — künftig in der höheren Besoldungsgruppe SC 3 eingestellt wird?

2. Mit welchen Mehrkosten muss die Haushaltsbehörde gegenüber dem ursprünglichen Kommissionsvorschlag rechnen, wenn der monatliche Basislohn für AST/SC1-Beschäftigte um 9 % erhöht wird?

3. Mit welchen Mehrkosten muss die Haushaltsbehörde gegenüber dem ursprünglichen Kommissionsvorschlag rechnen, wenn alle Anspruchsberechtigten auf Expatriierungs- und Auslandszulage 2,5 Arbeitstage (distanzunabhängig) für die Heimreise zugestanden bekommen?

II. Kosten durch Freistellung von Personalräten

Wie viele Stellen wendet die Kommission zum 1. Januar 2012 für die Freistellung von Personalräten auf? Welche Kosten entstehen dadurch?

Antwort von Herrn Šefčovič im Namen der Kommission
(20. Juli 2012)

I. 1-3. Die Kommission verweist die Frau Abgeordnete auf die vom Europäischen Parlament im Juni 2012 angenommene Geschäftsordnung, insbesondere auf Artikel 45 Buchstabe c. Hier ist vorgesehen, dass der entsprechende Bericht des Europäischen Parlaments, in dem Änderungen zu dem Legislativvorschlag vorgeschlagen werden, „gegebenenfalls eine Begründung einschließlich eines Finanzbogens, der den Umfang der etwaigen finanziellen Auswirkungen des Berichts und seine Vereinbarkeit mit dem mehrjährigen Finanzrahmen ausweist," enthält.

II. Gemäß Artikel 1 Absatz 6 des Statuts gilt die Tätigkeit der Mitglieder der Personalvertretung und der Beamten, die nach Bestellung durch die Personalvertretung in einer aufgrund des Statuts oder von dem Organ geschaffenen Einrichtung einen Sitz haben, als Teil ihres normalen Dienstes in ihrem Organ. Dem Betreffenden darf aus der Wahrnehmung derartiger Aufgaben kein Nachteil erwachsen. Da die Einrichtung der Personalvertretung rechtlich vorgeschrieben ist, ist nicht davon auszugehen, dass die Teilnahme eines Bediensteten an einer Sitzung der Personalvertretung für das Organ Mehrkosten verursacht. Gegenwärtig sind 16 Bedienstete auf Vollzeitbasis für die Personalvertretung freigestellt.

Entsprechende Bestimmungen finden sich bei den nationalen öffentlichen Verwaltungen, z. B. für die deutsche Bundesverwaltung ([1]).

([1]) § 46 Bundespersonalvertretungsgesetz vom 15. März 1974 (BGBl. I S. 693), das zuletzt durch Artikel 7 des Gesetzes vom 5. Februar 2009 (BGBl. I S. 160) geändert worden ist.

(English version)

Question for written answer P-005857/12
to the Commission
Ingeborg Gräßle (PPE)
(12 June 2012)

Subject: Savings through European Union Staff Regulations reform

I. Ongoing reform of Staff Regulations

In December 2011, the Commission presented a proposal for European Union Staff Regulations reform. The Commission estimates the achievable savings through the presented reform measures to be more than EUR 1 billion over the course of the forthcoming multiannual financial framework and claims that savings of as much as EUR 1 billion each year will be possible in the long-term. One of the key elements in this calculation is the proposal that it should be possible to appoint staff in function group SC 1 in future.

1. What additional costs should the Budget Authority expect on top of the Commission's proposal if staff are appointed in higher function group SC 3 rather than in SC 1 in future, as proposed by the Commission?

2. What additional costs should the Budget Authority expect on top of the Commission's original proposal if the basic monthly salary of AST/SC1 grade staff is increased by 9%?

3. What additional costs should the Budget Authority expect on top of the Commission's original proposal if all eligible staff are granted an expatriation allowance of 2.5 working days (irrespective of distance) for their journey home?

II. Costs associated with leave of absence to attend staff committee meetings

How many people has the Commission employed up to 1 January 2012 to substitute staff committee members during their absence? What are the costs involved?

Answer given by Mr Šefčovič on behalf of the Commission
(20 July 2012)

I. 1-3. The Commission should like to refer the Honourable Member to the rules of procedure adopted by the European Parliament in June 2012, in particular its rule 45(c). This rule provides that the relevant report of the European Parliament proposing amendments to the legislative proposal shall comprise '(…) if appropriate, an explanatory statement including a financial statement which establishes the magnitude of any financial impact of the report and its compatibility with the multiannual financial framework'.

II. Article 1(6) of Annex II to the Staff Regulations states that the duties undertaken by members of the Staff Committee and by officials appointed by the Committee to organs set up under the Staff Regulations or by the institution shall be deemed to be part of their normal service in their institution. The fact of performing such duties shall in no way be prejudicial to the person concerned. Thus, since the set up of the Staff Committee is a legal requirement, the attendance to a Staff Committee meeting of a staff member cannot be considered as generating additional costs for the Institution. The Commission would like to draw the attention of the Honourable Member to the fact that are currently 16 staff members seconded to the Staff Committee on a full-time basis.

Similar provisions can be found in national public administrations, e.g. for the German federal administration ([1]).

([1]) § 46 Bundespersonalvertretungsgesetz vom 15. März 1974 (BGBl. I S. 693), das zuletzt durch Artikel 7 des Gesetzes vom 5. Februar 2009 (BGBl. I S. 160) geändert worden ist.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005858/12
a la Comisión
Ana Miranda (Verts/ALE)
(12 de junio de 2012)

Asunto: Rescate y regímenes fiscales en el Estado español

En España coexisten tres regímenes fiscales diferenciados. Además del régimen fiscal común correspondiente al Estado, la Comunidad Autónoma Vasca y la Comunidad Foral de Navarra poseen regímenes fiscales propios y diferenciados del estatal, que se concretan en el concierto económico y el convenio económico respectivamente. Esa realidad ha sido reconocida por diferentes órganos de la Unión Europea en más de una ocasión.

Por otra parte, el sábado 9 de junio se ha anunciado el acuerdo entre el Gobierno de España y la Comisión Europea por el cual se inyectarán fondos europeos para rescatar el sistema financiero español. Según parece, la Comisión ha impuesto una serie de condiciones y medidas para que España pueda recepcionar dichos fondos. Entre ellas se mencionan medidas fiscales.

Dada la especificad del régimen fiscal tanto de la Comunidad Autónoma Vasca como de la Comunidad Foral de Navarra,

1. De cara a implantar las condiciones fiscales para que España reciba los fondos de rescate, ¿se está considerando la especificidad de los regímenes fiscales vasco y navarro?

2. ¿Considera la Comisión diferentes escenarios para cada uno de los regímenes fiscales específicos de España, teniendo en cuenta la autonomía fiscal y las competencias fiscales de ambas comunidades autónomas?

Respuesta del Sr. Rehn en nombre de la Comisión
(20 de agosto de 2012)

La Comisión desea informar a Su Señoría de que la política de condicionalidad de la ayuda financiera, en forma de préstamos del Fondo Europeo de Estabilidad Financiera (FEEF) o del Mecanismo Europeo de Estabilidad (MEE), se centrará en reformas específicas centradas en el sector financiero, incluidos los planes de reestructuración, que deben ajustarse plenamente a las normas sobre ayudas estatales de la UE. La condicionalidad se aplicará a los bancos que se recapitalicen y al sector financiero en su conjunto, incluida su supervisión y las disposiciones reglamentarias.

Además, la Comisión confía en que España cumpla sus compromisos dentro del procedimiento de déficit excesivo y en relación con las reformas estructurales, con vistas a corregir los desequilibrios macroeconómicos en el marco del semestre europeo. Los avances en estos ámbitos se examinarán estrecha y periódicamente también en paralelo con la ayuda financiera.

(English version)

Question for written answer E-005858/12
to the Commission
Ana Miranda (Verts/ALE)
(12 June 2012)

Subject: Bailouts and Spanish tax systems

In Spain three different tax systems exist side by side. In addition to the s centralised state sytsem, the Autonomous Community of the Basque Country and the Chartered Community of Navarre have their own separate systems, which are enshrined in their respective economic agreements. This reality has been recognised by various bodies of the European Union on more than one occasion.

On Saturday, 9 June 2012, an agreement was announced between the Spanish Government and the European Commission, under which European funds will be injected to bail out the Spanish financial system. It appears that the Commission has made these funds contingent on the fulfilment of a number of conditions and measures, concerning, among other things, taxation.

In view of the specific nature of the tax systems of both the Autonomous Community of the Basque Country and the Chartered Community of Navarre,

1. In making the Spanish bailout contingent on tax-related conditions is account being taken of the specific nature of the Basque and Navarran tax systems?

2. Is the Commission considering different scenarios for each of Spain's specific tax system, taking into account the tax autonomy and responsibilities of both autonomous communities?

Answer given by Mr Rehn on behalf of the Commission
(20 August 2012)

The Commission would like to inform the Honourable Member that the policy conditionality of the financial assistance, in the form of an European Financial Stability Facility (EFSF)/European Stability Mechanism (ESM) loan, will be focused on specific reforms targeting the financial sector, including restructuring plans which must fully comply with EU state-aid rules. Conditionality will apply to banks being recapitalised and to the Spanish financial sector as a whole, including its supervision and regulatory requirements.

Furthermore, the Commission is confident that Spain will honour its commitments under the excessive deficit procedure and with regard to structural reforms, with a view to correcting macroeconomic imbalances in the framework of the European semester. Progress in these areas will be closely and regularly reviewed also in parallel with the financial assistance.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005859/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Angelika Werthmann (NI)
(12. Juni 2012)

Betrifft: VP/HR — Syrien — Kinder als menschliche Schutzschilde

Laut einem Bericht der Vereinten Nationen sowie Aussagen der UN-Beauftragten für Kinder zwingen syrische Truppen Kinder dazu, auf Panzern mitzufahren, um oppositionelle Streitkräfte von Angriffen abzuhalten. Auch wird berichtet, dass Kinder in Lagern gefoltert und in Massakern gezielt getötet werden.

1. Was unternimmt die Hohe Vertreterin aktuell und ganz konkret, damit diesem barbarischen Vorgehen syrischer Truppen Einhalt geboten wird?

2. Welche Maßnahmen unternehmen die Hohe Vertreterin und ihre Dienste, um betroffenen Opfern vor Ort Hilfe zukommen zu lassen?

3. Welche Anstrengungen unternimmt die Hohe Vertreterin, um internationale Solidarität gegen das Assad-Unrechtsregime in Syrien zu mobilisieren?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(2. August 2012)

Die EU ist entsetzt über die Berichte über den Einsatz von Kindern als menschliche Schutzschilde, wie in den Schlussfolgerungen des Rates für Auswärtige Angelegenheiten vom 25. Juni festgehalten wurde. Sie wartet nun auf den dritten Bericht der Internationalen Untersuchungskommission zu diesen und anderen Menschenrechtsverletzungen in Syrien. Auf internationaler Ebene tritt die EU dafür ein, dass einer Untersuchungsmission der Vereinten Nationen (VN) ungehinderter Zugang zu Syrien gewährt wird. Alle Personen, die für die zahlreichen, systematischen und schweren Menschenrechtsverletzungen in Syrien verantwortlich sind, müssen zur Rechenschaft gezogen werden.

Die EU und die Mitgliedstaaten haben Mittel in Höhe von 47,9 Mio. EUR zur Deckung des humanitären Bedarfs in Syrien und in den benachbarten Staaten bereitgestellt. Die EU unterstützt die Rotkreuz-/Rothalbmondbewegung, die Organisationen der VN und internationale Nichtregierungsorganisationen (NRO) bei der Bereitstellung von medizinischer Nothilfe, von Ernährungshilfe und Unterkünften in Syrien sowie für syrische Flüchtlinge in den Nachbarländern. Die EU hat alle Parteien aufgerufen, die Angriffe auf Zivilisten umgehend einzustellen, und plädiert für die sofortige Evakuierung von Kindern, Frauen, älteren Menschen und Verletzten aus den Konfliktgebieten.

Als Antwort auf die wachsende Gefahr eines Bürgerkriegs und religiöser Konflikte muss die internationale Gemeinschaft ihre Anstrengungen zur Unterstützung des Sondergesandten Kofi Annan und seines Friedensplans verstärken. Zu diesem Zweck hat die Hohe Vertreterin/Vizepräsidentin den VN-Sicherheitsrat aufgefordert, durch die Annahme von Sanktionen nach Kapitel VII der VN-Charta stärkeren und wirksameren Druck auf das syrische Regime auszuüben. Die EU arbeitet weiterhin mit internationalen Partnern zusammen, um einen politischen Prozess zu fördern und dem Blutvergießen in Syrien ein Ende zu setzen. Die EU verweist darauf, wie wichtig es ist, dass Russland sich an diesem Prozess, der zu einem demokratischen Übergang führen muss, beteiligt.

(English version)

Question for written answer E-005859/12
to the Commission (Vice-President/High Representative)
Angelika Werthmann (NI)
(12 June 2012)

Subject: VP/HR — Syria — children used as human shields

According to a report from the United Nations and statements by the UN's Special Representative for Children and Armed Conflict, Syrian troops are forcing children to ride on tanks to stop opposition forces from attacking. It is also reported that children are being tortured in camps and targeted in massacres.

1. What is the High Representative doing now in concrete terms to halt this barbaric behaviour on the part of Syrian troops?

2. What measures are the High Representative and her offices undertaking to provide assistance to victims in the field?

3. What efforts is the High Representative making to mobilise international solidarity against the rogue regime of President Assad in Syria?

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

The EU is appalled by reports of the use of children as human shields, as stated in its Foreign Affairs Council conclusions of 25 June. It is awaiting the International Commission of Inquiry's third report on this and other human rights violations in Syria. At the international level, the EU advocates for unhindered access to Syria of a United Nations (UN) investigation mission. All those responsible for the widespread, systematic and gross human rights violations in Syria must be held accountable.

The EU and Member States have allocated EUR 47.9 million to address humanitarian needs inside Syria and in neighbouring countries. The EU supports the Red Cross/Red Crecent movement, the UN family and international non-governmental organisations (NGOs) in providing life-saving emergency medical response, food assistance and shelter inside Syria and to Syrian refugees in neighbouring countries. The EU has called on all parties to immediately stop attacks against civilians and advocates for the urgent evacuation of children, women, elderly and injured from conflict zones.

To respond to the growing risk of civil war and sectarian conflict, the international community needs to step up its efforts in support of Special Envoy Kofi Annan and his peace plan. To this end, the HR/VP has called on the UN Security Council to exert more robust and effective pressure on the regime by adopting sanctions under Chapter VII of the UN Charter. The EU continues to work with international partners to facilitate a political process and end the bloodshed in Syria. The EU reiterates the importance of Russia's engagement in this process, which must lead to a democratic transition.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005860/12
an die Kommission
Angelika Werthmann (NI)
(12. Juni 2012)

Betrifft: Wirtschaftliche Situation Zyperns

Zypern hat 2011 eine Kreditvereinbarung mit Russland getroffen, aufgrund derer es im Dezember 2011 2,5 Mrd. EUR erhielt. Wäre damals Russland nicht eingesprungen, so hätte Zypern sich bereits im vergangenen Jahr unter den europäischen Rettungsschirm begeben müssen. Der russische Einfluss ist zudem sehr hoch auf Zypern: Dort leben rund 15 000 Russen permanent, weite Teile des Immobilienmarktes sind fest in russischer Hand. Insgesamt destabilisiert sich die wirtschaftliche Lage des Landes weiter, und wirtschaftliche Hilfe aus Russland scheint mittlerweile geblockt zu sein; bereits vor Übernahme der EU-Präsidentschaft könnte das Land EU-Hilfe beantragen.

1. Wie beurteilt die Kommission die aktuelle wirtschaftliche Lage Zyperns?

2. Wie beurteilt sie eine mögliche künftige wirtschaftliche Entwicklung Zyperns vor dem Hintergrund, dass 2012 EU-Hilfe gewährt würde?

3. Wie beurteilt die Kommission den Einfluss Russlands auf das Land?

Antwort von Herrn Rehn im Namen der Kommission
(9. August 2012)

Da die zyprischen Banken stark in Griechenland engagiert sind, bedarf es nach dem Schuldenschnitt und den damit verbundenen Verlusten bei griechischen Staatsanleihen sowie angesichts der verschlechterten Bewertung der Aktiva sowohl in Zypern als auch in Griechenland einer deutlichen Kapitalaufstockung im Bankensektor. Eine gründliche Überprüfung der Situation in Zypern im Rahmen des Europäischen Semesters ergab, dass aufgrund der überaus großen makroökonomischen Ungleichgewichte bei den öffentlichen Finanzen, im Finanzsektor und in struktureller Hinsicht dringend wirtschaftspolitische Maßnahmen ergriffen werden sollten. Die wesentlichen Erkenntnisse aus der Prüfung im Rahmen des Europäischen Semesters 2012 bestehen darin, dass es zum einen einer substanziellen Haushaltskonsolidierung zur Behebung des übermäßigen Defizits bedarf und zum anderen Strukturreformen auf dem Arbeitsmarkt, im Dienstleistungssektor, im Gesundheitswesen und bei der Lohnindexierung erforderlich sind, um die Wettbewerbsfähigkeit wiederherzustellen.

Im Juni 2012 ersuchte Zypern die Mitgliedstaaten des Euroraums formell um finanziellen Beistand aus dem EFSF/ESM. Ein paralleles Ersuchen wurde beim IWF eingereicht. Durch das ergänzende wirtschaftliche Anpassungsprogramm sollten die Finanzstabilität, Haushaltskonsolidierung und Strukturreformen zur Unterstützung der Wettbewerbsfähigkeit gewährleistet sein. Mitarbeiter der EU, des IWF und der EZB reisten vom 2. bis zum 6. Juli zu einem Sondierungsbesuch nach Zypern, an den sich vom 23. bis 27. Juli 2012 ein weiterer Besuch anschloss. Die Kommissionsdienststellen geben zu den bilateralen wirtschaftlichen Beziehungen von Mitgliedstaaten mit Drittländern keine Stellungnahme ab.

(English version)

Question for written answer E-005860/12
to the Commission
Angelika Werthmann (NI)
(12 June 2012)

Subject: Economic situation of Cyprus

In 2011 Cyprus entered into a loan agreement with Russia, as a result of which it received EUR 2.5 billion in December 2011. Had Russia not stepped in to help out at this stage, Cyprus would already in the past year have needed a bailout from the EU. Moreover, Russian influence in Cyprus is very strong: around 15 000 Russians live there permanently and large parts of the property market are firmly in Russian hands. The country's economic situation as a whole continues to destabilise and economic aid from Russia now appears to be held up. The country could apply for EU assistance even before assuming the EU Presidency.

1. How does the Commission assess the current economic situation of Cyprus?

2. How does it assess the possible future economic development of Cyprus against the background of EU assistance being granted in 2012?

3. How does the Commission assess the influence of Russia on the country?

Answer given by Mr Rehn on behalf of the Commission
(9 August 2012)

The implications of the exposure of the banking sector to Greece following losses on the Greek Government bonds under the debt restructuring and the asset quality deterioration in both Cyprus and Greece require a substantial increase of banking sector capital. Under the European Semester the in depth review for Cyprus confirmed the need for urgent economic policy attention as Cyprus faces very serious macroeconomic imbalances in the area of public finances, the financial sector and on the structural front, The key elements of the 2012 European Semester findings indicate the necessity for substantial fiscal consolidation to correct the excessive deficit, while structural reforms in the labour market, services and health sectors, and of wage indexation are needed to restore competitiveness.

In June 2012, Cyprus formally presented to euro area Member States a request for external financial assistance from the EFSF/ESM. A parallel request for financial assistance was presented to the IMF. The accompanying economic adjustment programme should ensure financial stability, fiscal adjustment and structural reforms to support competitiveness. A scoping mission of the EU, IMF, ECB was conducted on 2-6 July and a follow-up mission on 23-27 July 2012. The Commission services do not assess bilateral economic relations of Member States with third countries.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005861/12
an die Kommission
Angelika Werthmann (NI)
(12. Juni 2012)

Betrifft: Suizidrate im Militär

Laut aktuellen Statistiken ist die Suizidrate im amerikanischen Militär sprunghaft angestiegen. Gründe hierfür sind unter anderem militärische Einsätze, Medikamentenmissbrauch und finanzielle Probleme.

1. Verfügt die Kommission über ähnliche Statistiken aus der Union, aus einzelnen Mitgliedstaaten oder gemeinsam eingesetzten internationalen Truppenkontingenten?

2. Welche Präventiv- und Aufklärungsmaßnahmen zur gezielten Suizid-Prävention existieren insbesondere für die Soldaten in gemeinsamen internationalen Truppenkontingenten?

3. Inwieweit finanziert die Kommission Untersuchungen und Maßnahmen, um einer Suizidgefährdung des militärischen Personals vorzubeugen?

Antwort von Herrn Andor im Namen der Kommission
(10. August 2012)

Einige Bestimmungen der Richtlinie 89/391/EWG ([1]) über Sicherheit und Gesundheitsschutz der Arbeitnehmer bei der Arbeit betreffen generell die Risiken der psychosozialen und/oder geistigen Gesundheit am Arbeitsplatz. Gemäß Artikel 2 Absatz 2 dieser Richtlinie findet dieses Rechtsinstrument jedoch keine Anwendung, soweit dem Besonderheiten bestimmter spezifischer Tätigkeiten im öffentlichen Dienst, z. B. bei den Streitkräften oder der Polizei, oder bestimmter spezifischer Tätigkeiten bei den Katastrophenschutzdiensten zwingend entgegenstehen.

Diese Ausnahme ist hingegen begrenzt, da gemäß Artikel 2 Absatz 2 selbst unter dieser Bedingung dafür Sorge zu tragen ist, „dass unter Berücksichtigung der Ziele dieser Richtlinie eine größtmögliche Sicherheit und ein größtmöglicher Gesundheitsschutz der Arbeitnehmer gewährleistet ist“. Somit ist es Aufgabe der Mitgliedstaaten, dafür Sorge zu tragen, dass die Bestimmungen der Richtlinie wirksam umgesetzt werden; hierzu gehören auch Präventiv- und Aufklärungsmaßnahmen, die zur Verhütung von Selbstmord beitragen sollen.

In den europäischen Statistiken werden unter anderem die Todesursachen nach Alter und Geschlecht erfasst. Allerdings liegen keine statistischen Daten über das Beschäftigungsverhältnis verstorbener Personen vor. Die europäischen Statistiken über Arbeitsunfälle umfassen nicht Suizidfälle, da die Definition eines Arbeitsunfalls absichtlich selbst herbeigeführte Verletzungen nicht einschließt.

Die Kommission finanziert keine einschlägigen Maßnahmen zur Vorbeugung der Suizidgefährdung des militärischen Personals, da diese Angelegenheit eindeutig in die nationale Zuständigkeit fällt.

([1]) Richtlinie 89/391/EWG des Rates vom 12. Juni 1989 über die Durchführung von Maßnahmen zur Verbesserung der Sicherheit und des Gesundheitsschutzes der Arbeitnehmer bei der Arbeit, ABl. L 183 vom 29.6.1989, S. 1.

(English version)

Question for written answer E-005861/12
to the Commission
Angelika Werthmann (NI)
(12 June 2012)

Subject: Suicide rate in the armed forces

Current statistics show that there has been a sharp increase in the suicide rate in the US military. The reasons for this include military deployments, drug abuse and financial problems.

1. Does the Commission have similar statistics for the Union, individual Member States or jointly deployed international troop contingents?

2. What preventive and information measures targeted at suicide prevention are in place, particularly for soldiers in joint international troop contingents?

3. To what extent does the Commission finance investigations and measures to prevent the risk of suicide among military personnel?

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

Certain provisions of Directive 89/391/EEC ([1]) on workers' safety and health are generally applicable to risks of a psychosocial and/or mental health nature at the workplace. However, pursuant to Article 2(2) of the directive, the latter is not applicable where characteristics peculiar to certain specific public service activities, such as the armed forces or the police, or to certain specific activities in the civil protection services inevitably conflict with it.

That is a limited exception, however, since Article 2(2) states that, even where that condition applies, 'the safety and health of workers must be ensured as far as possible in the light of the objectives' of the directive. It is therefore for the Member States to ensure that the directive's provisions are effectively implemented, including any preventive and information measures likely to contribute to preventing suicide.

European statistics include annual data on causes of death broken down by age and gender; however, such statistics are not available by occupational status of the person deceased. European statistics on accidents at work do not include suicides as the definition of an occupational accident does not cover deliberate self-inflicted injuries.

The Commission does not finance activities to prevent suicide prevention among military personnel, as the issue relates to purely national responsibility.

([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, p. 1.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005863/12
an die Kommission
Angelika Werthmann (NI)
(12. Juni 2012)

Betrifft: Pakistan-Hilfe — mögliche Auswirkungen wegen des Urteils gegen „Osama-Arzt"

Hat die Vorgehensweise und Entscheidung der Vereinigten Staaten von Amerika, die Pakistan-Hilfe zu kürzen, auch Auswirkungen auf die finanzielle Unterstützung der Europäischen Union an Pakistan, denn immerhin zählt die EU zu den größten Geldgebern?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(27. Juli 2012)

Die EU verfolgt eine Politik des aktiven Engagements gegenüber Pakistan und strebt nun, da der strategische Dialog aufgenommen wurde, eine Intensivierung der Beziehungen an. Der Fünfjahresplan EU-Pakistan enthält eine Reihe von prioritären Bereichen wie Menschenrechte, Sicherheit (einschließlich des Zugangs zur Justiz), Nichtverbreitung von Kernwaffen und Entwicklungshilfe, in denen der Dialog vertieft werden soll.

Die EU vertritt die Auffassung, dass eine Kombination von regelmäßigem Dialog mit Pakistan und Entwicklungszusammenarbeit, einschließlich konkreter Maßnahmen vor Ort, die wirksamste Form der Zusammenarbeit mit dem Land darstellt und zu Veränderungen in Schlüsselbereichen wie den Menschenrechten beiträgt. Die EU hat die pakistanischen Behörden aufgefordert, zum Schutz der Rechte aller pakistanischen Bürger Maßnahmen im Einklang mit den internationalen Menschenrechtsnormen und -übereinkünften zu ergreifen.

(English version)

Question for written answer E-005863/12
to the Commission
Angelika Werthmann (NI)
(12 June 2012)

Subject: Aid to Pakistan — possible repercussions of the conviction of Osama bin Laden's doctor

Does the approach and decision taken by the United States of America to cut its aid to Pakistan also have repercussions for the European Union's financial assistance to Pakistan, as the EU is after all one of the biggest donors?

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

The EU has a policy of active engagement with Pakistan and is in the process of upgrading relations following the start of the strategic dialogue. The EU-Pakistan 5-year Engagement Plan sets out a range of priority areas in which to intensify dialogue, including human rights, security (including access to justice), non-proliferation, development aid and a range of other priorities.

The EU believes that a combination of regular dialogue with Pakistan and development cooperation — including at grass roots level, is the most effective way of engaging with the country and of contributing to reform in key areas, including human rights. The EU has called on the Pakistani authorities to adopt measures to protect the rights of all Pakistani citizens in line with international human rights standards and conventions.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005864/12
an die Kommission
Angelika Werthmann (NI)
(12. Juni 2012)

Betrifft: Kurz- und langfristige Pläne und Maßnahmen besonders nach der Entwicklung in Spanien

Die Eurostaaten ringen buchstäblich ums Überleben — die führenden Politiker und Politikerinnen scheinen keinen gemeinsamen Weg finden zu können: Haushaltsüberwachung strauchelnder Staaten? Eine Definition der Fiskalunion, …? Ausgetragen wird dies nach Auffassung unserer Bürgerinnen und Bürger auf ihrem Rücken.

Dabei geht auch wertvolle Zeit verloren.

1. Hat die Kommission bereits Abschätzungen, wie die kurz- und langfristigen Pläne und Maßnahmen — besonders nach den jüngsten Entwicklungen in Spanien — für den Euroraum nun aussehen werden?

2. Gibt es aufgrund der Abwertung österreichischer Banken schon erste Abschätzungen für Österreich seitens der Kommission?

Antwort von Herrn Rehn im Namen der Kommission
(9. August 2012)

1. Die Kommission setzt sich umfassend für die rasche Umsetzung der Schlussfolgerungen des Euroraum-Gipfels vom 29. Juni ein, wonach sie unter anderem Vorschläge für einen einheitlichen Aufsichtsmechanismus vorzulegen hat. Die Staats- und Regierungschefs des Euroraums haben den Rat gebeten, diese Vorschläge als prioritäre Angelegenheit bis Ende 2012 zu prüfen. Darüber hinaus wird die Kommission an der vom Ratspräsidenten koordinierten Erarbeitung des Berichts „Auf dem Weg zu einer echten Wirtschafts- und Währungsunion" mitwirken, der bis Ende 2012 vorgelegt werden soll ([1]).

2. Die Kommission beobachtet die Entwicklungen im österreichischen Finanzsektor im Rahmen des Europäischen Semesters genau. Wenngleich sich die europäische Staatsschuldenkrise weiterhin auch auf den österreichischen Bankensektor auswirkt, sind die Banken bisher gut mit der Situation zurechtgekommen. Die größten österreichischen Banken, die in die Kapitalbedarfserhebung der Europäischen Bankaufsichtsbehörde vom Dezember 2011 einbezogen wurden, haben ihre Kernkapitalquote (Core-Tier-1-Kapital) anforderungsgemäß bis Ende Juni 2012 auf 9 % erhöht. Trotz der jüngsten Herabstufung durch Rating-Agenturen, von der auch andere große, international tätige europäische Bankengruppen betroffen waren, kommen in Österreich mehrere positive Faktoren zum Tragen, darunter eine relativ geringe Abhängigkeit von der Interbanken-Finanzierung aufgrund der starken Einlagenbasis, solide Geschäftsmodelle, die es den Banken ermöglichen, weiterhin Gewinne zu erzielen, und nicht zuletzt die Stärke des Sektors der Sparkassen und Genossenschaftsbanken. Angesichts dieser Faktoren sollten die Banken in der Lage sein, auch künftig stärkeren Belastungen standzuhalten. Die Kommission wird die Entwicklungen des Bankensektors in Österreich weiterhin genau im Auge behalten, um potenziell anfällige Bereiche frühzeitig zu erkennen.

([1]) Eine vorläufige Fassung ist für den Oktober 2012 vorgesehen.

(English version)

Question for written answer E-005864/12
to the Commission
Angelika Werthmann (NI)
(12 June 2012)

Subject: Short- and long-term plans and measures, particularly in the light of developments in Spain

Countries in the euro area are literally fighting for survival, with leading politicians apparently unable to agree on a way forward: budgetary surveillance of struggling countries, defining the fiscal union…? Our citizens consider that this is happening at their expense.

Valuable time is also being lost in the process.

1. Has the Commission already evaluated what form the short- and long-term plans and measures — particularly in the light of the latest developments in Spain — will now take for the euro area?

2. Does the Commission already have initial evaluations in place for Austria in the light of the ratings downgrade of the Austrian banks?

Answer given by Mr Rehn on behalf of the Commission
(9 August 2012)

1. The Commission is fully committed to contributing to implement swiftly the conclusions of the 29 June euro area summit, which foresee *inter alia* the presentation of Commission Proposals for a single supervisory mechanism. The Euro Area Heads of State or Government have asked the Council to consider these Proposals as a matter of urgency by the end of 2012. The Commission will also contribute to the report 'Towards a genuine economic and monetary Union', coordinated by the President of the European Council and to be delivered by end 2012 ([1]).

2. The Commission has closely monitored financial sector developments in Austria in the framework of the European Semester. Although the European sovereign debt crisis continues to weigh on banking sector developments, the Austrian banking sector has managed to weather the current situation well so far. The largest Austrian banks included in the December 2011 EBA capital exercise complied with the requirements to increase their capital buffers to reach a Core Tier 1 capital ratio of 9% by end-June 2012. In spite of the recent downgrade by rating agencies, as it has been the case for other large European banking groups with cross-border operations, the Austrian banks are benefiting, *inter alia*, from several mitigating factors: relatively low reliance of wholesale funding due to their strong deposit base, solid franchises which enable banks to continue generating profits and last but not least, strong cooperative and savings banks sectors. These mitigating factors should allow them to continue to withstand stronger stress scenarios. The Commissionwill continue to closely oversee banking sector developments in Austria in order to identify any potential pockets of vulnerability.

([1]) interim report scheduled in October 2012.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005866/12
do Komisji
Marek Henryk Migalski (ECR)
(12 czerwca 2012 r.)

Przedmiot: Przeszukania w mieszkaniach liderów rosyjskiej opozycji

11 czerwca 2012 r., dzień przed kolejną akcją rosyjskiej opozycji, śledczy dokonywali przeszukiwań w mieszkaniach działaczy opozycyjnych w Moskwie. Przedstawiciele Komitetu Śledczego Federacji Rosyjskiej wkroczyli do mieszkań m.in. opozycyjnego adwokata, blogera walczącego z korupcją Aleksieja Nawalnego, koordynatora radykalnego Frontu Lewicy Siergieja Udalcowa oraz przywódcy liberalnej Solidarności Ilji Jaszyna.

Oficjalnie przeszukania mają związek ze śledztwem w sprawie zajść, do których doszło w Moskwie 6 maja, w przededniu zaprzysiężenia Putina na prezydenta. W ramach tego śledztwa zatrzymano już 12 osób. Przedstawiciele opozycji zostali wezwani przez Komitet Śledczy FR na przesłuchania na 12 czerwca, na godz. 11.

Przypominam, że 12 czerwca w Moskwie ma odbyć się kolejna akcja opozycji, a działania rosyjskich władz zdają się być próbą jej udaremnienia i zniechęcenia opozycji do dalszych ulicznych wystąpień przeciwko prezydentowi.

W związku z tym zwracam się z zapytaniem, czy Komisja ma zamiar podjąć interwencję w tej sprawie i wyrazić stanowczy sprzeciw wobec ograniczania prawa Rosjan do wyrażania opinii i wolności zgromadzeń.

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(2 sierpnia 2012 r.)

Wysoka Przedstawiciel/Wiceprzewodnicząca bardzo uważnie śledzi ostatnie wydarzenia dotyczące wolności słowa i wolności zgromadzeń w Rosji. Wysoka Przedstawiciel/Wiceprzewodnicząca Catherine Ashton zareagowała na nową ustawę o manifestacjach wydając oświadczenie w dniu 12 czerwca 2012 r. Wyraziła ona zaniepokojenie tym, co postrzega jako „próby ograniczenia zgromadzeń publicznych" w Rosji, a także próby zastraszenia przywódców protestów. Wezwała rząd rosyjski do zagwarantowania, że nowa ustawa o wiecach publicznych spełnia normy europejskie, który to zamiar wyraził prezydent Władimir Putin. Przypomniała ona również, że przepisy regulujące wiece publiczne powinny przede wszystkim gwarantować wolność zgromadzeń. Wysoka Przedstawiciel/Wiceprzewodnicząca zachęca rząd rosyjski i społeczeństwo obywatelskie do zaangażowania się w konstruktywny dialog na temat promowania demokratycznych standardów i przyszłych reform.

Kwestie wolności wypowiedzi są regularnie podnoszone w kontaktach z Rosją, w czasie odbywających się dwa razy do roku konsultacji UE-Rosja na temat praw człowieka, spotkań ministerialnych i szczytów UE-Rosja.

(English version)

Question for written answer E-005866/12
to the Commission
Marek Henryk Migalski (ECR)
(12 June 2012)

Subject: Searches at the homes of leaders of the Russian opposition

On 11 June 2012, the day before a planned protest meeting by Russian opposition groups, investigators searched the homes of opposition activists in Moscow. The homes raided by Russian Federal Investigative Committee included those of lawyer and anti-corruption blogger Alexey Navalny, radical Left Front coordinator Sergey Udaltsov and liberal Solidarnost movement leader Ilya Yashin.

Officially, the searches were carried out in connection with the investigation into the events that occurred in Moscow on May 6, the eve of Putin's inauguration as president. Twelve people have been detained to date as part of the investigation. Opposition members were summoned for questioning by the Russian Investigative Committee at 11 in the morning on 12 June.

That was precisely the date on which the opposition had planned to carry out its latest round of protests. The actions of the Russian authorities appear to have been an attempt to preempt those protests and to discourage the opposition from holding further street protests against the President.

Given the above, does the Commission intend to intervene in this matter and to voice its resolute opposition to these restrictions on the rights of Russian citizens to free speech and assembly?

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

The HR/VP has been following the recent development related to the freedom of expression and assembly in Russia very closely. HR/VP Catherine Ashton reacted to the new law on manifestations with a statement, issued on June 12, 2012. HR/VP expressed concern about what she saw as 'the attempts to limit the scope for public rallies' in Russia, and about the attempts to intimidate protest leaders. She called on the Russian government to ensure that the new law on public rallies met European standards, as had been the expressed intention of President Putin. She also recalled that legislation governing public rallies should first and foremost guarantee freedom of assembly. Finally, HR/VP encouraged the Russian government and civil society to engage in a constructive dialogue on promotion of democratic standards and future reforms.

Issues of freedom of expression are raised with Russia on a regular basis, from the twice-yearly EU-Russia human rights consultations, to Ministerial meetings, to EU-Russia Summits.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005867/12
do Komisji
Marek Henryk Migalski (ECR)
(12 czerwca 2012 r.)

Przedmiot: Zaostrzenie przepisów o manifestacjach

8 czerwca 2012 r. Prezydent Federacji Rosyjskiej Władimir Putin podpisał nową ustawę o manifestacjach. Ustawa ta drastycznie, aż 150 razy, zwiększa karę grzywny za łamanie prawa o zgromadzeniach publicznych – zebraniach, wiecach, demonstracjach, pochodach i pikietach.

Nowe przepisy są postrzegane jako reakcja na serię wielkich antyputinowskich protestów i mają zniechęcić opozycję do dalszych ulicznych wystąpień przeciwko prezydentowi.

Uchwalenie ustawy poważnie ogranicza prawo Rosjan do wyrażania opinii – prawo, które obywatelom Federacji Rosyjskiej zapewnia Konstytucja.

Unia Europejska powinna wyrazić zdecydowany sprzeciw wobec łamania swobód obywatelskich w Rosji. Jakie jest stanowisko Komisji w kwestii nowej ustawy o manifestacjach na terenie Federacji Rosyjskiej?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Komisji Catherine Ashton
w imieniu Komisji
(2 sierpnia 2012 r.)

Wysoka Przedstawiciel/Wiceprzewodnicząca Komisji uważnie obserwuje bieżące wydarzenia związane z wolnością wypowiedzi i zgromadzeń w Rosji. W odpowiedzi na nową ustawę Catherine Ashton wydała w dniu 12 czerwca 2012 r. oświadczenie, w którym wyraziła zaniepokojenie z powodu „prób ograniczenia możliwości organizowania wieców publicznych" w Rosji, a także prób zastraszenia przywódców protestu. Wiceprzewodnicząca zaapelowała do rządu rosyjskiego, aby zagwarantował, że nowa ustawa o wiecach publicznych będzie spełniała europejskie normy, co wyraźnie zadeklarował wcześniej prezydent Władimir Putin. Przypomniała także, że przepisy regulujące kwestię wieców publicznych powinny przede wszystkim gwarantować wolność zgromadzeń. Ponadto Wysoka Przedstawiciel/Wiceprzewodnicząca zachęciła rosyjski rząd i społeczeństwo obywatelskie do podjęcia konstruktywnego dialogu na temat propagowania standardów demokratycznych i wspierania przyszłych reform.

Kwestie wolności wypowiedzi są regularnie poruszane w kontaktach z Rosją, począwszy od odbywających się dwa razy w roku konsultacji UE-Rosja na temat praw człowieka, przez spotkania ministrów, aż po szczyty UE-Rosja.

(English version)

Question for written answer E-005867/12
to the Commission
Marek Henryk Migalski (ECR)
(12 June 2012)

Subject: Tightening up of the law on protests

On 8 June 2012 the President of the Russian Federation, Vladimir Putin, signed a new law on protests. This law considerably increases — by as much as 150 times — the fines for breaking the law on public gatherings, which covers meetings, rallies, demonstrations, marches and picketing.

The new legislation is regarded as a response to the recent series of anti-Putin protests and is aimed at discouraging the opposition from holding further street protests against the President.

The new law significantly restricts the right of Russians to protest, despite the fact that this right is guaranteed by the Russian Constitution.

The European Union needs to voice its staunch opposition to breaches of citizens' rights in Russia. What is the Commission's position on the new law on protests in the Russian Federation?

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

The HR/VP has been following the recent development related to the freedom of expression and assembly in Russia very closely. HR/VP Ashton reacted to the new law on manifestations with a statement, issued on June 12, 2012. HR/VP expressed concern about what she saw as 'the attempts to limit the scope for public rallies' in Russia, and about the attempts to intimidate protest leaders. She called on the Russian government to ensure that the new law on public rallies met European standards, as had been the expressed intention of President Putin. She also recalled that legislation governing public rallies should first and foremost guarantee freedom of assembly. Finally, HR/VP encouraged the Russian government and civil society to engage in a constructive dialogue on promotion of democratic standards and future reforms.

Issues of freedom of expression are raised with Russia on a regular basis, from the twice-yearly EU-Russia human rights consultations, to Ministerial meetings, to EU-Russia Summits.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005868/12
à Comissão (Vice-Presidente / Alta Representante)
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(12 de junho de 2012)

Assunto: VP/HR — Assassínio de civis a partir de aviões não tripulados (drones)

O assassínio de civis a partir de aviões não tripulados — os chamados *drones* — tem sido prática reiterada dos EUA no Afeganistão, no Paquistão, no Iémen e na Somália. Segundo a organização britânica *Bureau of Investigative Journalism*, entre 2004 e 2012, os EUA efetuaram, apenas no Paquistão, 327 deste tipo de ataques, em que terão morrido cerca de 3 000 pessoas, das quais 175 crianças e entre 480 e 830 civis. Apesar dos protestos das populações e dos próprios governos, a comunidade internacional não tem condenado, com a veemência que se exigia, estes ataques.

Entretanto, de acordo com um artigo publicado no *New York Times*, no dia 29 de maio, as autoridades dos EUA terão adotado um método muito questionável de contabilização de vítimas civis. Segundo o artigo, todos os homens em idade militar nas zonas de ataque são contabilizados como combatentes, a não ser que postumamente surjam informações explícitas que provem ser inocentes.

Em face do exposto, solicitamos à Vice-Presidente / Alta Representante que nos informe sobre o seguinte:

1. Que medidas práticas tomou, ou vai tomar, a UE para impedir a continuação do assassínio de civis a partir de aviões não tripulados?

2. Que posições públicas tomou já a UE contra esta prática?

3. Existe envolvimento de algum(ns) país(es) da UE nesta prática?

4. Foi este assunto alguma vez incluído no diálogo bilateral com as autoridades dos EUA?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(14 de agosto de 2012)

A posição da UE é que a luta contra o terrorismo deve respeitar o direito internacional, nomeadamente o direito relativo aos direitos humanos, o direito internacional humanitário e o direito dos refugiados. O SEAE participa regularmente nos diálogos dos Estados-Membros com os Estados Unidos sobre várias questões ligadas aos direitos humanos e ao direito humanitário e, nesse contexto, manifestou diversas preocupações em relação aos EUA no que diz respeito ao contraterrorismo e ao direito internacional, nomeadamente e mais recentemente em relação às disposições em matéria de contraterrorismo constantes da Lei de Autorização de Defesa Nacional («National Defense Authorization Act») de 2012, e anteriormente em relação à detenção em Guantânamo e a outras questões de índole humanitária e de direitos humanos.

Tal como a pergunta sugere, as execuções seletivas de suspeitos terroristas suscitam inúmeras questões importantes, nomeadamente fora dos conflitos armados específicos, como o Afeganistão. Os diálogos mencionados realizaram-se igualmente no que diz respeito à base jurídica internacional para as execuções seletivas de terroristas suspeitos A questão dos assassínios a partir de aviões não tripulados (*drones*) será abordada no próximo diálogo em matéria de direito internacional e contraterrorismo a realizar com o conselheiro jurídico do Departamento de Estado dos EUA. Os argumentos jurídicos dos EUA foram recentemente apresentados pelo Advogado-Geral Holder num discurso proferido em 5 de março de 2012.

(English version)

Question for written answer E-005868/12
to the Commission (Vice-President/High Representative)
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(12 June 2012)

Subject: VP/HR — Killing of civilians by unmanned aircraft (drones)

The killing of civilians by unmanned aircraft — or 'drones' — has become a regular US practice in Afghanistan, Pakistan, Yemen and Somalia. According to the British Bureau of Investigative Journalism, the USA has, since 2004, carried out 327 attacks of this kind in Pakistan alone, killing around 3 000 people, including 175 children and between 480 and 830 civilians. Despite the protests of the populations and their governments, the international community has failed to condemn these attacks with the vehemence required.

Meanwhile, according to an article published in the *New York Times* on 29 May, the US authorities have apparently adopted a highly questionable method of counting civilian victims. According to the article, all men of military age in the attack zones are counted as combatants, unless explicit information comes to light posthumously to prove their innocence.

1. What practical measures has the EU taken, or will it take, to prevent the continued killing of civilians by unmanned aircraft?

2. In what forms has the EU spoken out publicly against this practice?

3. Are any EU Member States involved in this practice?

4. Has this matter ever been included in the bilateral dialogue with the US authorities?

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

The EU's position is that the fight against terrorism has to take place in full respect of international law, including human rights law, international humanitarian law and refugee law. The EEAS participates in Member States dialogues with the United States on various human rights and humanitarian law issues on a regular basis, and, in that context, has raised different concerns with the US concerning counter-terrorism and international law, including most recently in relation to the counter-terrorism provisions of the US National Defence Authorisation Act 2012, and previously on Guantanamo detention and other issues of humanitarian and human rights concerns.

As the question suggests, the targeted killings of terrorist suspects raise a number of important questions, in particular outside of specific armed conflicts such as Afghanistan. The dialogues mentioned also took place with regard to the international legal basis for the targeted killings of terrorist suspects. The issue of killings by drones will be addressed in the upcoming dialogue on international law and counterterrorism with the US State Department's Legal Advisor. The US legal arguments were set out most recently by Attorney General Holder in a speech on 5 March 2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005869/12
à Comissão
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(12 de junho de 2012)

Assunto: Capitalização da banca privada em Espanha

Tendo em conta as notícias relativas a uma verba de 100 mil milhões de euros a ser injetada na banca espanhola, solicitamos à Comissão que nos informe sobre o seguinte:

1. Qual a quantia exata a ser canalizada para Espanha com o objetivo de capitalizar a banca privada e quais as condições associadas a esta operação?

2. Qual a proveniência das verbas em questão? Qual a contribuição relativa de cada Estado-Membro?

3. Que instituições privadas serão alvo da referida capitalização com dinheiros públicos e que quantias exatas serão injetadas em cada uma delas?

4. Qual o resultado dos chamados «testes de stress» efetuados pela Comissão a estas instituições?

Resposta dada por Olli Rehn em nome da Comissão
(23 de julho de 2012)

Em 25 de junho de 2012, o Governo espanhol solicitou assistência financeira externa no contexto da reestruturação e recapitalização em curso no setor bancário espanhol. A assistência é requerida nos termos da assistência financeira para a recapitalização das instituições financeiras pelo FEEF. Os Chefes de Estado e de Governo reunidos na Cimeira da área do euro de 29 de junho de 2012 especificaram que a assistência será subsequentemente tomada a cargo pelo MEE, uma vez que esta instituição esteja plenamente operacional.

Na sequência do pedido oficial, a Comissão, em colaboração com o Banco Central Europeu (BCE) e a Autoridade Bancária Europeia (ABE) concluiu que a Espanha satisfaz os critérios de elegibilidade. A Comissão, em colaboração com o BCE e em consulta com outros parceiros, apresentará uma proposta de orientações estratégicas no setor financeiro que deverão acompanhar a assistência. Estas condições incluirão provavelmente tanto elementos de tipo horizontal, aplicáveis a todo o sistema, como condições específicas do setor bancário, aplicáveis apenas às instituições que solicitam auxílio público, em conformidade com as regras seguidas pela Comissão em matéria de auxílios estatais. Essa proposta será utilizada nas negociações, que conduzirão eventualmente à assinatura de um Memorando de Entendimento (MdE) pelas autoridades espanholas.

Certos pormenores importantes relativos ao montante exato da assistência necessária, bem como à identificação das instituições que necessitam de auxílio estatal, apenas serão conhecidos no momento em que forem publicados os resultados da avaliação independente completa dos ativos dos bancos.

(English version)

Question for written answer E-005869/12
to the Commission
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(12 June 2012)

Subject: Capitalisation of the Spanish private banking sector

In the light of the reports that EUR 100 000 million is to be injected into the Spanish banking sector, can the Commission say:

1. What is the exact amount to be channelled into Spain to capitalise the private banking sector and under what conditions will the operation be carried out?

2. What is the source of the funds in question? What proportions will be contributed by the individual Member States?

3. Which private institutions will be capitalised by public money and what exact amounts are to be injected into each of them individually?

4. What was the outcome of the 'stress tests' carried out by the Commission on these institutions?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

On 25 June 2012, the Spanish Government requested external financial assistance in the context of the ongoing restructuring and recapitalisation of the Spanish banking sector. The assistance is sought under the terms of the Financial Assistance for the Recapitalisation of Financial Institutions by the EFSF. The Heads of State and Government at the Euro Area Summit of 29 June 2012 specified that the assistance will subsequently be taken over by the ESM, once this institution is fully operational.

Following the formal request, the Commission, in liaison with the European Central Bank (ECB) and the European Banking Authority (EBA), concluded that Spain fulfils the eligibility criteria. The Commission, in liaison with the ECB and consultation with other partners, will make a proposal for the necessary policy conditionality for the financial sector that shall accompany the assistance. These conditions are likely to include both horizontal, system-wide elements as well as bank-specific conditions, applicable only to the institutions requiring public aid, under the Commission's state aid rules. This proposal will be used in negotiations, eventually leading to the signing of Memorandum of Understanding (MoU) by the Spanish authorities.

Important details regarding the exact amount of assistance needed as well as identification of the institutions requiring state aid will be only known once the results of the independent bottom-up valuation of bank assets will be published.

(Slovenska različica)

Vprašanje za pisni odgovor P-005873/12
za Komisijo
Romana Jordan (PPE)
(12. junij 2012)

Zadeva: Financiranje agencije ACER v letu 2013 in izvajanje uredbe REMIT

28. decembra 2011 je v veljavo stopila Uredba o celovitosti in preglednosti energetskega trga (REMIT). Ta je Evropski agenciji za sodelovanje energetskih regulatorjev (ACER) naložila dodatne pomembne naloge na področju zagotavljanja preglednosti veleprodajnega energetskega trga v Evropi. Med drugim uredba REMIT nalaga Agenciji tudi oblikovanje centraliziranega evropskega registra udeležencev na veleprodajnem energetskem trgu, zbiranje informacij o transakcijah na tem trgu in „temeljnih podatkov" o fizičnem stanju energetskih sistemov, izvajanje začetnega pregleda in ocene transakcij, koordinacijo in preiskovanje primerov suma na zlorabo trga, ocenjevanje trgovanja in transparentnost trga ter oblikovanje predlogov za izboljšanje njegove integritete in delovanja.

Izvajanje novih nalog od Agencije zahteva dodatne sisteme IKT ter človeške vire z znanjem s področja sistemskega upravljanja IKT in analize veleprodajnih trgov. Agencija trenutno predvideva, da bi za ustrezno izvajanje vseh svojih nalog, predvsem zaradi potrebe po sistemih IKT za izvajanje nalog iz uredbe REMIT v letu 2013 potrebovala dodatne 4,5 milijone evrov (od tega 3 milijone evrov za namene IKT). Predlog Evropske komisije za proračun Agencije za leto 2013 predvideva povečanje za 1,5 milijona evrov. Glede na rigidnost ostalih stroškovnih postavk Agencije (plače, najemnina, potovanja) bi to močno vplivalo na možnosti izvajanja nalog Agencije, ki izhajajo iz uredbe REMIT.

Zato Komisijo sprašujem, kako namerava zagotoviti polno izvajanje določil uredbe REMIT ob predlogu proračuna 2013, ki agenciji ACER ne omogoča njenega izvajanja?

Odgovor g. Oettingerja v imenu Komisije
(10. julij 2012)

Komisija je mnenja, da je Uredba o celovitosti in preglednosti energetskega trga (REMIT, *Regulation on Energy Market Integrity and Transparency*) ([1]) izjemnega pomena za učinkovito delovanje veleprodajnega energetskega trga v EU. Komisija se zaveda tudi pomembne vloge Agencije za sodelovanje energetskih regulatorjev (ACER, *Agency for the Cooperation of Energy Regulators*) pri izvajanju REMIT.

Komisija je v predlogu proračuna za leto 2013 omejila povečanje odhodkov vseh agencij na največ 1 %, odhodke mnogih agencij pa je zamrznila. Izjema je ACER, za katero se zaradi njenih novih nalog predlaga povečanje proračuna. Komisija predlaga, da se prispevek EU v predlogu proračuna poveča za 1 milijon EUR glede na finančno načrtovanje za leto 2013 (na 8,8 milijona EUR v primerjavi s predvidenimi 7,8 milijona EUR). Stroški naložb REMIT za obdobje 2013-2015, ki jih lahko prevzame ACER v letu 2013, so ocenjeni na približno 3 milijone EUR. V proračunu ACER tako manjka približno 2 milijona EUR za naložbe v REMIT IT.

Komisija razmišlja o načinih za proračunsko nevtralne krepitve proračunskih vrstic ACER, v kolikor bodo takšne prilagoditve možne. Prenos navedenega zneska bo izveden po odobritvi proračunskega organa.

([1]) Uredba (EU) št. 1227/2011 Evropskega parlamenta in Sveta z dne 25. oktobra 2011 o celovitosti in preglednosti veleprodajnega energetskega trga Besedilo velja za EGP – UL L326, 8.12.2011.

(English version)

Question for written answer P-005873/12
to the Commission
Romana Jordan (PPE)
(12 June 2012)

Subject: inancing of ACER in 2013 and the implementation of REMIT

On 28 December 2011 the regulation on Energy Market Integrity and Transparency (REMIT) entered into force. This gives the EU Agency for the Cooperation of Energy Regulators (ACER) added responsibilities regarding the important task of ensuring transparency of the wholesale energy market in Europe. Among other things, REMIT assigns the Agency the task of forming a centralised European register of participants in the wholesale energy market, collecting information on transactions in this market and 'basic data' on the physical state of energy systems, carrying out the initial review and evaluation of transactions, coordinating and investigating cases of suspected market abuse, monitoring trading and transparency in the market, and formulating proposals for improving the function and integrity of the market.

The execution of these new tasks by the Agency will result in the need for additional IT systems, as well as staff with knowledge and skills in IT management and the analysis of wholesale markets. The Agency currently expects that, in order to carry out all its tasks, especially to cover the required IT systems for REMIT, they will need an additional EUR 4.5 million (EUR 3 million of this for IT). The European Commission's proposal contains an increase of EUR 1.5 million in the Agency budget for 2013. Given the rigidity of other Agency cost items (salary, rent, travel), this will have a strong impact on the ability of the Agency to carry out the tasks required of it under REMIT.

I would therefore ask the Commission how it expects to ensure that REMIT will be fully implemented under the proposed 2013 budget when it does not propose to provide ACER with the funding for its full implementation.

Answer given by Mr Oettinger on behalf of the Commission
(10 July 2012)

The Commission shares the view that the regulation on Energy Market Integrity and Transparency (REMIT) ([1]) is of utmost importance for an efficient functioning of the wholesale energy markets in the EU. The Commission is also aware of the significant role the Agency for the Cooperation of Energy Regulators (ACER) performs in relation to the implementation of REMIT.

The Commission in the draft budget for 2013 capped the increase of expenditure of all agencies by 1% maximum and even froze expenditures of many agencies. Exceptionally, for ACER, due to its new tasks, an increase in its budget was proposed. The EU contribution proposed by the Commission in the Draft Budget is EUR 1 million above the financial programming for 2013 (EUR 8.8 million versus EUR 7.8 million). The cost of the REMIT investments for the period 2013-2015 which ACER could commit in 2013 have been estimated at around EUR 3 million. ACER's budget would, therefore, be lacking around EUR 2 million to make the needed investments in the REMIT IT.

The Commission will consider ways of making a budgetary neutral reinforcement of the ACER budget lines if margins for manoeuvre can be found. The transfer of this amount would be done after the approval by the Budgetary Authority.

([1]) Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency Text with EEA relevance — OJ L 326, 8.12.2011.

(Slovenska različica)

Vprašanje za pisni odgovor E-005874/12
za Svet
Romana Jordan (PPE)
(12. junij 2012)

Zadeva: Financiranje agencije ACER v letu 2013 in izvajanje uredbe REMIT

28. decembra 2011 je v veljavo stopila Uredba o celovitosti in preglednosti energetskega trga (REMIT). Ta je Evropski agenciji za koordinacijo energetskih regulatorjev (ACER) naložila dodatne pomembne naloge na področju zagotavljanja preglednosti veleprodajnega energetskega trga v Evropi. Med drugim uredba REMIT nalaga Agenciji tudi oblikovanje centraliziranega evropskega registra udeležencev na veleprodajnem energetskem trgu, zbiranje informacij o transakcijah na tem trgu in „temeljnih podatkov" o fizičnem stanju energetskih sistemov, izvajanje začetnega pregleda in ocene transakcij, koordinacijo in preiskovanje primerov suma na zlorabo trga, ocenjevanje trgovanja in transparentnost trga ter oblikovanje predlogov za izboljšanje njegove integritete in delovanja.

Izvajanje novih nalog od Agencije zahteva dodatne sisteme IKT ter človeške vire z znanjem s področja sistemskega upravljanja IKT in analize veleprodajnih trgov. Agencija trenutno predvideva, da bi za ustrezno izvajanje vseh svojih nalog, predvsem zaradi potrebe po sistemih IKT za izvajanje nalog iz uredbe REMIT, v letu 2013 potrebovala dodatne 4,5 milijone evrov (od tega 3 milijone evrov za namene IKT). Predlog Evropske komisije za proračun Agencije za leto 2013 predvideva povečanje za 1,5 milijona evrov. Glede na rigidnost ostalih stroškovnih postavk Agencije (plače, najemnina, potovanja) bi to močno vplivalo na možnosti izvajanja njenih nalog, ki izhajajo iz uredbe REMIT.

Ob več let trajajoči finančni krizi in težavah s stabilnostjo evropskih finančnih sistemov številne države članice poskušajo varčevati v javnih sistemih. To pa bi lahko na določenih področjih privedlo do podhranjenosti in posledično do pomanjkljivega izvajanje zakonodaje Unije.

Zato Svet sprašujem:

1. Kaj nameravajo narediti države članice, da bodo zagotovile polno izvajanje tretjega energetskega paketa in s tem povezanih nalog na evropski ravni?

2. V kolikšni meri in kako bodo okrepljeni nacionalni regulatorji (s kadrovskimi viri, opremo, pristojnostmi) do leta 2014, ko naj bi trg plina in električne energije popolnoma zaživel?

Odgovor
(12. september 2012)

Komisija je kot varuhinja pogodb odgovorna, da nadzira uporabo prava Unije v državah članicah.

V zvezi z drugim vprašanjem: v ustrezni zakonodaji, tj. v Direktivi 2009/72/ES Evropskega parlamenta in Sveta o skupnih pravilih notranjega trga z električno energijo in Direktivi 2009/73/ES Evropskega parlamenta in Sveta o skupnih pravilih za notranji trg z zemeljskim plinom so določene posebne zahteve za države članice v zvezi s sredstvi, ki bi morala biti zagotovljena nacionalnim regulativnim organom, da bodo lahko izvajali svoje naloge.

(English version)

Question for written answer E-005874/12
to the Council
Romana Jordan (PPE)
(12 June 2012)

Subject: Financing of ACER in 2013 and implementation of REMIT

On 28 December 2011 the regulation on Energy Market Integrity and Transparency (REMIT) entered into force. This regulation gives the EU Agency for the Cooperation of Energy Regulators (ACER) added responsibilities regarding the important task of ensuring transparency in the wholesale energy market in Europe. Among other things, REMIT assigns the Agency the task of forming a centralised European register of participants in the wholesale energy market, collecting information on transactions in this market and 'basic data' on the physical state of energy systems, carrying out the initial review and evaluation of transactions, coordinating and investigating cases of suspected market abuse, monitoring trading and transparency in the market, and formulating proposals for improving the function and integrity of the market.

The performance of these new tasks by the Agency will result in the need for additional IT systems, as well as staff with knowledge and skills in IT management and the analysis of wholesale markets. The Agency currently expects that, in order to carry out all its tasks, especially to cover the required IT systems for REMIT, they will need an additional EUR 4.5 million (EUR 3 million of this for IT). The Commission's proposal contains an increase of EUR 1.5 million in the Agency budget for 2013. Given the lack of flexibility in the Agency's other cost items (salary, rent, travel), this will have a strong impact on the ability of the Agency to carry out the tasks required of it under REMIT.

After many years of financial crisis and problems with the stability of European financial systems, numerous Member States are trying to make savings in the public sector. This could lead to a lack of financial resources in certain areas and consequently a failure to fully implement EU legislation.

I would therefore ask the Council:

1. How will it ensure that Member States fully implement the Third Energy Package and the tasks connected with it at EU level?

2. How and to what degree will national regulators be strengthened (in terms of staff, equipment, powers) by 2014, when the objective of a fully functioning gas and electricity market is expected to be achieved?

Reply
(12 September 2012)

The Commission, as guardian of the Treaties, is responsible for overseeing the application by Member States of Union law.

On the second question, the relevant legislation, i.e. Directives 2009/72/EC of the European Parliament and of the Council concerning common rules for the internal market in electricity and 2009/73/EC of the European Parliament and of the Council concerning common rules for the internal market in natural gas, sets out specific requirements for Member States with regard to the means that should be provided to national regulators to enable them to carry out their tasks.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005875/12
alla Commissione
Lorenzo Fontana (EFD)
(12 giugno 2012)

Oggetto: Anticipo dei contributi comunitari a sostegno delle aziende del comparto agricolo e agroalimentare dell'Emilia-Romagna colpite dal sisma

Gli eventi sismici che hanno interessato l'Italia settentrionale nelle ultime settimane hanno investito alcuni comuni della Regione Emilia-Romagna, cagionando ingenti danni alle strutture produttive del settore agricolo ed agroalimentare.

Alla luce della dichiarazione dello stato di emergenza in Italia, che si affianca al periodo di già grave crisi economica che lo Stato italiano sta affrontando, è evidente come un rapido ripristino delle strutture aziendali danneggiate costituisca una priorità per dare slancio alla ripresa della predetta area.

Il Fondo di solidarietà dell'Unione europea, in base al Regolamento (CE) n. 2012/2002 del Consiglio dell'11 novembre 2002, si prefigge la finalità d'intervento nei casi in cui sia necessario fronteggiare i danni arrecati da gravi calamità naturali al tessuto economico delle regioni degli Stati membri.

Le autorità italiane stanno, inoltre, ultimando la predisposizione del dossier per presentare alla Commissione, entro i tempi stabiliti dall'articolo 4 del predetto regolamento, la domanda d'intervento del Fondo di solidarietà dell'Unione europea.

In considerazione di quanto sopra esposto, può dire la Commissione se sia possibile ottenere un versamento, entro luglio, dell'acconto del 50 % dell'importo del Premio unico per la Politica agricola comune, a favore delle aziende agricole danneggiate dell'Emilia-Romagna? Può dire, altresì, se sia in esame una modifica al PSR (Piano di Sviluppo Rurale) per le aree sopra citate?

Interrogazione con richiesta di risposta scritta E-005878/12
alla Commissione
Lorenzo Fontana (EFD)
(12 giugno 2012)

Oggetto: Anticipo dei contributi comunitari a sostegno delle aziende del comparto agricolo e agroalimentare del Polesine colpite dal sisma

Gli eventi sismici che hanno interessato l'Italia settentrionale nelle ultime settimane hanno investito, oltre alle Regioni Emilia-Romagna e Lombardia, anche il territorio di Rovigo, in Veneto, dove hanno prodotto ingenti danni alle strutture produttive del settore agricolo ed agroalimentare. Le problematiche risultano accentuate nell'area del Polesine, già soggetta a fenomeni di subsidenza ed inondazioni a causa della sua ubicazione tra il fiume Adige ed il Po, in cui l'attività prevalente è quella agricola, collegata all'industria alimentare.

Considerata la dichiarazione dello stato di emergenza in Italia, che si affianca al periodo di già grave crisi economica che lo Stato italiano sta affrontando, è evidente come un rapido ripristino delle strutture aziendali danneggiate costituisca una priorità per dare slancio alla ripresa della predetta area.

Considerando che:

— il Fondo di solidarietà dell'Unione europea, in base al regolamento (CE) n. 2012/2002 del Consiglio, dell'11 novembre 2002, si prefigge la finalità d'intervento nei casi in cui sia necessario fronteggiare i danni arrecati da gravi calamità naturali al tessuto economico delle regioni degli Stati membri;

— le autorità italiane stanno ultimando il dossier per presentare alla Commissione, entro i tempi stabiliti dall'articolo 4 del predetto regolamento, la domanda d'intervento del Fondo di solidarietà dell'Unione europea;

— la Regione Veneto ha garantito la trasmissione, in tempi rapidi, della lista dei comuni colpiti dalle scosse sismiche e riportanti danni alle strutture produttive, affinché le stesse possano essere supportate con la massima rapidità possibile;

può la Commissione far sapere, relativamente al caso più sopra esposto, se:

1. sia possibile ottenere un versamento, entro luglio, dell'acconto del 50 % dell'importo del Premio unico per la Politica Agricola Comune a favore delle aziende agricole danneggiate del Polesine?

2. sia in esame una modifica al PSR (Piano di Sviluppo Rurale) per le zone succitate?

Risposta congiunta di Dacian Cioloş a nome della Commissione
(24 luglio 2012)

La Commissione è a conoscenza delle serie difficoltà affrontate dagli agricoltori delle aree dell'Italia settentrionale colpite dal sisma.

Per quanto concerne il primo quesito, le autorità italiane hanno chiesto alla Commissione di considerare la possibilità di autorizzare un anticipo dei versamenti dei pagamenti diretti a partire dal 1° luglio 2012 a favore delle aree colpite dal sisma. Al momento la Commissione sta esaminando tale richiesta, in seguito al ricevimento il 19 giugno 2012 dei dati relativi all'importo finanziario necessario e alle aree interessate, tenendo conto inoltre dei problemi finanziari e di bilancio, nonché degli aspetti legali.

Quanto al secondo quesito, il regolamento (CE) n. 1698/2005 ([1]) sul sostegno allo sviluppo rurale da parte del Fondo europeo agricolo per lo sviluppo rurale (FEASR) prevede la possibilità di intervenire in seguito a calamità naturali attraverso la misura 126 «Ripristino del potenziale produttivo agricolo danneggiato da calamità naturali e introduzione di adeguate misure di prevenzione». Le regioni italiane recentemente colpite dal sisma possono presentare proposte di modifica del programma chiedendo l'attivazione di tale misura o possono aggiornare il contenuto di detta misura e gli importi stanziati conformemente alle esigenze attuali. Per quanto riguarda l'Emilia-Romagna, la proposta di modifica del programma di sviluppo rurale (PSR) è già oggetto di analisi da parte della Commissione. Il PSR Veneto non include questa misura. La Lombardia, che è stata interessata in misura minore dal sisma, ha scelto di intervenire a favore delle aziende colpite attraverso la misura 121 «Ammodernamento delle aziende agricole».

([1]) GU L 277 del 21.10.2005, pagg. 1-40.

(English version)

Question for written answer E-005875/12
to the Commission
Lorenzo Fontana (EFD)
(12 June 2012)

Subject: Advance payment of Community contributions to support undertakings in the agricultural and food processing sector of Emilia-Romagna struck by the earthquake

The earthquakes that have struck northern Italy over the last few weeks have affected some municipalities in the Emilia-Romagna Region, causing huge damage to the productive infrastructure of the agricultural and food processing sector.

In the light of the state of emergency declared in Italy, together with the serious economic crisis that the Italian State is already facing, it is clear that rapid repair of the damaged farm business infrastructure is a priority to drive the recovery of the aforesaid area.

Pursuant to Council Regulation (EC) No 2012/2002 of 11 November 2002, the purpose of the European Union Solidarity Fund is to grant assistance in cases where it is necessary to deal with damage caused by major natural disasters to the economic fabric of regions of the Member States.

The Italian authorities are also gathering the necessary information to submit an application for assistance from the European Union Solidarity Fund to the Commission within the period of time set by Article 4 of the aforesaid Regulation.

In consideration of the above, can the Commission say whether it is possible to obtain advance payment, by July, of 50% of the amount of the single premium under the common agricultural policy in favour of the damaged agricultural undertakings in Emilia-Romagna? Can it also advise whether an amendment to the RDP (Rural Development Plan) for the abovementioned areas is under consideration?

Question for written answer E-005878/12
to the Commission
Lorenzo Fontana (EFD)
(12 June 2012)

Subject: Advance Community aid to earthquake-hit farms and agri-food companies in the Polesine region

The seismic events which have affected northern Italy in recent weeks have struck not only the regions of Emilia-Romagna and Lombardy, but also the district of Rovigo, in the Veneto region, where they have caused immense damage to production structures in the agricultural and agri-foods sectors. The problems appear especially bad in the Polesine area, already prone to subsidence and flooding because it lies between the rivers Adige and Po. The main activity here is farming, linked to the food industry.

Italy's declaration of a state of emergency comes at a time of already serious economic crisis which the Italian Government is tackling. Clearly, therefore, a rapid repair of the structural damage to businesses represents a priority which will boost the area's recovery.

Considering:

— that the European Union Solidarity Fund, under Regulation (EC) No 2012/2002 of the Council, of 11 November 2002, has the set purpose of intervention in cases of necessity to deal with damage to the economic fabric of the regions of the Member States caused by serious natural disasters;

— that the Italian authorities are finalising their file for submission of their application for intervention by the European Union Solidarity Fund to the Commission by the deadline prescribed by Article 4 of the said Regulation;

— and that the Region of Veneto has undertaken to forward, as soon as possible, a list of the municipalities hit by the earth tremors, where production facilities have been damaged, so that they can receive support as quickly as possible;

can the Commission say whether:

1. it would be possible to obtain an advance payment, by July, of 50% of the amount of the single premium under the common agricultural policy, to assist the damaged farms in the Polesine area; and

2. whether a change to the RDP (Rural Development Plan) is being considered for the abovementioned areas?

Joint answer given by Mr Cioloş on behalf of the Commission
(24 July 2012)

The Commission is aware of the serious difficulties faced by farmers in the areas affected by the earthquake in northern Italy.

As regards the first question, the Italian authorities have asked the Commission to consider the possibility to authorise advanced direct payments as from 1 July 2012 in the areas affected by the earthquake. The Commission is currently examining this request, following the reception on 19 June 2012 of data regarding the financial amount needed and the areas affected, and taking into account budgetary and financial constraints and legal aspects.

As regards the second question, Regulation (EC) No 1698/2005 ([1]) on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) provides for the possibility to intervene following natural calamities through Measure 126 —"Restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention measures". The Italian regions recently affected by the earthquake have the possibility to introduce programme modification proposals requesting the activation of this measure or to update the content of the measure and the amounts allocated in accordance with current needs. With regard to Emilia Romagna, the Rural Development Programme (RDP) modification proposal is already under analysis by the Commission. The Veneto RDP does not include this measure. Lombardia, which was affected to a lesser extent by the earthquake, has chosen to intervene for the holdings affected through measure 121 —"Modernisation of agricultural holdings".

([1]) OJ L 277, 21.10.2005, p. 1-40.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005876/12
do Komisji
Jarosław Leszek Wałęsa (PPE)
(12 czerwca 2012 r.)

Przedmiot: Bieżący handel rybami utrzymywanymi w gospodarstwie rybackim między Turcją a UE

Biuro Jarosława Leszka Wałęsy otrzymało list od zaniepokojonych wyborców pracujących w sektorze akwakultury. Poruszany przez nich problem polega w tym, że bieżący handel rybami utrzymywanymi w gospodarstwie rybackim między Turcją a UE wydaje się niezrównoważony i niesprawiedliwy, co ma wpływ na przemysł rybny i akwakulturę w UE. Obecnie rząd Turcji dofinansowuje krajowy sektor akwakultury, tworząc tym samym nierówną konkurencję i wpływając negatywnie na konkurencyjność UE kosztem wzrostu gospodarczego i miejsc pracy w Unii. Turcja wspiera produkcję rybną poprzez bezpośrednie dofinansowanie za każdy kilogram wyhodowanych ryb. Co więcej, dofinansowanie wzrasta o 50 % w przypadku produktów organicznych.

Taki schemat dofinansowania umożliwia tureckim hodowcom ryb eksport ich produktów do UE kosztem produktów UE. Ponadto według danych Eurostatu, wolumen importu tanich pstrągów z Turcji wzrósł z 2 000 ton w 2003 r. do 20 000 ton w 2011 r. (wzrost o 900 %), podczas gdy produkcja UE (według danych FEAP) spadła o 4 %. Zgodnie z układem o stowarzyszeniu między UE a Turcją podpisanym w 1998 r. (decyzja nr 1/98 Rady Stowarzyszenia UE-Turcja z dnia 25 lutego 1998 r.), ograniczenia ilościowe dotyczące importu i eksportu produktów rolniczych oraz inne równoważne środki są zabronione między UE a Turcją.

W związku z powyższym nie istnieje żadna opłata od importu ryb utrzymywanych w gospodarstwie rybackim. Jednak art. 5 układu brzmi następująco: jeśli ilości lub ceny produktów importowanych przez drugą stronę, w stosunku do których zastosowano preferencyjne warunki, powodują zaburzenie funkcjonowania rynku Wspólnoty lub rynku tureckiego lub jeśli istnieje takie zagrożenie, należy możliwie najszybciej zorganizować konsultacje z Radą Stowarzyszenia. Nie powinno to wykluczać zastosowania w wyjątkowych przypadkach odpowiednich środków na zasadach wspólnotowych lub tureckich.

Turecki schemat finansowania narusza postanowienia układu, a UE musi podjąć odpowiednie i szybkie działania mające na celu ochronę swojej akwakultury przed taką nieuczciwą konkurencją.

Czy w związku z powyższym Komisja rozpocznie dochodzenie w tej sprawie, aby określić, czy faktycznie postanowienia układu z 1998 r. zostały naruszone?

Odpowiedź udzielona przez komisarza Karela De Guchta w imieniu Komisji
(16 października 2012 r.)

Komisja jest świadoma istnienia dotacji, udostępnianych przez rząd turecki dla sektora akwakultury, z których niektóre mogą obejmować programy zorientowane na wywóz. Zdaje sobie ona również sprawę z zaniepokojenia unijnego sektora akwakultury rosnącą liczbą produktów akwakultury wywożonych z Turcji do Unii Europejskiej.

W odniesieniu do subsydiów, które rząd turecki przyznaje dla swojego sektora akwakultury, Komisja rozważy wszczęcie dochodzenia antysubsydyjnego, w momencie gdy wejdzie w posiadanie, zazwyczaj w formie skargi, wystarczających dowodów na stosowanie subsydium dającego podstawę do zastosowania środków wyrównawczych, istnienie szkody i związku przyczynowego, zgodnie z przepisami rozporządzenia Rady (WE) nr 597/2009 z dnia 11 czerwca 2009 r. w sprawie ochrony przed przywozem towarów subsydiowanych z krajów niebędących członkami Wspólnoty Europejskiej ([1]).

W odniesieniu do przepisów art. 5 decyzji nr 1/98 Rady Stowarzyszenia WE-Turcja, do których odwołuje się Pan Poseł w swoim pytaniu, Komisja zbada sprawę i, jeżeli okaże się, że ilości lub ceny ryb utrzymywanych w gospodarstwach rybackich i przywożonych z Turcji powodują lub mogą spowodować zakłócenia na rynku Unii, wystąpi o jak najszybsze przeprowadzenie konsultacji w ramach Rady Stowarzyszenia UE-Turcja.

([1]) Dz.U. L 188 z 18.7.2009.

(English version)

Question for written answer E-005876/12
to the Commission
Jarosław Leszek Wałęsa (PPE)
(12 June 2012)

Subject: Current trade in farmed fish between Turkey and the EU

Mr Jarosław Leszek Wałęsa's office has recently received a letter from concerned constituents working in the aquaculture industry. The issue they have raised is that the current trade in farmed fish between Turkey and the EU appears to be unfairly balanced, thus having an impact on the industry in the EU. The current situation is that the Turkish Government subsidises the country's aquaculture industry, thus creating unfair competition and eroding the EU's competitiveness at the expense of jobs and growth in the Union. Turkey subsidises its aquaculture production on the basis of a direct per-kilogramme production subsidy for farmed fish. Furthermore, this subsidy is increased by 50% in the case of organic products.

This subsidy scheme enables Turkish fish farmers to export their products to the EU at the expense of EU production. In addition, according to data supplied by Eurostat, whole fish imports of low-priced trout from Turkey have risen from 2 000 tonnes in 2003 to 20 000 in 2011 (a 900% increase), whereas EU production (according to FEAP data) has decreased by 4%. Under the 1998 EU-Turkey association agreement (Decision No 1/98 of the EU-Turkey Association Council of 25 February 1998), quantitative restrictions on imports and exports of agricultural products and all equivalent measures are prohibited between the EU and Turkey.

Thus there is no tariff on imports of farmed fish products. However, Article 5 of the agreement states: 'Where either the quantities or the prices of imported products from the other party in respect of which a preferential regime has been granted causes or threatens to cause disturbance of the Community or Turkish markets, consultations shall be held as soon as possible within the Association Council. This shall not preclude the application, in an emergency, of measures provided for under Community or Turkish rules.'

The Turkish subsidy scheme violates this agreement, and the EU must take appropriate and swift action to protect and guard its aquaculture against such unfair competition.

Will the Commission, accordingly, launch an investigation into the matter, to determine whether in fact the 1998 association agreement is being violated?

Answer given by Mr De Gucht on behalf of the Commission
(16 October 2012)

The Commission is aware of the subsidies, some of which could include export oriented schemes, provided by the Turkish Government to the aquaculture industry, and of the Union's aqua farming industry concerns about the increasing volume of aquaculture products exported from Turkey into the European Union.

With respect to the subsidies that the Turkish Government grants to its aquaculture industry, the Commission will consider the initiation of an anti-subsidy investigation, when it has at its disposal, normally in a complaint, sufficient evidence of countervailable subsidisation, injury and a causal link, in line with the provisions of Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community ([1]).

With regard to the provisions of Article 5 of Decision 1/98 of the EC-Turkey Association Council, referred to by Honourable Member in his question, the Commission will look into the matter and should it appear that either the quantities or the prices of imported farmed fish from Turkey cause or threaten to cause disturbance to the Union's market, the Commission shall ask for consultations to be held as soon as possible within the EU-Turkey Association Council.

([1]) OJ L 188, 18.7.2009.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005877/12
do Komisji
Konrad Szymański (ECR)
(12 czerwca 2012 r.)

Przedmiot: Środki na remont i odbudowę miejsc kultu religijnego na terytoriach okupowanych południowej części Cypru

1. Jaka kwota z 2 milionów euro funduszy przeznaczonych przez Komisję Budżetową Parlamentu w 2011 r. na program pomocy w zakresie wsparcia działań Komitetu Technicznego ds. Dziedzictwa Kulturowego obejmującego obie społeczności, działającego po auspicjami ONZ, została do tej pory wydana w szczególności na remont i odbudowę miejsc kultu religijnego na terytoriach okupowanych południowej części Cypru?

2. Czy Komisja zwróci się do władz tureckich z zapytaniem, kiedy pozwolą one na przeprowadzenie prac remontowych i napraw?

3. Czy Komisja uzyska zapewnienia od władz tureckich, że pozwolą one duchownym i osobom świeckim należącym do Kościoła Cypru na swobodny wstęp na teren takich miejsc i uczestnictwo w nabożeństwach religijnych tam się odbywających?

4. Czy Komisja przypomni rządowi Turcji o jego obowiązkach, jako kandydata na członka Unii Europejskiej, w zakresie poszanowania podstawowego prawa do wolności religii?

Odpowiedź udzielona przez komisarza Štefana Füleg w imieniu Komisji
(18 lipca 2012 r.)

Z Programem Narodów Zjednoczonych ds. Rozwoju (UNDP) podpisano umowę w sprawie o wkładu finansowego. Dotyczy ona 2 mln EUR przydzielonych w 2011 r. na wsparcie działań Komitetu Technicznego ds. Dziedzictwa Kulturowego obejmującego obie społeczności, działającego pod egidą ONZ. W maju 2012 r. wypłacono zaliczkę. UNDP jest organizacją wdrażającą, która będzie zawierać umowy na prace remontowe zgodnie z ustalonym programem.

Komitet obejmujący obie społeczności już wskazał 11 priorytetowych zabytków sakralnych i niesakralnych, które mają zostać objęte wsparciem w obu społecznościach i stanowią część obszerniejszej listy 40 zabytków uzgodnionej przez obu przywódców. Przy dokonywaniu wyboru kierowano się stanem budynków oraz koniecznością podjęcia pilnych prac, by zapobiec ich dalszemu niszczeniu. Środki unijne zostaną przeznaczone na wsparcie projektów wybranych przez komitet obejmujący obie społeczności.

Komisja regularnie podnosi kwestię wolności religijnej w kontaktach z przedstawicielami społeczności Turków cypryjskich i w dalszym ciągu będzie poruszać ją w stosownych przypadkach, podkreślając niezwykle istotne znaczenie poszanowania wolności religii czy wyznania.

Kwestie poruszone przez Szanownego Pana Posła ponownie wskazują na potrzebę szybkiego znalezienia kompleksowego rozwiązania problemu cypryjskiego. Zadaniem przywódców obu społeczności na Cyprze jest znalezienie sprawiedliwego rozwiązania, które byłoby do przyjęcia dla obu stron i które doprowadziłoby do należytego i trwałego rozstrzygnięcia. Pozwoliłoby to wreszcie zakończyć jeden z najstarszych konfliktów w Europie.

(English version)

Question for written answer E-005877/12
to the Commission
Konrad Szymański (ECR)
(12 June 2012)

Subject: Funds for the maintenance and restoration of religious sites in the occupied territories of northern Cyprus

1. How much of the EUR 2 million of funds allocated by Parliament's Budgets Committee in 2011 to the aid programme for the support of activities of the bi-communal Technical Committee on Cultural Heritage operating under the auspices of the UN has so far been spent specifically on the maintenance and restoration of religious sites in the occupied territories of northern Cyprus?

2. Will the Commission ask the Turkish authorities to state when maintenance and repair work will be allowed to proceed?

3. Will the Commission obtain assurances from the Turkish authorities that they will allow clerics and lay people of the Church of Cyprus to enter these sites freely and participate in religious services on these sites?

4. Will the Commission remind the Government of Turkey of its obligations, as a candidate for EU membership, to respect the fundamental right of religious freedom?

Answer given by Mr Füle on behalf of the Commission
(18 July 2012)

A contribution Agreement with the United Nations Development Program (UNDP) has been signed regarding the EUR 2 million granted in 2011 to the support of activities of the bi-communal Technical Committee on Cultural Heritage operating under UN auspices. An advance was paid in May 2012. UNDP is the implementing organisation who will contract the rehabilitation work according to the agreed programme.

The bi-communal Committee has already identified a list of 11 priority religious and non-religious monuments for support in both communities, part of the wider list of 40 monuments agreed by both leaders. They have been prioritised based on their state of conservation and the need for urgent intervention to avoid further deterioration. EU funding will be devoted to support projects chosen by the bi-communal Committee.

The Commission regularly raises the issue of religious freedom with the Turkish Cypriot community and will continue to take up this issue as appropriate, stressing the paramount importance of respecting freedom of religion or belief

The issues raised by the Honourable Member once again underline the need for a rapid comprehensive settlement in Cyprus. It is for the leaders of the two communities in Cyprus to find a fair solution which is acceptable to both sides and which will lead to a just and sustainable settlement. A settlement would finally put an end to one of the oldest conflicts on European soil.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005879/12
aan de Commissie
Judith Sargentini (Verts/ALE)
(12 juni 2012)

Betreft: European Telecommunications Network Operators Association

1. Is de Commissie bekend met het bericht ([1]) dat Europese telecombedrijven een voorstel hebben ingediend bij de Internationale Telecommunicatie-Unie om online dienstverleners mee te laten betalen aan de kosten voor internetverkeer?

2. Deelt de Commissie mijn zorg dat het voorstel van de European Telecommunications Network Operators Association (ETNO) een forse aantasting is van de netneutraliteit, omdat de doorgifte van een website of internetdienst afhankelijk wordt van de vraag of deze bereid is te betalen voor het gegenereerde internetverkeer? Krijgen telecombedrijven zo geen vrijbrief om bepaalde websites en diensten te blokkeren?

3. Deelt zij mijn zorg dat dit voorstel ertoe kan leiden dat internetdienstverleners ervoor zullen kiezen om mensen uit arme landen, of zelfs arme mensen in rijke landen, niet langer toegang te geven tot hun diensten, omdat de baten niet opwegen tegen de kosten?

4. Deelt zij mijn zorg dat dit voorstel kan leiden tot vermindering van de concurrentie en innovatie onder internetbedrijven, bijvoorbeeld doordat nieuwkomers niet in staat zijn de extra kosten op te brengen?

5. Deelt zij mijn zorg dat eerlijke concurrentie en innovatie evenzeer bedreigd worden door het voorstel van ETNO voor „gedifferentieerde kwaliteit van dienstverlening", omdat dit gevestigde internetdienstverleners in staat stelt voorrang te kopen voor hun diensten?

6. Is de Commissie bereid om in het openbaar krachtig afstand te nemen van het voorstel van ETNO, om te voorkomen dat dit voorstel als „het Europese standpunt" wordt gezien in de aanloop naar de herziening van de regels van de ITU tijdens de World Conference on International Telecommunications in december?

7. Is de Commissie het met mij eens dat dit voorstel aantoont dat het bieden van meer transparantie omtrent het blokkeren of afknijpen van diensten onvoldoende garantie geeft dat het internet in de toekomst open zal blijven voor iedereen, en dat wettelijke waarborgen voor netneutraliteit in de hele Europese Unie dringend nodig zijn?

Antwoord van mevrouw Kroes namens de Commissie
(24 juli 2012)

De Commissie is bekend met het voorstel dat de European Telecommunications Network Operators' Association (ETNO) bij de Internationale Telecommunicatie-unie heeft ingediend. De Commissie heeft kennisgenomen van dit voorstel en zij zal in contact blijven met vertegenwoordigers van alle sectoren, inclusief de ETNO. De Commissie zal een gemeenschappelijk EU-standpunt voor de Wereldconferentie over internationale telecommunicatie (WCIT) voorstellen met betrekking tot die aangelegenheden waarvoor de EU bevoegd is.

De Commissie heeft keer op keer benadrukt dat zij zich voor het open internet blijft inzetten en dat dit het beste kan worden bereikt met transparantie, concurrentie en keuzevrijheid voor de consument. De Commissie vindt dat aanbieders nieuwe bedrijfsmodellen vrij moeten kunnen ontwikkelen, maar dat tegelijkertijd een open internet van hoge kwaliteit gegarandeerd moet worden. In dit verband zijn voldoende transparantie en gemakkelijke overstapregelingen noodzakelijke waarborgen voor daadwerkelijke concurrentie en innovatie. De Commissie streeft er in haar Digitale Agenda voor Europa verder naar dat iedere Europese burger toegang tot breedbandinternet heeft.

De Commissie brengt ook graag in herinnering dat er reeds waarborgen voor netneutraliteit bestaan in het herziene pakket „elektronische communicatie" dat in 2009 door het Europees Parlement en de Raad is vastgesteld. Deze bepalingen moesten tegen mei 2011 in nationaal recht zijn omgezet en de Commissie zal nauwlettend op de toepassing ervan toezien voordat zij over verdere wetgevende actie beslist.

Op dit moment, en in het licht van de bevindingen van het Berec inzake het beheer van verkeersstromen, acht de Commissie richtsnoeren voor transparantie, elementen van het verkeersstroombeheer, overstapregelingen en verantwoordelijk gebruik van instrumenten voor het verkeersstroombeheer noodzakelijk om de concurrentie te intensiveren en de consumenten de keuze te geven die zij verdienen.

([1]) http://news.cnet.com/8301-1009_3-57449375-83/u.n-could-tax-u.s.-based-web-sites-leaked-docs-show.

(English version)

Question for written answer E-005879/12
to the Commission
Judith Sargentini (Verts/ALE)
(12 June 2012)

Subject: European Telecommunications Network Operators' Association

1. Is the Commission aware of the report ([1]) that European telecommunications companies have submitted a proposal to the International Telecommunication Union to charge online service providers part of the cost of Internet traffic?

2. Does the Commission share my concern that the proposal by the European Telecommunications Network Operators' Association (ETNO) constitutes a serious attack on net neutrality, as it makes the delivery of a website or Internet service dependent on the willingness of the provider to pay for the Internet traffic generated? Does this not give telecommunications companies a licence to block certain websites and services?

3. Does it share my concern that, as a result of this proposal, Internet service providers may choose to stop giving people from poor countries, or even poor people in rich countries, access to their services, because the costs outweigh the benefits?

4. Does it share my concern that this proposal may lead to a reduction in competition and innovation amongst Internet companies because, for example, newcomers are not in a position to cover the additional costs?

5. Does it share my concern that fair competition and innovation are also threatened by ETNO's proposal for 'differentiated service quality', as this will enable established Internet service providers to buy priority for their services?

6. Is the Commission prepared to distance itself publicly and emphatically from ETNO's proposal, in order to prevent it from being seen as 'the European position' in the run-up to the revision of the ITU rules during the World Conference on International Telecommunications in December?

7. Does the Commission agree with me that this proposal demonstrates that the offer of greater transparency about the blocking or curtailing of services does not adequately guarantee that the Internet will remain open to all in the future, and that legal safeguards of net neutrality across the European Union are urgently needed?

Answer given by Ms Kroes on behalf of the Commission
(24 July 2012)

The Commission is aware of the proposal of the European Telecommunications Network Operators' Association (ETNO) submitted to the International Telecommunication Union (ITU). The Commission took note of this proposal and will stay in contact with all sector representatives, including ETNO. The Commission will be proposing a common EU position for the World Conference on International Telecommunications (WCIT) on those issues of EU competence.

The Commission has emphasised many times that it remains committed to the open Internet and this is best achieved through transparency, competition and consumer choice. The Commission believes that while operators should be free to develop new business models, a high-quality open Internet should be ensured at the same time. In this regard, sufficient transparency and ease of switching are necessary safeguards for effective competition and innovation. The Commission further committed in its Digital Agenda for Europe to the goal that every European citizen has access to broadband Internet.

— The Commission would also remind that there are already safeguards on net neutrality in the revised electronic communications package, adopted by the European Parliament and Council in 2009. These provisions had to be transposed into national laws by May 2011 and the Commission will carefully monitor their application before deciding on further legislative action.

— At this stage and in the light of BEREC's findings on traffic management issues, the Commission sees the need for guidance on transparency, elements of traffic management, switching and the responsible use of traffic management tools to increase competition and provide consumers with the choice they deserve.

([1]) http://news.cnet.com/8301-1009_3-57449375-83/u.n-could-tax-u.s.-based-websites-leaked-docs-show.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005880/12
alla Commissione
Lorenzo Fontana (EFD)
(13 giugno 2012)

Oggetto: Applicabilità dell'articolo 107(2)(b) del TFUE alle aree colpite dal sisma nella regione Emilia-Romagna

L'articolo 107 del trattato sul funzionamento dell'Unione europea sancisce al comma 2, punto (b) la compatibilità degli «aiuti destinati ad ovviare ai danni arrecati dalle calamità naturali oppure da altri eventi eccezionali» con il mercato interno.

Nel caso in cui il governo italiano ritenesse di istituire una «no tax area» defiscalizzata per i comuni colpiti dal recente sisma, che ha gravemente danneggiato la regione dell'Emilia-Romagna, considerata la normativa vigente, ritiene la Commissione che l'articolo di cui sopra potrebbe essere lecitamente applicato al caso specifico portato in esame?

Risposta di Joaquín Almunia a nome della Commissione
(11 luglio 2012)

L'interrogazione dell'onorevole parlamentare fa riferimento a una misura che prevede la concessione di aiuti al funzionamento sotto forma di sgravi/riduzioni per le imprese nelle aree colpite dal recente terremoto in Emilia-Romagna.

La Commissione ricorda che, a norma dell'articolo 107, paragrafo 2, lettera b), del TFUE possono essere concessi aiuti solo per i danni arrecati dalle calamità naturali oppure da altri eventi eccezionali. In base a tale disposizione, occorre dimostrare che i danni per i quali i beneficiari ricevono una forma di aiuto sono la diretta conseguenza della catastrofe naturale, e comunque tale aiuto non può superare il 100 % del danno subito (misurato a livello delle singole imprese beneficiarie). Gli aiuti non devono comportare quindi una sovracompensazione ma sono destinati a coprire i danni provocati dalla calamità naturale. Se l'aiuto corrispondente all'esenzione fiscale è inferiore ai 200 000 euro per impresa nell'arco di tre anni il provvedimento può rientrare nella categoria degli aiuti «de minimis» e non richiede alcuna autorizzazione della Commissione ([1]).

([1]) Regolamento (CE) n. 1998/2006 della Commissione, del 15 dicembre 2006, relativo all'applicazione degli articoli 87 e 88 del trattato agli aiuti d'importanza minore («de minimis»), GU L 379 del 28.12.2006, pag. 5.

(English version)

Question for written answer P-005880/12
to the Commission
Lorenzo Fontana (EFD)
(13 June 2012)

Subject: Applicability of Article 107(2)(b) TFEU to the areas hit by the earthquake in the Emilia-Romagna region

Article 107(2)(b) of the Treaty on the Functioning of the European Union provides that 'aid to make good the damage caused by natural disasters or exceptional occurrences' shall be compatible with the internal market.

If the Italian Government decides to set up a no-tax area for the municipalities hit by the recent earthquake, which has seriously damaged the region of Emilia-Romagna, and considering the rules in force, does the Commission think that the above Article can be lawfully applied to the specific case referred for examination?

Answer given by Mr Almunia on behalf of the Commission
(11 July 2012)

The Honourable Member's question refers to a measure entailing the granting of operating aid in the form of tax exemptions/rebates for companies in the areas hit by the recent earthquake in the Emilia-Romagna region.

The Commission recalls that under Article 107(2)(b) TFEU only damage caused by the natural disaster or exceptional occurrence can be compensated. Under this provision, the damage for which the beneficiaries receive compensation must be a proven direct consequence of the natural disaster, and the compensation may not exceed 100% of the damage suffered (measured at the level of each beneficiary undertaking). Aid must not result in overcompensation of damage; it should only make good the damage caused by the natural disaster. If the aid equivalent of the tax exemption is below EUR 200 000 per company over any three year period the measure can fall into the category of '*de minimis*' aid and does not require any authorisation by the Commission ([1]).

([1]) Commission Regulation (EC) No 1998/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to *de minimis* aid, OJ L 379, 28.12.2006, p. 5.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005881/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de junio de 2012)

Asunto: Revisión de las redes transeuropeas de transportes (RTE-T)

En el Estado español las tasas portuarias están reguladas por la Ley 33/2010, de 5 de agosto. Según parece, esas tasas son bastante más elevadas que en otros países de la costa mediterránea y, como consecuencia, «hacer zarpar un barco [de mercancías desde el Estado español] cuesta el doble respecto a un puerto italiano, considerando tasas y costes ligados al entero clúster logístico», tal como afirma el Consejero delegado de *Grimaldi Lines* ([1]).

A la vista de lo anterior:

1. ¿No cree la Comisión que esas elevadas tasas portuarias disminuyen la competitividad de los puertos españoles respecto a otros puertos de países europeos de la costa mediterránea?

2. ¿Está informada la Comisión de esta diferencia de tasas portuarias entre países europeos? En caso afirmativo, ¿podría ilustrarlas?

3. ¿No cree la Comisión que esa disminución de competitividad de los puertos españoles resta competitividad a las RTE-T, concretamente, al corredor mediterráneo?

4. ¿No cree la Comisión que en la revisión de las RTE-T y para garantizar la eficiencia y competitividad de los corredores ferroviarios prioritarios, también se debería tener en cuenta y limitar las tasas portuarias de los puertos conectados a esos corredores prioritarios?

Respuesta del Sr. Kallas en nombre de la Comisión
(31 de julio de 2012)

1. La Comisión no ha estudiado las posibles repercusiones de la Ley 33/2010, de 5 de agosto, sobre la competitividad de los puertos españoles frente a los puertos de otros Estados miembros y no puede adoptar una postura al respecto.

2. La Comisión está al corriente de las grandes diferencias de planteamiento y cuantía de las tasas y tarifas portuarias de los puertos de la UE. En 2006 se llevó a cabo un estudio detallado sobre la financiación pública y las prácticas de tarificación de los puertos marítimos de la UE. El estudio se puede consultar en la página web de la Dirección General de Movilidad y Transportes: http://ec.europa.eu/transport/maritime/studies/maritime_en.htm.

3. La Comisión cree que la realización correcta de las redes básicas y globales previstas en las nuevas orientaciones para la RTE-T ([2]) requiere unas condiciones de competencia equitativas para los puertos en todos las costas de la UE. La Comisión no puede pronunciarse sobre la incidencia de la fiscalidad en la competitividad de los puertos españoles, pero observa que hay otros factores distintos de la tributación que pueden afectar a la competitividad.

4. La propuesta de Reglamento sobre las nuevas orientaciones para la RTE-T no contempla la posible armonización de los impuestos portuarios, ya que la fiscalidad suele ser una competencia nacional, siempre que se cumpla el Derecho primario de la UE. No obstante, en el marco de la revisión de la política de la UE en materia de puertos, la Comisión podría estudiar medidas relacionadas con las prácticas tarifarias de los puertos pertenecientes a las redes de la RTE-T.

([1]) http://www.lavanguardia.com/economia/20120604/54303251939/grimaldi-lines-carga-rodada-cuesta-el-doble.html
([2]) Propuesta de Reglamento del Parlamento Europeo y del Consejo sobre las orientaciones de la Unión para el desarrollo de la Red Transeuropea de Transporte, COM(2011) 650 de 2.19.2011.

(English version)

Question for written answer E-005881/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 June 2012)

Subject: Review of Trans-European Transport Networks (TEN-T)

Port taxes in Spain are governed by Law No 33/2010 of 5 August. Apparently, these rates are considerably higher than in other countries on the Mediterranean coast, and consequently, 'sailing a [goods] vessel [from Spain] costs double than from an Italian port, taking into account the taxes and costs associated with the whole logistical cluster', according to the Managing Director of Grimaldi Lines ([1]).

In view of the above:

1. Does the Commission not believe that such high port taxes reduce the competitiveness of Spanish ports in relation to ports in other European countries on the Mediterranean coast?

2. Is the Commission aware of this difference in port taxes between European countries? If so, could it provide illustrative data?

3. Does the Commission not believe that this reduction in the competitiveness of Spanish ports also reduces the competitiveness of the TEN-T, and specifically that of the Mediterranean corridor?

4. Does the Commission not believe that in order to ensure the efficiency and competitiveness of the priority rail freight corridors, the revision of the TEN-T should take into account, and lower, taxes in ports connected to these priority corridors?

Answer given by Mr Kallas on behalf of the Commission
(31 July 2012)

1. The Commission has not examined the possible impacts of Spanish Law No 33/2010 of 5 August 2010 on the competitiveness of Spanish ports in relation to ports in other Member States and cannot take a position on that issue.

2. The Commission is aware of the significant differences in the approaches to, and the levels of, port taxes and charges in EU ports. A detailed study on public funding and charging practices in seaports in the EU was conducted in 2006. The study is available on the website of the Commission's Directorate General for mobility and transport: http://ec.europa.eu/transport/maritime/studies/maritime_en.htm

3. The Commission is of the view that the smooth implementation of the core and comprehensive networks foreseen in the new TEN-T guidelines ([2]) requires a fair level playing field for ports in all EU maritime façades. The Commission cannot comment on the effect of taxation on the competitiveness of Spanish ports but can only note that there are a number of other factors besides taxation which could affect competitiveness.

4. The proposal for the regulation on new TEN-T guidelines does not cover issues related to possible harmonisation of taxes in ports as these taxes are, provided EU primary law is respected, generally a matter of national competence. Nevertheless, in the context of the EU ports' policy review exercice, the Commission could consider measures related to port' charges practices in ports which belong to the TEN-T networks.

([1]) http://www.lavanguardia.com/economia/20120604/54303251939/grimaldi-lines-carga-rodada-cuesta-el-doble.html
([2]) Proposal for a regulation of the European Parliament and of the Council on Union Guidelines for the development of the trans-European transport network, COM(2011) 650/2 of 19 October 2011.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005882/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de junio de 2012)

Asunto: Europa pierde fauna submarina valiosa

Con motivo del Día Mundial de los Océanos que se celebra este viernes 15 de junio, la organización de conservación marina Oceana ([1]) advierte de que ante la pasividad de los legisladores, miles de hectáreas de bosques marinos desaparecen cada año, especialmente en el sur de Europa. Concretamente denuncia que Europa está perdiendo bosques submarinos, que son los ecosistemas marinos más productivos, ocho veces más rentables que los bosques tropicales ([2]).

Algas, de más de 4 metros de alto como los quelpos, mantos boscosos compuestos por una decena de especies de *Cystoseira* (algas pardas en forma de pequeños abetos), prados marinos con mas de un millar de especies viviendo entre ellas, fondos de algas rojas fijadoras de carbono y productoras de calcio, horizontes de algas que protegen a la costa frente al embate del mar, o laberintos de algas rojas, pardas y verdes formadoras de hábitats y refugio de otras especies marinas.

Algunas de las causas que han llevado a la mayoría de los ecosistemas vegetales marinos a un «drástico» declive en las últimas décadas son el cambio climático, la contaminación, el fondeo de embarcaciones, el uso de técnicas destructivas de pesca, la sobreexplotación de los recursos marinos, las especies invasoras o la construcción costera.

1. ¿Tiene conocimiento la Comisión de estos hechos?

2. ¿Qué medidas está tomando o tomará la Comisión para evitar esta pérdida?

Respuesta del Sr. Potočnik en nombre de la Comisión
(20 de julio de 2012)

La Comisión es consciente del frágil equilibrio de los ecosistemas del mar, incluidos los bosques marinos, y persigue proteger este medio en toda Europa mediante de la Directiva 2008/56/CE ([3]), por la que se establece un marco de acción comunitaria para la política del medio marino.

La Directiva consagra en la normativa el planteamiento ecosistémico en relación con la gestión de las actividades humanas con efectos en el medio marino, integrando las ideas de protección del medio ambiente y uso sostenible. Incluye asimismo el objetivo normativo expreso de mantener la biodiversidad para 2020 como la piedra angular para lograr el objetivo de la Directiva, o sea, un buen estado ecológico de los mares europeos para 2020. Mediante la aplicación de la Directiva, todas las presiones y repercusiones acumuladas en los ecosistemas marinos, incluidos los bosques marinos, se evaluarán, supervisarán y tratarán a través de las estrategias marinas de cada uno de los Estados miembros, en cooperación con sus vecinos en la regiones marítimas pertinentes.

La integración de los requisitos de la legislación de la Unión en materia de medio ambiente y la aplicación de un planteamiento ecosistémico para limitar las repercusiones de las actividades pesqueras en el ecosistema marino forman parte de la propuesta de reforma de la Política Pesquera Común de la Comisión. En los casos en que los Estados miembros consideren que se requieren medidas que afectan a buques de otros Estados miembros son necesarias para conseguir un buen estado ecológico, la propuesta prevé que, tras una solicitud motivada a la Comisión, esta pueda promulgar disposiciones de la Unión en forma de actos delegados.

([1]) http://oceana.org/es/eu/portada.
([2]) http://www.lavanguardia.com/medio-ambiente/20120607/54306996538/europa-pierde-bosques-submarinos-mas-productivos.html
([3]) DO L 164 de 25.6.2008.

(English version)

Question for written answer E-005882/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 June 2012)

Subject: Europe losing valuable underwater fauna

To mark World Oceans Day on Friday, 15 June 2012, the marine conservation organisation Oceana ([1]) has warned that due to the passivity of legislators, thousands of hectares of marine forests are disappearing each year, particularly in southern Europe. It complains specifically that Europe is losing underwater forests, which are the most productive marine ecosystems, eight times more profitable than tropical forests ([2]).

These include algae over four metres tall, such as kelps, woody vegetation comprised of some ten species of *Cystoseira* (brown algae shaped like small fir trees), marine meadows with over a thousand species living among them, sea beds of red carbon-fixing and calcium-producing algae, banks of seaweed protecting the coastline from the battering of the sea, or labyrinths of red, brown and green algae providing habitats and refuge for other marine species.

Some of the causes which have led most marine plant ecosystems into 'drastic' decline in recent decades are climate change, pollution, anchoring boats, the use of destructive fishing techniques, marine resource overexploitation, invasive species and coastal construction.

1. Is the Commission aware of these facts?

2. What steps is the Commission taking, or will it take, to avoid this loss?

Answer given by Mr Potočnik on behalf of the Commission
(20 July 2012)

The Commission is aware of the fragile balance of marine ecosystems, including marine forests, and aims to protect this environment across Europe through Directive 2008/56/EC ([3]) establishing a framework for community action in the field of marine environmental policy.

The directive enshrines in a legislative framework the ecosystem approach to the management of human activities having an impact on the marine environment, integrating the concepts of environmental protection and sustainable use. It contains the explicit regulatory objective that 'biodiversity is maintained by 2020', as the cornerstone for achieving the objective of the directive: good environmental status of European seas, by 2020. Through the directive's implementation, all cumulative pressures and impacts on marine ecosystems, including marine forests, will be assessed, monitored and addressed via Marine Strategies in each Member State, in cooperation with its neighbours in the relevant sea regions.

Integration of the Union environmental legislation requirements and implementation of the ecosystem-based approach to limit impacts of fishing activities on the marine ecosystem has been included in the Commission proposal for a reform of the common fisheries policy. In cases Member States consider that fisheries measures affecting vessels of other Member States are needed to achieve the good environmental status, the proposal envisages that upon a substantiated request to the Commission, it can draw up Union measures under delegated acts.

([1]) http://oceana.org/es/eu/portada.
([2]) http://www.lavanguardia.com/medio-ambiente/20120607/54306996538/europa-pierde-bosques-submarinos-mas-productivos.html
([3]) OJ L 164, 25.6.2008.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005883/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de junio de 2012)

Asunto: Generación de déficit

En la respuesta a la pregunta parlamentaria E-002840/2012 ([1]), la Comisión dice estar al corriente de los datos. ¿Puede especificar la Comisión a qué datos se está refiriendo?

Respuesta del Sr. Rehn en nombre de la Comisión
(23 de julio de 2012)

En su pregunta parlamentaria E-002840/2012 ([2]), Su Señoría se refiere a los datos sobre la hacienda pública española, incluyendo información sobre los resultados de déficit de las administraciones públicas en 2011 y su desglose por los distintos niveles de gobierno. En su respuesta, la Comisión pretendía confirmar que está plenamente informada de la evolución de la hacienda pública española y conoce, pues, los datos mencionados por Su Señoría.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2012-002840&language=EN
([2]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-005883/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 June 2012)

Subject: Deficit generation

In its response to parliamentary Question E-002840/2012 ([1]), the Commission states that it is aware of the data. Can the Commission specify to which data it is referring?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

In his parliamentary Question E-002840/2012 ([2]), the Honourable Member referred to public finances data on Spain, including information on the 2011 general government deficit outcome and details on the distribution across levels of government. In its reply, the Commission aimed at confirming that it is fully informed on the public finance developments in Spain, including data mentioned by the Honourable Member.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2012-002840&language=EN
([2]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Versión española)

Pregunta con solicitud de respuesta escrita E-005884/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de junio de 2012)

Asunto: Semestre europeo

Según la *Cambra de Comerç* de Barcelona ([1]), el Gobierno del Reino de España debe a la *Generalitat de Catalunya*, sólo en el capítulo de infraestructuras, más de 2 600 millones de euros que por ley española deberían haberse pagado.

El Gobierno catalán, al tener el compromiso por parte del Gobierno español y, a la sazón, reconocido por ley, presupuestó dicho dinero en los presupuestos del *Govern de Catalunya* en el año 2011. No obstante, como dicho dinero no ha sido pagado, la Generalitat se vio obligada a incurrir en más déficit público de lo previsto y, por lo tanto, en más deuda pública.

A la luz de lo anterior y del semestre europeo,

1. ¿Puede la Comisión explicar si dicha deuda de 2 600 millones de euros del Gobierno español con Cataluña se tiene que computar, por parte de las autoridades europeas, como deuda del Gobierno español o como deuda del Gobierno de Cataluña?

2. Visto que en España el Gobierno central recauda y gestiona todos los grandes impuestos, y que financia las regiones con transferencias que puede recortar a su discreción, ¿ puede la Comisión especificar que una deuda de una administración pública a otra, en este caso, de la española a la catalana, puede incrementar el déficit y la deuda de manera artificial?

Respuesta del Sr. Rehn en nombre de la Comisión
(21 de agosto de 2012)

En el marco del Pacto de Estabilidad y Crecimiento, la Comisión controla la evolución presupuestaria a nivel de las administraciones públicas, que incluyen el gobierno central, las autoridades regionales y locales y el régimen de seguridad social. La deuda es consolidada, por lo que se eliminan los fondos y flujos intrasectoriales. La gestión de los flujos financieros entre los distintos niveles de las administraciones públicas, inclusive entre las regiones españolas y el Gobierno central incumbe únicamente a las autoridades nacionales.

([1]) http://premsa.cambrabcn.org/sites/default/files/20120611_NP_inversió%20DA3.pdf

(English version)

Question for written answer E-005884/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 June 2012)

Subject: European semester

According to the Barcelona Chamber of Commerce ([1]), the Spanish Government owes the Catalan Government over EUR 2.6 billion under the heading of infrastructure alone, which should have been paid under Spanish law.

The Catalan Government, acting on the Spanish Government's legally recognised financial commitment allocated this amount in its 2011 budget for Catalonia. However, as the money has not been disbursed, the *Generalitat* was forced to incur a bigger public deficit than planned and, consequently, more public debt.

In view of the above and in light of the European semester,

1. Can the Commission say whether the European authorities should consider the EUR 2.6 billion owed by the Spanish Government to Catalonia as Spanish Government debt or as Catalan Government debt?

2. In view of the fact that in Spain the central government collects and administers all major taxes and finances the autonomous regions by means of transfers, which it may reduce at its discretion, can the Commission specify whether money owed by one public administration to another — in this case the debt owed by the Spanish Government to the Catalan Government — can artificially increase the latter's deficit and debt?

Answer given by Mr Rehn on behalf of the Commission
(21 August 2012)

Within the framework of the Stability and Growth Pact, the Commission monitors budgetary developments at general government level. This includes the central government, regional and local authorities as well as the social security system. The debt is consolidated, thus intra-sector stocks and flows are eliminated. The management of financial flows between the different levels of general government, including those between Spanish regions and the central government, concerns solely the national authorities.

([1]) http://premsa.cambrabcn.org/sites/default/files/20120611_NP_inversió%20DA3.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005885/12
an die Kommission
Franz Obermayr (NI)
(13. Juni 2012)

Betrifft: Verbraucherschutz betreffend die Lebensdauer von Produkten — ORF SAT-Karten

Um in Österreich die TV-Programme des ORF (Österreichischer Rundfunk) per Satellit empfangen zu können, bedarf es einer sogenannten Digital-SAT-Karte. Wie durch Bürgeranfragen bekannt wurde, versendet der ORF nach einer gewissen Zeit eine schriftliche Aufforderung, eine neue Karte zu kaufen. Unabhängig von der tatsächlichen Funktionsfähigkeit der Karte weist der ORF in dem Schreiben auf eine „technische Lebensdauer" der Digital-SAT-Karte hin und erklärt, aus diesem Grund die Karte abzuschalten. Dadurch wird der Verbraucher, der beim Kauf der Karte nicht oder nicht ausreichend über eine Lebensdauer des Produktes informiert wurde, dazu gezwungen, eine neue Karte zu kaufen.

Daraus ergeben sich folgende Fragen:

1. Sieht die Kommission darin einen Verstoß gegen EU-Verbraucherschutzrechtsnormen? Wenn ja, wogegen wird konkret verstoßen?

2. Steht diese Praxis im Widerspruch zur Verbrauchsgüterkaufrichtlinie?

3. Kann der Verbraucher grundsätzlich davon ausgehen, dass ein klassischer Gebrauchsgegenstand wie eine Digital-SAT-Karte keine spezielle technische Lebensdauer besitzt?

Antwort von Frau Reding im Namen der Kommission
(19. Juli 2012)

Wenn Verbraucher nicht in geeigneter Weise (d. h. umfassend und wahrheitsgemäß) über die technische Lebensdauer digitaler SAT-Karten und die damit verbundenen Kosten informiert werden, kann dies eine rechtswidrige Praxis im Sinne der Richtlinie 2005/29/EG des Europäischen Parlaments und des Rates über unlautere Geschäftspraktiken im binnenmarktinternen Geschäftsverkehr zwischen Unternehmen und Verbrauchern ([1]) (nachstehend „Richtlinie") darstellen.

Die Richtlinie wurde am 11. Mai 2005 erlassen und von allen Mitgliedstaaten umgesetzt. Sie schreibt vor, dass Gewerbetreibende gemäß den Erfordernissen der beruflichen Sorgfalt handeln müssen und gegenüber dem Verbraucher keine falschen, unwahren oder unvollständigen Angaben zu verschiedenen Aspekten machen dürfen, darunter auch — aber nicht nur — die wichtigsten Merkmale der Ware (oder Dienstleistung), die Spezifikationen und der Preis.

Verbraucher, die sich von derartigen Praktiken betroffen fühlen, sollten die nationalen Behörden in dieser Frage hinzuziehen, da diese einschließlich der zuständigen Regulierungsbehörden für elektronische Kommunikation ([2]) hauptverantwortlich für die Untersuchung der Geschäftspraktiken bestimmter Unternehmen im Lichte der EU-Verbraucherrechtsvorschriften sind.

Gleichwohl kann es sein, dass die Richtlinie 1999/44/EG des Europäischen Parlaments und des Rates vom 25. Mai 1999 zu bestimmten Aspekten des Verbrauchsgüterkaufs und der Garantien für Verbrauchsgüter ([3]) nicht auf den vom Herrn Abgeordneten angesprochenen Fall anwendbar ist, da die Bereitstellung von digitalen SAT-Karten Bestandteil einer Dienstleistung zu sein scheint und deshalb möglicherweise kein „Verbrauchsgut" im Sinne von Artikel 1 Absatz 2 Buchstabe b dieser Richtlinie darstellt.

([1]) ABl. L 149 vom 11.6.2005.
([2]) Österreichische Rundfunk und Telekom Regulierungs-GmbH (RTR-GmbH) Mariahilferstrasse 77-79, A-1060 Wien, Österreich.
([3]) ABl. L 171 vom 7 Juli 1999, S. 12.

(English version)

Question for written answer E-005885/12
to the Commission
Franz Obermayr (NI)
(13 June 2012)

Subject: Consumer protection relating to product service life: ORF SAT cards

Receiving TV programmes broadcast by ORF (the Austrian Broadcasting Corporation) by satellite in Austria requires a digital SAT card. Enquiries from the general public indicate that, after a certain time, ORF sends a written notice asking customers to purchase a new card. Irrespective of whether the card is still actually capable of functioning, ORF refers in the letter to the 'technical service life' of the digital SAT card and explains that the card will be deactivated for this reason. As a result the consumer, who was not, or not adequately, informed of the product's service life when buying the card, is obliged to buy a new card.

This gives rise to the following questions:

1. Does the Commission see here an infringement of EU consumer protection standards? If so, what, specifically, is being infringed?

2. Is this practice in contravention of the Consumer Sales Directive?

3. Can the consumer assume as a general principle that a traditional consumer durable such as a digital SAT card does not have a specific technical service life?

Answer given by Mrs Reding on behalf of the Commission
(19 July 2012)

Failure to provide consumers with appropriate (i.e. complete and truthful) information relating to the specific technical service life of digital SAT cards and the associated costs may constitute an illegal practice under Directive 2005/29/EC ([1]) on Unfair Commercial Practices (the 'Directive').

The directive (which was adopted on 11 May 2005 and has been transposed by all Member States) requires that traders operate according to the requirements of professional diligence and that they do not provide consumers with false, untruthful or incomplete information on a wide range of elements including but not limited to the main characteristics of the product (or service), its specifications and the price.

Consumers who feel affected by such practices should involve national authorities on this matter, who are primarily responsible for investigating the conduct of particular companies in the light of EU consumer legislation, including the regulatory authorities responsible for e-communications ([2]).

Directive 1999/44/EC ([3]) on certain aspects of consumer sales and associated guarantees may not be applicable to the case raised by the Honourable Member given that the provision of digital SAT cards appears to be part of a provision of a service and, as such, it may not qualify as 'consumer good' as required by Article 1 (2) (b) of this directive.

([1]) OJ L 149, 11.6.2005.
([2]) Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR GmbH) Mariahilferstrasse 77-79, A-1060 Vienna, Austria.
([3]) Directive 1999/44/EC of the Parliament and of the Council of 25 May 1999 on certain aspects of consumer sales and associated guarantees, OJ L 171, 7 July 1999.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005886/12
an die Kommission
Martin Häusling (Verts/ALE)
(13. Juni 2012)

Betrifft: Umsetzung des Milchpakets in den Mitgliedstaaten

Deutschland hat mit dem Marktstrukturgesetz seit 1969 sehr detaillierte Regelungen zur Bildung von Erzeugergemeinschaften. Einige der Regelungen gehen über die im Milchpaket beschlossenen hinaus. So dürfen Erzeuger nach diesem Gesetz Mitglied in mehreren Erzeugergemeinschaften sein. Sie dürfen Mitglied einer Genossenschaft sein und sich trotzdem in Erzeugergemeinschaften bündeln. Nun wünschen viele Betroffene in Deutschland Klarheit, ob die deutschen Regelungen trotz der Beschlüsse des Milchpakets weiter gelten. Vermeidliche Anpassungen würden für die Milcherzeuger Nachteile bringen. In jedem Fall würde ihre Marktmacht gegenüber der Verarbeiterseite im Vergleich zur aktuellen rechtlichen Regelung geschwächt. Die zurzeit größte deutsche Milcherzeugergemeinschaft, Milch Board, würde bei einem Ausschluss der mehrfachen Mitgliedschaft zerschlagen. Dies kann nicht im Sinn des Milchpakets sein, welches mit dem Ziel der Erzeugerstärkung verabschiedet wurde und für die übrigen EU-Mitgliedstaaten, die hier noch keine Regelungen haben, Bündelungsmöglichkeiten zur Stärkung der Position der Erzeuger zu schafft. Im Übrigen hält das Milchpaket fest:

Erwägung 14: „… sollte für bestehende, auf der Grundlage des nationalen Rechts anerkannte Erzeugerorganisationen die Möglichkeit einer tatsächlichen Anerkennung gemäß dieser Verordnung vorgesehen werden", und

Artikel 126a Absatz 3: „Mitgliedstaaten können beschließen, dass Erzeugerorganisationen, die vor dem 2. April 2012 auf der Grundlage nationaler Rechtsvorschriften anerkannt worden sind und die Bedingungen nach Absatz 1 erfüllen, als nach Artikel 122 Absatz 1 Buchstabe a Ziffer iiia anerkannte Erzeugerorganisationen zu betrachten sind".

1. Ist eine Anpassung der rechtlichen Grundlage in Deutschland (des Marktstrukturgesetzes) an die Regelungen im Milchpaket zwingend notwendig?

2. Falls Frage 1 mit Ja beantwortet wird: Wird die Notwendigkeit dazu auch dann gesehen, wenn die Anpassung im Vergleich zur vorherigen nationalen Regelung zu einer Schwächung der Marktmacht der Erzeuger führt?

Antwort von Herrn Cioloş im Namen der Kommission
(1. August 2012)

Das sogenannte „Milchpaket" ([1]) verbietet weder den Mitgliedern einer Genossenschaft, sich einer Erzeugerorganisation anzuschließen, noch Landwirten, mehr als einer Erzeugerorganisation anzugehören. Wenn Erzeugerorganisationen allerdings im Namen ihrer Mitglieder Verträge einschließlich der Preise aushandeln, gelten besondere Bedingungen.

Um die wirksame Arbeitsweise von Genossenschaften nicht zu behindern und um Klarheit zu schaffen, schließt das Milchpaket aus, dass Erzeugerorganisationen im Namen eines Landwirts, der Mitglied der betreffenden Organisation ist, Verträge mit einem Rohmilch verarbeitenden Betrieb aushandeln können, wenn der Landwirt bereits aufgrund seiner Mitgliedschaft in einer Genossenschaft verpflichtet ist, die Rohmilch gemäß den Bedingungen der Satzung oder der Bestimmungen dieser Genossenschaft abzuliefern (Artikel 126c Absatz 2 Buchstabe e). Tatsächlich kann ein Landwirt dieselbe Milch nur einmal verkaufen.

Eine weitere Bedingung für solche Verhandlungen ist außerdem, dass die betreffenden Landwirte keiner anderen Erzeugerorganisation angehören, die ebenfalls in ihrem Namen solche Verträge aushandelt. In hinreichend begründeten Fällen können die Mitgliedstaaten jedoch von dieser Bedingung abweichen, wenn Landwirte über zwei getrennte Erzeugungseinheiten in unterschiedlichen geografischen Gebieten verfügen.

Da das Milchpaket Landwirten neue Möglichkeiten bietet, sich zusammenzuschließen und ihre Verhandlungsmacht zu steigern, ist es sehr wahrscheinlich, dass die einzelstaatlichen Rechtsvorschriften an die Bestimmungen des Milchpakets angepasst werden müssen. Diese neuen Möglichkeiten zur Angebotskonzentration mit einer Rechtsgrundlage für kollektive Verhandlungen über erhebliche Rohmilchmengen führen nicht zu einer Schwächung der Marktmacht der Erzeuger.

([1]) Verordnung (EU) Nr. 261/2012 des Europäischen Parlaments und des Rates vom 14. März 2012 zur Änderung der Verordnung (EG) Nr. 1234/2007 des Rates im Hinblick auf Vertragsbeziehungen im Sektor Milch und Milcherzeugnisse: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:094:0038:0048:DE:PDF.

(English version)

Question for written answer E-005886/12
to the Commission
Martin Häusling (Verts/ALE)
(13 June 2012)

Subject: Implementation of the Milk Package in the Member States

Since 1969, Germany's Market Structure Act has provided extremely detailed regulations on setting up producer organisations. Some of the regulations extend beyond those adopted in the Milk Package, for example the Act allows producers to be members of more than one producer organisation. They may be a member of a cooperative and still join producer organisations. Many of those affected in Germany would now like clarity as to whether the German regulations continue to apply despite the provisions of the Milk Package. Avoidable adjustments would bring disadvantages for milk producers. In any case, their market power with respect to the processor side would be weakened compared with the present form of legal regulation. Milch Board, which is currently the largest German milk producer organisation, would cease to function were the possibility of multiple memberships to be excluded. This cannot be in the spirit of the Milk Package, which was adopted with the aim of strengthening producers and, in the case of the other EU Member States which do not at present have regulations in this area, provides affiliation opportunities that strengthen the position of producers. Furthermore the rest, the Milk Package stipulates that:

'… provision should be made for the possibility of de facto recognition under this regulation for existing producer organisations recognised under national law' (Recital 14), and

'Member States may decide that producer organisations which have been recognised before 2 April 2012 on the basis of national law and which fulfil the conditions laid down in paragraph 1 of this Article are to be considered to be recognised as producer organisations pursuant to point (iiia) of point (a) of the first paragraph of Article 122'. (Article 126a(3)).

1. Is it absolutely necessary for the legal basis in Germany (the Market Structure Act) to be brought into line with the provisions of the regulations of the Milk Package necessary?

2. If so, will this still be considered necessary if adaptation leads to a weakening of producers' market power by comparison with the situation under the previous national regulation?

Answer given by Mr Cioloş on behalf of the Commission
(1 August 2012)

The so called 'Milk Package' ([1]) does not prohibit members of a cooperative to join producer organisations, nor does it exclude that farmers are members of more than one producer organisation. However, where producer organisations would negotiate contracts including prices on behalf of its members, specific conditions have been set.

In order not to undermine the effective functioning of cooperatives and for the sake of clarity, the Milk Package does exclude that producer organisations can negotiate on behalf of a farmer-member with a processor where the raw milk is already covered by an obligation to deliver arising from the farmers membership of a cooperative in accordance with the conditions set out in the cooperative's statutes or rules (Article 126c(2)(e)). Indeed, a farmer can sell the same milk only once.

Furthermore, another condition for such negotiations is that the farmers concerned are not members of any other producer organisation which also negotiates such contracts on their behalf. Nevertheless, in duly justified cases where farmers hold two distinct production units located in different geographic areas, Member States may derogate from this condition.

As the Milk Package provides new possibilities for farmers to join together and increase their bargaining power it is very likely that the national legislation has to be adapted to the provisions of the Milk Package. These new possibilities for concentrating supply with a legal basis for collective negotiations up to significant quantities of raw milk do not lead to a weakening of producer's market power.

([1]) Regulation (EU) No 261/2012 of the European Parliament and of the Council of 14 March 2012 amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector.
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:094:0038:0048:EN:PDF.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005887/12
an die Kommission
Romana Jordan (PPE), Richard Seeber (PPE), Salvatore Tatarella (PPE) und Bogusław Sonik (PPE)
(13. Juni 2012)

Betrifft: Durchführung der Richtlinie über die Kraftstoffqualität

In Artikel 7a der überarbeiteten Richtlinie über die Kraftstoffqualität (Richtlinie 98/70/EG, geändert durch Richtlinie 2009/30/EG) wird das Emissionsminderungsziel für den Verkehr festgelegt, wonach Anbieter von Kraftstoffen und Energieträgern für den Verkehr die Lebenszyklustreibhausgasemissionen bis 2020 um 6 % mindern müssen. Die für die Durchführung von Artikel 7a erforderlichen Maßnahmen müssen von der Kommission jedoch noch ausgearbeitet werden.

Der Vorschlag der Kommission muss hinreichend ausgeglichen sein, um zur Durchführung der Richtlinie eine genaue Methode und Verfahrensweise der Berichterstattung für die Messung der Treibhausgasemissionsintensität verschiedener Kraftstoffe festzulegen. Kommissarin Hedegaard kündigte auf der Sitzung des ENVI-Ausschusses im März 2012 an, dass die GD CLIMA eine Folgenabschätzung hinsichtlich des gesonderten Werts für Ölsande und andere unkonventionelle Kraftstoffe bei der Umsetzungsmaßnahme durchführen würde. Wir möchten die Kommission um weitere Informationen darüber bitten, wie die Folgenabschätzung zur Durchführung organisiert werden wird.

1. Wird die Kommission externe Sachverständige zurate ziehen und eine Ausschreibung durchführen? Wenn ja, nach welchen Kriterien wird die Auswahl erfolgen?

2. Werden in der Folgenabschätzung verschiedene Maßnahmenoptionen geprüft werden? Wenn ja, welche?

3. Wird die Kommission die Auswirkungen der verschiedenen Optionen auf die Treibhausgasemissionen, den Rohöl- und Kraftstoffmarkt, die europäische Energieversorgungssicherheit und die Kosten sowohl auf EU-Ebene als auch auf globaler Ebene prüfen?

Antwort von Frau Hedegaard im Namen der Kommission
(11. Juli 2012)

1. Über einen bestehenden Rahmenvertrag wird die Kommission externe Sachverständige zu Rate ziehen, die an der Ausarbeitung der Folgenabschätzung mitwirken. Die Auswahlkriterien im Rahmenvertrag beziehen sich auf die wirtschaftliche und finanzielle Leistungsfähigkeit des Auftragnehmers, seine fachlichen und beruflichen Kompetenzen, seine Befugnis zur Auftragsdurchführung und seinen Marktzugang.

2. + 3. Die zentrale Frage, die in der Folgenabschätzung behandelt wird, ist, wie wirksam eine Methode zur Berechnung der Treibhausgasemissionsintensität fossiler Brennstoffe bei verschiedenen Genauigkeitswerten zur Senkung der Emissionen der im Straßenverkehr gebrauchten Kraftstoffe beiträgt. Genauere Informationen, insbesondere zu den politischen Optionen, die geprüft werden sollen, finden Sie in englischer Sprache unter: http://ec.europa.eu/governance/impact/planned_ia/docs/2012_clima_009_ghg_emissions_fossil_fuel_en.pdf

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005887/12
alla Commissione
Romana Jordan (PPE), Richard Seeber (PPE), Salvatore Tatarella (PPE) e Bogusław Sonik (PPE)
(13 giugno 2012)

Oggetto: Implementazione della direttiva sulla qualità dei carburanti

L'obiettivo di riduzione delle emissioni per i trasporti è definito nell'articolo 7 bis della direttiva sulla qualità dei carburanti (FQD) rivista (direttiva 98/70/CE, modificata dalla direttiva 2009/30/CE), secondo la quale i fornitori di energie e di carburanti per il trasporto devono ridurre il ciclo di vita delle emissioni dei gas serra del 6 % entro il 2020. Tuttavia, le misure necessarie per l'implementazione dell'articolo 7 bis necessitano ancora di sviluppo da parte della Commissione.

La proposta della Commissione deve essere sufficientemente bilanciata per stabilire accurati metodi di reporting e metodologie per la misurazione dell'intensità delle emissioni di gas serra dei diversi tipi di carburanti al fine di implementare la direttiva. Il Commissario Hedegaard ha annunciato alla riunione della Commissione ENVI a marzo 2012 che la DG CLIMA intenderebbe lanciare, nella misura di implementazione, una valutazione dell'impatto riguardo al valore separato per petrolio ricavato da sabbie bituminose e altri carburanti non convenzionali. Vorremmo che la Commissione fornisse maggiori informazioni in merito a come verrà organizzata la valutazione dell'impatto sull'implementazione.

1. La Commissione utilizzerà esperti esterni e lancerà una gara d'appalto? Se è così, quali saranno i criteri di selezione?

2. La valutazione dell'impatto prenderà in considerazione diverse opzioni politiche? Se sì, quali?

3. La Commissione analizzerà l'impatto delle diverse opzioni su emissioni di gas serra, mercato dei carburanti e del petrolio grezzo, sicurezza europea di fornitura dell'energia, e costi, sia a livello globale che a livello UE?

Risposta di Connie Hedegaard a nome della Commissione
(11 luglio 2012)

1. Per la realizzazione della valutazione d'impatto la Commissione si avvarrà della collaborazione di esperti esterni nell'ambito di un contratto quadro esistente. I criteri di selezione previsti dal contratto quadro riguardano la capacità finanziaria ed economica del contraente, la sua competenza tecnica e professionale, la sua capacità di accesso al mercato e il fatto che sia autorizzato a eseguire il contratto.

2. + 3. La valutazione d'impatto dovrà stabilire, a vari livelli di precisione, in che misura un metodo di calcolo delle emissioni di gas serra prodotte dai carburanti fossili consenta di contribuire alla riduzione delle emissioni generate dai combustibili per i trasporti su strada. Per maggiori informazioni, con particolare riguardo alle opzioni politiche oggetto di valutazione, si rimanda al seguente indirizzo:
http://ec.europa.eu/governance/impact/planned_ia/docs/2012_clima_009_ghg_emissions_fossil_fuel_en.pdf.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-005887/12
do Komisji
Romana Jordan (PPE), Richard Seeber (PPE), Salvatore Tatarella (PPE) oraz Bogusław Sonik (PPE)
(13 czerwca 2012 r.)

Przedmiot: Wdrożenie dyrektywy w sprawie jakości paliwa

Zgodnie z celem dotyczącym ograniczenia emisji gazów cieplarnianych w sektorze transportu, zawartym w art. 7a zmienionej dyrektywy w sprawie jakości paliwa (dyrektywa 98/70/WE zmieniona dyrektywą 2009/30/WE), dostawcy paliwa i energii wykorzystywanych w transporcie mają obowiązek zmniejszyć emisje gazów cieplarnianych w całym cyklu życia o 6 % do 2020 r. Niemniej jednak Komisja w dalszym ciągu nie opracowała środków niezbędnych do wdrożenia art. 7a.

Aby wdrożenie dyrektywy było możliwe, wniosek Komisji powinien być odpowiednio wyważony i zawierać ustalenia dotyczące metody dokładnej sprawozdawczości i metodologii pomiaru natężenia emisji gazów cieplarnianych dla poszczególnych paliw. Komisarz Connie Hedegaard ogłosiła na posiedzeniu komisji ENVI w marcu 2012 r., że DG ds. Działań w dziedzinie Klimatu przeprowadzi ocenę skutków dotyczącą ustalenia w ramach środka wykonawczego oddzielnej wartości dla piasków roponośnych i innych paliw niekonwencjonalnych. Zwracamy się do Komisji o dostarczenie dodatkowych informacji na temat sposobu przeprowadzenia oceny skutków wdrożenia przepisów.

1. Czy Komisja będzie korzystać z ekspertów zewnętrznych i ogłosi zaproszenie do składania ofert? Jeśli tak, jakie będą kryteria wyboru?

2. Czy w ocenie skutków będą brane pod uwagę różne rozwiązania polityczne? Jeśli tak, to jakie?

3. Czy Komisja będzie analizować wpływ różnych rozwiązań na emisje gazów cieplarnianych, rynki ropy naftowej i paliw, europejskie bezpieczeństwo dostaw energii oraz koszty zarówno na szczeblu unijnym, jak i światowym?

Odpowiedź udzielona przez komisarz Connie Hedegaard w imieniu Komisji
(11 lipca 2012 r.)

1. W celu opracowania oceny skutków Komisja skorzysta z pomocy ekspertów zewnętrznych w oparciu o istniejącą umowę ramową. Kryteria wyboru określone w umowie ramowej dotyczą finansowych i gospodarczych zdolności wykonawcy, jego kwalifikacji technicznych i zawodowych, jego uprawnień do wykonania zlecenia i jego dostępu do rynku.

2. + 3. Główną kwestią, którą należy zbadać w ocenie skutków, jest to, w jakim stopniu metodologia obliczania emisji gazów cieplarnianych dla paliw kopalnych jest skuteczna dla zmniejszania emisji pochodzących z paliw wykorzystywanych w transporcie drogowym przy różnych poziomach dokładności. Dalsze informacje, w szczególności w odniesieniu do różnych rozwiązań politycznych, można znaleźć na stronie:
http://ec.europa.eu/governance/impact/planned_ia/docs/2012_clima_009_ghg_emissions_fossil_fuel_en.pdf

(Slovenska različica)

Vprašanje za pisni odgovor E-005887/12
za Komisijo
Romana Jordan (PPE), Richard Seeber (PPE), Salvatore Tatarella (PPE) in Bogusław Sonik (PPE)
(13. junij 2012)

Zadeva: Izvajanje direktive o kakovosti goriv

Cilj zmanjšanja emisij goriv za prevoz je določen v členu 7a spremenjene Direktive o kakovosti goriv (Direktiva 98/70/ES, kakor je bila spremenjena z Direktivo 2009/30/ES), v skladu s katerim morajo dobavitelji goriv za prevoz in energije zmanjšati emisije toplogrednih plinov v življenjskem ciklu za 6 % do leta 2020. Vendar pa mora Komisija najprej pripraviti ukrepe, ki so potrebni za izvajanje člena 7a.

Predlog Komisije mora biti dovolj uravnotežen, da določi natančno metodo poročanja in metodologijo za merjenje intenzivnosti emisij toplogrednih plinov različnih goriv, da bi se direktiva lahko izvajala. Komisarka Hedegaard je na seji odbora ENVI v marcu 2012 napovedala, da namerava GD za podnebno politiko izvesti oceno učinka za posamezne vrednosti za katranski pesek in druga nekonvencionalna goriva v okviru izvedbenega ukrepa. Komisijo prosimo, naj posreduje več informacij o tem, kako se bo organizirala ocena učinka izvajanja.

1. Ali bo Komisija sodelovala z zunanjimi izvedenci in objavila javni razpis? Če bo, kakšna bodo merila za izbor?

2. Ali bo ocena učinka upoštevala različne možnosti politike? Če da, katere?

3. Ali bo Komisija preučila vpliv različnih možnosti na emisije toplogrednih plinov, surovo nafto in trge goriv, zanesljivost oskrbe z energijo v Evropi ter stroške na ravni EU in na svetovni ravni?

Odgovor ge. Hedegaardon v imenu Komisije
(11. julij 2012)

1. Komisija bo za pomoč pri pripravi ocene učinka uporabila zunanje izvedence na podlagi obstoječe okvirne pogodbe. Merila za izbor, določena v okvirni pogodbi, se nanašajo na pogodbenikovo: finančno in gospodarsko sposobnost; tehnično in poklicno usposobljenost; pooblastilo za izvajanje pogodbe in dostop do trga.

2. + 3. V oceni učinkovitosti je treba odgovoriti na vprašanje, do kakšne mere je metodologija za izračun toplogrednih izpustov fosilnih goriv učinkovita pri zmanjševanju emisij goriv za cestni prevoz pri spremenljivih stopnjah natančnosti. Druge podrobnosti, predvsem glede ocenjevanja različnih možnosti politik, so na voljo na spletni strani
http://ec.europa.eu/governance/impact/planned_ia/docs/2012_clima_009_ghg_emissions_fossil_fuel_en.pdf

(English version)

Question for written answer E-005887/12
to the Commission
Romana Jordan (PPE), Richard Seeber (PPE), Salvatore Tatarella (PPE) and Bogusław Sonik (PPE)
(13 June 2012)

Subject: Implementation of the Fuel Quality Directive

The emissions reduction target for transport is set out in Article 7a of the revised Fuel Quality Directive (FQD) (Directive 98/70/EC, as amended by Directive 2009/30/EC), according to which suppliers of transport fuel and energy are required to reduce life cycle greenhouse gas emissions by 6% by 2020. However, measures necessary for the implementation of Article 7a still need to be developed by the Commission.

The Commission proposal must be balanced enough to establish an accurate reporting method and methodology for measuring the greenhouse gas emission intensity of different fuels in order to implement the directive. Commissioner Hedegaard announced at the ENVI Committee meeting in March 2012 that DG CLIMA would launch an impact assessment regarding the separate value for oil sands and other unconventional fuels in the implementing measure. We would like the Commission to provide more information about how the impact assessment on implementation will be organised.

1. Will the Commission use any external expertise and launch a call for tenders? If so, what will the selection criteria be?

2. Will the impact assessment look at different policy options? If so, which ones?

3. Will the Commission look at the impact of the different options on greenhouse gas emissions, crude oil and fuel markets, European security of energy supply, and costs, at both EU and global level?

Answer given by Ms Hedegaard on behalf of the Commission
(11 July 2012)

1. The Commission will use external expertise through employing an existing framework contract to help develop the impact assessment. The selection criteria set out in the framework contract relate to the contractor's: financial and economic capacity; technical and professional competence; authorisation to perform the contract and access to the market.

2. and 3. The issue to be addressed in the impact assessment is the extent to which a fossil fuel greenhouse gas calculation methodology is effective in reducing emissions from road transport fuels at varying levels of accuracy.. Further details, notably with regard to the different policy options to be assessed, can be found at:
http://ec.europa.eu/governance/impact/planned_ia/docs/2012_clima_009_ghg_emissions_fossil_fuel_en.pdf

(English version)

Question for written answer E-005888/12
to the Commission
Julie Girling (ECR) and Malcolm Harbour (ECR)
(13 June 2012)

Subject: Sweden's treatment of silver under the Biocidal Products Directive

It has been brought to our attention that the Swedish Environment Minister has been publicly commenting on the assessment of silver for approval under the Biocidal Products Directive. As the rapporteur Member State, Sweden is supposed to be assessing the active substance of silver for approval in an unbiased and scientific manner. However, this does not appear to be the case, and in fact according to the Swedish media the Environment Minister has gone so far as to state that the substance will be prohibited throughout the internal market, at a time when it has not yet gone through the full approval process.

Is the Commission aware of this situation?

Does the Commission consider that the position taken by the Swedish Environment Minister, which is not yet supported by scientific evidence, is appropriate in view of Sweden's role as the rapporteur Member State for this evaluation?

Will the Commission consider reallocating the role of rapporteur for the evaluation of active silver to another Member State?

Answer given by Mr Potočnik on behalf of the Commission
(20 July 2012)

The Commission is aware that an interview with the Swedish Environment Minister regarding the increasing use of silver as antibacterial substance in consumer products was published on the web-page of the magazine *Ny Teknik* on 16 May 2012 ([1]). In essence, the Minister, while underlining that these were her personal views, expressed her concern about the release of these biocides into the environment, and her opinion that the substance is unnecessary in such products. There was no statement that silver 'will be prohibited throughout the internal market', but a mere factual statement that new EU-rules for biocides will become applicable in 1.5 years' time. The ongoing risk assessment by the Swedish competent authority for biocidal products ('Kemikalieinspektionen') was mentioned in the article, but not commented upon.

The roles of rapporteur Member States for biocides were attributed by legislation in 2003 ([2]).

The Commission has never imposed the reallocation of an ongoing evaluation, and does not have the intention to do so for silver either. Decisions whether to approve biocides are not based on the initial reports of the rapporteur Member States, but on the final assessment reports endorsed by the Standing Committee for Biocidal Products. The scientific impartiality of an assessment report is safeguarded by an ambitious EU level peer review, which usually lasts around a year, and involves a number of meetings between toxicological and eco-toxicological experts from all Member States.

([1]) http://www.nyteknik.se/nyheter/innovation/forskning_utveckling/article3476048.ece.
([2]) Commission Regulation (EC) No 2032/2003 of 4 November 2003 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the Parliament and of the Council concerning the placing of biocidal products on the market, and amending Regulation (EC) No 1896/2000, OJ L 307, 24.11.2003.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005889/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mario Mauro (PPE)
(13 giugno 2012)

Oggetto: VP/HR — Fornitura di armi al Congo

La Repubblica democratica del Congo è un paese da tempo politicamente instabile e teatro di numerose violenze e scontri tra fazioni regolari e milizie locali per il controllo del territorio. Nonostante la recente rielezione del Presidente uscente Kabila, la situazione politica del paese è alquanto instabile e lo stato di diritto quanto mai incerto. A farne le spese è, come sempre, la popolazione civile. Il conto delle vittime causate dalla «guerra mondiale africana», come qualcuno l'ha ribattezzata, è ormai nell'ordine del milione, mentre gli stupri di massa sono diventati un fatto ricorrente in questo pezzo di Africa.

Questa situazione di crisi è favorita, tra le altre cose, dal costante afflusso di armi, da molte parti del mondo, verso la Repubblica democratica del Congo. Un recente rapporto di Amnesty International ha denunciato la facilità con la quale le fazioni congolesi, sia regolari che non, riescono a procurarsi armi.

Negli ultimi anni, armi leggere, munizioni, gas lacrimogeni, veicoli blindati, pezzi di artiglieria e di mortaio sono stati inviati al governo della Repubblica Democratica del Congo.

Questo flusso costante contribuisce direttamente all'aumento degli episodi di violazione dei diritti umani, per non parlare delle uccisioni, nel paese. La debolezza dell'apparato di sicurezza congolese, infatti, fa sì che questi materiali finiscano fuori controllo e in altre mani, per commettere qualunque tipo di violazioni.

L'embargo sulle armi dirette verso la Repubblica Democratica del Congo, imposto dal Consiglio di sicurezza nel 2003, è stato attenuato nel 2008. Da allora non vi è più l'obbligo di concentrare le armi importate in siti autorizzati e, soprattutto, è stata rimossa la limitazione che prevedeva di non fornire armi alle unità ancora non integrate nelle Fardc o a quelle la cui integrazione non era stata portata a termine.

Si prega il Vicepresidente/Alto Rappresentante di rispondere ai seguenti quesiti:

1. È a conoscenza dei casi di sistematica violazione dei diritti umani nella Repubblica democratica del Congo?

2. Quali provvedimenti e azioni possono essere intrapresi per creare un flusso di armi controllato e limitato esclusivamente alle forze regolari?

3. Quali iniziative intende adottare per favorire il processo di pace nella Repubblica democratica del Congo?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(31 agosto 2012)

L'UE è al corrente delle frequenti violazioni dei diritti umani nella RDC a cui reagisce periodicamente, ad esempio sostenendo le iniziative dei capi missione, appoggiando la creazione di una Commissione nazionale per i diritti umani e lottando contro l'impunità. Ciò avviene attraverso il dialogo politico e il sostegno al sistema giudiziario e alla società civile del Congo mediante progetti finanziati dall'EIDHR, gran parte dei quali si concentrano sull'est del paese.

Per quanto riguarda le forniture di armi alla RDC, sono previste misure dalla decisione 2010/788/PESC del Consiglio e dal regolamento (CE) n. 889/2005 del Consiglio, in linea con le pertinenti risoluzioni del Consiglio di sicurezza dell'ONU. L'articolo 1 della decisione del Consiglio vieta la fornitura di armi a entità e persone non governative che operano nel territorio della RDC, mentre l'articolo 2 elenca le poche eccezioni all'embargo sulle armi. Inoltre, gli Stati membri dell'UE sono tenuti a rispettare la posizione comune 2008/944/PESC, che contiene disposizioni per evitare le esportazioni di natura militare che potrebbero essere usate per la repressione interna, in particolare in paesi in cui le gravi violazioni dei diritti umani sono all'ordine del giorno.

Come in passato, l'UE intende proseguire il proprio impegno nella RDC, segue con preoccupazione il deterioramento della situazione nell'est del paese e sostiene gli sforzi dei membri della Conferenza internazionale sulla Regione dei Grandi Laghi per trovare una soluzione duratura. Inoltre, fra le priorità essenziali della cooperazione UE-RDC nei prossimi anni vi sono il sostegno alla democratizzazione, al buon governo e ai diritti umani nonché la riforma del settore della sicurezza, anche mediante le due missioni PSDC (EUSEC, EUPOL).

(English version)

Question for written answer E-005889/12
to the Commission (Vice-President/High Representative)
Mario Mauro (PPE)
(13 June 2012)

Subject: VP/HR — Arms supplies to the Congo

The Democratic Republic of the Congo is a country which has been politically unstable for some time and is the scene of many acts of violence and clashes between governing and local militia factions for control of the area.

Despite the recent re-election of the outgoing President Kabila, the political situation of the country remains unstable and the rule of law as uncertain as ever. As usual, the civil population is paying the price. The list of the victims of the 'African world war', as some have baptised it, now numbers around a million, while mass rapes have become a regular feature in this part of Africa.

This crisis situation is exacerbated, amongst other things, by the constant influx of arms from many parts of the world to the Democratic Republic of the Congo. A recent Amnesty International report denounced the ease with which the Congolese factions, whether governing or not, manage to procure arms.

Over the last few years, light arms, munitions, tear gas, armoured vehicles, artillery and mortars have been sent to the government of the Democratic Republic of the Congo.

This constant flow contributes directly to the increase in human rights violations, not to mention killings, in the country. The weakness of the Congolese security forces results in these munitions ending up outside their control and in other hands, where they are used for all sorts of violation.

The embargo on arms going to the Democratic Republic of the Congo imposed by the Security Council in 2003 was relaxed in 2008. Since then there has no longer been any obligation to concentrate imported arms at authorised sites and, in particular, no longer any limitation on the supply of arms to units not integrated into the Fardc (Congolese Armed Forces) or to those units whose integration has not yet been completed.

Can the Vice-President/High Representative please reply to the following questions?

1. Are you aware of the cases of systematic human rights violations in the Democratic Republic of the Congo?

2. What rulings and actions can be undertaken to create a controlled flow of arms, limited solely to the government's armed forces?

3. What initiatives do you intend to adopt to encourage the peace process in the Democratic Republic of the Congo?

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

The EU is well aware about widespread human rights abuses in DRC and takes action on this on a regular basis, for instance by supporting demarches of Heads of Mission, supporting the setting up of a national Commission on human rights and fighting impunity. This goes through political dialogue, support to the Congolese judicial system and civil society through EIDHR-funded projects. Most of them focus on eastern DRC.

Regarding arm supplies to the DRC, CFSP measures are set out in Council Decision 2010/788/CFSP and Council Regulation (EC) No 889/2005, in line with the relevant UNSC Resolutions. Art 1 of the Council Decision forbids arms supplies to non- governmental entities and individuals operating in the territory of the DRC, while Art 2 sets out the limited exceptions to the arms embargo. Furthermore, EU Member States are supposed to respect EU Common Position 2008/944/CFSP, which includes provisions to prevent exports of military nature that might be used for internal repression, especially in countries where serious violations of human rights are rife.

As in the past, the EU aims to remain a committed actor in DRC, follows with concern the deteriorating situation in eastern DRC and supports the efforts of the International Conference on the Great Lakes Region members to find a lasting solution. Moreover, key priorities for EU-DRC cooperation in the coming years include support for democratisation, governance and human rights as well as security sector reform, including through the two CSDP missions (EUSEC, EUPOL).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005890/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mario Mauro (PPE)
(13 giugno 2012)

Oggetto: VP/HR — Scontri in Sudan

Il 2 maggio scorso il Consiglio di sicurezza dell'ONU ha emesso una risoluzione di condanna con la quale imponeva un termine di 48 ore per la cessazione delle ostilità e dell'escalation di violenze sul confine tra Sudan e Sud Sudan. La risoluzione chiedeva la ripresa entro il 16 maggio dei negoziati bilaterali sotto l'egida dell'Unione Africana.

Pur interrompendo i combattimenti, né Khartoum né Juba hanno rispettato le disposizioni internazionali rifiutandosi di ritirare le truppe lungo il confine stabilito sommariamente nel luglio del 2011.

La situazione umanitaria si è aggravata ulteriormente in seguito alle migliaia di sfollati che, fuggiti a causa del conflitto e dell'esaurimento delle loro scorte di cibo nello stato sudanese di Blue Nile, si stanno riversando nei paesi limitrofi.

Nelle ultime settimane circa 20 000 rifugiati si sono ammassati alla frontiera del Sud Sudan dove l'Alto commissario delle Nazioni Unite per i rifugiati António Guterres e le agenzie umanitarie partner stanno facendo fronte a un improvviso aumento del numero di rifugiati in arrivo.

Questi sviluppi vanno a gravare sulla situazione già problematica di questo paese che vede, oltre a una guerra senza tregua, una grave crisi umanitaria.

Può il Vicepresidente/Alto Rappresentante far sapere:

1. quali provvedimenti intende intraprendere per conseguire una reale e duratura pacificazione nei territori sudanesi;

2. se è al corrente di questa situazione di emergenza che costringe migliaia di persone ogni giorno a fuggire dalle loro case per riversarsi nei paesi limitrofi;

3. quali misure intende adottare rispetto ai negoziati in corso tra le parti?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(2 agosto 2012)

1. L'UE ha adottato un ambizioso approccio globale nei confronti del Sudan e del Sud Sudan, il cui obiettivo principale è creare due Stati sudanesi in pace e sostenibili. In particolare l'UE sostiene la tabella di marcia dell'Unione africana e la risoluzione 2046 del Consiglio di sicurezza dell'ONU come principali strumenti per giungere a una pace duratura tra Sudan e Sud Sudan. Nei recenti contatti bilaterali con rappresentanti dei due governi, l'AR/VP ha fatto pressioni affinché si evitino eccessi e siano avviati negoziati in buona fede. Gli stessi messaggi politici vengono inoltre comunicati nel dialogo strategico tra l'UE ed altri partner (per es. Stati Uniti e Cina).

2. L'AR/VP segue da vicino gli sviluppi della situazione d'emergenza nella regione di frontiera tra Sudan e Sud Sudan. L'UE esercita pressioni sul governo sudanese affinché permetta il libero accesso agli stati di Kordofan meridionale e Nilo azzurro per migliorare la situazione umanitaria di tutte le vittime del conflitto. La Commissione destina prioritariamente fondi a questa emergenza ed ha mobilitato un elicottero di pronto intervento.

3. L'AR/VP si compiace della ripresa dei colloqui fra Sudan e Sud Sudan ad Addis Abeba sotto gli auspici del Gruppo di attuazione di alto livello dell'Unione africana (UA). Esorta entrambe le parti a fare il possibile per risolvere tutte le questioni restanti entro il termine fissato al 2 agosto 2012. L'UE sarebbe disposta a prendere in considerazione un aumento della cooperazione con il Sudan e il Sud Sudan, a condizione che entrambe le parti dimostrino buona volontà e rispettino pienamente la tabella di marcia dell'UA e la risoluzione 2046 del Consiglio di sicurezza dell'ONU. In caso di mancato rispetto, la tabella di marcia UA prevede la possibilità d'imporre soluzioni definitive vincolanti alle relazioni post-secessione nonché sanzioni non militari.

(English version)

Question for written answer E-005890/12
to the Commission (Vice-President/High Representative)
Mario Mauro (PPE)
(13 June 2012)

Subject: VP/HR — Clashes in Sudan

On 2 May this year the UN Security Council issued a resolution calling for the termination of hostilities within a period of 48 hours and condemning the escalation of violence on the border between Sudan and South Sudan. The resolution asked that bilateral negotiations under the auspices of the African Union be recommenced by 16 May.

Although putting a halt to the fighting, neither Khartoum nor Juba have observed the international provisions and have refused to withdraw troops along the border summarily established in July 2011.

The humanitarian situation has been further worsened b**y the thousands of refugees who** have been pouring into neighbouring countries to flee the conflict and b**y the exhaustion of their food stocks in Sudan's** Blue Nile state.

Over the last few weeks, about 20 000 refugees have massed on the border of South Sudan, where the UN High Commissioner for Refugees António Guterres and partner humanitarian agencies have been dealing with a sudden increase in the number of refugees arriving.

These developments are aggravating the already problematic situation of this country which is experiencing a serious humanitarian crisis as well as an unending war.

Can the Vice-President/High Representative state:

1. what measures she intends to take to achieve genuine and lasting peace in the Sudanese territories;

2. if she is aware of this emergency situation, which is forcing thousands of people every day to flee their homes and pour into neighbouring countries;

3. what measures she will adopt with regard to the on-going negotiations between the parties?

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

1. The EU is pursuing an ambitious and comprehensive approach towards Sudan and South Sudan, the main objective of which is the establishment of two peaceful and viable Sudanese states. The EU supports in particular the African Union Roadmap and UN Security Council Resolution 2046 as the main framework for achieving lasting peace between Sudan and South Sudan. In bilateral contacts with representatives of both governments, the HR/VP has recently been pressing for restraint and negotiations in good faith. In addition, in strategic EU dialogues with other partners (e.g. the United States, China) the EU is conveying the same political messages.

2. The HR/VP is closely following the development of the emergency situation in the border region between Sudan and South Sudan. The EU is pressing the Government of Sudan to grant unhindered access to Southern Kordofan and Blue Nile state to relieve the humanitarian situation of all victims of the conflict. The Commission is prioritising funding to this emergency and has mobilised one Emergency Response helicopter to support the response.

3. The HR/VP welcomes the resumption of the talks between Sudan and South Sudan in Addis Ababa under the auspices of the African Union (AU) High Level Implementation Panel. She urges both parties to deploy maximum efforts to resolve all outstanding issues before the set deadline of 2 August 2012. Provided both parties show good will and fully comply with the AU Roadmap and UN Security Council (UNSC) Resolution 2046, the EU would be willing to examine stepping up its cooperation with Sudan and South Sudan. In case of non-compliance, the AU Roadmap foresees the possibility of imposing final and binding solutions to the post-secession relations on them as well as non-military sanctions.