nitrogen for 1999 to 2002 and 170 kilograms of nitrogen from 2002. These limits will lead to a restriction on the amount of slurry and solid manure spread on the land, and will therefore restrict the phosphorus input as well. The action programmes must also lay down, as required by Annex III.1.3 of the Directive and in order to comply with Annex II.A.6 requirements, the maximum amounts of nutrients which may be applied to the land, taking account of crop requirements, soil supply and chemical and organic nitrogen input and maintaining a balance between them. This implies careful use of both chemical and organic fertilisers.

As part of the infringement procedure initiated against Belgium, the Commission sent Belgium a reasoned opinion as provided for in Article 226 (ex Article 169) of the EC Treaty. If the comments submitted by the Belgian authorities are judged unsatisfactory, the Commission could bring the matter before the Court of Justice.

The Commission does not publicise the details of infringement procedures. It did, however, publish a press release (1) when it decided to send Belgium the aforesaid reasoned opinion. The press release indicated that Belgium had not, in the Commission's view, applied the Directive's criteria when designating the vulnerable zones. The Belgian authorities had failed to include waters which had been reported to be polluted by nitrates. Moreover, the action programmes are incomplete for Flanders and inexistent for Brussels and Wallonia, the monitoring system is inadequate and the first implementation report presented by Belgium was unsatisfactory.

Lastly, it should be pointed out that in a reasoned opinion the Commission does not suggest what measures should be taken by the Member State concerned or when it should take them to ensure that the Directive in question is properly implemented, since the Directive itself indicates what has to be achieved and by when. The Commission's role is to check that the measures the Member States adopt comply with the provisions of the Directive.

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WRITTEN QUESTION P-2689/99
by Ingo Friedrich (PPE-DE) to the Commission
(11 January 2000)

Subject: Establishing a framework for Community action in the field of water policy (COM(98) 76): pollutants (Article 2(27) in conjunction with Annex VIII)

1. Is it correct to say that when Bentonite or similar natural substances are used in civil engineering, applying the best available technology (BAT), groundwater is unlikely to suffer lasting effects?

2. Is it correct to say that, when considering the term 'Material in suspension', as referred to in Annex VIII, point 10, a distinction has to be made between materials that could damage the environment and materials consisting mainly of, for example, natural clay minerals (as does Bentonite) and consequently harmless from the environmental point of view?

3. Would it be contrary to the water framework Directive if, to clarify the law, the term 'Material in suspension' in Annex VIII, point 10, were described more specifically as ‘Suspensions containing environmentally harmful material in suspension’, or should such additional detail be laid down in the water legislation of the individual Member States?

4. Should further discussions fail to produce a more clear-cut definition of the term ‘Material in suspension’ in Annex VIII to the proposed water framework Directive, would the Member States then be required, so as to enable Bentonite or similar materials to be used, to make provision in their national law to replace prior authorisation with generally binding rules, having regard to Article 13(3)(f) of the Directive?

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(2) IP 99/450, 2.7.1999.
Civil engineering works in particular affect the groundwater in a number of different ways, but normally only temporarily. Following extensive consultations, it has been concluded that a derogation from the general ban on discharges into the groundwater should be allowed for many of these effects. For this reason, both the amended proposal of the Commission of 17 June 1999 for a European Parliament and Council Directive establishing a framework for Community action in the field of water policy (1) and the common position of the Council of 20 October 1999 on a European Parliament and Council Directive establishing a framework for Community action in the field of water policy 9085/3/99 (2) allow the Member States to grant derogations in such cases. Since the Member States and their regions display variations in terms of geology, hydrology and water resources, it makes sense to leave this question to the Member States, but to lay down the criteria in Community legislation.

The Commission does not share the view that materials in suspension consisting of natural clay minerals are in themselves harmful to the environment. Chemically and biologically inert materials in suspension can also cause considerable harm to the environmental quality of the water, e.g. by covering the biocoenoses of the microfauna and microflora in surface waters and by damaging spawning grounds.

If Parliament and the Council adopt the proposal for a Directive as described above, it will be for the Member States to decide whether and to what extent they apply the derogations. In its opinion (first reading) of 11 February 1999 on a Directive establishing a framework for Community action in the field of water policy (3), Parliament attached particular importance to the criteria for derogations. The possibility for Member States to grant derogations from the prohibition on direct discharges into the groundwater in this and some other cases is contained in Article 11(3)(g) of the Council's common position.

(2) Not yet published in the Official Journal.
(3) OJ C 150, 28.5.1999.

WRITTEN QUESTION P-2690/99
by Thierry La Perriere (UEN) to the Council

(3 January 2000)

Subject: EU-Turkish relations, human rights, and Christian minorities

In the negotiations on implementation of the Customs Union and Turkey's application to join the European Union, the Council is focusing especially on the situation of the Kurds.

There are other minorities in Turkey. Christians make up quite a substantial portion of its population. In the past, Christian Turks have suffered human rights violations on a massive scale, and their situation is still extremely precarious.

Can the Council say whether, when conducting the ongoing negotiations with Turkey, it is likewise focusing on the situation of the Christian minorities?

Reply

(13 March 2000)

The Helsinki European Council decided that Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. Compliance with the Copenhagen political criteria is a prerequisite for the opening of any accession negotiations. The Council underlines that stability of institutions guaranteeing human rights and respect for and protection of minorities is one of the Copenhagen political criteria. This naturally includes the Christian minorities.