1. Does the Commission consider that fixing the entry into force of the EU-Mexico trade agreement for that date will influence the outcome of the Mexican presidential elections?

2. Was the date of entry into force deliberately fixed so that the agreement would enter into force immediately before the Mexico elections?

3. Will it be possible for the date of entry into force of the EU-Mexico agreement to be postponed to prevent the agreement from being abused by the Mexican party of government as an electioneering ploy?

Answer given by Mr Lamy on behalf of the Commission
(15 June 2000)

1. The Commission considers the presidential elections in Mexico to be an internal matter of Mexico.

2. The rhythm of negotiations and conclusion thereof depends on the possibility of both parties involved to find a mutually satisfactory package, and not on internal political considerations of one of the parties. In the case of Mexico, a rapid entry into force is clearly in the Community's interest and will allow the Community to swiftly restore the competitiveness of its products on the Mexican market. It should be noted that the internal approval process in the Community depends on the appreciation of the negotiating results by the Council and the Parliament. This internal approval process is bound to pre-set procedures with their own timeframes.

3. As mentioned above the presidential elections are an internal matter for Mexico. The Decision adopted on 23 March 2000 by the Community-Mexico Joint Council, which is based on the interim agreement, provides for the entry into force on 1 July 2000. Since this is a legally binding Decision, the entry into force will take place automatically.

(2001/C 72 E/082) WRITTEN QUESTION E-1524/00 by Alexander de Roo (Verts/ALE) to the Commission (12 May 2000)

Subject: Residential estate near spoil dump

Can the Commission indicate in general terms how Rule 1 in Annex I to the Directive on the dumping of waste (1999/31/EC (1)) should be interpreted, particularly in view of the possible plans for setting up a dump for hazardous dredged spoil in the Oostvliet polder in the municipality of Leiden, the Netherlands? The neighbouring municipality of Voorschoten intends to build a residential estate 250 metres from the proposed site of the dump.

In the Commission's view, is it possible to build a residential estate in the immediate vicinity of a hazardous spoil dump?


Answer given by Mrs Wallström on behalf of the Commission
(16 June 2000)

Under Annex I Point 1 of Directive 1999/31/EEC of 26 April 1999 on the landfill of waste, when choosing a site to construct a landfill, the location must take into consideration requirements relating to the distances from the boundary of the site to residential and recreation areas, waterways, water bodies and other agricultural or urban sites. The landfill can be authorised only if the characteristics of the site with respect to these requirements, or the corrective measurements to be taken, indicate that the landfill does not pose a serious environmental risk.
It is up to the Member States to adopt the appropriate regulations to implement these requirements. Directive 1999/31/EC must be transposed into national law by 16 July 2001. The building of residential estates, however, does not fall under the scope of the Directive.

(2001/C 72 E/083) WRITTEN QUESTION P-1528/00
by José Ribeiro e Castro (UEN) to the Council
(5 May 2000)

Subject: The ‘Bosman case’ — revision of the EC Treaty and addition of a protocol on professional football or sport in general

The ‘Bosman decision’ (1) has profoundly altered the nature of football in Europe, as the Commission has recognised. That ruling established that Article 39 of the EC Treaty (ex Article 48) prohibits the adoption of any rule by sporting associations (including national associations and UEFA) limiting the use by football teams of professional players who are nationals of other Member States. The richer clubs — which generally belong to the small number of countries with richer national markets — have thenceforth been able to recruit players who, often even at the apprentice stage, are induced to leave their original clubs in, usually, their home Member State. The result is that football has been divided into a big-capital, big-business branch in a few countries, and a minor branch resigned to losing its best assets to the ever-spiralling financial attraction exerted by the centres of power. This ultra-deregulated free-for-all has led to the actual sports results being largely predetermined beforehand: it is essentially money that wins, not sporting merit in the broader sense. Openness in sport is being jeopardised; so too are the basic principles of sporting competition, as deeply rooted in our societies. Europe itself and its diversity are suffering too. Nonetheless, the Commission, as represented by Commissioner Viviane Reding in her statements to the press, has now suggested that one ‘remedy’ for this problem could be to devise mechanisms to ensure solidarity between rich and poor clubs, and, in particular, to redistribute the colossal sums arising from television rights. These two questions are, however, completely separate. Television rights may legitimately be considered a purely commercial matter, to be dealt with under the general rules; the point at issue, however, is, directly and specifically, the validity of the rules governing a sport as such with respect to the make-up of teams. It is not acceptable for the EC Treaty to intervene in this area, inducing decisions which run counter to the sporting interest. Unfortunately, it seems that the intention is, once again, to reduce the matter to economic and financial criteria alone, at a time when, precisely because of the ever-growing weight of that aspect, sport in general and football in particular are increasingly being emptied of their true character. It is surely up to the EU institutions to resolve this sporting problem, instead of continuing to listen to the language of money alone. The only solution is to revise the EC Treaty by — as has already been suggested in several quarters — annexing a protocol designed to protect in full any regulations practised by sports authorities where major and specific interests of a particular sport are at stake.

Does the Council endorse the Commission’s position as recently stated? If not, does the Council intend to include these problems, given their considerable social repercussions, in the agenda for the 2000 IGC, with the specific objective of revising the EC Treaty by annexing a specific protocol, as has already been suggested, notably by the current Presidency?

(1) Case C-415/93, Union royale belge des sociétés de football association and others / Jean-Marc Bosman and others and Union of European Football Associations (UEFA) / Jean-Marc Bosman — 15 December 1995.

Reply
(18/19 September 2000)

The Council is well aware of the developments in professional football after the ruling of the Court of Justice in the ‘Bosman case’.

The Council has not, however, taken any position on these developments and has not received any proposals from the Commission with a view to regulating the issue described in the question.