WRITTEN QUESTION E-2196/00
by Carmen Fraga Estévez (PPE-DE) to the Commission
(3 July 2000)

Subject: Proposed allocation of fishing opportunities to the Community fleet in the waters of the Svalbard archipelago

In the Commission proposal concerning the management of shrimp fishing in the waters of the Svalbard archipelago the reference period for the allocation of fishing opportunities has been changed from 1990-1995 to 1995-1999. This means that Community countries which have been continuously and actively involved in fishing in those waters will have to cede some of their fishing opportunities to other countries which, in the case of Germany, sent fishing vessels to the waters concerned only in the final year, i.e. 1999.

It should be borne in mind that 1999 was a wholly exceptional year in which the Commission asked the Community fleet to withdraw from the fishing grounds in order to avoid provoking a conflict with Norway. The conflict was caused by the sudden arrival of German vessels, which actually belong to Icelandic companies. Although part of the Community fleet complied with the Commission’s request, Germany took advantage of the situation to send more vessels (as many as nine). The outcome of this is that the results for 1999 (which, it was decided, would be included in the calculations) are much more favourable to Germany than to the other countries, whose vessels had been operating in the area concerned for much longer.

In view of this anomaly, would the Commission explain how it is possible that, in its proposed allocation of fishing days, it has decided to reward Germany (which was precisely the Member State which provoked the 1999 conflict) by granting it fishing opportunities which will have to be taken away from the fleets which, in compliance with the Commission recommendation, withdrew from fishing activities and consequently suffered financial loss?

What has prompted the Commission to withdraw fishing opportunities from Community fleets in order to benefit a third country (in this case Iceland, the owner of vessels flying the German flag)?

Answer given by Mr Fischler on behalf of the Commission
(27 July 2000)

To date, the Commission has not presented a proposal on this issue.

However, the Honourable Member should note that, at a meeting on 30 June 2000 between officials of Member States and the Commission, a non-legislative fishing plan was agreed between the Member States involved for possibilities for the Community fleet to fish for shrimps in Svalbard waters. The agreement recognises that Community vessels will spend no more than 519 days in this area and that, with some minor possible exceptions, no more than four Community vessels will be simultaneously present in the area. All the Member States involved agreed to this plan.

In the light of this agreement the Commission did not pursue its formal proposal on this issue.

WRITTEN QUESTION E-2199/00
by Frédérique Ries (ELDR) to the Commission
(3 July 2000)

Subject: Equal treatment between persons irrespective of racial or ethnic origin

When the report by Mrs Buitenweg (A5-0136/2000) on equal treatment between persons irrespective of racial or ethnic origin was discussed by the Committee on Citizens’ Freedoms and Rights, my colleague
Willy de Clercq and I table Amendment 72, stipulating that ‘for the purposes of this Directive, the principle of equal treatment shall mean that there shall be no direct or indirect discrimination based on racial or ethnic origin, including incitement to discrimination, or incitement to hatred or violence based on ethnic, religious or racial origin, such as denial of the Shoah’.

During discussions in committee the Commission did not question the actual substance of the amendment but put forward legal arguments to the effect that such a provision would need to form the subject of a separate piece of legislation.

Will the Commission explain in what way it intends to take action on the substance of this amendment and, in particular, on laying down the principle that denial of the Shoah is an incitement to discrimination? What will be the broad lines of the separate piece of legislation which the Commission referred to during the discussions in committee? What timetable has it established for this purpose?

Answer given by Mrs Diamantopoulou on behalf of the Commission

(13 September 2000)

Article 13 of the EC Treaty enables the Council to adopt measures to combat discrimination. The Commission’s proposal for a directive, based on Article 13, establishing the principle of equal treatment between people irrespective of racial or ethnic origin (1), prohibits discrimination based on those grounds in a number of areas of individual cases of discrimination. The Commission believes that the amendment proposed by the Honourable Members to the draft directive — since adopted by the Council on 29 June 2000 (2) — dealt not with individual cases of discrimination falling within the material scope of the directive, but rather with wider forms of racist behaviour beyond the scope of Article 13.

For that reason, the Commission was unable to accept the proposed amendment. However, it noted that Article 29 of the Treaty on European Union provides powers to act against wider forms of racism and xenophobia. The Commission recalls that the Council adopted in 1996 under (then) Article K.3 of the Treaty on European Union a joint action (3) on police and judicial co-operation to combat racism and xenophobia, including incitement to racial hatred and violence and the denial of the Holocaust. This implementation of the joint action is due to be reviewed for the second time this summer. In the light of that review, the Commission will consider what further action may be appropriate under Article 29 of the Treaty on European Union to tackle the issues raised by the Honourable Member.

(3) OJ L 185, 24.7.1996.

(2001/C 89 E/180)

WRITTEN QUESTION E-2205/00

by Johan Van Hecke (PPE-DE) to the Commission

(3 July 2000)

Subject: Ban on Belgian fishing vessels with Dutch owners sharing in the Belgian quota but selling their catch in the Netherlands

The Belgian authorities recently imposed a temporary fishing ban on twelve Belgian fishing vessels with Dutch owners because they failed to satisfy the requirements laid down by Belgian legislation. The law states that fishing vessels flying the Belgian flag must have an effective economic link with Belgium. The ships in question share in the Belgian fishing allocation but sell their catch in the Netherlands and not in Belgium. Furthermore, they do not have enough Belgian crew members on board. There have been loud protests in the Netherlands at this ban.

What is the view of the Commission? In the Commission’s opinion, how can such situations be prevented in future with people sharing in the allocation of a country which derives no economic benefit from it?