WRITTEN QUESTION E-3227/00
by Luis Berenguer Fuster (PSE) to the Commission
(17 October 2000)

Subject: Merger controls by the European Commission

Commissioner Monti has frequently expressed support for amending the regulation on merger controls to give the Commission more scope for acting in this field. A number of cases would suggest that this is entirely justified.

This applies to the planned merger announced in Spain between Endesa and Iberdrola, which seems to enjoy the approval of the Spanish Government. When analysing this operation, it should be borne in mind that the companies concerned generate two-thirds of their turnover in Spain and do not therefore have a Community dimension. In addition, in Spain decisions on mergers are not taken by an independent body such as a competition tribunal, but by the government itself.

Does the Commission consider that it should be empowered to act to control mergers in cases where they involve companies in strategic sectors whose activities are centred in a single country?

What are the Commission's views on the proposed merger between the two main Spanish electricity companies? Could this merger affect competition?

Answer given by Mr Monti on behalf of the Commission
(9 November 2000)

In its report (1) to the Council on the application of the Merger Regulation threshold (2) of June 2000, submitted for information to the Parliament, the Commission expressed the view regarding mergers of enterprises that achieve more than two-thirds of their turnover in one and the same Member State that 'As far as the two-thirds rule is concerned, it is the Commission's experience that certain transactions with clear cross-border effects are excluded from the scope of the Merger Regulation by this criterion. … Still it has to be concluded that the available information is insufficient to allow any firm conclusions. Consequently, further data collection and analysis would be required prior to making any concrete conclusion or proposing specific amendments'.

Given the absence of the necessary information to form even a preliminary view, the Commission is not in a position to comment on the merger mentioned by the Honourable Member.


WRITTEN QUESTION E-3231/00
by Stefano Zappalà (PPE-DE), Antonio Tajani (PPE-DE), Guido Viceconte (PPE-DE), Generoso Andria (PPE-DE), Amalia Sartori (PPE-DE), Giorgio Lisi (PPE-DE) and Mario Mantovani (PPE-DE) to the Council
(20 October 2000)

Subject: Female circumcision in the European Union

Given that female circumcision is performed on children between the ages of 4 and 12 in around 20 African countries, 10 south-east Asian countries and also in Europe; consists of the removal of the clitoris,
the labia minora and part of the labia majora, and in the suturing of the vulva, with the attendant risk of mental trauma, tetanus, septicaemia, haemorrhaging, sterility and even death (one case in every six); has been performed on 140 million women worldwide, including 40 000 in Italy, where a further 20 000 are at risk and is performed under cover in unhygienic conditions and in breach of laws on the subject (Sweden, Norway, Germany and Belgium).

Will the Council say:

1. how widespread this phenomenon is in the European Union and what national laws there are on this matter?

2. whether it believes a proposal for Community legislation should be drawn up to combat this form of torture, including even the withdrawal of economic aid for countries which authorise this practice (a provision already adopted in the United States in 1996) and with provision for deinfibulation to be performed on request under proper medical conditions and for appropriate public information, awareness and education campaigns to be undertaken in non-Community countries?

Reply

(20/21 December 2000)

In the framework of the Daphne (1) programme, a study on genital mutilation in Europe was carried out in 1998 by the International Centre for Reproductive Health (Belgium), the Royal Tropical Institute (The Netherlands) and the Netherlands branch of Defence for Children International. The study addresses the specific problem of differences among the Member States in respect of legislation, medical practices and attitudes to this issue. The conclusions of the study have been submitted to the Commission. The study does not refer to relations with third countries.

1. Female genital mutilations are acts of violence perpetrated on women and children which the Council unequivocally condemns as a violation of basic rights. At this stage, female genital mutilation is not dealt with as a specific issue within Council bodies but as one aspect of violence perpetrated on women and children. To date the Council has not received any proposals to harmonise Member States' policies in this area.

2. At the 54th UN General Assembly, a Member State tabled a draft resolution on traditional or customary practices affecting the health of women and young girls (54/133). The resolution, which was sponsored by all the Member States of the European Union, was adopted without a vote on 17 December 1999. The resolution reaffirms that traditional or customary practices affecting the health of women and girls constitute a definite form of violence against women and young girls and a serious form of violation of their human rights. The General Assembly emphasises that legislative or other measures must be taken at national level to prohibit these harmful practices, and calls on all States to implement their international commitments in this field, inter alia, under the Vienna Declaration and Programme of Action, the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women, the Programme of Action of the International Conference on Population and Development and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children.