Reply
(12 March 2001)

President Ahtisaari went to Belgrade on 2 June 1999 at the initiative of the European Union. At its meeting on 31 May 1999 the Council had expressly supported his efforts and invited him to speak at the Cologne European Council so that he could contribute to the discussions on the Western Balkans.

The Honourable Member will quite understand that the Council does not intend to comment on a publication by a well-known figure such as President Martti Ahtisaari, but the Council can state that it has no information on any supposed ‘secret pact’ between Mr Milosevic and the ‘Russian generals’ with a view to making Kosovo a Serbian zone.

It is worth recalling that the Council has on several occasions expressed its confidence in and full support for the initiatives of UNMIK/KFOR in Kosovo, and more specifically the town of Mitrovica, aiming at the full application of Resolution 1244 of the United Nations Security Council and in particular at normalisation of inter-ethnic relations, including the free movement of persons and the return of refugees.

(2001/C 174 E/204) WRITTEN QUESTION E-3936/00
by Paul Rübig (PPE-DE) to the Commission
(13 December 2000)

Subject: Market surveillance and the EC trade mark

With regard to market surveillance and the EC trademark, would the Commission kindly answer the following questions:

1. Does it merely send written questions to the individual Member States concerning market surveillance, or does it carry out its own spot checks on the premises of individual companies? How often does it do so?

2. In the first instance, are the Member States required to produce accurate documentation to prove that shortcomings have been remedied, and do they do so?

3. Since no comprehensive market surveillance can currently be guaranteed at European level, what is the timescale within which that should be achieved, or will it prove impossible to implement in the near future because of the current streamlining of the administration?

4. Might it be possible to use certification by private-sector third parties to close any loophole in market surveillance?

Answer given by Mr Liikanen on behalf of the Commission
(28 February 2001)

Market surveillance falls under Member States' competence. Member States must nominate their competent authorities and the Commission's role consists in verifying that Member States fulfill their obligations. The Commission is not entitled to undertake its own spot checks on the premises of individual companies.

Defects must be notified to the Commission through the safeguard clause procedure. Member-States must keep the Commission informed of measures introduced in accordance with the safeguard clause, including the necessary technical justifications.
Each Member State decides its own market surveillance structure. Legal and administrative structures can thus vary between Member-States. However, in order to achieve a coherent and high safety level throughout the Community co-operation between national authorities is highly desirable and the Commission supports these co-operative activities in various ways (administrative co-operation, mutual joint visit programmes, cross-border projects, ...).

Moreover, the Commission is currently undertaking an analysis of the implementation of certain elements of the New Approach Directives, with the intention to publish a Commission Communication in 2001. Market surveillance will constitute an important part of the related reflections.

Whereas third-party certification is often useful before goods are placed on the market, it is essential that market surveillance be conducted in an independent manner and thus remains the responsibility of national authorities.

(2001/C 174 E/205)

WRITTEN QUESTION E-3939/00
by Christopher Huhne (ELDR) to the Council
(20 December 2000)

Subject: Outvoting under QMV

Will the Council update its previous answer to question E-917/00 (1), giving the number of occasions on which each Member State had been outvoted under a qualified majority procedure, to include all votes taken by qualified majority until the end of November 2000?


Reply
(12 March 2001)

The Honourable Member will find below an updated version of the summary of the abstentions and votes against cast by delegations on the adoption of legislative acts by the Council. These statistics include data until the end of November 2000.

The Council would draw the Honourable Member's attention to the fact that the General Secretariat of the Council draws up monthly summaries of Council acts which contain lists of legislative and non-legislative acts of the Council, including the results of votes, explanations of voting and statements for the minutes when the Council is acting in its capacity as legislator. These monthly summaries can be obtained directly from the Council's website (http://ue.eu.int, under 'Transparency' and 'Summary of Council acts').

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(1) First eleven months.