WRITTEN QUESTION E-0767/01
by Charles Tannock (PPE-DE) to the Commission
(13 March 2001)

Subject: The Charter of Fundamental Rights (employers’ ability to discriminate on the basis of language ability)

Can the Commission indicate whether it has fully thought through the implications of the extensive list of attributes listed in Article 21 of the Charter of Fundamental Rights on the basis of which discrimination would be prohibited were the Charter to be incorporated into the treaties, and, in particular, the prohibition on discrimination on the basis of language? Is the Commission seriously suggesting that the ability to speak a language is not a justifiable basis for discrimination between job applicants, so that it would be unlawful for a Health Authority, for example, through language aptitude tests to ensure that doctors or nurses were able to understand and express themselves clearly to their patients, or for translators to be required by their employer to speak a particular language, and if the Commission does believe that language skills are not a proper basis for discrimination then does it intend to do away with the language requirements that form part of the competitive examination (concours) which must be sat by those wishing to join the Commission or the other European institutions?

Answer given by Mr Vitorino on behalf of the Commission
(19 April 2001)

The Commission would point out first of all that the Charter of Fundamental Rights, seminal provisions intended for incorporation in the Treaties, was drawn up by a convention where the Commission participated along with representatives of the heads of State and government, the national parliaments and the European Parliament.

It would further point out that Article 21 of the Charter corresponds to Article 14 of the European Convention on Human Rights, although the scope of the former is wider, particularly concerning the prohibition on discrimination on the basis of language, to which the Honourable Member refers.

Concerning the substance, discrimination only arises if one person is treated less favourably than another in a situation that is comparable on the basis of a specific criterion. In the examples cited by the Honourable Member, the language criterion could in any case be objectively justified on the basis of a legitimate objective.

WRITTEN QUESTION E-0769/01
by Charles Tannock (PPE-DE) to the Commission
(13 March 2001)

Subject: The destruction of Schinias marsh on the Attica peninsula

Can the Commission indicate whether the Greek government’s plans to use the site of the battle of Marathon as the venue for the rowing and canoeing events for the forthcoming Olympic Games and the destruction which this will cause not only to the battle site but also to the adjoining Schinias marsh, which is home to a hundred and seventy six species of birds (including eagles, herons, peregrine falcons, red kites, pelicans and the glossy ibis) as well as four thousand species of insect and the baskia fish, found nowhere else in the world, is legal under European law?

Answer given by Mrs Wallström on behalf of the Commission
(25 April 2001)

The Commission would like to inform the Honourable Member of the registration of a formal complaint related to the proposed construction of an Olympic canoeing and rowing centre in Schinias. In the framework of the investigation of the case, the Commission sent a letter to the Greek authorities drawing

The Commission is currently investigating the case and the elements supplied by the Greek authorities in their reply, taking into account the conservation value of the site. A technical visit to the Schinias site is scheduled by the Commission in order to assess the compatibility of the planned Olympic project with the nature conservation of the site.


(2001/C 318 E/125) WRITTEN QUESTION E-0771/01

by Juan Naranjo Escobar (PPE-DE) to the Commission

(13 March 2001)

Subject: E-commerce and financial services

With the intention of promoting electronic commerce in financial services, the Commission submitted, some weeks ago, a strategy aimed at achieving an integrated market in those services by 2005. This strategy is based on the ‘country of origin principle’: in other words, crossborder buying and selling of financial services should obey the rules of the Member State in which the service is provided.

In the interests of overcoming the existing market fragmentation, what concrete actions does the Commission intend to take to boost consumer confidence in Internet payment systems? By what means does the Commission propose to harmonise the codes of conduct for professionals? To what extent does it intend to cooperate with operators on those markets to ensure that its objectives are achieved by 2005?

Answer given by Mr Bolkestein on behalf of the Commission

(6 June 2001)

As explained in the Communication on ‘E-Commerce and Financial Services’ (1) confidence in Internet payment systems is essential for the development of business to consumer e-commerce. The Commission is working on both improving the technical security and establishing a legislative framework in order to promote consumer confidence in Internet payments.

In addition, the Commission recently adopted a Fraud Prevention Action Plan (2) which covers technological improvements to payment products and systems, as well as an improved information exchange. It also stresses the need for close co-operation of all the parties involved at all levels in a payment transaction. The Commission will co-ordinate action to promote preventive measures, including information gathering and awareness raising initiatives. A forum on security of payment products and systems will be established as well as an experts’ group at Community level with the aim of strengthening cross-border co-operation.

Concerning legislative measures, the Commission believes that a legal framework for a refund system that establishes a right for refund in the event of a non-authorised transaction and non-delivery of goods purchased at a distance is needed urgently. This framework will strengthen the existing Community legislation on consumer protection in the area of electronic payments (3).

The Commission is supportive of industry developments in secure technical solutions, for example through other initiatives undertaken by the Commission, such as the possibility to propose a directive on mutual recognition of the evaluation of security product and services and as the smart card charter in the e-Europe initiative.