WRITTEN QUESTION P-2887/01
by Jens-Peter Bonde (EDD) to the Council
(11 October 2001)

Subject: Luxembourg compromise

Does the Council agree with Anthony Teasdale's contribution to Martin Westlake's book on the Council of Ministers in which he states that the Luxembourg compromise has not been used since 1985, that it was not in fact upheld when Greece used it during the 1988 agriculture negotiations, and that it could not be invoked today?

Has the Luxembourg compromise been invoked since 1985 and, if so, when?

Which countries still subscribe to the Luxembourg compromise and do they constitute a blocking minority?

Reply
(12 February 2002)

Academic publications are not a basis for discussion in the Council, and the Council has never discussed the work referred to by the Honourable Member.

The Council, as it has stated on previous occasions (1), recalls that the conclusions of its extraordinary session in Luxembourg on 17, 18, 27 and 28 January 1966 which are commonly referred to as the 'Luxembourg compromise' and which have not been amended or rescinded, do not prevent it from taking decisions in accordance with the Treaties. However, the fact that the Treaties in many instances provide for majority decisions does not prevent members of the Council from endeavouring in general to narrow differences and reconcile their views as far as possible before the Council acts. Moreover, the Council does not keep records of possible occasions on which the so-called 'Luxembourg compromise' might have been invoked.

(1) See replies to written question E-317/96 and E-1109/01.

WRITTEN QUESTION E-2889/01
by María Sornosa Martínez (PSE) to the Commission
(22 October 2001)

Subject: ERDF project ‘rehabilitation of the Los Filtros district of Manises’ (Valencia, Spain)

In the town of Manises (in the Region of Valencia) a project entitled ‘restoration of the environment in a run-down area, with protection of a natural area — the urban surroundings of Los Filtros in Manises’. This project, which benefits from Community funding via the ERDF, has led to the disappearance of architectural features dating from the beginning of the last century, which were hitherto protected by the competent authorities as part of the historic and artistic heritage, in accordance with the Manises PGOU (general town-planning project).

Furthermore the project has received ERDF funding for supposed restoration of the district, whilst in fact what is happening is that a wooded area is being replaced with modern design features which improve neither the landscape nor the urban environment.

Both Regulation No 1260/99 (2) on the structural funds and Regulation 1783/99 (2) on the ERDF specify that the Funds will not finance projects which interfere with the protection of the natural and cultural heritage. Article 2(2)(d) of the ERDF Regulation specifically mentions the need to protect the cultural heritage.

(2) See replies to written question E-317/96 and E-1109/01.
Since one of the uses of the ERDF is to rehabilitate run-down areas, can the Commission say:

- on the basis of what criteria funding was granted for the above project, which includes the demolition of architectural features protected by the Manises PGOU;
- what supervision mechanisms were used to ensure correct allocation of ERDF funding in this particular case?


Answer given by Mr Barnier on behalf of the Commission

(26 October 2001)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(2002/C 134 E/135)

WRITTEN QUESTION P-2891/01
by Pat Gallagher (UEN) to the Commission

(12 October 2001)

Subject: Environmental risks from the Sellafield nuclear power plant

Given the new security environment following the 11 September terrorist attacks in the USA, the proximity of British Nuclear Fuels’ Sellafield Plant in Cumbria, UK, to major population centres on the eastern Irish coast and the appalling safety record of this plant, will the Commission as a matter of urgency carry out an on-the-spot assessment of the risks to the Irish population of the continued operation of this plant and, in the interim, urge the British authorities to rescind their recent decision to approve an expansion of the plant at a cost of more than EUR 500 million?

Answer given by Mrs de Palacio on behalf of the Commission

(23 November 2001)

The security and safety of nuclear installations is a national competence as long as compliance with the provisions of the Euratom Treaty is assured.

Following the terrorist attack of 11 September 2001, operators of nuclear installations and national authorities will each undertake their own analysis of the situation and will accordingly take a number of additional measures to increase the physical protection of the nuclear installations and the material they use or store. It is expected that all the different options will be fully analysed. For security reasons, additional measures put into place are unlikely to be made public. The International Atomic Energy Agency (IAEA) will also co-ordinate major international efforts of co-operation in this area.

Concerning the operation of the Sellafield plant, the Commission would point out that the plant’s operation has to be carried out within the strict limits set by the British nuclear regulator and meet the requirements of the Basic Safety Standards Directives.

The decision of British authorities to approve an expansion of the Sellafield plant concerns a new facility for the fabrication of Mixed Oxide (MOX) Fuel Elements. In accordance with Article 37 of the Euratom Treaty, the Commission has already given an opinion on whether the disposal of radioactive waste from this plant is liable to affect another Member State (1).