WRITTEN QUESTION E-0531/02
by Charles Tannock (PPE-DE) to the Council
(25 February 2002)

Subject: Reform of the Commission

Is the Council satisfied with the progress made in reforming the Commission, and what measures does the Council believe are indispensable to that process if it is to be effective and to win public support?

Reply
(22 July 2002)

It would not be appropriate for the Council to take a view on the internal reform of another institution. The Council is not therefore in a position to respond to the Honourable Member’s question.

On a more general level, however, the European Council, meeting in Göteborg on 15 and 16 June 2001, gave a reminder of the need for the Union to be served by modern, open and citizen-oriented institutions and considered that the reforms under way in all the institutions of the Union underscored their commitment to that objective.

WRITTEN QUESTION P-0533/02
by Ilka Schröder (GUE/NGL) to the Council
(19 February 2002)

Subject: Arrest of Mr Rodríguez Fernández with the help of Eurojust

On 16 January 2002, Mr Juan Ramón Rodríguez Fernández was arrested in Amsterdam on a charge of having assisted ETA’s Gorbea cell by passing addresses of the suspected right-wing extremist Pedro Varela on to someone else connected with ETA. As Jungle World No 7, published on 11 February 2002, put it, that was tantamount to passing on details of targets to be attacked. However, such information is freely available to anybody who looks it up in the Barcelona public telephone directory.

According to the Spanish newspaper ‘La Vanguardia’, the arrest was the ‘first fruit of the new Eurojust system, the EU system for judicial cooperation’. According to the Dutch newspaper NRC Handelsblad, issue dated 20 January 2002, it was carried out very rapidly in response to a request submitted under the Eurojust system by the Spanish Public Prosecutor to his Dutch counterpart. According to ‘Statewatch’, a non-governmental organisation, the case was handled by pro-Eurojust (see www.statewatch.org/news/2002/feb/02eurojust.htm).

Is the Council aware of the circumstances surrounding the arrest and of its legal basis? If so, what might that legal basis be? If not, which department of the EU or of one of the Member States is responsible for providing information to MEPs and to the general public?

To what extent was pro-Eurojust or Eurojust involved in the arrest, and on what legal basis was Mr Fernández arrested?

Does the Council feel that the available evidence (passing on a publicly available address) falls under the definition of terrorism as described in the Framework Decision on combating terrorism (14845/1/01 − C5-0680/2001 − 2001/0217(CNS))?

Reply
(22 July 2002)

Arrests made by national law enforcement authorities are entirely in the hands of those authorities and not a matter for the Council, which cannot therefore give any details of the circumstances surrounding the arrest in question or the legal basis for it.
Nor is the Council able to provide any information concerning any involvement of Pro Eurojust or Eurojust in such arrests.

In more general terms, it should be pointed out that Pro Eurojust was a provisional unit of 15 prosecutors and judges working entirely under national law, but established by a Council Decision. That Decision, superseded by the Council Decision of 28 February 2002 setting up Eurojust, did not give the provisional unit's members any coercive powers. The tasks assigned them did, however, include improving cooperation between competent national authorities with regard to investigations and prosecutions in relation to serious crime, particularly organised crime, involving two or more Member States.

The Decision of 28 February 2002 does not give Eurojust any coercive powers exercisable directly vis-à-vis the public, such as the power of arrest. It does, however, expressly include among Eurojust's tasks, whether acting as a college or through its national members, to 'assist the competent authorities of the Member States, at their request, in ensuring the best possible coordination of investigations and prosecutions'.

The above is, moreover, without prejudice to Member States' conferral on their respective national members of judicial powers within their own territory.

As regards the last question, the Council does not comment on any cases pending before the competent national authorities.

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(2002/C 277 E/064)  
WRITTEN QUESTION E-0558/02  
by Alexandros Alavanos (GUE/NGL) to the Commission  
(27 February 2002)

Subject: Incorrect forms of names arising from standard used to record them in public documents

Major problems are caused when Greek civil servants transliterate Greek names into Latin characters (when issuing new identity cards, passports, diplomas, etc.), especially for Greek citizens who have names of foreign origin. The particular standard applied — ELOT 743 — devised by the Greek Standardisation Organisation does not seem to cover all cases where letters are pronounced differently from one country to another. For example, the name of a Greek woman married to a German named 'Weber' would in Greek appear as 'Βεµπέρ', which then transliterates back into Latin characters using the new standard as 'Vemper'.

The result of this situation is that citizens with Greek identity documents have 'dual' names in the other Member States and experience considerable complications and inconvenience over matters such as insurance, pensions, bank accounts, etc.

In view of the fact that this situation creates an obstacle to freedom of movement and establishment for Greek citizens in the other 14 Member States of the Union which use the Latin alphabet, what representations will the Commission make to the Greek authorities to ensure that names of foreign origin transliterated from the Greek version of those names appear as they do in their original form?

Answer given by Mr Vitorino on behalf of the Commission  
(3 April 2002)

In its judgment of 30 March 1993 in Case C-168/91 (1), the Court of Justice acknowledged (paragraph 14) that it is for the Member State in question to adopt legislation or administrative measures laying down the detailed rules for the transcription of a Greek name into Roman characters in accordance with the prescriptions of any international conventions relating to civil status to which it is a party. Thus it is for Greece to lay down the detailed rules for the transcription of a Greek name into Roman characters or vice versa in accordance with such international conventions.