WRITTEN QUESTION E-1844/02
by Daniel Varela Suanzes-Carpegna (PPE-DE) to the Commission
(28 June 2002)

Subject: Tuna: EU-Mexico

On 21 August 2001 the United States of Mexico published official emergency order NOM-EM-04-PESC-2001. By-catch of juvenile organisms of yellowfin tuna (Thunnus albacares) and bigeye tuna (Thunnus obesus) in the Eastern Pacific Ocean and the Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea. The order, which laid down requirements for the marketing of tuna, tuna products and by-products on national territory, was extended on 4 March 2002.

The objective is to bring about the optimum exploitation of tuna and reduce by-catches of juvenile organisms of yellowfin tuna (Thunnus albacares) and bigeye tuna (Thunnus obesus), and the order is binding on all fishermen fishing for tuna from vessels equipped with encircling nets and operating in waters under federal jurisdiction, and from vessels equipped with encircling nets and flying the Mexican flag operating in international waters or in waters under the jurisdiction of other countries on the Eastern Pacific Ocean and the Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea.

It is also stipulated that the order must be complied with by anyone processing and distributing tuna caught with these vessels, as well as tuna products and by-products, up to their final destination. Likewise, it must be complied with by anyone marketing tuna, tuna products and by-products on national territory.

The problem lies with the issuing of certificates, given that Mexico does not consider certificates issued by private associations or interprofessional organisations to be acceptable. As a result, a consignment of conserved clear tuna and white tuna from Spain has been held up in the port of Altamira in Mexico since 23 January 2002, and other consignments will face the same situation.

This action on the part of Mexico is in breach of the free movement of goods laid down in the WTO, to which Mexico and the European Union both belong.

Does the Commission not consider that all these measures being taken by Mexico are creating technical obstacles to trade?

Can the Commission provide information on a proposed solution to this problem?

What measures is the European Union taking against Mexico in response to this action?

Answer given by Mr Lamy on behalf of the Commission
(13 August 2002)

The Commission is aware of the existence of Mexican emergency order NOM-EM-04-PESC-2001 extended also to 2002 and has raised this matter with the Mexican authorities on various occasions. As the Commission understands it, the step taken by Mexico purports to protect juvenile tunas. It appears, however, that this is a national measure with extraterritoriality provisions which have not been agreed upon under the umbrella of a Regional Fisheries Organisation or by other means of international co-operation.

The Commission is, of course, concerned about the measure taken by the Mexican government and its implications for trade in tuna and its by-products. However, in order to assess the World Trade Organisation (WTO) compatibility of the Mexican measure, the Commission needs to have all the necessary elements of information available: specifically it needs detailed information on the grounds and the manner in which the measure is implemented, including its application at national (Mexican) level.

To this end the Commission is currently, in consultation with Member States, gathering information, and has made a request to the Mexican authorities for information on the measure and its application in order to assess future possible steps.
In this regard, it should also be noted that the Free Trade Agreement between Mexico and the European Union also provides a suitable framework to solve trade disputes on a bilateral basis.


(2003/C92E/102)

WRITTEN QUESTION E-1853/02
by Antonio Tajani (PPE-DE) to the Council
(28 June 2002)

Subject: Telecom Italia's acquisition of Telekom Serbia

Is the Council aware that the UN investigation documents concerning Slobodan Milosevic's hidden assets, which were handed over to the Hague Tribunal, reveal that payments amounting to around EUR 500 million had been effected from Italy into offshore companies based in Cyprus?

Is the Council aware that UN investigators have found that these payments derive from part of the sum paid for Telecom Italia's 29% share in Telekom Serbia?

Does the Council have any information which would be of use in the investigations into the financial sources of Milosevic's secret assets?

What initiatives is the Council intending to undertake in order to help shed light on this issue?

Reply
(16-19 December 2002)

The Council is not aware of any of the facts mentioned by the Honourable Member of the European Parliament.

(2003/C92E/103)

WRITTEN QUESTION E-1854/02
by Antonio Tajani (PPE-DE) to the Commission
(28 June 2002)

Subject: Telecom Italia's acquisition of Telekom Serbia

Is the Commission aware that the UN investigation documents concerning Slobodan Milosevic's hidden assets, which were handed over to the Hague Tribunal, reveal that payments amounting to around EUR 500 million had been effected from Italy into offshore companies based in Cyprus?

Is the Commission aware that UN investigators have found that these payments derive from part of the sum paid for Telecom Italia's 29% share in Telekom Serbia?

Does the Commission have any information which would be of use in the investigations into the financial sources of Milosevic's secret assets?

What initiatives is the Commission intending to undertake in order to help shed light on this issue?

Answer given by Mr Patten on behalf of the Commission
(6 August 2002)

The Commission cooperates closely with the International Criminal Tribunal for the former Yugoslavia on issues relating to the implementation of the sanctions against the Federal Republic of Yugoslavia (FRY) and the tracing of FRY assets in the Member States and in the candidate countries.