(2003/C 155 E/073)  
WRITTEN QUESTION E-2933/02  
by Jorge Moreira Da Silva (PPE-DE) to the Council  
(17 October 2002)

Subject: Application of the European Convention on the Academic Recognition of University Qualifications (ETS 32)

If a State signatory to the European Convention on the Academic Recognition of University Qualifications (ETS 32) withholds equivalence of (non-vocational) qualifications from a graduate because certain parts of the syllabus concerned do not meet its requirements, thereby requiring all graduates from another State signatory to retake all or part of their syllabus, can this be considered as contravening the aforementioned convention?

Does Article 4 of the convention oblige the authorities competent to deal with issues of equivalence, including the education ministries of the States signatory, to notify applicants for equivalent status of the subject areas of the syllabus that fail to meet their requirements? Must they also provide holders of foreign university qualifications with a list of the examinations they must pass?

Reply  
(3 March 2003)

The Council would inform the Honourable Member that it is not for the Council to interpret the content of the European Convention on the Academic Recognition of University Qualifications. That is a Council of Europe Convention, not an act of the Council of the European Union.

(2003/C 155 E/074)  
WRITTEN QUESTION P-2948/02  
by Sebastiano Musumeci (UEN) to the Council  
(14 October 2002)

Subject: Shipwreck of illegal immigrants off Sicily

The burning issue of illegal immigration in Sicily is increasingly taking on emergency proportions.

The number of illegal immigrants landing in Sicily has risen from 2759 in 2001 to 12124 at present, not including the number of dead.

In the last few days, yet another tragic incident has occurred, first with the shipwreck of non-Community immigrants, and then the deaths of several men, women and children, victims of criminal organisations involved in the traffic in human beings and willing to sacrifice the lives of desperate people who will try anything to avoid being captured.

The author of this question tabled an earlier written question (E-3653/01 (1)) on setting up an immigration monitoring centre.

Given the above:

- has the Council already drawn up a bilateral regional cooperation programme with the various countries of the Mediterranean Basin in the field of justice and home affairs, aimed at limiting and regulating migration flows towards the southern European coastline?

- does this programme make provision for the establishment of an immigration monitoring centre, responsible for neutralising at source the vast and alarming problem of illegal immigration, and the establishment of a multinational police force, responsible for identifying and combating those who exploit people forced to leave their countries out of despair?

- why has the monitoring centre not been set up and by what reasonable deadline does the Council plan to set it up?

(1) Of C 92 E, 17.4.2003, p. 3.
Reply

(3 March 2003)

1. It should be pointed out to the Honourable Member that, at EU level, as indicated in particular in the comprehensive plan to combat illegal immigration and trafficking of human beings in the European Union, adopted by the Council on 28 February 2002 and published in the Official Journal (1), a feasibility study is being carried out with a view to developing a European system for exchanging information on asylum, migration and countries of origin. On the basis of that study's findings, the Commission should shortly be presenting the Council with proposals for the establishment and implementation of such a system. Mention should also be made of regional cooperation under the JHA regional programme for the Mediterranean (approved at the Euro-Mediterranean Conference in Valencia in April 2002) and cooperation between Member States under the Spanish, Greek, Italian and United Kingdom project for maritime border control in the Mediterranean, funded from the ARGO programme, budget heading B7-667 and MEDA, as well as by Member States.

2. As regards cooperation with Mediterranean countries, it should be noted that, under the MEDA 2002 regional financing plan shortly to be submitted to the Council, the Commission intends to make funding available for the adoption and implementation of, among other measures, various initiatives relating to immigration. Managing migration flows and combating illegal immigration and trafficking in human beings should be among the aims of measures eligible for funding under the plan.


(2003/C 155 E/075)

WRITTEN QUESTION P-2955/02
by Charlotte Cederschiöld (PPE-DE) to the Commission

(15 October 2002)

Subject: Data retention

Data preservation and not data retention is the principle on which protection of potential evidence is based in the Council of Europe Cybercrime Convention. This has been supported by all EU Member States and, among others, the USA and Japan. Does the Commission believe that it is wise to go beyond what is in the Convention even before it has entered into force?

Answer given by Mr Vitorino on behalf of the Commission

(21 November 2002)

The Honourable Member asks whether the Commission believes that it is wise to go beyond the preservation regime of stored traffic data adopted in the Council of Europe Convention on Cyber-crime even before it has entered into force.

The Council of Europe Convention on Cyber-crime establishes specific requirements for international cooperation in the fight against cyber crime. While this Convention requires obligations for preservation of stored traffic data, it leaves the contracting parties free to adopt other measures necessary in the fight against crime.

Under Article 8 of the European Convention of Human Rights, it is up to each Member State adopting traffic data retention measures to provide evidence that the public interest objective pursued cannot be achieved through less privacy invasive measures such as, for instance, data preservation.

The Commission is fully engaged in ensuring compatibility between data protection and privacy rights and law enforcement needs. It considers that a consistent approach in all Member States on traffic data retention would be highly desirable, to meet the objectives of both proportionality and effectiveness and to avoid the situation where both law enforcement and the Internet community would have to deal with a patchwork of diverse technical and legal environments.