Clark set up operations in Castelo de Paiva in 1988, with both national and Community aid. In May 2000 the company signed a protocol with the local municipal council in which it undertook to continue operations up to at least 2007, in return for a significant level of investment from the municipality.

Castelo de Paiva is a municipality located in the Portuguese interior, with a very fragile economy. The closure of this undertaking will bring in its wake disastrous economic and social consequences.

Given that this decision to close runs totally counter to the notion of corporate social responsibility, can the Commission answer the following questions:

− What sums were granted from Community funds, and when, to the company ‘Clark — Fábrica de Calçado, Lda’ in Castelo de Paiva?

− What conditions were required from this company in relation to the above Community funding?

− Should it be established that Clark is in breach of its obligations regarding its receipt of Community support, what action will the Commission take to prevent the factory’s closure and ensure the continuation of its activities in Castelo Paiva, guaranteeing the workers’ jobs?

− What political measures will the Commission take in order to prevent, and, ultimately, penalise actions of this nature, as frequently perpetrated by companies which establish themselves in the EU, receive Community funding and then, having exhausted its advantages and benefits (above all on the human level), relocate their operations?

Joint answer
to Written questions E-0286/03, E-0287/03, E-0288/03, E-0289/03, E-0290/03, E-0301/03 and E-0441/03 given by Ms Diamantopoulou on behalf of the Commission

(12 March 2003)

The Honourable Members are kindly asked to refer to the answer given by the Commission to Written Question P-0089/03 from Ms Bastos (1).

(1) See page 67.

(2004/C11E/084)

WRITTEN QUESTION E-0304/03
by Giovanni Pittella (PSE) to the Commission

(10 February 2003)

Subject: Racist websites

Considering that:

− the use of the web as a vehicle for neo-Nazi, anti-Semitic or generally racist propaganda, and as a means of organising the activities of far-right extremists nostalgic for fascism, is an increasingly serious problem;

− according to reliable sources, there are over 4,000 avowedly racist websites world-wide;

− this situation presents a real threat to democratic states and society, as it could enable illegal far-right organisations to develop terrorist networks.

What action has the Commission taken, and with what results?

What action does the Commission intend to take in future to address criminal activities of this kind and regulate the use of the internet in compliance with, and to uphold, the rule of law?
Answer given by Mr Vitorino on behalf of the Commission

(19 March 2003)

The Commission agrees with the Honourable Member on the seriousness of the problem and firmly condemns racism and xenophobia, which are a direct violation of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles upon which the Union is founded and which are common to the Member States as stated in Article 6 of the Treaty on the European Union.

The Commission presented in November 2001 a proposal for a Framework Decision (1), a legislative instrument in the field of penal law to ensure that the same racist and xenophobic conducts are punishable by the same penalties in all Member States and secondly, to improve and encourage judicial cooperation by removing potential obstacles. The Commission’s approach on this issue is to ensure that racist and xenophobic content on the Internet is criminalised in all Member States. The basic idea would be contained in the principle, ‘what is illegal off-line is illegal on-line’. Moreover, the proposal also establishes some minimum criteria as regards to jurisdiction for this type of offences. Negotiations on this legislative instrument are going on in the Council.

Furthermore, Article 15 of the Electronic Commerce Directive (2) lays down that service providers who store information supplied by and at the request of a recipient of the service need to expeditiously remove access to the information once they are informed of the illegality of this information.

Recital 48 of the Directive introduces the possibility for Member States to require hosting service providers to apply ‘duties of care’ in order to detect and prevent illegal activity.

At international level, eleven countries — including nine Member States — have signed in Strasbourg on 28 January 2003 the Additional Protocol to the Council of Europe’s Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature, committed through the use of computer systems.

The Safer Internet Action Plan also offers scope for funding action against racism (hotlines and awareness-raising) and the Safer Internet Forum which is being set up under the Action Plan will discuss practical ways of co-operating in this respect.


WRITTEN QUESTION P-0308/03
by Elly Plooij-van Gorsel (ELDR) to the Commission

(4 February 2003)

Subject: International fraud in the construction industry

It has emerged from recent reports that building companies not only from the Netherlands but also from other Member States, such as Germany and Belgium, have been involved in fraud in the construction industry in the Netherlands. Firms from the Netherlands have also been involved in illegal agreements on pricing and works in other Member States. There has been talk of systematic cartel agreements, price-fixing and/or forgery, that have pushed up prices and resulted in the illegal sharing out of markets. These practices have been highly damaging to governments and consequently taxpayers in a number of Member States. The formation of cross-border cartels of this kind is in breach of European regulations.

Is the Commission aware of the situation?