Given that many of these sectors have spoken out in protest, claiming that the amended legislation has severely lowered the level of protection available for the coastline, does the Commission not believe that Kingdom of Spain has adopted this legislation in direct violation of the provisions on public information and information contained in Directives 85/337/EEC (1) and 90/313/EEC (2) and subsequent amendments thereto?

(2) OJ L 158, 23.6.1990, p. 56.

Answer given by Mrs Wallström on behalf of the Commission

(5 May 2003)


Directive 85/337/EEC applies to the assessment of the environmental effects of those public and private projects that are likely to have significant effects on the environment. For the purposes of this Directive, ‘project’ means either the execution of construction works or of other installations or schemes, or other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources. It is clear from this definition that the preparation and adoption of legislation does not fall within the scope of Directive 85/337/EEC.

Directive 90/313/EEC obliges public authorities to reply to requests for access to environmental information. Draft legislation that is capable of affecting the environment, could fall within the definition of ‘information relating to the environment. Apart from the obligation to provide general information to the public on the state of environment, this Directive does not contain obligations for public authorities to actively disseminate information relating to the environment. The information put forward by the Honourable Member does not contain any information as to the fact that a request for access to the environmental information was addressed to the competent public authorities and whether or not access was given. In the absence of such information, the Commission cannot say that the provisions of this Directive have been violated.

On the basis of the above observations, the Commission concludes that the subject in question does not fall within the scope of Directive 85/337/EEC and that it cannot be concluded that the provisions of Directive 90/313/EEC have been violated.


(2004/C 11 E/107)

WRITTEN QUESTION E-0694/03
by Olivier Dupuis (NI) to the Commission

(7 March 2003)

Subject: Earthquake in East Turkestan

According to various sources, at least 257 people were killed and more than 1 000 injured on Monday, 24 February when an earthquake, measuring 6.8 on the Richter Scale, ripped through a remote area in East Turkestan, flattening hundreds of buildings, including schools.

The earthquake rocked an area around Jiashi City in the western part of East Turkestan (Xinjiang region) at 10.03 a.m. Mr Li Qianghua, an official at the Beijing Seismological Bureau, confirmed the high death toll, blaming the poor quality of the structures in the quake-plagued area. The Xinhua press agency reported that more than 1 000 buildings had collapsed in one village in Bachu County.
The earthquake had its epicentre some forty kilometres east of Jiashi City, which lies in the county of the same name, near the East Turkestan (Xinjiang) frontier with Kyrgyzstan and Tadjikistan. Other areas shaken by strong tremors included Artux County and Markit County and Kashi City, located about 55 kilometres east of the historic oasis city of Kashgar, which is still mostly populated by the Uighur.

What measures has the Commission already taken to provide immediate help to the people in the Jiashi region in East Turkestan? Does it also intend to provide financial aid for reconstruction?

**Answer given by Mr Nielson on behalf of the Commission**

*(23 April 2003)*

The Commission manifested in the immediate aftermath of the earthquake, with a press statement released on 24 February 2003, its intention of intervening in support of the victims in the province of Xingiang (China) through funding of the Humanitarian Aid Office (ECHO).

However, a closer assessment of needs showed that such intervention was not necessary, as the Chinese Government seemed to be coping well with the situation. Of the same view was the International Federation of the Red Cross, which decided not to launch an international appeal for this earthquake. In fact, more than 6 000 soldiers and an additional 200 medical staff were immediately on task. In the first days, 9 000 large quilted tents were erected by the military, while more tents, food, medical supplies and clothes were sent to the area. The medical response continues to build up and at least three mobile hospitals are already operational and the number of medical personnel on site is now impressive. The authorities are tackling, at present, the issues of disease outbreak and the provision of clean water.

It needs to be underlined that the earthquake area is one of the most militarised zones in China and the government does not want foreigners in the area.

Nevertheless, one of ECHO’s partners is working in the area and, if needed, some post-disaster assistance with regard to small-scale rehabilitation of schools, clinics, water and sanitation could be envisaged.

Regarding reconstruction, the Commission has not received any requests for financial support as yet.

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(2004/C 11 E/108)

**WRITTEN QUESTION E-0695/03**

by Juan Naranjo Escobar (PPE-DE) to the Commission

*(10 March 2003)*

**Subject:** Pensions in the EU and the open coordination method

For various EU Member States, the main weakness of the stability programme has been and continues to be the long-term viability of their public finances, because the risk of budgetary imbalances cannot be excluded due, above all, to increase future spending on public pensions.

Can the Commission explain how the open coordination method is being applied in the field of pensions?

**Answer given by Mr Solbes Mira on behalf of the Commission**

*(3 April 2003)*

The open method of co-ordination was established by the Lisbon European Council (June 2000) as a complementary instrument to the Treaty-based processes for achieving the new strategic goal that was defined for the Union at the Lisbon Council in 2000. This method is to be applied in areas where no other