The Council understands that the legislation which was given final approval by Congress on 12 November 2003 does not contain the provisions which would have been potentially harmful for the EU industry.

(2004/C 84 E/0271)

WRITTEN QUESTION P-3246/03
by Cristiana Muscardini (UEN) to the Council
(27 October 2003)

Subject: Somalia: internal situation, refugees and terrorism

The deaths (through hunger, poverty and drowning) of a number of Somali refugees (mostly from Mogadishu) which have occurred off the Italian coast are a reminder of the thousands of Somalis who have died since 1991 in the Indian Ocean, the Gulf of Aden and the Red Sea whilst desperately fleeing a dictatorial regime linked to the Islamic fundamentalism which is responsible for the deaths of the lay missionary Tonelli and of two UK citizens belonging to the SOS organisation and which is represented by terrorist organisations such as Al-Ittihad and Al-Islah.

Knowing that:

— the interim president, Salad Hassan (who, according to the list of international terrorist organisations, was some months ago deposed as head of Al-Islah), has walked out of the Nairobi Conference (which has been going on for over a year) and is allegedly calling for annulment of all that the Somali representatives have agreed at Nairobi under the eyes of international observers and (once again) for a Reconciliation Conference to be held in Mogadishu — a city from which Somalis are escaping even if in so doing they are putting their own lives at risk;

— the leader of the Transitional National Government has denounced Somali leaders who report ‘Muslim brothers’ accused of terrorism to the Kenyans and to the Americans and has requested the release of the USD 8.5 million belonging to the Al-Barakat financial network on the grounds that the funds are private ones and include money which is his;

— in Somalia, militiamen who rebel against fundamentalism and terrorism continue to be murdered or executed and it appears that Mogadishu’s ‘new coalition’ includes Jumale, the Al-Barakat leader who has already been expelled from the United Arab Emirates.

In the light of the above information, can the Council:

1. galvanise diplomatic circles in order to bring the Nairobi Conference to an end and to provide Somalia with a federal government which will take the action required in order to enable democratic elections to be held?

2. make active efforts with a view to eradicating terrorism and isolating those who, in recent years, have more or less openly accepted and protected the terrorist groupings which have links with Al-Qaeda and which are responsible, inter alia, for the attacks carried out in Nairobi, Dar-es-Salaam and Mombasa?

3. launch (either on its own or in conjunction with the UN) a humanitarian-aid programme for the local people?

Reply
(9 March 2004)

1. The Council believes that a comprehensive and broad-based peace agreement between the different Somali factions is the most effective way to achieve sustainable peace and to establish a federal government. The EU has been actively supporting the IGAD sponsored peace and reconciliation process by making its position clear in public conclusions and declarations and by diplomatic démarches with the main players. The EU as part of the international observer group attending the Conference is determined to help bring the Nairobi Conference to a successful end. Despite recurrent setbacks in the talks it will continue with its efforts and impress upon all Somali leaders the need to maintain the momentum in the
peace process and to abstain from any action that may disrupt the Conference. Substantial financial support has been provided by the EU, apart from Member States’ bilateral contributions, the Commission has provided EUR 5.6 million to the peace process.

2. As to the fight against terrorism the EU is closely following the situation in Somalia. EU measures to facilitate police and judicial co-operation within the EU, including a European arrest warrant and a common definition of terrorism will also make it easier to combat terrorism with connections to Somalia.

In addition the EU has been playing an active role in the fight against the funding of terrorism, in particular through the implementation of UN Security Council resolutions 1373/2001 on the freezing of assets. The Council recalls that the EU strictly abides by the Security Council stipulations regarding the list established under resolutions 1267/1999 and 1333/2000 and referring to individuals and organizations belonging to or associated with the Taliban and Al-Qaida including in Somalia.

3. Despite the difficult situation in Somalia, the EU has been active in providing humanitarian assistance to the Somali people. The European Commission in particular has been continuously present in the country where it plays a central role in the donor community. An amount of EUR 25 million in disbursements is being foreseen in 2003. The special aid package of EUR 199 million decided for the period 2002-2007 will provide for this level to be sustained in the years to come.

(2004/C 84 E/0272)

WRITTEN QUESTION E-3248/03

by Anna Karamanou (PSE) to the Council

(3 November 2003)

Subject: Possibility of tracking cellphone users

Information has recently come to light regarding the commercial possibilities offered by mobile telephony networks which are being exploited by at least six companies in Great Britain, making it possible to pinpoint the location of a cellphone user at a very low monthly cost (EUR 7.5). Clearly this opens the door to the exploitation of sensitive personal information, for example by employers wishing to know where their employees are at any given moment. A number of ideas were also put forward regarding a code of conduct on the part of these companies which in theory, offer protection to cellphone users who do not wish their whereabouts to be divulged. The arguments put forward however were singularly unconvincing, given the danger of the emergence of a surveillance mentality with unforeseeable consequences.

What action does the Council intend to take to protect European citizens from the use of mobile telephony to track their movements?

Reply

(9 March 2004)

1. Agreements between network operators, service providers and customers of mobile telephone communications are to be negotiated between them, in respect of existing provisions, especially those for data protection.

2. As concerns lawful interception of telecommunications, the Council has adopted a Resolution which reaffirms the need to observe the right of individuals to respect for their privacy (1).