Under the Euromed Heritage II framework programme the Commission has also provided funding for the Prodecom project aimed at mobilising the potential of the Euro-Mediterranean artistic and craft heritage by introduction of a ‘local culture product’ label intended to make it easier for the quality and originality of craft products to be recognised. In the longer term this initiative should facilitate the marketing of craft products in Europe and worldwide. The project is being coordinated by the Chambre des Beaux Arts de Méditerranée (2).

Finally, a specific aid scheme is currently being prepared for measures to promote the marketing of craft products.

The Commission continues to devote attention to this subject and is thinking of carrying out preparatory work to evaluate the feasibility of a Community instrument for promoting distinctive products — other than agricultural products — made by small European enterprises, including the traditional products of the outermost regions that are an integral part of Europe’s cultural heritage and economically speaking are an invaluable asset to their producers (mainly small businesses and micro-enterprises) and local communities.

The European Social Fund (ESF) is providing EUR 99 075 446 in assistance for the Popram III programme under CSF III (2000-2006) (Measure 1.5 — Human Resource Skills and Social Equality). The assistance in Madeira is intended to help improve the population’s qualification level and promote employment, employability, equal opportunities and social integration: support for young people in obtaining qualifications, both inside and outside the education system, training for those already in employment, retraining and reintegration for the unemployed, local employment expansion schemes etc.

Community aid for wickerwork producers falls within this overall human resource development framework for the Madeira Autonomous Region. It is up to the national authorities to define specific policies for the various areas of activity. Theoretically all types of action open to ESF assistance could be aided under the programme but the national authorities have set selection criteria for Popram III that give priority to training plans proposed by businesses in the sector that are undergoing restructuring and to applications submitted under Action 1.5.3 — Training for those in employment.

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WRITTEN QUESTION E-0426/04
by Samuli Pohjamo (ELDR)
and Mikko Pesälä (ELDR) to the Commission
(17 February 2004)

Subject: Timetable for processing rural development projects

The official processing of rural development and enterprise projects often takes a very long time, in some cases more than a year. This causes considerable problems to project coordinators. If the processing of project applications and payment applications takes several months, projects become very difficult to manage and at the same time substantial financial losses are incurred. The flow of project ideas from the grass roots also tends to dry up because project planning is felt to be too slow and bureaucratic. If the processing of business projects takes more than a year it is possible that an entire project may become pointless.

This issue concerns horizontal rural development projects and projects in Objective 1 regions. The question is, has the Commission set a time limit for the period between submission of an application concerning a rural development project and a decision on the project? Project coordinators are set deadlines, but do any apply to the authorities? Is the Commission aware of differences in the speed with which projects are processed in different countries? It would be useful to know in order to ascertain whether speed of processing affects the results achieved in projects.
The Commission is aware of the long processing times of the Finnish rural development projects via the annual implementation reports of the programmes, evaluation reports and the work of the monitoring committees.

For example, in the mid-term evaluations carried out for Objective 1 programmes, the following criticisms were presented:

- The administration of the Structural Funds programmes in Finland has been rather heavy throughout the membership period and it has received a lot of criticism. Although new (national) legislation on Structural Funds has in many cases clarified competence relationships between different authorities, the heavy administrative pattern still creates unreasonable delays in starting the projects and in payment procedures.

- These problems are mainly related to programme structure, that is to say, variously, to different preparation processes of national and regional co-financers (EED-Centre, Provincial governments, County governments), to the decision making timetable and to different interpretation and application of the norms that guide the activities. Financial envelopes per county that hinder the optimal focusing of resources (confer different regional demand and supply that currently do not match properly) bring additional complexity.

- Similar criticism was also presented in the context of mid-term evaluations of the mini Regional Development Programme and Leader+ programme.

- The annual implementation reports of the Structural Fund programmes to be submitted to the Commission should include a summary of any significant problems encountered in managing the assistance and any measures taken. On the basis of these reports the Commission and the management authority shall review the activities and main outcomes of the previous year. For example, in the context of 2002 annual review meeting of the Leader+ programme, the Commission drew the attention to the need to reduce delays in processing and payment times and the situation has somewhat improved.

- On the basis of the above, the Commission refers to the fact that the delays in processing of the applications are mainly due to fragmented national administration systems and that the main responsibility lies with the managing authorities of the Member State and with the monitoring committees of the programmes.

- There are no explicit rules for the national processing times of the applications or payment requests in the Community legislation concerning Structural Funds or rural development although, Article 32 of Council Regulation (EC) No 1260/1999 stipulates that the national paying authority shall ensure that final beneficiaries receive payment of their contribution from the Funds as quickly as possible and in full.

- Article 35 of the above-mentioned Regulation stipulates that the Monitoring Committee shall satisfy itself as to the effectiveness and quality of the implementation of assistance. It may, in any event, propose to the managing authority any adjustment or review of the assistance likely to improve the management of the assistance, including in respect of financial management. The representatives of the Commission are participating in the work of the Monitoring Committees in an advisory capacity.
Although the Commission refers that the long processing time of the applications is mainly due to national administration systems and that the main responsibility to remedy the situation lies with the managing authorities of the Member State and with the monitoring committees of the programmes, it is the intention of the Commission to bring the issue up in the next annual review meetings between the Commission and the Member State, at the meetings of the respective monitoring committees as well as at other occasions.


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WRITTEN QUESTION E-0444/04

by Margrietus van den Berg (PSE) to the Commission

(18 February 2004)

Subject: Compliance with legislation on health and safety at work

On 26 January 2004, I made an official visit to six companies in Emmen in the province of Drenthe, Netherlands. There I spoke to employees and works councils about the implications of the European Framework Directive 89/391/EEC (1) for Netherlands law, as well as the Netherlands Law on Working Conditions. It emerged from these discussions that the Law on Working Conditions contravenes European legislation on safety, health and welfare services, according to the judgment of the European Court of Justice of 22 May 2003. The Netherlands Law on Working Conditions compels companies to enlist external safety, health and welfare services. The European Directive states that competent personnel should first be sought from within the company.

1. Do companies now have to comply with the judgment of the Court or with the Netherlands Law on Working Conditions?

2. Are discussions ongoing with the Netherlands Government to amend the Netherlands Law on Working Conditions as soon as possible?


Answer given by Mr Dimas on behalf of the Commission

(5 April 2004)

1. Article 228 of the EC Treaty requires Member States to fulfil their obligations resulting from Court of Justice judgments and to take any necessary measures for this purpose.

According to consistent case-law, the importance of immediate and uniform application of Community law means that the process of compliance must be initiated at once and completed as soon as possible (judgment of 4 July 2000, Commission v. Greece, C-387/97, ECR p. I-5047, paragraph 82).

However, this does not prevent companies from contacting the competent national authorities in the meantime, where appropriate.

2. As the Kingdom of the Netherlands has not yet adopted the necessary provisions to comply with the judgment delivered by the Court of Justice on 22 May 2003 in case C-441/01, the Commission has started infringement proceedings under Article 228 of the EC Treaty and will pursue those proceedings until the Kingdom of the Netherlands complies with the said judgment. It should be noted in this connection that the authorities of the Kingdom of the Netherlands, in their reply to the letter of formal notice under Article 228 of the EC Treaty, have indicated that they are in the process of preparing the measures need to comply with the judgment.