

(2004/C 84 E/0491)

WRITTEN QUESTION P-0515/04**by Luís Queiró (UEN) to the Commission***(17 February 2004)*

Subject: Scientific and technical opinions for management of Community fisheries

The Carlos Lage report (A5-0023/2004) tabled in the EP plenary on 10 February 2004 raises the important issue of the reliability of the scientific opinions used for fisheries management, given the frequent disagreements between scientists and fishermen over the state of fish stocks. EU measures based on the available scientific opinions can have severe social and economic consequences for fishing communities, and it is therefore necessary to be aware of the importance of the matter and the need to improve the quality of the opinions.

Carlos Lage's warning comes at a timely moment, coinciding with the need for the Community to ground the common fisheries policy in scientific opinions that are of higher quality and more relevant characteristics. This will allow a more scientific basis than hitherto.

The 'apparent unwillingness' on the Commission's part identified by Carlos Lage cannot be allowed to continue: the Commission seems unwilling to take proper account of the various scientific opinions available, and thus runs the risk of appearing biased in its decisions, which as a rule tend to be unfavourable to the already highly vulnerable fishing communities.

Is the Commission willing to respond positively to Parliament's position, as now adopted, and submit divergent scientific opinions to a higher scientific body with a view to resolving their contradictions?

Answer given by Mr Fischler on behalf of the Commission*(12 March 2004)*

The Commission bases its proposals for the management of fisheries on scientific advice provided by international bodies, notably the International Council for the Exploration of the Sea (ICES). The working groups of ICES that assess the state of the stocks are made up of scientists from the Community Member States concerned, as well as countries with shared interests in the stocks, such as Norway, Russia and Iceland.

These many scientists bring to ICES all the available data collected by their respective countries, including any information that has been provided by fishermen. The assessments done by these scientists represent their consensus opinion on the state of the stocks. The assessments are reviewed by the Advisory Committee for Fisheries Management (ACFM) before being released by ICES. The advice of the ACFM is further scrutinised by the Commission's Scientific, Technical and Economic Committee for Fisheries (STECF).

The Commission therefore considers that diverging data and interpretations are already taken into account, and whilst the Commission agrees that greater transparency in the methods used by ICES is desirable for the purposes of debate, it is not clear what superior scientific body could be asked to resolve any contradictory views concerning its advice.

(2004/C 84 E/0492)

WRITTEN QUESTION P-0524/04**by Eluned Morgan (PSE) to the Commission***(17 February 2004)*

Subject: The Constitution

Can the Commission confirm that, if a Member State were to divide as a result of a region democratically gaining independence, that the precedent set by Algeria would apply?

Can the Commission explain what exactly happened in the Algeria case?

Could the Commission confirm whether a newly independent region would have to leave the EU and then apply for accession afresh?

Would an application of this type require a renegotiation of the treaties at an IGC and the unanimous agreement of the 25 Member States?

Answer given by Mr Prodi on behalf of the Commission

(1 March 2004)

The European Communities and the European Union have been established by the relevant treaties among the Member States. The treaties apply to the Member States (Article 299 of the EC Treaty). When a part of the territory of a Member State ceases to be a part of that state, e.g. because that territory becomes an independent state, the treaties will no longer apply to that territory. In other words, a newly independent region would, by the fact of its independence, become a third country with respect to the Union and the treaties would, from the day of its independence, not apply anymore on its territory.

Under Article 49 of the Treaty on European Union, any European State which respects the principles set out in Article 6(1) of the Treaty on European Union may apply to become a member of the Union. An application of this type requires, if the application is accepted by the Council acting unanimously, a negotiation on an agreement between the Applicant State and the Member States on the conditions of admission and the adjustments to the treaties which such admission entails. This agreement is subject to ratification by all Member States and the Applicant State.

(2004/C 84 E/0493)

WRITTEN QUESTION E-0530/04

by Bernd Lange (PSE), Karin Scheele (PSE) and Johannes Swoboda (PSE) to the Commission

(24 February 2004)

Subject: Euronorm standards and particulates emitted from diesel vehicles

Under Community law, vehicle emissions of diesel particulates and nitrogen oxides harmful to health are subject to limits. The EURO 4 limit for automobiles will apply from 2005. Limits regarding harmful emissions from heavy goods vehicles will also be reduced, being subject to EURO 4 standards from 2005 and EURO 5 standards from 2008. Evidence of damage to health caused by particulates is contained in a number of international long-term studies. Now that further reduction of particulate emissions is technically possible, the time is ripe for the introduction of additional limits.

In the interests of health and to enable the automobile industry to plan ahead effectively, the situation should be clarified as soon as possible regarding the EURO 5 automobile limit and EURO 6 heavy goods vehicle limit.

1. Can the Commission submit a recommended EURO 5 limit for automobiles by 1 June 2004 so that new stricter limits for particulates and nitrogen oxides can be made binding by 2010 at the latest? Is it also in a position to recommend EURO 6 exhaust limits for heavy goods vehicles in 2004?

Can the Commission ensure that vehicle exhaust legislation includes provisions which reliably limit emissions outside the test cycles (off-cycle emissions)?