

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)?

2. Is the Commission prepared to include in its proposal provisions allowing Member States to provide tax incentives or compensation to encourage a switch to 'clean' vehicles?

3. What are the Commission's plans regarding new standardised measuring methods for the definition of the limit values of particulate emissions from diesel vehicles (taking account of the number, size and mass of the particules)?

To what extent does the Commission consider it possible to introduce incentive schemes for the fitting of particle filters to diesel vehicles already in circulation?

Answer given by Mr Liikanen on behalf of the Commission

(1 April 2004)

The Commission is working on a proposal for EURO 5 for passenger cars and light-commercial vehicles that will, if appropriate, set the mandatory pollutant emission limits for such new vehicles around 2010. However, the Commission will not be able to make a proposal to the Parliament and to the Council by 1 June 2004 as that would require a separate impact assessment. A EURO 5 proposal is included in the Commission's Clean Air for Europe thematic strategy which foresees a EURO 5 proposal in mid-2005. In addition, the Commission is also working on a proposal for EURO 6 for heavy-duty vehicles that will, if appropriate, set the mandatory pollutant emission limits for such new vehicles around the 2012-2013 timeframe. Again, under the Clean Air for Europe thematic strategy, a EURO 6 proposal is foreseen later in 2005.

The existing Directives covering emissions from passenger cars and light commercial vehicles⁽¹⁾ and heavy-duty vehicles⁽²⁾ already prohibit the use of defeat devices that can modulate engine performance at the expense of pollutant emissions under any operating conditions. Such measures will be strengthened in future legislation and probably be based on international work looking towards global harmonisation in this area. The Commission is also working on the development of a new procedure for heavy-duty vehicles using portable emission measuring systems (PEMS) that will allow for the testing of emissions of heavy-duty vehicles under real operating conditions on the road, not tested as at present in laboratories over specific test cycles. The Commission believes that the PEMS approach will provide an improved legislative tool in the future.

Future proposals may continue to lay down the framework for the granting of tax incentives by the Member States to encourage manufacturers to produce vehicles meeting future standards before the standards become mandatory.

The Commission is looking at the possibility to introduce controls on ultra-fine particle size and/or number in EURO 5 for passenger cars and light commercial vehicles and in EURO 6 for heavy-duty vehicles. The new measurement procedures are being finalised in a working group of the United Nations Economic Commission for Europe (UN-ECE).

Promotional programmes for replacing older vehicles with newer engines or retro-fitting exhaust treatment devices such as particle filters are not covered in existing Commission legislation. However, the Clean Air for Europe programme is considering such measures amongst the options it is investigating. Presently, Member States may enact promotional programmes for retro-fitting in national law subject to notification procedures.

⁽¹⁾ Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles, OJ L 76, 6.4.1970 as last amended by Commission Directive 2003/76/EC of 11 August 2003 amending Council Directive 70/220/EEC, OJ L 206, 15.8.2003.

⁽²⁾ Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles, OJ L 36, 9.2.1988 as last amended by Commission Directive 2001/27/EC of 10 April 2001 adapting to technical progress Council Directive 88/77/EEC on the approximation of the laws of the Member States relating to measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles, OJ L 107, 18.4.2001.