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Ανακοινώσεις και Πληροφορίες

56ο έτος

14 Νοεμβρίου 2013

Ανακοίνωση αριθ. | Περιεχόμενα | Σελίδα

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Ευρωπαϊκό Κοινοβούλιο

ΓΡΑΠΤΕΣ ΕΡΩΤΗΣΕΙΣ ΜΕ ΑΠΑΝΤΗΣΗ

2013/C 330 E/01 Γραπτές ερωτήσεις των βουλευτών του Ευρωπαϊκού Κοινοβουλίου και απαντήσεις που δόθηκαν από θεσμικό όργανο της Ευρωπαϊκής Ένωσης 1

(βλέπε σημείωμα προς τον αναγνώστη)

EL

Σημείωμα προς τον αναγνώστη

Η παρούσα δημοσίευση περιλαμβάνει τις γραπτές ερωτήσεις των βουλευτών του Ευρωπαϊκού Κοινοβουλίου και τις απαντήσεις που δόθηκαν από θεσμικό όργανο της Ευρωπαϊκής Ένωσης.

Για κάθε ερώτηση και απάντηση το κείμενο εμφανίζεται στη γλώσσα του πρωτοτύπου πριν από ενδεχόμενη μετάφρασή του.

Ενδέχεται η απάντηση να έχει δοθεί σε γλώσσα διαφορετική από αυτή της ερώτησης. Αυτό εξαρτάται από τη γλώσσα εργασίας της επιτροπής που καλείται να απαντήσει.

Οι παρούσες ερωτήσεις και απαντήσεις δημοσιεύονται σύμφωνα με τα άρθρα 117 και 118 του Κανονισμού του Ευρωπαϊκού Κοινοβουλίου.

Όλες οι ερωτήσεις και απαντήσεις είναι διαθέσιμες στον ιστότοπο του Ευρωπαϊκού Κοινοβουλίου (Europarl), στο κεφάλαιο «Κοινοβουλευτικές ερωτήσεις».

http://www.europarl.europa.eu/plenary/el/parliamentary-questions.html

ΣΗΜΑΣΙΑ ΤΩΝ ΧΡΗΣΙΜΟΠΟΙΟΥΜΕΝΩΝ ΣΥΝΤΜΗΣΕΩΝ ΤΩΝ ΠΟΛΙΤΙΚΩΝ ΟΜΑΔΩΝ

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S&D	Ομάδα της Προοδευτικής Συμμαχίας των Σοσιαλιστών και Δημοκρατών στο Ευρωπαϊκό Κοινοβούλιο
ALDE	Ομάδα Συμμαχία των Δημοκρατών και των Φιλελευθέρων για την Ευρώπη
Verts/ALE	Ομάδα των Πρασίνων/Ευρωπαϊκή Ελεύθερη Συμμαχία
ECR	Ευρωπαίοι Συντηρητικοί και Μεταρρυθμιστές
GUE/NGL	Συνομοσπονδιακή Ομάδα της Ευρωπαϊκής Ενωτικής Αριστεράς - Αριστερά των Πρασίνων των Βορείων Χωρών
EFD	Ευρώπη Ελευθερίας και Δημοκρατίας
NI	Μη εγγεγραμμένοι

EL

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Pregunta con solicitud de respuesta escrita E-010248/12
a la Comisión
María Irigoyen Pérez (S&D)
(12 de noviembre de 2012)

Asunto: Elaboración de un código de buenas prácticas para evitar incidentes como los del Madrid Arena

El pasado 30 de noviembre durante la celebración de una macrofiesta de Halloween en el estadio Madrid Arena, propiedad del Ayuntamiento de Madrid, cuatro jóvenes murieron asfixiadas a consecuencia de una avalancha causada por un aforo sobradamente sobrepasado y una falta de control en los accesos, que provocaron que cientos de jóvenes accedieran al recinto sin entrada y con objetos peligrosos como bengalas. Según informes de la Concejalía de Urbanismo del Ayuntamiento de Madrid, el pabellón incumplía la normativa de seguridad y, de haber sido de propiedad privada, no habría tenido nunca licencia de funcionamiento, porque era peligroso. Pese a ello, el Ayuntamiento permitió que se continuaran celebrando eventos en él cuando era de sobra conocido que las normas de seguridad no se cumplían y que se ponía en peligro en cada evento la vida de los asistentes (recorridos de evacuación insuficientes, falta de visibilidad de accesos y de detectores de incendios, bloqueo de las salidas de emergencia, etc).

Estos hechos recuerdan los sucedidos en julio de 2010 en Duisburgo (Alemania), donde 21 personas murieron por la aglomeración en un túnel que daba acceso al festival de música tecno «Love parade».

Es evidente que en todos estos trágicos sucesos los derechos de los consumidores no fueron respetados y que las autoridades no vigilaron el cumplimiento de las mínimas normas de seguridad y de acceso.

¿Piensa la Comisión realizar algún tipo de informe que contemple un código de buenas prácticas —al hilo del «Informe de Evaluación de las Mejores Prácticas en Ferias y Parques de Atracciones en Relación con la Seguridad de los Consumidores»— para evitar que este tipo de incidentes se sigan repitiendo? ¿No cree necesario la Comisión reflexionar sobre la elaboración de una normativa sobre la seguridad en los grandes eventos deportivos y de ocio, en la línea de la Recomendación del Consejo, de 22 de diciembre de 1986, relativa a la seguridad de los hoteles existentes contra los riesgos de incendio?

Respuesta del Sr. Borg en nombre de la Comisión
(18 de diciembre de 2012)

La seguridad de los locales y edificios, incluidos los destinados al ocio y recreo de los consumidores, es un aspecto importante del trabajo de la Comisión, aunque sigue estando en gran medida bajo la competencia de las autoridades nacionales.

En relación con la seguridad de los parques de atracciones y ferias que menciona Su Señoría, la Comisión se remite a los pasajes pertinentes de la respuesta de la Comisión a la pregunta E-004653/2012 ([1]). Ya están disponibles los resultados de la encuesta Eurobarómetro sobre la seguridad de los servicios mencionados en dicha respuesta ([2]).

De manera más general, la Comisión está trabajando actualmente en la preparación de una amplia consulta a las partes interesadas, que previsiblemente se pondrá en marcha en 2013. La consulta se centrará en la seguridad de determinados sectores de servicios, incluidos los alojamientos turísticos y servicios afines, las actividades de ocio al aire libre y los parques de atracciones y ferias. Será el marco adecuado para analizar las posibles estrategias aplicables en el ámbito de la seguridad de los servicios y las lagunas de la legislación existente, así como para recopilar información y sugerencias sobre las iniciativas y las mejores prácticas.

([1]) http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html
([2]) http://ec.europa.eu/public_opinion/flash/fl_350_en.pdf

(English version)

Question for written answer E-010248/12
to the Commission
María Irigoyen Pérez (S&D)
(12 November 2012)

Subject: Developing a code of good practice to prevent incidents such as the Madrid Arena incident

On 30 November 2012, four young people suffocated during a Halloween celebration at the Madrid Arena, owned by Madrid City Council. This was due to a surge of people caused by extreme overcrowding and a lack of access control, which meant that hundreds of young people had entered the premises without a ticket and with dangerous objects such as flares. According to reports by the Madrid City Council planning authorities, the pavilion breached safety regulations and, if it had have been private property, it would never have been granted an operating licence because it was dangerous. Nevertheless, the City Council continued to allow events to be held there although it was widely known that safety regulations were not being met and that the lives of those in attendance were being put at risk at each event (inadequate evacuation routes, lack of visible access points and smoke detectors, blocked emergency exits, etc.).

These events are reminiscent of what happened in July 2010 in Duisburg (Germany) where 21 people were crushed to death in a tunnel leading to the Love Parade techno music festival.

It is obvious that, in all of these tragic events, the rights of consumers were not respected and the authorities did not monitor compliance with the minimum safety and access standards.

Will the Commission draft any kind of report involving a code of good practice, in the vein of 'The Assessment of Best Practices in Fairgrounds and Amusement Parks in Relation to Safety of Consumers' in order to prevent this type of incident from happening again? Does it not believe that it is necessary to consider drafting regulations on safety at large sporting and entertainment events, in line with the Council Recommendation of 22 December 1986 on fire safety in existing hotels?

Answer given by Mr Borg on behalf of the Commission
(18 December 2012)

The safety of premises and buildings, including those aimed at delivering leisure and amusement services to consumers, is an important work area for the Commission, even if it remains largely a competence of national authorities.

In relation to the safety of amusement parks and fairgrounds, the Commission would refer the Honourable Member to the relevant parts of the Commission answer to Question E-004653/2012 ([1]). The results of the Eurobarometer survey on service safety mentioned in the Commission's answer to Question E-004653/2012 are now available ([2]).

More broadly, the Commission is currently working on the preparation of a comprehensive consultation of stakeholders and interested parties, which is expected to be launched during 2013. The consultation will be focused on safety of specific service sectors, including tourism accommodation and related services, outdoor leisure activities as well as amusement parks and fairgrounds. It will be the framework to consult on possible policy options in the area of service safety, gaps in existing legislation as well as to collect input and suggestions on initiatives and best practices.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://ec.europa.eu/public_opinion/flash/fl_350_en.pdf

(English version)

Question for written answer E-010250/12
to the Commission
Struan Stevenson (ECR)
(12 November 2012)

Subject: New research on wind turbines and their impact on human health

In answer to Written Question E-002513/2012, the Commission stated that 'no specific study on potential negative impact on human health has been commissioned by the Commission in recent years and no scientific evidence has been presented to it to demonstrate a direct causal link between wind turbines and adverse human health effects'.

A large body of evidence now exists to suggest that wind turbines do impact human health. In November 2012 the first ever science-based, peer-reviewed study on the issue was published by Canadian and British experts. The new report is called 'Effects of industrial wind turbine noise on sleep and health' and was published by 'Noise and Health', a bimonthly interdisciplinary international journal.

1. Is the Commission aware of the publication of this new report?

2. Will the Commission consider that this Written Question constitutes the presentation of scientific evidence demonstrating a direct link between wind turbines and human health effects? If not, would the Commission please elucidate how scientific evidence is to be presented?

3. What steps will the Commission take to ensure that this new research is given full consideration? Will the Commission now prepare its own study into the adverse impacts of wind turbines on human health?

Answer given by Mr Potočnik on behalf of the Commission
(22 January 2013)

The Commission is aware of the report mentioned, released by the journal 'Noise and Health' and is evaluating existing literature on the issue in relation to the provisions of the Environmental Noise Directive. ([1])

In developing noise policy the Commission relies on literature published in peer-reviewed scientific journals, such as the report in question. The weight of evidence is clearly increased where results from one study are confirmed by other research groups, as demonstrated by systematic review of the literature by a competent body such as the World Health Organisation (WHO).

In the context of the forthcoming review of the Environmental Noise Directive, the Commission intends to liaise with the WHO on the examination of scientific evidence supporting the definition of dose effect curves related to wind farm noise.

Several projects on noise and health have been carried out under the EU research programmes, although not specifically focused on health impacts of wind turbines. The European Network on Noise and Health, ENNAH ([2]), funded under the current 7th EU Framework Programme for Research and Technological Development, has provided research recommendations.

([1]) Annex III of the Environmental Noise Directive (2002/49/EC) for provisions on the development of dose-effect relationships to assess the effect of noise on populations.
([2]) http://www.ennah.eu.

(English version)

Question for written answer E-010251/12
to the Commission
Keith Taylor (Verts/ALE) and Jean Lambert (Verts/ALE)
(12 November 2012)

Subject: The control of bovine tuberculosis in the United Kingdom

Bovine tuberculosis (bTB) is a serious problem for the dairy and beef industries in the United Kingdom. In 2011, 3 741 new bTB incidents in cattle were recorded, approximately 26 000 cattle were slaughtered, and 11.6% of cattle herds in England were under bTB-related movement restrictions at some point.

Since the first bTB-infected badger was discovered in the early 1970s, badgers have been blamed by some for the continued spread of bTB in cattle, and various efforts have been made to reduce or eliminate badger populations from bTB-affected areas, with little if any discernible impact on the spread of the disease. In spite of this, in December 2011, the then Secretary of State for Environment, Food and Rural Affairs Caroline Spelman introduced a policy on bovine TB and badger control in England ([1]), which could result in the killing of up to 130 000 badgers (approximately 30% of the estimated population in England) over a 9-year period ([2]).

This policy has been criticised by many as not being based on the available science. Indeed, the UK Government's current efforts to control the spread of bTB in cattle using cattle measures was widely criticised in a DG SANCO audit report from September 2011 ([3]), which identified many areas of concern.

It is understood that a vaccine designed for use in cattle is currently working its way through the licensing system in the UK ([4]). However, as things stand, TB vaccination of cattle is prohibited under EU national eradication plans (Directive 78/52/EEC), since it is currently not possible to distinguish between vaccinated and infected animals. A test which would enable this, the 'DIVA' test, is currently being evaluated.

In order to prevent the widespread and unnecessary killing of many tens of thousands of badgers, it is imperative that the UK Government be dissuaded from its current policy and given every encouragement and assistance with a view to finding alternative solutions to the problem of bTB in cattle. To this end, we would like to ask:

1. whether the EU has any plans to advise and assist the UK in improving its current cattle measures designed to improve testing efficiency and accuracy, and reduce the spread of bTB between cattle and herds through improved biosecurity measures; and

2. what the EU is going to do to make sure the laws are changed to expedite the validation of the necessary tests and the licensing and authorisation of cattle TB vaccines.

Answer given by Mr Borg on behalf of the Commission
(14 January 2013)

1. The Commission is closely following the evolution of the bovine tuberculosis (bTB) situation in the United Kingdom and the EU is providing substantial technical and financial support to the United Kingdom bTB eradication programme: EUR 31 200 000 for the 2012 programme and EUR 31 800 000 for the 2013 programme have been allocated. In addition a meeting of the EU task force on the eradication of animal diseases, that is a group of experts in the diseases covered by the EU co-financed eradication programmes, has been held in the United Kingdom on 27-28 March 2012 to assist the United Kingdom in improving its eradication plans by enhancing also efficiency.

2. As regards vaccination, current EU rules do not allow the use of vaccines against bTB in cattle (Article 13 of Council Directive 78/52/EEC) mainly because of the interference with the only available official test (skin test) and the suboptimal effectiveness of existing vaccines.

If a candidate vaccine were to be developed that would show sufficient protection and no interference with diagnostic tests, to be able to use such a vaccine in practice, EU and international rules will first need to be amended.

([1]) http://www.defra.gov.uk/publications/files/pb13691-bovinetb-policy-statement.pdf
([2]) The impact of culling on badger (Meles meles) populations in England and measures to prevent their 'local disappearance' from culled areas. Supplementary advice provided under the Protection of Badgers Act 1992 and Wildlife & Countryside Act 1981 (as amended), Natural England, 4 July 2011.
([3]) http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=9444.
([4]) http://www.defra.gov.uk/animal-diseases/a-z/bovine-%20tb/vaccination/cattle-vaccination/.

All medicines are authorised by the national competent authorities or the European Commission. For certain medicinal products the company may ask the authorisation by the Commission after a scientific assessment performed by the European Medicines Agency (EMA) and provided a Union interest in such a product can be demonstrated. EMA shall ensure that the opinion of the Committee is given within 210 days of the receipt of a valid application. The rules governing the authorisation of veterinary medicines are laid down in Directive 2001/82/EC ([5]). The Commission will propose a review of these rules in 2013.

([5]) OJ L 311, 28.11.2001.

(English version)

Question for written answer E-010252/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Abolition of milk quotas

Can the Commission detail the potential for an increase in milk production within the EU after the abolition of milk quotas post-2015 and provide any impact assessments which have been carried out to date?

Answer given by Mr Cioloş on behalf of the Commission
(18 December 2012)

The evolution of milk production after quota abolition depends on various factors: the evolution on the national and international milk markets including milk prices but also the shape of the CAP after 2013, production costs, environmental obligations, alternatives in terms of job and production, etc.

According to the econometric model used in DG Agriculture to produce medium and long term prospects, EU milk production is projected to continue increasing at a moderate growth rate but to remain below the potential growth rate provided by the phasing-out of the milk quota regime. EU milk production is projected to register a cumulative increase of about 8% from 2009 to 2022, while milk delivered to dairies would increase by around 10%. By the last quota year (2014-15), EU milk deliveries are projected to be some 6% below quota. The expiry of the milk quota regime is projected to have a limited impact on milk deliveries at the aggregate EU level.

When the Commission tabled its CAP reform proposals under the 2008 Health Check where the phasing-out of milk quotas was confirmed, an impact assessment accompanied the proposals ([1]).

In addition, the Commission has launched this summer a call for tender to obtain a prospective analysis on the most likely evolution of the sector based on the viewpoints of a number of independent experts in the future context without quotas. The study, which is expected to be finalised by the summer 2013, will address the following two themes in particular:

a) Market balance and competitiveness

b) Sustainable milk production including its territorial dimension.

([1]) http://ec.europa.eu/agriculture/healthcheck/index3_en.htm

(English version)

Question for written answer E-010253/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Asthma in school children

A recent United Kingdom survey conducted around the risk of asthma attacks among school children found that 64% of children who suffer from asthma attacks have at some point been unable to access a working inhaler in school. Does the Commission have any plans to change the regulations applying to schools to allow children access to such kits?

Answer given by Mr Borg on behalf of the Commission
(21 December 2012)

Any regulations applying to schools to allow children access to asthma kits fall under the responsibility of Member States.

(English version)

Question for written answer E-010254/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Autism strategy for Europe

Currently there are around 3.3 million people in the European Union who have autism, yet in most Member States there are not enough basic services to meet their needs, and coordination of services at national level is often poor.

What measures is the European Union taking to highlight the need for better autism services for citizens in the Member States?

Answer given by Mr Borg on behalf of the Commission
(14 January 2013)

The Commission is aware of the importance and social impact of Autism Spectrum Disorders and has been undertaking actions for better identification, early detection and information to the public and professionals about this group of disorders. As a part of this, the Commission supports civil society organisations representing people with Autism Spectrum Disorders and their families. Under the EU's employment and social solidarity programme PROGRESS, the Commission has a partnership agreement (2011-2013) with Autism Europe under which this organisation benefits from an annual operational grant.

Moreover, on request of the European Parliament, the Commission manages four pilot projects on employment of persons with Autism Spectrum Disorders that aim to help develop policies for employment and social integration of people with Autism Spectrum Disorders. These projects will present their results shortly.

Two relevant projects have been funded by the EU Health Programme. The project European Autism Information System (EAIS), which ended in 2010, helped to provide systematic, consistent and reliable data on Autism Spectrum Disorders (prevalence, economic burden) and harmonised early-detection tools. The Commission is pleased that the European Parliament included funding for a pilot project 'European Prevalence Protocol for early detection of Autistic Spectrum Disorders in Europe' in 2013 which builds on the technical specifications developed by the EAIS project. In addition, the project for a European network of surveillance on risk factors for autism and cerebral palsy project aimed at facilitated early detection of Autism Spectrum Disorders in children, improving the prognosis and quality of life for children and families.

(English version)

Question for written answer E-010255/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Impending ban on sow stalls

With the impending ban on sow stalls due to enter into effect on 1 January 2013, what progress has been made by each Member State to date, and which Member States are not expected to be compliant by 1 January 2013? What, if any, restrictions can be placed, at EU or Member State level, on pork from pigs whose production does not comply with this legislation?

Answer given by Mr Borg on behalf of the Commission
(3 January 2013)

According to the information available to the Commission at this date, most Member States have taken relevant action aiming to comply with Article 3(4) and (9) of the directive. To date, five Member States confirm that they already fully comply with group housing of sows. In total, 16 Member States estimate that they will fully comply with group housing of sows by 1 January 2013. To provide further indications on the state of compliance of particular Member States would at this time not be reliable because the situation is still in progress.

Concerning market restrictions there are no EU mandatory marketing standards regarding farming systems for pig meat. Measures restricting the trade between Member States of pork obtained from pigs originating from sows not housed in groups would be contrary to the free movement of goods enshrined in Article 34 of the Treaty on the Functioning of the European Union.

Article 54 of Regulation (EC) No 882/2004 on official controls ([1]) lists actions that national authorities can take against individual operators in case of non-compliance with animal welfare rules in their territory. Such actions can include the restriction or prohibition of the placing on the market of food or animals produced under non-compliant animal welfare conditions on farms for which they have statutory control possibilities. Furthermore, according to Article 55 of that regulation Member States shall lay down rules on effective, proportionate and dissuasive sanctions.

The Commission will not hesitate to initiate infringement proceedings against those Member States which will not be in compliance after the legal deadline.

([1]) OJ L 191, 28.5.2004, p.1.

(English version)

Question for written answer E-010256/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Battery cage egg production

New regulations on battery cage egg production came into force on 1 January 2012, with unenriched cages being expected to have been phased out by that date. The United Kingdom is fully compliant with these new rules, at a major cost to local producers.

On 27 January 2012 the Commission, via a letter of formal notice, called on non-compliant Member States to take action to implement the ban on unenriched cages for laying hens. Can the Commission outline what progress has been made since this letter was issued? Can it also state what, if any, infringement proceedings have been brought for non-compliance, and, if so, against which Member States?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

Directive 1999/74/EC ([1]) laying down minimum standards for the protection of laying hens requires as of 1 January 2012 that all laying hens must be kept in 'enriched cages' with extra space to nest, scratch and roost, or in alternative systems. A letter of formal notice for non-compliance to this rule was sent to Belgium, Bulgaria, Greece, Spain, France, Italy, Cyprus, Latvia, Hungary, the Netherlands, Poland, Portugal and Romania on 27 January 2012.

Since then, reasoned opinions were sent to Belgium, Greece, Spain, France, Italy, Cyprus, Hungary, the Netherlands, Poland and Portugal on 21 June 2012 ([2]) for still tolerating the use of un-enriched cages for laying hens at this time. Romania was recently inspected by the Commission's Food and Veterinary Office and the situation is currently assessed. The cases against Bulgaria, Latvia, the Netherlands, and Portugal were closed on 21 November 2012 on evidence that compliance was reached. The Commission expects to be able to close further cases on evidence of compliance in January and February 2013, but may also refer others to the Court of Justice of the European Union if the use of un-enriched cages continues to persist.

([1]) OJ L 203, 3.8.1999, p. 53.
([2]) See press release available at: http://europa.eu/rapid/press-release_IP-12-629_en.htm

(English version)

Question for written answer E-010257/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: 'Connected health'

What efforts are being made to extend the use of 'connected health' or 'eHealth' as a means of healthcare delivery in the European Union?

Additionally, which Member States have made the most progress in this type of healthcare programme?

Answer given by Ms Kroes on behalf of the Commission
(9 January 2013)

In April 2011, the European Parliament and the Council adopted the directive ([1]) on the application of patient's rights in cross border healthcare which enabled the set-up of a network of Member States' experts to work towards secure interoperable eHealth services. On 6 December 2012 the Commission adopted the eHealth Action Plan 2012-2020 ([2]) which aims at addressing the barriers in implementing eHealth tools and services. It outlines the vision for eHealth in Europe and consolidates actions to deliver the opportunities that eHealth can offer.

eHealth research was funded with an average of EUR 100 million per year under FP7, covering aspects such as interoperable telemedicine, personal health and electronic health record systems. Under the Competitiveness and Innovation Programme, the Commission funded the pilot project epSOS to develop EU interoperable architecture for the provision of summarised patient health record and electronic prescription services. The Commission has proposed to co-finance the deployment of such services under the Connecting Europe Facility ([3]).

The Commission does not assess the performance of Member States' healthcare systems. However, effective eHealth initiatives have been launched in Denmark, Sweden and Estonia, as well as in regions in Italy, Spain and parts of the UK. In 2012, 46 regions from 14 Member States have expressed their interest to be a candidate Reference Site under the European Innovation Partnership on Active and Healthy Ageing. Their proposals are currently being evaluated to determine which ones demonstrate good practices of innovation in care delivery and to highlight transfer opportunities of such practices to other regions in Europe. The results will be presented at an event scheduled for June 2013.

([1]) Directive 2011/24/EU.
([2]) eHealth Action Plan 2012-2020 — Innovative healthcare for the 21st century: https://ec.europa.eu/digital-agenda/en/news/ehealth-action-plan-2012-2020-innovative-healthcare-21st-century.
([3]) http://ec.europa.eu/commission_2010-2014/president/news/speeches-statements/pdf/20111019_2_en.pdf

(English version)

Question for written answer E-010258/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: E. coli outbreak

Northern Ireland is presently experiencing the most severe outbreak of *Escherichia coli* (E. coli) in its history. Over 90 cases of E. coli 0157 — linked to a restaurant in North Belfast — have been confirmed with the Public Health Agency (PHA), which is investigating another 170 probable cases of contamination.

Can the Commission provide a response to the following queries?

1. Given that there is no specific medical treatment for E. coli, what preventative measures are in place EU-wide to ensure the safety of food in transportation and preparation within and between Member States?

2. How many confirmed cases of E. coli 0157 have been recorded within the EU in the past three years? Can the Commission provide a breakdown by Member State of these cases?

3. With reference to confirmed cases of E. coli 0157 in the EU in the past three years, can the Commission provide information as to the most prevalent sources of the outbreak, as well as an overview of the relevant EU legislation which presently implements health and safety in these areas?

Answer given by Mr Borg on behalf of the Commission
(14 January 2013)

The European legislation on food hygiene is addressed to all food business operators in Regulation (EC) No 178/2002 ([1]), 852/2004 ([2]), 853/2004 ([3]) and 2073/2005 ([4]). It provides for the primary responsibility of the food business operator for the safety of food. The operators must, at all stages of production, processing and distribution, ensure that food is protected against any contamination. A criterion for process hygiene in the slaughterhouse foresees sampling for *E. coli* and corrective measures to be taken in case of non-compliance.

Based on data collected by the EU Member States, the European Food Safety Authority prepares annual European Union Summary Reports on zoonotic infections and food-borne outbreaks in Europe ([5]). In 2010, 4 000 verotoxigenic Escherichia *coli* (VTEC) infections have been reported, of which 1 501 were of the particular serogroup *E. coli* 0157 and predominately reported by the United Kingdom (1 064) and Ireland (117). Among these 4 000 cases, ten Member States reported a total of 27 food-borne outbreaks (all together 398 human cases) with a strong link to a particular food vehicle.

The majority of reported human VTEC (including VTEC 0157) infections in the last years have however been isolated cases. Foods of bovine and ovine origin are frequently reported as source. Further breakdowns and details can be seen in the referred report.

A major outbreak of verotoxigenic *E. coli* 0104:04 occurred in 2011, which was attributed to sprouted seeds of fenugreek and affected 3 911 people ([6]).

([1]) OJ L 31, 1.2.2002, p. 1-24.
([2]) OJ L 139, 30.4.2004, p. 1-54.
([3]) OJ L 139, 30.4.2004, p. 55-205.
([4]) OJ L 338, 22.12.2005, p. 1-26.
([5]) http://www.efsa.europa.eu/en/zoonoses/zoonosesscdocs.htm
([6]) http://www.efsa.europa.eu/en/efsajournal/doc/2390.pdf

(English version)

Question for written answer E-010259/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: EU-Azerbaijan Association Agreement

What is the current state of play in relation to the ongoing negotiations on an EU-Azerbaijan Association Agreement?

Answer given by Mr Füle on behalf of the Commission
(7 February 2013)

Title I negotiations on Cooperation in the Field of Security and Foreign Policy are ongoing. Title II negotiations on Justice, Freedom and Security are well advanced.

Title III negotiations on Economic Cooperation and other cooperation policies are advanced. 16 out of 27 chapters have been provisionally closed, five more are ongoing, the remaining six still to be opened.

Title IV negotiations on Trade and Trade-related matters are ongoing.

Four rounds of negotiations took place until now (the last one in March 2011), followed by a technical round in July 2011, and by a videoconference organised in April 2012.

Some chapters are provisionally closed — Technical Barriers to Trade, Intellectual Property Rights, Competition. It is important now to make progress on other chapters concerning Government Procurement, Services and Investment, Trade in Goods, Sanitary and Phytosanitary Measures, Energy, Customs and Sustainable Development.

A new Plenary meeting is foreseen in Brussels in Spring 2013.

(English version)

Question for written answer E-010260/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Fuel poverty

Almost half a million households in Northern Ireland use oil to heat their homes. The cost of home heating oil has risen by over 30% in the last two years, which has resulted in many households facing fuel poverty.

Can the Commission state how UK home heating oil prices, and specifically those in Northern Ireland, compare with prices across the EU?

Furthermore, can the Commission provide a detailed assessment of this drastic price rise, with particular reference to the rise in price to the consumer compared to the changing price of crude oil over the same period?

Answer given by Mr Oettinger on behalf of the Commission
(9 January 2013)

The Commission would like to refer the Honourable Member to the Directorate-General for Energy's Weekly Oil Bulletin ([1]) where publicly available data and analysis can be found on the prices of oil products across the EU. The latest available information indicates that heating gas oil consumer prices (inclusive of taxes and duties) in the UK were lower than the weighted average of the prices in the EU during the last two years.

In November 2012 heating gas oil prices in the UK rose by 1.9% compared to the same month of 2011 whereas in the EU they rose by 3.1% on average in the same period. However, if compared to November 2010 a significant increase can be observed both in the UK and in the EU as a whole (33.3% and 33.7%, respectively). Please note that the Commission does not have access to the specific data for Northern Ireland; therefore UK average is used as a proxy.

Between November 2010 and November 2012 both Brent crude oil prices and heating gas oil prices rose by almost 40% in the EU, which is comparable to the price increase in UK heating gas oil prices without taxes (40.5%). The final consumer price of heating oil in the UK rose by 33.3%, which was less than the increase in prices without taxes (40.5%). This smaller increase in final consumer prices was due to the cushioning impact of the fixed amount of duties which, contrary to the amount of VAT, did not increase proportionally with 'net' (without taxes) prices.

([1]) Please see the following link: http://ec.europa.eu/energy/observatory/oil/bulletin_en.htm Currently the latest available weekly oil product data are of week 47 in November 2012.

(English version)

Question for written answer E-010261/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Human rights in Azerbaijan

It is clear from various media reports that the human rights crisis in Azerbaijan is escalating, with serious problems in relation to freedom of speech, freedom of assembly and freedom of the media. A recent Human Rights Watch report describes what it calls 'Azerbaijan's record of imprisoning journalists, human rights defenders, and political opposition activists, in most cases on bogus criminal charges, in apparent retaliation for their investigative journalism or political activism'. It says the authorities have 'failed to hold accountable the people responsible for assaults and other attacks and harassment against journalists'.

What role is the Commission playing in raising these issues with the Azerbaijani authorities, and what impact do these violations have on the possibility of an association agreement?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(31 January 2013)

The Commission and the High Representative are fully aware of the situation of human rights in Azerbaijan.

The European Neighbourhood Policy Progress Report and the Roadmap issued on 15 May 2012 clearly set out both the EU's concerns and the areas where Azerbaijan is expected to work harder to meet its own commitments in the framework of both the Eastern Partnership and the Council of Europe. The Azerbaijani authorities should be up to their own commitments.

The EU has repeatedly raised the issues of freedom of expression, assembly and association with the authorities, most recently on the occasion of the EU-Azerbaijan Cooperation Committee meeting on 22 November 2012 and during the EU-Azerbaijan Sub-Committee meeting on Human Rights on 20 November 2012. The Cooperation Council on 17 December 2012 included a substantial debate on human rights.

The EU will continue to monitor the situation closely, taking account of the views of civil society, and will try to constructively engage with Azerbaijan to improve its human rights record.

(English version)

Question for written answer E-010262/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Organ harvesting in China

Does the Commission have any plans to initiate the formation of an independent investigation team to oversee the investigation of forced organ harvesting practices in China?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(30 January 2013)

The Commission shares the Honourable Member's concern regarding organs harvested from Chinese citizens. Therefore the Commission welcomes the recent announcement by the Chinese Government that the practice will be stopped and genuine voluntary organ donations will be encouraged. Indeed China has adopted a regulation on human organ transplants which came into effect on 1st July 2006, which requires the written agreement of the donor. However, the regulation does not adequately address the issue of donor consent, especially for those who have died in custody or have been executed.

While the Commission does not have any plans to initiate the formation of an independent investigation team to oversee the investigation of forced organ harvesting practices in China, this point has already been addressed in the framework of past rounds of the EU-China Human Rights Dialogue and will continue to do so.

(English version)

Question for written answer E-010263/12
to the Commission
Diane Dodds (NI)
(12 November 2012)

Subject: Reduced ignition propensity cigarettes

In recent weeks, there have been several tragic fatalities in house fires in my constituency of Northern Ireland, and in the United Kingdom more generally.

On 17 November 2011, the Commission published new health and safety measures which required tobacco companies throughout the Member States to manufacture only reduced ignition propensity cigarettes. This provision aimed to negate the threat of cigarettes as a prevalent fire hazard and contributing factor to deaths in house fires throughout the EU.

Almost 12 months later, what assurances can the Commission provide that:

1. non-smoking is being promoted as the most important and effective way to prevent house fires caused by cigarettes throughout the Union;

2. compliance with reduced ignition propensity cigarette (RIP) standards has positively impacted the number of house fires and subsequent fatalities throughout the Member States;

3. the impact of these measures is being regularly monitored and reviewed in conjunction with prevalent trends and additional proposals for improving fire safety?

Answer given by Mr Borg on behalf of the Commission
(14 January 2013)

1. The Commission is making considerable efforts to develop a comprehensive tobacco control policy. This policy includes public health campaigns (most recently 'Ex-smokers are unstoppable') and, more indirectly, the revision of the Tobacco Products Directive, as the purpose of this revision is to facilitate the functioning of the internal market while ensuring a high level of health protection. All these measures indirectly contribute to preventing house fires. Furthermore the Council Recommendation on smoke free environments invites Member States to prohibit smoking in public places *et alia*.

2. Figures about the life-saving effect of reduced ignition propensity (RIP) cigarettes are available from Finland who introduced RIP cigarettes in April 2010. Whereas the first year saw a reduction of cigarette fire fatalities of 43%, the second year ended with a 54% reduction. This corresponds to about 500 lives saved every year when extrapolated to the whole of the EU.

3. Member States are monitoring fires and the circumstances of their outbreak to a varying degree of detail. Fire statistics are thus of different quality and, due to additional factors such as the installation of smoke alarms, it is difficult, if not impossible, to identify prevalent trends or make additional proposals for fire safety.

The Commission is currently considering a broad consultation paper on consumer service safety which may include the issue of fire safety.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010264/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mario Mauro (PPE)
(12 novembre 2012)

Oggetto: VP/HR — minoranze religiose in Indonesia

Sebbene il governo indonesiano abbia incorporato nella propria costituzione nazionale importanti diritti umani e abbia ratificato, tra gli altri, il Patto internazionale sui diritti civili e politici, l'attuazione di tali diritti è ancora scarsa nel paese. In particolare, sembra mancare la volontà politica da parte delle autorità locali di promuovere la tutela delle minoranze religiose. Secondo notizie locali e internazionali, il diritto alla libertà di religione o di credo (FORB) è a rischio, con attacchi sia ai membri di minoranze religiose, sia a coloro che professano convinzioni non teiste e atee.

La prassi amministrativa e le forze dell'ordine spesso mostrano l'interferenza del governo nell'esercizio del diritto di FORB delle persone. Negli ultimi due anni gli attacchi da parte di attori non statali a seguaci del movimento islamico Ahmadi sono aumentati, le autorità e la polizia hanno applicato rigorosamente la legge sulle licenze di costruzione per chiudere delle chiese cristiane, un ateo che ha postato il messaggio «Dio non esiste» su Facebook e ha iniziato una pagina ateista deve ora affrontare fino a 11 anni di reclusione per aver violato la legge sulla blasfemia.

C'è un'influenza di fatto crescente di gruppi islamici, della società civile sul governo di Susilo Bambang Yudhoyono e sull'intervento del governo negli affari religiosi e sociali, nonostante si presuma che l'Indonesia sia uno stato laico.

Alla luce di ciò, si chiede alla Vicepresidente/Alto Rappresentante:

1. L'HR ha intenzione di chiedere al governo indonesiano di porre in atto misure di protezione efficaci per consentire alle minoranze religiose di avere pieno accesso ai loro diritti alla libertà di religione?

2. La HR ha mai chiesto un'indagine sulla promozione e la protezione dei diritti delle minoranze religiose in Indonesia?

3. L'HR ha intenzione di impegnarsi nelle sedi multilaterali ad assicurare che si metterà fine alla minaccia che la legge dell'Indonesia sulla blasfemia pone alla libertà religiosa?

4. L'HR è del parere che l'Unione europea debba agire per assistere il governo indonesiano a contrastare la tendenza crescente alla violenza e alle azioni legali contro le minoranze religiose nel paese?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(17 gennaio 2013)

Il diritto alla libertà di credo religioso è garantito dalla costituzione indonesiana e, nel corso dell'ultimo decennio, il paese ha compiuto notevoli progressi nell'istituzione di un quadro normativo per la protezione dei diritti umani. Tuttavia, l'UE continua a nutrire preoccupazioni per il rispetto, in termini generali, della libertà di religione o di credo, che comprende altresì le convinzioni teiste e ateiste, e in particolare per le segnalazioni di attentati da parte di gruppi estremisti contro i cristiani e altre minoranze.

In occasione del dialogo annuale UE-Indonesia sui diritti umani, nel maggio 2012, l'UE ha espresso le sue preoccupazioni circa la protezione delle minoranze religiose, ivi comprese le comunità Ahmadiyah e cristiana, e ha esortato il governo a prendere misure per evitare azioni illecite da parte di gruppi estremisti.

La delegazione dell'UE a Giacarta intrattiene altresì frequenti contatti con i rappresentanti delle minoranze religiose e con le principali ONG attive in materia di libertà di religione o di credo. A questo proposito, la delegazione dell'UE ha organizzato lo scorso ottobre a Giacarta un'importante conferenza con la società civile dal titolo «La non discriminazione: dai principi alla pratica», incentrata sulla questione della protezione delle minoranze. Inoltre, la delegazione dell'UE collabora in materia di questioni interreligiose con Nahdlatul Ulama, la più grande organizzazione musulmana al mondo, intervenuta in numerose occasioni in difesa della tolleranza religiosa. L'Unione sostiene le attività delle ONG indonesiane che operano nel campo della libertà di religione o di credo attraverso lo strumento europeo per la democrazia e i diritti umani (EIDHR).

L'UE continuerà ad affrontare la questione della libertà di religione o di credo e a incoraggiare il dialogo interconfessionale e intende altresì accrescere la propria visibilità adottando nuovi orientamenti in materia agli inizi del 2013.

(English version)

Question for written answer E-010264/12
to the Commission (Vice-President/High Representative)
Mario Mauro (PPE)
(12 November 2012)

Subject: VP/HR — Religious minorities in Indonesia

Despite the fact that the Indonesian government has incorporated key human rights into its national constitution and has ratified — among other international agreements — the International Covenant on Civil and Political Rights, the implementation of those rights remains very poor in Indonesia. In particular, there seems to be a lack of political will on the part of local authorities to ensure the protection of religious minorities. According to local and international news reports, the right to freedom of religion or belief is at risk, with attacks being carried out both on members of religious minority groups and on those who profess non-theistic or atheistic beliefs.

Administrative practice and law enforcement often show government interference in people's exercise of their right to freedom of religion or belief. In the past two years, attacks by non-state actors on followers of the Islamic movement Ahmadiyah have increased; authorities and police have been applying the law on building permits strictly in order to close down Christian churches; an atheist who posted the message 'God doesn't exist' on Facebook and started an atheist page now faces up to 11 years' imprisonment for breaching the blasphemy laws.

Islamist civil society groups are exercising a growing de facto influence on President Susilo Bambang Yudhoyono's government and its intervention in religious and social affairs, despite Indonesia supposedly being a secular state.

In light of this, the following questions are addressed to the Vice-President/High Representative:

1. Does the High Representative intend to call on the Indonesian government to put effective protection measures in place to enable religious minorities to have full access to their right to freedom of religion?

2. Has the High Representative ever called for an investigation into the promotion and protection of religious minorities' rights in Indonesia?

3. Does the High Representative intend to engage in multilateral fora with a view to removing the threat Indonesia's blasphemy law poses to religious freedom?

4. Does the High Representative feel that the European Union should take action to assist the Indonesian government to reverse the increasing incidence of violence and legal action against religious minorities in that country?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(17 January 2013)

The right to freedom of religious belief is guaranteed in Indonesia's constitution, and Indonesia has made considerable progress over the last decade in establishing a legal framework for protecting human rights. However, the EU remains concerned about the overall respect of freedom of religion or belief — which also include non-theistic and atheistic beliefs, and is particularily worried by reports of attacks by extremist groups against Christians and other minorities.

At the annual EU-Indonesia Human Rights Dialogue, which took place in May 2012, the EU raised its concerns regarding the protection of religious minorities, including the Ahmadiyah and Christian churches, and encouraged the government to take action to prevent unlawful action by extremist groups.

The EU Delegation in Jakarta is also in frequent contact with representatives of religious minorities as well as leading NGOs dealing with Freedom of Religion or Belief. In this regard, the EU Delegation has recently organised a major conference with civil society in Jakarta in October on 'Non-Discrimination: From Principles to Practice' which addressed the issue of the protection of minorities. Moreover, the EU Delegation is working on interfaith issues with Nahdlatul Ulama, the world's largest Muslim organisation which has stood up in defence of religious tolerance on numerous occasions. Through the European Instrument for Democracy and Human Rights (EIDHR) the EU is supporting Indonesian NGOs working on Freedom of Religion or Belief.

The EU will carry on addressing the issue of Freedom of Religion or Belief and encouraging interfaith dialogue, and should enhance its visibility by adopting new EU Guidelines on the issue in early 2013.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010265/12
alla Commissione
Mario Mauro (PPE)
(12 novembre 2012)

Oggetto: Tagli al programma Erasmus e al fondo per la ricerca e l'innovazione 2012

In occasione della celebrazione dei 25 anni del programma Erasmus si è verificato uno sfortunato evento in quanto la Commissione ha confermato che nel bilancio 2012 mancheranno le risorse per pagare il 30 % delle richieste fatte in riferimento al periodo settembre-dicembre: in sostanza, mancherebbero all'appello 10 miliardi di euro.

Tale situazione provocherebbe tagli economici ingenti al progetto.

Il programma Erasmus e il fondo per la ricerca e l'innovazione sono da sempre uno strumento di scambio di culture, lingue e tradizioni tra oltre 3 000 000 di studenti. Diminuendo i fondi verrebbero a mancare le fondamenta delle politiche di internazionalizzazione delle università europee e sminuita in modo significativo la possibilità per milioni di ragazzi di migliorare il proprio futuro.

L'esperienza dell'Erasmus è per i giovani un'occasione per vivere l'Europa in prima persona. Mantenere in vita questo programma che guarda al futuro significa investire sulla costruzione dell'Europa dei popoli e di una classe dirigente più sensibile all'unità europea.

Alla luce di questi elementi, può la Commissione precisare:

1. quali tipi di proposte intende adottare per sanare tale situazione;

2. ritiene che possano essere intraprese prontamente azioni per evitare che le richieste già effettuate potranno essere evase;

3. quali misure intende adottare per evitare che tale problema di copertura finanziaria si ripresenti anche nei bilanci successivi?

Risposta di Androulla Vassiliou a nome della Commissione
(17 gennaio 2013)

Gli attuali problemi di bilancio che incontra Erasmus derivano dalla decisione del Parlamento europeo e del Consiglio di votare un bilancio per il 2012 in cui l'importo degli stanziamenti di pagamento era sottofinanziato rispetto al livello degli impegni. Il 23 ottobre 2012 la Commissione europea ha chiesto agli Stati membri e al Parlamento europeo di votare un bilancio addizionale di 9 miliardi di euro per pagamenti al fine di risolvere il problema. In particolare, la Commissione ha chiesto altri 180 milioni di euro per il programma di apprendimento permanente, importo che dovrebbe consentire di soddisfare le esigenze di pagamento fino alla fine dell'anno. La parte di Erasmus può essere stimata a 90 milioni di euro. Questo progetto di bilancio rettificativo è reperibile all'indirizzo: http://ec.europa.eu/budget/biblio/documents/2012/2012_en.cfm.

Le reazioni sulla stampa di tutta Europa e anche del mondo parlano da sole: in questo periodo di disoccupazione inaccettabilmente elevata il fatto di offrire ai giovani europei opportunità di apprendimento e di mobilità nelle università o nelle imprese estere può ampliare notevolmente la loro esperienza, accrescere la loro occupabilità e cambiare in meglio le loro vite. Questo è il motivo per cui è assolutamente cruciale non interrompere i finanziamenti nazionali o unionali per gli studenti.

Con il recente accordo dell'autorità di bilancio sul progetto di bilancio rettificativo e sul progetto di bilancio 2013 la minaccia immediata sembra essere stata evitata. La Commissione conta sulla responsabilità degli Stati membri e del Parlamento europeo per continuare a garantire un adeguato finanziamento e assicurare la continuità nell'attuazione dei programmi europei nei prossimi mesi e nell'arco dell'anno prossimo.

(English version)

Question for written answer E-010265/12
to the Commission
Mario Mauro (PPE)
(12 November 2012)

Subject: Cuts to the Erasmus programme and to the research and innovation fund for 2012

An unfortunate event occurred during celebrations marking the 25th anniversary of the Erasmus programme when the Commission confirmed that the budget for 2012 lacked the resources to pay for 30% of the requests made with reference to the period September-December: essentially there will be a shortfall of EUR 10 billion.

This situation would result in huge economic cuts to the project.

The Erasmus programme and the research and innovation fund have always provided the means for more than 3 000 000 students to exchange cultures, languages and traditions. The funding cuts would damage the very foundations of the internationalisation policies of European universities and significantly reduce the chances of a better future for millions of young people.

The Erasmus experience gives young people a chance to experience Europe at first hand. Keeping this forward-looking programme alive means investing in the construction of a Europe of the people and a ruling class that is more sensitive to the concept of European unity.

In view of this, can the Commission state:

1. What kinds of proposals it intends to adopt to resolve this situation?

2. Whether it believes that steps can swiftly be taken to ensure that the requests already made can be fulfilled?

3. What measures it intends to take to prevent this problem of financial cover reoccurring in subsequent budgets?

Answer given by Ms Vassiliou on behalf of the Commission
(17 January 2013)

The current budget problems for Erasmus stem from the decision of the European Parliament and the Council to vote a budget for 2012 in which the amount of payment credits was underfunded relative to the level of commitments. On 23 October 2012 the European Commission asked the Member States and the European Parliament to vote an additional budget of EUR 9 billion for payments to rectify the problem. In particular, the Commission has requested additional EUR 180 million for the Lifelong Learning Programme, which should ensure meeting payment needs until the end of the year. The share for Erasmus can be estimated at EUR 90 Million. This Draft Amending Budget can be found at http://ec.europa.eu/budget/biblio/documents/2012/2012_en.cfm.

Reactions in the press across Europe and even worldwide speak for themselves: at this period of unacceptably high youth unemployment, providing Europe's young people with learning and mobility opportunities in universities or enterprises abroad can significantly widen their experience, increase their employability and change their lives for the better. This is why it is absolutely crucial to not interrupt national or EU funding to students.

With the recent agreement by the Budgetary Authority on the Draft Amending Budget and the Draft budget 2013, the immediate threat appears to have been averted. The Commission counts on the responsibility of the Member States and the European Parliament to continue to guarantee adequate funding and continuity in the implementation of the European programmes in the coming months and year.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010266/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Applicabilità del modello spagnolo al settore balneare in Italia

L'adozione della direttiva 2006/123/CE ha implicato la contestazione della compatibilità della legislazione italiana che normava il settore dei servizi balneari con quella comunitaria, in particolare per quanto riguarda il diritto di insistenza e di rinnovo automatico delle concessioni, le quali non potranno più essere rinnovate automaticamente ma dovranno essere oggetto di un bando con procedura di evidenza pubblica alla scadenza temporale di ogni concessione, oltre che avere una durata appropriata.

Il 31 dicembre 2015 scadranno le proroghe al precedente sistema di concessioni italiano e 30 000 imprese, che negli anni hanno sostenuto ingenti investimenti per la riqualificazione delle strutture turistico-balneari e per il sostegno e lo sviluppo dei litorali, si vedranno espropriate delle proprie attività e conseguentemente della parte di investimenti che ancora non hanno ammortizzato. La posizione della Commissione è sempre stata quella di non concedere ulteriori deroghe alle concessioni italiane, per cui esse andrebbero assegnate a partire dal gennaio 2016 tramite asta pubblica come prescritto dalla direttiva «Servizi».

La Spagna ha di recente varato il 4 ottobre scorso un progetto di legge che prevede una proroga delle concessioni in essere per il settore dei servizi balneari di ben 75 anni, legge che è stata accolta con favore dalla commissaria Reding, la quale ha dichiarato che essa migliora la certezza giuridica dei proprietari di beni immobili soggetti alla legge costiera.

Conferma la Commissione che la legge spagnola sopracitata è compatibile con la direttiva 2006/123/CE? Ritiene essa che possa costituire un modello giuridico adatto anche alla situazione italiana, sul quale basare una normativa ad hoc in grado di tutelare il settore dei servizi balneari che è fondamentale per la nostra economia senza incorrere in procedure di infrazione da parte dell'UE?

Risposta di Michel Barnier a nome della Commissione
(8 gennaio 2013)

Come la Commissione ha spiegato nella recente risposta all'interrogazione P-10112/2012, la direttiva sui servizi impone agli Stati membri di garantire la parità di accesso al mercato quando il numero di autorizzazioni disponibili è limitato a causa della scarsità delle risorse naturali. A tal fine, in questi casi l'autorizzazione deve essere concessa per un periodo limitato di tempo, di durata tale da consentire al prestatore di recuperare il costo degli investimenti e ottenerne un giusto rendimento.

La proroga per altri settantacinque anni delle concessioni prevista nel progetto di riforma spagnolo a cui l'interrogazione fa tra l'altro riferimento non riguarda le autorizzazioni rilasciate a prestatori che forniscono servizi sulle spiagge avvalendosi di infrastrutture mobili, come bar e chioschi. Per le autorizzazioni all'uso delle spiagge a questi scopi, il progetto di riforma stabilisce una durata massima di quattro anni. Per questo motivo, il progetto di riforma non sembra sollevare problemi di incompatibilità con i principi stabiliti dalla direttiva sui servizi.

Il periodo di settantacinque anni menzionato nell'interrogazione si riferisce a concessioni accordate ai proprietari per l'uso di fabbricati di loro proprietà costruiti in aree ritornate al demanio marittimo. Il progetto di riforma mira a garantire la certezza del diritto per i proprietari in considerazione delle ambiguità riscontrate nel vigente quadro giuridico sui fabbricati situati nella fascia costiera in Spagna.

(English version)

Question for written answer E-010266/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Applicability of the Spanish model to the seaside leisure and tourism industry in Italy

The adoption of Directive 2006/123/EC has resulted in a challenge to the compatibility of Italian legislation regulating seaside leisure services with EU legislation, particularly as regards the right to maintain operating licences in force and renew them automatically. Henceforth they will no longer be renewable automatically but must be awarded in a public tender procedure on expiry of each operating licence, as well as having an appropriate duration.

On 31 December 2015, extensions to the previous system for Italian operating licences will expire and 30 000 businesses, which over the years have spent considerable sums on redeveloping seaside and tourism facilities and on supporting and developing coastal regions, will be stripped of their livelihoods and consequently a share of the investments which have not yet been recouped. The Commission's position has always been that no further extensions will be granted to Italian operating licences, which means that as of January 2016, they must be awarded by public auction, as required by the 'Services' Directive.

On 4 October 2012, Spain introduced a draft bill which provides for an extension of as much as 75 years for existing operating licences in the seaside leisure and tourism industry. The law was warmly welcomed by European Commission Vice-President Viviane Reding, who said that it improves legal certainly for property owners subject to the Coastal Law.

Can the Commission confirm that the Spanish law mentioned above is compatible with Directive 2006/123/EC? Does the Commission believe that it may set up a legal model specific to the situation in Italy, which provides a basis for flexible rules that are capable of safeguarding the seaside leisure and tourism industry that is essential to our economy, without resulting in infringement proceedings by the EU?

Answer given by Mr Barnier on behalf of the Commission
(8 January 2013)

As the Commission explained in its recent reply to Question P-10112/2012, the Services Directive obliges Member States to ensure equal access to the market when the number of available authorisations is limited due to the scarcity of natural resources. For this purpose, in those cases authorisations need to be granted for a limited period of time, which shall be appropriate to enable the provider to recoup the cost of investment and to generate a fair return.

The extension of concessions in the Spanish draft reform to which this question also refers for another seventy-five years does not concern authorisations granted to service providers who provide services from portable infrastructure in beaches, such as bars and kiosks. For authorisations for the use of beaches for that purpose, the draft reform establishes a maximum length of four years. In light of this fact, the draft reform would not seem to raise concerns of incompatibility with the principles laid down in the Services Directive.

The seventy-five year period mentioned in the question applies to concessions granted to owners for the use of their own property, which had been constructed in areas that now revert to the public maritime domain. The draft reform seeks to ensure legal certainty for owners of buildings in view of the ambiguities found in the current legal framework for shoreline property in Spain.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010267/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Global Recalls Portal, nuovo strumento per la tutela dei consumatori

Dal 19 ottobre è on-line e accessibile a tutti il sito «Global Recalls Portal» messo a punto congiuntamente dall'UE e dai paesi aderenti all'OCSE, il cui scopo ultimo è quello di mettere a disposizione delle autorità, ma soprattutto dei consumatori, uno strumento in grado di permettere loro di avere accesso, quasi in tempo reale, alla lista completa dei richiami di prodotti commercializzati, perché ritenuti pericolosi o non ottemperanti agli standard di sicurezza richiesti dal nostro mercato. Con una semplice ricerca effettuabile attraverso l'inserimento di parametri quali nome del prodotto, marchio o casa produttrice si otterrà una scheda contenente descrizione del prodotto, immagine identificativa, problematiche riscontrate e Paesi in cui sono stati effettuati i richiami. Questo dovrebbe contribuire a formare un consumatore più consapevole ed attento a quello che acquista, un aumento della fiducia nel mercato e una maggiore sicurezza anche in fase di acquisto di un prodotto.

Come intende la Commissione pubblicizzare l'esistenza di questo strumento all'interno degli Stati membri in modo da metterne a conoscenza i cittadini e stimolarli a usarlo?

Considerato che i maggiori richiami riguardano giocattoli e prodotti per l'infanzia contenenti sostanze tossiche o prodotti con standard non sicuri e che lo scopo del portale è proprio informare i cittadini in modo che possano prevenire acquisti pericolosi, soprattutto per i propri figli, intende la Commissione far sì che esso venga tradotto anche in altre lingue visto che attualmente il sito è solamente in inglese e francese?

Il Global Recalls Portal è uno strumento nuovo che, se ben sfruttato, permetterà una maggiore protezione dei nostri cittadini. Stante però che il pericolo maggiore per il mercato e per i consumatori viene dalle merci contraffatte, provenienti soprattutto dalla Cina, che sfuggono continuamente alle maglie dei controlli, cosa intende fare la Commissione per rafforzare le verifiche doganali?

Risposta di Tonio Borg a nome della Commissione
(15 gennaio 2013)

Tutti i dati UE accessibili dal Global Recalls Portal sono già disponibili al pubblico nel sito web RAPEX ([1]), ben noto anche ai consumatori. La Commissione, pur incoraggiando gli Stati membri a tenere conto, in sede di elaborazione delle politiche e di pianificazione della vigilanza del mercato, delle maggiori informazioni rese ora disponibili dal Global Recalls Portal, non ha previsto campagne specifiche di promozione a livello nazionale. Le informazioni relative al portale figurano nel sito web Europa e nell'account Twitter dell'UE dedicato alla sicurezza dei consumatori. Anche l'OCSE sta prendendo in considerazione la possibilità di un'applicazione mobile per agevolare l'accesso al portale.

La Commissione sostiene il progetto dell'OCSE, compreso l'obiettivo di migliorare le funzioni di traduzione e di ricerca, e auspica l'aggiunta di un maggior numero di dati storici da parte dei paesi che già partecipano al progetto nonché l'inserimento di dati relativi ad altri paesi.

La Commissione, di concerto con gli Stati membri, ha elaborato orientamenti destinati alle autorità doganali per la realizzazione dei controlli all'importazione riguardanti la sicurezza e la conformità dei prodotti. Per rafforzare l'efficacia di tali controlli è prevista una serie di azioni, fra cui visite agli Stati membri, criteri comuni per l'analisi dei rischi e la raccolta di dati sui prodotti pericolosi o non conformi bloccati dalle autorità doganali alle frontiere. Nel 2011 alle dogane europee sono stati fermati quasi 115 milioni di prodotti sospettati di violare i diritti di proprietà intellettuale. I prodotti di consumo di uso quotidiano e i prodotti potenzialmente pericolosi per la salute e la sicurezza rappresentavano il 28,6 % del totale. Il piano d'azione doganale dell'UE in materia di lotta contro le violazioni dei diritti di proprietà intellettuale per il periodo 2013-2017 definisce attività innovative per rafforzare gli interventi alle frontiere esterne dell'UE.

([1]) www.ec.europa.eu/rapex .

(English version)

Question for written answer E-010267/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Global Recalls portal, a new consumer protection tool

Since 19 October 2012, the Global Recalls Portal, developed jointly by the EU and OECD member countries, has been online and accessible to all. A simple search performed by inputting keywords such as product name, brand or manufacturer, produces a data sheet containing a product description, identification images, issues encountered and countries in which the recalls were made. This should help inform and guide customers in their purchases, improve confidence in the market and give buyers greater confidence when purchasing a product.

How does the Commission intend to promote the existence of this tool within Member States, so that citizens become aware of it and start using it?

Given that most recalls involve children's toys and baby products containing toxic substances or products with poor safety standards and that the scope of the portal is in fact to inform citizens to stop them buying dangerous products, particularly for their children, does the Commission intend to ensure that the portal is translated into other languages, given that the site is currently only available in French and English?

The Global Recalls Portal is a new tool which, if used properly, will provide greater protection for our citizens. Since the greatest danger to the market and to consumers comes from counterfeit goods, mainly from China, which continually slip through the net, what does the Commission intend to do to strengthen customs checks?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

All EU data that can be found in the GlobalRecalls portal is already publicly available from the RAPEX website ([1]), which is also well-known to consumers. The Commission encourages Member States to take into account in policy and market surveillance planning the wider information set now available through the GlobalRecalls portal, but there are no specific promotion campaigns at national level planned by Commission. The information about the portal is available on the Europa website and on the EU twitter account dealing with consumer safety. The OECD is also considering a mobile application to facilitate access to the portal.

The Commission supports the OECD project including the aim of improving translation and search capabilities. The Commission looks forward to seeing more historical data added from those jurisdictions which are participating already and to gathering data from additional jurisdictions.

The Commission, together with Member States, developed guidelines for customs authorities to carry out import controls on product safety and compliance. In order to reinforce the effectiveness of these controls a number of actions are developed, including visits to Member States, common criteria for risk analysis, and collection of data on dangerous or non-compliant goods stopped by customs at the border. In 2011 European customs detained almost 115 million products suspected of infringing intellectual property rights. Products for daily use by consumers and that may be affecting health and safety accounted for 28.6% of the total. The 2013-2017 EU Action Plan on customs action against IPR infringements sets out innovative activities to strengthen the action at the EU external borders.

([1]) www.ec.europa.eu/rapex.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010268/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Macellazione rituale in deroga alla normativa vigente

La festa del sacrificio è una festività islamica che cade 70 giorni dopo la fine del ramadan, in cui si pratica il sacrificio rituale di un agnello che avviene per dissanguamento tramite la recisione della giugulare senza preventivo stordimento. La normativa attualmente vigente sulla macellazione, aggiornata dal regolamento (CE) n. 1099/2009 del Consiglio del 24 settembre 2009 relativo alla protezione degli animali durante l'abbattimento, prevede all'articolo 4, comma 1 che gli animali vengano abbattuti esclusivamente previo stordimento, mentre al comma 4 prevede una deroga per l'espletamento di riti religiosi a condizione che l'abbattimento avvenga in un macello autorizzato dallo Stato.

Il 27 ottobre in un allevamento di Arzignano, in provincia di Vicenza, le forze dell'ordine sono intervenute per bloccare la vendita di agnelli ad acquirenti di fede musulmana che li stavano acquistando al fine di poter officiare il rituale del sacrificio, procedendo quindi alla macellazione non in un regolamentare mattatoio autorizzato, ma nelle proprie abitazioni in violazione sia della normativa comunitaria sia di quella italiana.

È la Commissione a conoscenza di questi fatti?

Può essa riferire se ha notizia di avvenimenti simili in altri Stati membri e stimare quanto è diffuso questo tipo di comportamento in violazione della normativa vigente?

Ritiene che abbia ancora senso mantenere questa deroga per le macellazioni rituali, considerato che, pur essendo stata inserita per dare la possibilità alle comunità musulmane di espletare i propri rituali in ottemperanza alle leggi vigenti, viene violata sempre più spesso?

Risposta di Tonio Borg a nome della Commissione
(14 gennaio 2013)

La Commissione conferma che la legislazione dell'UE non consente il ricorso a deroghe allo stordimento degli animali destinati alla macellazione rituale al di fuori dei macelli.

La Commissione non è a conoscenza dell'evento specifico menzionato, ma in passato è stata occasionalmente informata del verificarsi di eventi analoghi in altri Stati membri. Tuttavia, la verifica della corretta attuazione della legislazione dell'UE rientra per l'essenziale nelle responsabilità degli Stati membri.

La Commissione ritiene che l'esenzione dall'obbligo di stordimento degli animali prima della macellazione nel caso di animali oggetto di particolari metodi di macellazione prescritta da riti religiosi, rispecchi l'articolo 10 della Carta dei diritti fondamentali dell'Unione europea relativo alla libertà di religione e tenga conto della libertà di manifestare la propria religione o la propria convinzione mediante il culto, l'insegnamento, le pratiche e l'osservanza dei riti come esposto al considerando 18 del regolamento (CE) n. 1099/2009 relativo alla protezione degli animali durante l'abbattimento ([1]).

([1]) GU L 303 del 18.11.2009, pag. 1.

(English version)

Question for written answer E-010268/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Ritual slaughter in breach of existing legislation

The Feast of Sacrifice is an Islamic festival which falls 70 days after the end of Ramadan, during which a lamb is ritually slaughtered. The animal bleeds to death from a cut to the throat and is not stunned beforehand. Current legislation on slaughtering was updated by Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing. Article 4(1) of this regulation lays down that animals shall only be killed after stunning, whilst Article 4(4) provides for an exemption whilst undertaking religious rites, provided that the slaughter takes place in a slaughterhouse authorised by the State.

On 27 October 2012, police intervened at a farm in Arzignano, Province of Vicenza, to prevent the sale of lambs to Muslims who were buying them with a view to celebrating the ritual of sacrifice, proceeding then to slaughter the animals, not in an authorised slaughterhouse but in their own homes in breach of both EU and Italian regulations.

Is the Commission aware of these events?

Can the Commission confirm whether it is aware of similar events in other Member States and can it estimate how widespread this practice might be, which is in breach of current legislation?

Does the Commission believe it is still right to maintain this exemption for ritual slaughter, given that, despite being included to give the Muslim community the opportunity to carry out its own rituals whilst observing current legislation, it is being breached increasingly often?

Answer given by Mr Borg on behalf of the Commission
(14 January 2013)

The Commission confirms that EU legislation does not allow the use of the derogation from stunning animals for ritual slaughter outside slaughterhouses.

The Commission is not aware of the specific event reported but has been occasionally informed in the past that similar events in other Member States occurred. However, the verification of the correct implementation of the EU legislation is primarily under the responsibility of the Member States.

The Commission considers that the exemption to slaughter animals without stunning in the case of animals subject to particular methods of slaughter prescribed by religious rites, reflects Article 10 of the Charter of Fundamental Rights of the European Union on the freedom of religion and the right to manifest religion or belief in worship, teaching, practice and observance as stated in Recital 18 of Regulation (EC) No 1099/2009 on the protection of animals at the time of killing ([1]).

([1]) OJ L 303, 18.11.2009, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010269/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Osservatorio antiusura

Negli ultimi mesi alcuni Stati membri, tra i quali Irlanda, Portogallo e Grecia, hanno chiesto ed ottenuto dall'Europa aiuti finanziari. Dopo aver creato meccanismi ad hoc, quali il MES, il nuovo meccanismo permanente di salvataggio europeo, l'UE ha prestato a questi Paesi denaro a un tasso d'interesse medio del 4 % e previa sottoscrizione del vincolo della ristrutturazione rapidissima dei conti pubblici. Tagli della spesa per sanità, istruzione, aumento dell'IVA, ridimensionamento del sistema pensionistico, riduzione dei salari, aumento della tassazione su aziende e famiglie, sono solo alcune delle ricadute immediate sui cittadini europei che hanno beneficiato degli aiuti. Contestualmente l'Europa, attraverso lo strumento «Long Term Refinancing Operation», LTRO, ha erogato liquidità anche agli istituti bancari privati esigendo però interessi meno elevati rispetto a quelli richiesti agli Stati membri e, per giunta, senza imporre vincoli di utilizzo o di reinvestimento negli Stati e nelle imprese in cui essi operano. Nonostante queste evidenti agevolazioni concesse agli istituti di credito, che dovrebbero essere così anche stimolati a concedere prestiti alle imprese, i dati pubblicati dalla BCE lo scorso 31 Ottobre mostrano che nel terzo trimestre 2012 la stretta al credito da parte delle banche europee si è fatta più marcata e l'inasprimento delle condizioni di accesso al credito proseguirà anche nel quarto trimestre. Dunque anche se ricapitalizzate, le banche non prestano denaro.

La Commissione:

1. Può fornire le cifre esatte dei prestiti concessi tramite LTRO alle banche nei 27 Stati membri?

2. Può spiegare a cosa è dovuta questa disparità di trattamento, in termini di tassi di interesse tra banche private e Stati membri?

3. Posto che le aziende europee lamentano, tra le altre cose la difficoltà di accedere al denaro necessario per continuare a restare sul mercato, non ritiene che i prestiti concessi agli istituti bancari debbano essere vincolati anche all'impiego in attività di credito a privati e imprese del territorio in cui essi operano?

4. Ha pensato di istituire un Osservatorio permanente che monitori la destinazione dei finanziamenti, e i tassi praticati e che vigili affinché i prestiti erogati perseguano lo scopo per i quali sono stati concessi: supportare l'economia dell'eurozona e quindi i cittadini europei e non le manovre speculative?

Interrogazione con richiesta di risposta scritta E-010932/12
alla Commissione
Oreste Rossi (EFD)
(30 novembre 2012)

Oggetto: Credito alle imprese: nessuna speranza dalle LTRO. Quale vigilanza sulle banche?

Come è noto, il 21 dicembre scorso la BCE ha lanciato un'operazione di finanziamento a lungo termine, la cosiddetta LTRO (*Long Term Refinancing Operation*) per un totale di 489 miliardi di euro per tre anni, da corrispondere al tasso agevolatissimo dell'1 %. Il 29 febbraio 2012 un'altra asta ha fornito ulteriore liquidità alle banche europee per circa 529,53 miliardi di euro (con scadenza al 26 febbraio 2015). Alle banche italiane sono andati ben 116 miliardi di euro: in contropartita, come garanzia alla BCE, esse hanno offerto le proprie obbligazioni garantite dallo Stato, ovvero dai contribuenti. Una nota banca italiana, ad esempio, ha ricevuto complessivamente, nelle due tranche di operazioni LTRO, 29 miliardi di euro — 14 miliardi nella prima tranche e 15 nella seconda — in pronti contro termine a tre anni. Lo scopo di queste operazioni è stato di ripianare le perdite degli istituti di credito, confidando di ottenere una ripresa sul mercato europeo dei capitali. Tuttavia è sconcertante che le banche non abbiano utilizzato questi soldi per finanziare le imprese. Gran parte di queste risorse sono state utilizzate dagli istituti bancari per rimborsare le obbligazioni in scadenza il prossimo anno (stimate, per le prime 5 banche del Paese, in 88 miliardi di euro) o addirittura per riacquistare le proprie emissioni obbligazionarie a prezzi scontati (dal 20 al 30 %) in virtù del calo dei corsi obbligazionari verificatisi negli ultimi mesi, realizzando quindi plusvalenza da iscrivere in bilancio.

Nelle speranze della BCE risiede l'idea che un'altra parte di queste risorse possa essere destinata ad acquistare titoli di Stato con un duplice vantaggio, sia per lo Stato italiano che per le banche stesse; queste ultime otterrebbero infatti un eccellente margine di profitto determinato dal fatto che, finanziandosi al tasso dell'1 %, possono reinvestire le risorse ricevute acquistando debito sovrano a tassi superiori al 6,5 %.

Considerato che:

— la seconda operazione LTRO non ha cambiato alcuna previsione sulla crescita dei paesi dell'eurozona;

— il 9 % delle società europee ha registrato, nell'ultimo trimestre del 2011, utili inferiori alle attese e le costanti incertezze sulla situazione della Grecia non migliorano le aspettative;

l'interrogante chiede alla Commissione di indicare — nel rispetto dei principi di proporzionalità e sussidiarietà e in coerenza con l'economia reale — quali azioni mirate intende fissare per rafforzare le strutture di vigilanza sulla liquidità concessa alle banche mediante le operazioni LTRO e quali misure intende adottare per preservare l'accesso al credito per famiglie e imprese a condizioni favorevoli, stemperando così la stretta creditizia in atto ormai da mesi, che sta portando al tracollo settori fondamentali dell'imprenditoria europea.

Risposta congiunta di Olli Rehn a nome della Commissione
(24 gennaio 2013)

1. Le informazioni riguardanti l'esito delle operazioni LTRO (operazioni di rifinanziamento a più lungo termine) sono pubblicate dalla Banca centrale europea (BCE) ([1]).

2. I prestiti concessi agli Stati membri nell'ambito dei programmi di assistenza sono molto diversi dalle operazioni di liquidità effettuate dalla BCE. I diversi tassi d'interesse possono essere spiegati dalle differenze in termini di scadenze e rischi (comprese le garanzie).

3. Le operazioni di liquidità effettuate dalle banche centrali fanno parte della loro politica monetaria, per la quale il trattato conferisce loro totale indipendenza. La Commissione non ha competenza nell'imporre, o nel suggerire di imporre, condizioni sulla destinazione di tali liquidità.

4. La Commissione segue costantemente gli sviluppi del settore bancario, compresi gli effetti delle operazioni di liquidità sulle condizioni di credito. L'analisi annuale della crescita 2013 ha indicato vari settori in cui gli Stati membri possono fare di più per promuovere fonti alternative di finanziamento, aumentare la liquidità e ridurre la tradizionale dipendenza delle imprese dai finanziamenti bancari ([2]).

Nel memorandum d'intesa concluso con la Spagna sulle condizioni relative alla politica nel settore finanziario è previsto l'obbligo di riferire, tra l'altro, in merito alla concessione di prestiti alle piccole e medie imprese (PMI), alle società e ai consumatori.

Nel quadro dei negoziati sulle proposte CRDIV/CRR, si stanno vagliando misure che potrebbero contribuire ad agevolare le condizioni di credito alle PMI, come ad esempio la riduzione temporanea dei requisiti patrimoniali per le esposizioni nei confronti delle PMI. Inoltre, l'accesso ai finanziamenti è uno degli strumenti individuati dall'Atto per il mercato unico II e una delle azioni chiave è costituita dalla promozione degli investimenti a lungo termine. A tal fine, la Commissione intende pubblicare a breve un libro verde su finanziamenti a lungo termine dell'economia reale, con particolare attenzione alle PMI.

([1]) http://www.ecb.int/mopo/implement/omo/html/index.en.html
([2]) Ad esempio con programmi nazionali che consentirebbero alle banche di contrarre prestiti a un tasso inferiore a condizione di aumentare i prestiti a lungo termine alle imprese o di concedere prestiti più convenienti e accessibili alle PMI.

(English version)

Question for written answer E-010269/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Anti-usury observatory

Over the last few months, a number of Member States, including Ireland, Portugal and Greece, have requested and obtained financial aid from Europe. After having created ad hoc mechanisms, including the ESM, the new permanent European rescue mechanism, the EU has lent money to these countries at an average interest rate of 4%, subject to them committing to a swift restructuring of public finances. Cuts in spending on healthcare and education, increases in VAT, reductions in the size of the pension system, pay cuts, increased taxes on companies and families — these are just a few of the effects on the European citizens who have benefited from this financial aid. At the same time, through the 'Long Term Refinancing Operation' instrument (LTRO), Europe has also provided liquidity to private banking institutions, charging interest rates that are lower than those charged to the Member States and moreover without imposing any obligations to use the money or re-invest it in the States and companies in which they operate. Despite these clear incentives awarded to lending establishments, which should thus be encouraged to provide loans to businesses, the data published by the ECB on 31 October shows that, during the third quarter of 2012, the credit squeeze among European banks became stronger and access to credit will remain tight into the fourth quarter. So despite having been recapitalised, banks are not lending money.

In light of the above:

1. Can the Commission provide exact figures of the loans awarded through the LTRO to the banks in the 27 Member States?

2. Can the Commission explain the causes of this disparity of treatment, in terms of interest rates, between private banks and Member States?

3. Given that European companies are complaining about, among other things, the difficulty of gaining access to the money needed to remain in the market, does the Commission not believe that loans awarded to banks should also be tied to providing loans to private individuals and businesses in the country in which they operate?

4. Has the Commission thought of establishing a permanent observatory to monitor the destination of the loans and the rates set and to ensure that the loans provided are used for the purpose for which they were granted: to support the economy of the euro area, and therefore European citizens, and not for speculation?

Question for written answer E-010932/12
to the Commission
Oreste Rossi (EFD)
(30 November 2012)

Subject: Business loans: no hope from the LTRO. Who is watching the banks?

As is common knowledge, on 21 December 2011, the ECB launched a long-term refinancing operation, the so-called LTRO (Long Term Refinancing Operation), for a total of EUR 489 billion over three years, to be provided at an extremely low interest rate of 1%. On 29 February 2012, another round provided further liquidity to European banks of around EUR 529.53 billion (expiring on 26 February 2015). Italian banks received as much as EUR 116 billion. In return, as a guarantee to the ECB, they provided bonds guaranteed by the State, meaning the taxpayer. One well-known Italian bank, for example, received a total of EUR 29 billion from the two LTRO operations (EUR 14 billion in the first and EUR 15 billion in the second), under three-year repurchase agreements. The aim of these operations was to pay off the losses made by the banks, relying on a future upturn in the European capital markets. It is disconcerting however that the banks have failed to use this money to finance companies. Much of it has been used by them to repay bonds that are due next year (for the country's top five banks, these are estimated at EUR 88 billion) or even to repurchase their own bond issues at discounted prices (from 20% to 30%) given the fall in bond prices there has been in recent months, thus making capital gains they can record on their balance sheets.

The ECB is hopeful that another part of this funding might be used to purchase government bonds, which would be beneficial for the Italian State and for the banks themselves; the latter achieving excellent profit margins due to the fact that, by financing themselves at an interest rate of 1%, they can reinvest the funding they have received in buying sovereign debt at rates above 6.5%.

Given that:

— the second LTRO operation did not have any impact on predictions regarding growth in euro area countries;

— in the final quarter of 2011, 9% of European companies recorded lower profits than anticipated and the constant uncertainty regarding the situation in Greece is not improving prospects;

could the Commission indicate, in compliance with the principles of proportionality and subsidiarity and in the context of the real economy, what targeted actions it intends to take to strengthen the monitoring of liquidity granted to banks through LTRO operations and what measures it intends to adopt in order to maintain access to credit at favourable rates for households and companies, loosening the credit squeeze there has been for several months, which is leading to the collapse of core European business sectors.

Joint answer given by Mr Rehn on behalf of the Commission
(24 January 2013)

1. Information on the outcome of the LTRO is published by European Central Bank (ECB) ([1]).

2. Loans provided to Member States (MS) under assistance programs are very different from liquidity operations conducted by the ECB. Differences in maturities and risks (including collateral) can explain the different interest rates.

3. Liquidity operations conducted by central banks are part of their monetary policy, for which the Treaty grants them total independence. The Commission has no competence in imposing, or advising to impose, conditions on the destination of these liquidities.

4. The Commission monitors developments in the banking sector, including the effects of liquidity operations on credit conditions. The AGS (Annual Growth Survey) 2013 pointed to several areas where MS can do more to promote alternative sources of financing, increase liquidity and reduce companies' traditional dependence on bank financing ([2]).

In the memorandum of understanding on financial-sector policy conditionality of Spain there is an obligation to report, among others, on small and medium-sized enterprise (SME) lending, on corporate lending and on consumer lending.

In the framework of the negotiations on the CRD IV/CRR proposals, consideration is being given to measures that could help ease lending conditions for SMEs like a temporary reduction of capital requirements for exposures to SMEs. In addition, access to finance is one of the levers identified by the single market Act 2 and boosting long term investment is one of the key actions. To this aim, the Commission will soon publish a Green paper on long term finance of the real economy, with particular attention to SMEs.

([1]) http://www.ecb.int/mopo/implement/omo/html/index.en.html
([2]) For example with national schemes that would allow banks to borrow at a lower rate if they increase their long-term lending to businesses or provide cheaper and more accessible loans to SMEs.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010270/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Persecuzione religiosa contro le comunità cristiane: dati

In riferimento alla risposta alla mia interrogazione E-07726/2012 «Persecuzione religiosa contro le comunità cristiane», considerando che afferma che è a conoscenza della situazione, la Commissione può illustrare e fornire con precisione tutti i dati dei quali è in possesso, riferendo cifre e fonti?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(23 gennaio 2013)

Per valutare la situazione riguardante la libertà di religione o di credo nel mondo, l'UE si avvale di tutte le informazioni pubbliche a sua disposizione, provenienti tanto da organizzazioni della società civile quanto da organismi statali o internazionali. Particolare attenzione è data ai lavori del relatore speciale sulla libertà di religione o di credo. Queste relazioni, di diversa natura e rilevanza, sono per la maggior parte disponibili su internet.

Le relazioni stilate nel 2011 dalle delegazioni dell'UE nei rispettivi paesi che le ospitano riuniscono le informazioni raccolte dai funzionari dell'UE sul terreno, in particolate mediante contatti con le ONG locali. Dal canto suo, e come già indicato nella precedente risposta, l'UE utilizza tali informazioni per valutare la situazione sul campo e per intervenire su questioni relative alla libertà di religione o di credo, laddove necessario. Inoltre, le strategie nazionali in materia di diritti umani, attualmente oggetto di discussione tra gli Stati membri, includono una sezione dedicata alla libertà di religione o credo. Le relazioni delle delegazioni del 2011 e le strategie nazionali sono documenti riservati cui si applicano il regime di accesso e le eccezioni di cui al regolamento 1049/2001.

(English version)

Question for written answer E-010270/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Information on religious persecution of Christian communities

With reference to the answer to Question E-007726/2012 entitled 'Religious persecution of Christian communities', in which the Commission confirmed that it is aware of the situation, can the Commission explain and provide in detail all the information that is has at its disposal regarding numbers and sources?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(23 January 2013)

The EU uses all open information at its disposal to assess the situation of freedom of religion or belief worldwide, whether it comes from civil society organisations, governmental or international bodies. Due attention is notably paid to the work conducted by the Special Rapporteur on freedom of religion or belief. Most of these reports of different nature and value are available on the Internet.

As regards reports made in 2011 by EU Delegations in their respective host countries, they compile information gathered by the EU staff on the ground, notably through contacts with local NGOs. In turn, and as already indicated in its previous answer, the EU uses this information to assess the situation on the ground and to engage on freedom of religion or belief issues whenever necessary. Furthermore, the Human Rights Country Strategies, currently discussed among EU Member States, comprise a section dedicated to freedom of religion or belief. Both the 2011 Delegation Reports and the Country Strategies are non-public documents subject to the access regime and the exceptions set out in Regulation 1049/2001.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010271/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Sostegno per la salvaguardia dei Cavallini della Giara

Sull'Altopiano di Gesturi, nella regione centro meridionale della Sardegna, sopravvive una razza antica di cavalli, denominata Cavallino della Giara. Le sue origini sono incerte, le teorie sono essenzialmente due: una sostiene che discenda da una razza di cavalli importati da fenici e greci fra il V e il IV secolo a.C.; la seconda che i cavalli fossero stati addomesticati dalle popolazioni nuragiche dell'isola attorno al 1500 a.C. Attualmente rimangono meno di 550 esemplari, vivono in branchi di 10 circa e sono l'unica razza d'Europa che vive ancora allo stato selvaggio. La sopravvivenza di questa specie pare essere a rischio per la concomitanza di eventi naturali e umani: da un lato infatti l'estate dal caldo eccezionale ha causato una fortissima siccità e la conseguente carenza di cibo; dall'altro la coabitazione forzata con bovini allevati allo stato brado, spesso in maniera illegale, diminuisce ancora di più la quantità di foraggio a disposizione. Del sostentamento e della salvaguardia dei cavalli si sono fatti carico, per quanto possibile, i comuni della zona e un'associazione di volontari. La risoluzione del problema degli allevamenti bovini allo stato brado è invece in stallo; infatti nel luglio scorso un decreto della Regione Sardegna aveva ordinato la rimozione dall'altopiano dei bovini così allevati, ma su circa 400 capi stimati, ne sono stati recuperati solamente una trentina senza marchio ne microchip. In più, a seguito di questo intervento, si sono verificati atti di vandalismo contro le proprietà del comune, perpetrati da anonimi che hanno tutto l'interesse a che la situazione non muti.

È la Commissione a conoscenza dei fatti sopra esposti?

Considerando che questa zona è divenuta Sito di Importanza Comunitaria (SIC Giara Gesturi ITB041112) facente parte del progetto «Natura 2000», può la Commissione riferire se ha usufruito di fondi da parte dell'UE, come essi sono stati impiegati e se, alla luce dell'attuale situazione, reputa che l'obiettivo della tutela delle biodiversità presenti in loco sia stato raggiunto?

Considerando il documento COM(2011)0244 «Strategia dell'UE sulla biodiversità fino al 2020», la direttiva Habitat 92/43/CE e lo strumento Life, che azioni intende la Commissione mettere in campo per tutelare questa razza equina unica che vive sull'altopiano di Gesturi?

Risposta di Janez Potočnik a nome della Commissione
(9 gennaio 2013)

La protezione della specie citata dall'onorevole parlamentare non rientra nel campo di applicazione della legislazione UE in materia ambientale, in quanto queste specie non figura negli allegati della direttiva «Habitat» 92/43/CEE ([1]). Di conseguenza, i siti di importanza comunitaria designati a norma della presente direttiva, come il sito menzionato dall'onorevole parlamentare, non sembrano costituire uno strumento adeguato per svolgere una protezione specifica o un sostegno per tale specie. La questione è quindi di competenza delle amministrazioni nazionali interessate.

([1]) GU L 206 del 22.7.1992.

(English version)

Question for written answer E-010271/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: Support for the protection of Giara Horses

On the Gesturi high plateau in south-central Sardinia, there lives an ancient breed of horses called the Giara. Their origins are unknown, but there are two theories: the first is that they are the descendants of a breed imported by Phoenicians and Greeks between 300-500 B.C.; the second is that the horses were domesticated around 1500 B.C. by the Nuragic people living on the island. There are currently 550 horses left, living in herds of approximately 10, and they are the only breed in Europe that still lives in the wild. The survival of this breed appears to be at risk due to a combination of natural events and human behaviour. On the one hand, the exceptionally hot summer caused a terrible drought, resulting in a lack of food; on the other hand, forced coexistence with cows raised in the wild, often illegally, further diminishes the available food supply. The municipalities in the area, along with an association of volunteers, have undertaken to sustain and protect these horses as much as possible. Resolving the problem of cows raised in the wild has, however, stalled; in fact, last July a decree issued by the Region of Sardinia ordered the removal of cows from the plateau, but of an estimated 400 heads, only 30 or so have been retrieved with no brand or microchip. Furthermore, following this action, acts of vandalism on the municipality's property were perpetrated by anonymous parties whose interests lie in the situation remaining as it is.

Is the Commission aware of the aforementioned situation?

Considering that this area has become a site of Community importance (SCI Giara Gesturi ITB041112) as part of the 'Natura 2000' project, can the Commission comment on whether it has used funds from the EU, how the funds have been used and if, in light of the current situation, it believes that the objective of protecting the biodiversity of the site has been achieved?

In light of document COM(2011)0244 'EU Biodiversity Strategy to 2020', Habitat Directive 92/43/CE and the Life act, what actions does the Commission intend to put in place in order to protect this unique breed that inhabits the Gesturi high plateau?

Answer given by Mr Potočnik on behalf of the Commission
(9 January 2013)

The protection of the species mentioned by the Honourable Member does not fall under the scope of EU nature legislation, as this species is not listed in the annexes of the Habitats Directive 92/43/EEC ([1]). Consequently, the Sites of Community Importance designated under this directive, as the site mentioned by the Honourable Member, do not appear to be the appropriate tool to provide specific protection or support for this species. The question is therefore a matter for the national authorities concerned.

([1]) OJ L 206, 22.7.1992.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010272/12
al Consiglio
Sergio Paolo Francesco Silvestris (PPE)
(12 novembre 2012)

Oggetto: Fondi per il terremoto in Emilia

Olanda, Finlandia, Germania, Svezia e Gran Bretagna si oppongono alla proposta di bilancio rettificativo per il 2012 presentata dalla Commissione europea e riguardante l'esborso di 670 milioni di euro per il terremoto in Emilia Romagna da parte del fondo d'emergenza sulle catastrofi naturali. Lo affermano le indiscrezioni riportate dai più importanti quotidiani italiani.

I rappresentanti dei governi dei cinque paesi si sarebbero così espressi durante il dibattito alla riunione dell'Econfin speciale sul bilancio dell'UE, in corso a Bruxelles. Gli stessi Stati membri si sono opposti anche a un secondo bilancio rettificativo, sempre relativo al 2012, in cui si chiede di finanziare gli 8 miliardi di euro mancanti per pagare le fatture dei programmi dei fondi di coesione, e i 90 miliardi necessari per il programma Erasmus di scambio degli studenti degli Stati membri.

Alla luce dei fatti sopraesposti, può dunque il Consiglio far sapere:

1. Se conferma quanto riportato dai quotidiani italiani sulla presunta contrarietà di Olanda, Finlandia, Germania, Svezia e Gran Bretagna ad attivare il fondo d'emergenza sulle catastrofi naturali?

2. Se può fornire ulteriori dettagli sulla situazione?

3. Cosa intende fare in favore delle popolazioni colpite dal terremoto in Emilia Romagna?

Risposta
(11 febbraio 2013)

Il 19 settembre 2012 la Commissione ha presentato il progetto di bilancio rettificativo n. 5/2012, che accompagna una proposta di decisione del Parlamento europeo e del Consiglio relativa alla mobilitazione del Fondo di solidarietà dell'UE per un importo pari a 670,2 milioni di EUR in stanziamenti di impegno e di pagamento.

Il 20 novembre 2012 il Consiglio ha adottato a maggioranza qualificata la sua posizione sul progetto di bilancio rettificativo n. 5/2012, accettando la proposta della Commissione con il voto contrario delle delegazioni dei Paesi Bassi, della Svezia e del Regno Unito.

Il 21 novembre 2012 il Parlamento europeo ha approvato senza emendamenti la posizione del Consiglio.

Il bilancio rettificativo n. 5/2012 è inteso a fornire assistenza finanziaria all'Italia in risposta a una serie di terremoti che hanno colpito l'Emilia-Romagna nel maggio 2012.

(English version)

Question for written answer E-010272/12
to the Council
Sergio Paolo Francesco Silvestris (PPE)
(12 November 2012)

Subject: Funds for the earthquake in Emilia-Romagna

The Netherlands, Finland, Germany, Sweden and the United Kingdom oppose the corrective budget proposal for 2012 presented by the European Commission regarding the disbursement of EUR 670 million from the natural disaster emergency fund for the earthquake in Emilia-Romagna. This is according to the rumours reported in leading Italian newspapers.

Government representatives from the aforementioned five countries apparently expressed their opinions in this regard during the discussion at Econfin's special EU budget meeting, held in Brussels. The same Member States also opposed a second corrective budget, also for 2012, in which financing was requested to cover the missing EUR 8 billion needed to pay bills from the cohesion fund programme, plus EUR 90 billion for the EU's Erasmus student exchange programme.

In view of the above, can the Council:

1. Confirm the news reported by the Italian press on the alleged opposition by the Netherlands, Finland, Germany, Sweden and the United Kingdom to using the natural disaster emergency fund?

2. Provide further details regarding the situation?

3. State what it intends to do for those affected by the earthquake in Emilia-Romagna?

Reply
(11 February 2013)

On 19 September 2012 the Commission presented Draft amending budget No 5/2012, accompanying a proposal for a decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund, for an amount of EUR 670.2 million in commitment and payment appropriations.

On 20 November 2012 the Council adopted its position on Draft amending budget No 5/2012 by qualified majority, accepting the Commission's proposal, with the Netherlands, Swedish and United Kingdom delegations voting against.

The European Parliament approved the Council's position without amendment on 21 November 2012.

Amending budget No 5/2012 is intended to provide financial assistance to Italy in response to a series of earthquakes that hit the region of Emilia-Romagna in May 2012.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010273/12
alla Commissione
Sergio Paolo Francesco Silvestris (PPE)
(12 novembre 2012)

Oggetto: Commercio di uova non a norma nel mercato UE

La direttiva 1999/74/CE prescrive che a decorrere dal 1° gennaio 2012 tutte le galline ovaiole siano tenute in gabbie modificate per fare il nido, razzolare e appollaiarsi o in sistemi alternativi.

Ad oggi sono ancora molti gli allevamenti non adeguati alle disposizioni dell'Unione europea, anche a causa del fatto che l'articolo 10 della direttiva prevedeva l'obbligo per la Commissione europea di emanare, entro il 2005, un rapporto contenente i reali impatti della normativa in questione sia sui costi di produzione che sui prezzi al consumo. Il rapporto è stato emesso solo nel 2008 e, conseguentemente al ritardo registrato, molti allevatori non si sono assunti il rischio di effettuare investimenti in qualcosa che più tardi avrebbe potuto essere considerato inadeguato.

Si deve ora considerare l'immissione sul mercato interno dell'UE di uova provenienti da allevamenti non a norma. Si tratta di allevamenti che non rispettano le rigorose norme relative alle dimensioni delle gabbie né, tanto meno, i parametri qualitativi che mettono in circolazione prodotti di cui dovrebbe essere vietata la commercializzazione.

Per evitare problemi di concorrenza dovuta alla circolazione all'interno dell'UE di uova non a norma, cosa sta facendo e cosa ha fatto nei dieci mesi trascorsi dall'applicazione della legge la Commissione per proteggere i consumatori ed i produttori che con investimenti importanti si sono adeguati alla direttiva?

Esiste un organismo europeo competente per l'accertamento del rispetto delle norme relative alla qualità e all'etichettatura delle uova in circolazione nel mercato europeo?

Risposta di Tonio Borg a nome della Commissione
(15 gennaio 2013)

La Commissione rinvia l'onorevole parlamentare alla propria risposta all'interrogazione scritta E-008325/2012 ([1]).

L'Ufficio alimentare e veterinario (FVO) della direzione generale per la salute e i consumatori della Commissione compie visite agli Stati membri per verificare la conformità dei loro sistemi ufficiali di controllo con la legislazione UE. L'Ufficio ha anche effettuato ispezioni per quanto riguarda l'etichettatura delle uova vendute sul mercato interno, più recentemente in Irlanda nel marzo 2012.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html .

(English version)

Question for written answer E-010273/12
to the Commission
Sergio Paolo Francesco Silvestris (PPE)
(12 November 2012)

Subject: Sale of non-compliant eggs on the EU market

Directive 1999/74/EC stipulates that, as of 1 January 2012, all laying hens must be kept in cages — or in alternative systems — that allow them to make a nest, forage and roost.

Many farms are still failing to comply with EC law. One of the reasons for this is that Article 10 of the directive required the European Commission to issue a report by 2005 stating the actual impacts of the regulation in question both on production costs and market prices. The report was not issued until 2008 and, as a result of this delay, many farmers did not take the risk of making investments in something that might later have been deemed inadequate.

It is important now to consider that eggs from non-compliant farms are being sold on the EU market. These farms are failing to comply with the strict rules regarding cage size, let alone the quality requirements, putting products on the market that should be banned.

In order to avoid competition problems due to non-compliant eggs being available on the EU market, what is the Commission doing and what has it done in the ten months since the law was introduced to protect consumers and producers who have made all the investments required to comply with the law?

Is there a European body responsible for verifying compliance with the rules regarding the quality and labelling of eggs sold on the European market?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-008325/2012 ([1]).

The Food and Veterinary Office of the Commission's Health and Consumers Directorate General visits Member States to check compliance of their official control systems with EU legislation. The FVO has also carried out inspections with regard to the labelling of eggs sold on the internal market, most recently in Ireland, March 2012.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010274/12
alla Commissione
Matteo Salvini (EFD)
(12 novembre 2012)

Oggetto: Pagamento di lavori pubblici da parte delle amministrazioni pubbliche

Il 31 ottobre 2012 Il governo italiano ha approvato il decreto legislativo che attua la direttiva 2011/7/UE del Parlamento europeo e del Consiglio sui ritardi di pagamento da parte delle amministrazioni pubbliche. Con questo decreto si impone alle amministrazioni pubbliche di pagare i propri clienti nei tempi massimi dei 30 giorni. Questo provvedimento esclude però tutta la categoria delle imprese che hanno effettuato lavori pubblici.

La dimensione finanziaria dei ritardi di pagamento delle amministrazioni pubbliche alle imprese che realizzano lavori pubblici è in costante crescita ed ha raggiunto ormai i 19 miliardi di euro. In media le imprese che realizzano lavori pubblici sono pagate 8 mesi dopo l'emissione dello Stato Avanzamento Lavori (SAL) con casi in cui i ritardi superano addirittura i 3 anni.

Chiediamo quindi se tale esclusione delle aziende che effettuano lavori pubblici sia conforme con la direttiva 2011/7/UE e quale azione intende intraprendere la Commissione per tutelare tali categorie di imprese.

Risposta di Antonio Tajani a nome della Commissione
(17 gennaio 2013)

La direttiva relativa alla lotta contro i ritardi di pagamento nelle transazioni commerciali adottata nel febbraio 2011 ([1]) fa obbligo alle autorità pubbliche di pagare entro 30 giorni di calendario i beni e i servizi che acquisiscono. La direttiva deve essere recepita dagli Stati membri entro il 16 marzo 2013.

La direttiva si applica a tutte le transazioni commerciali tra le imprese e tra le autorità pubbliche e le imprese. La direttiva copre tutti i settori senza eccezione, compreso quello delle costruzioni. Il legislatore europeo ha inoltre aggiunto un considerando che chiarisce questo aspetto particolare.

L'esclusione del settore delle costruzioni dal campo di applicazione degli strumenti di recepimento configurerebbe pertanto una violazione della direttiva nella forma in cui è stata adottata nel febbraio 2011.

La Commissione seguirà da vicino il corretto recepimento e la corretta attuazione della direttiva in tutti gli Stati membri. In caso di mancata conformità al disposto della direttiva o di mancata notifica delle misure di recepimento entro la scadenza fissata (16 marzo 2013) la Commissione avvierà una procedura di infrazione ai sensi dell'articolo 258 del TFUE.

([1]) Direttiva 2011/7/UE.

(English version)

Question for written answer E-010274/12
to the Commission
Matteo Salvini (EFD)
(12 November 2012)

Subject: Government payments for public works

On 31 October 2012, the Italian Government approved the legislative decree transposing Directive 2011/7/EU of the European Parliament and of the Council on combating late payment in commercial transactions. This decree requires public authorities to pay their clients within 30 days, but the provision excludes all companies that have carried out public works.

The total size of late payments by governments to companies that perform public works is steadily increasing and has already reached EUR 19 billion. On average, companies that carry out public works are paid 8 months after a Works Completion Report has been issued, but there are cases of payment delays of over 3 years.

Is this exclusion of companies that carry out public works compliant with Directive 2011/7/EU? What action does the Commission intend to take in order to protect this type of company?

Answer given by Mr Tajani on behalf of the Commission
(17 January 2013)

The directive on combating late payment in commercial transactions adopted in February 2011 ([1]) imposes an obligation on public authorities to pay within 30 calendar days for the goods and services they procure. The directive has to be transposed by Member States at the latest by 16 March 2013.

The directive applies to all commercial transactions between businesses and between public authorities and businesses. The directive covers all sectors without any exceptions, including the construction sector. Moreover, the European legislator has added a recital clarifying this particular issue.

The exclusion of the construction sector from the scope of any implementing legislation would therefore not be compliant with the directive, as adopted in February 2011.

The Commission will closely monitor the correct transposition and implementation of the directive in all Member States. In case of non-compliance with the directive or failure to notify the transposition measure within the deadline (16 March 2013) the Commission will start an infringement procedure according to Article 258 TFUE.

([1]) 2011/7/EU Directive.

(Version française)

Question avec demande de réponse écrite P-010275/12
à la Commission
Catherine Grèze (Verts/ALE)
(12 novembre 2012)

Objet: Mandat d'arrêt européen contre Aurore Martin: quelle «proportionnalité»?

Aurore Martin, militante politique française, a été arrêtée le 1er novembre 2012 en France, suite à l'émission contre elle d'un mandat d'arrêt européen de l'Espagne.

Depuis sa mise en place, le mandat d'arrêt européen a permis une coopération nécessaire entre les autorités judiciaires des différents États membres. Cependant, comme le souligne la Commission dans son rapport publié en avril 2011 sur «La mise en œuvre de la décision-cadre du Conseil relative au mandat d'arrêt européen et aux procédures de remise entre États membres», on constate une utilisation excessive de cet outil. Or, comme le précise la Commission: «Plusieurs aspects doivent être pris en compte avant l'émission d'un mandat d'arrêt européen, notamment la gravité de l'infraction, la durée de la condamnation et une analyse du rapport coûts-avantages de l'exécution du mandat d'arrêt européen».

Concernant la gravité de l'infraction, dans le cas d'Aurore Martin, les faits qui lui sont reprochés sont sa participation à une conférence de presse du parti politique Batasuna, certes illégal en Espagne mais pas en France! Quant à la durée de la condamnation, elle paraît tout à fait disproportionnée puisqu'elle pourrait atteindre douze années!

Enfin, quant au rapport «coûts-avantages» de l'exécution du mandat d'arrêt européen, elle intervient deux ans après sa signature, alors qu'entre-temps, un processus de paix a été initié afin de mettre fin au conflit au Pays Basque. D'après les experts internationaux, cette résolution du conflit basque ne pourra intervenir que si la liberté d'expression politique du mouvement basque est garantie. Le mandat d'arrêt européen contre Aurore Martin va totalement à l'encontre de ce principe.

La Commission est-elle consciente que l'application du mandat d'arrêt européen contre A. Martin risque de mettre en péril le processus de paix au Pays Basque?

Que compte mettre en place la Commission pour permettre un contrôle effectif de la proportionnalité des mandats d'arrêts européens?

Réponse donnée par Mme Reding au nom de la Commission
(7 décembre 2012)

La procédure du mandat d'arrêt européen (MAE), y compris toutes les voies de recours disponibles, est une procédure entièrement judiciaire. Ni la Commission ni les États membres ne peuvent intervenir dans un dossier individuel de MAE

En ce qui concerne le principe de proportionnalité, tout en notant que le MAE n'est pas utilisé principalement ou exclusivement pour des infractions mineures, le troisième rapport d'exécution, publié par la Commission en avril 2011[1], souligne qu'un examen de la proportionnalité devrait être réalisé dans l'État d'émission du MAE, afin d'éviter un recours abusif au MAE pour des infractions mineures. La Commission a exhorté les États membres à prendre des mesures pour s'assurer que les professionnels utilisent le manuel modifié relatif au MAE[2] comme document de référence pour l'application du critère de proportionnalité. La Commission a systématiquement fait passer ce message et elle suit l'évolution des progrès réalisés dans ce domaine.

(1) COM(2011) 175 final and SEC(2011) 430.
(2) Council 17195/10 COPEN 275.

(English version)

Question for written answer P-010275/12
to the Commission
Catherine Grèze (Verts/ALE)
(12 November 2012)

Subject: European arrest warrant for Aurore Martin: how 'proportional' is it?

Aurore Martin, a French political activist, was arrested in France on 1 November 2012 on the basis of a European arrest warrant issued by Spain.

The introduction of the European arrest warrant has made it possible for much-needed judicial cooperation to be established between individual Member States. However, as the Commission emphasised in a report published in April 2011 on the implementation of the Council framework decision on the European arrest warrant and the surrender procedures between Member States, the warrant is being over-used. The Commission states that '[s]everal aspects should be considered before issuing the EAW including the seriousness of the offence, the length of the sentence […] and a cost/benefit analysis of the execution of the EAW'.

As far as the seriousness of the offence is concerned, Aurore Martin is accused of taking part in a press conference given by the political party Batasuna. Although this is indeed illegal in Spain, it is not in France! With regard to the length of the sentence, the fact that she faces up to 12 years in prison seems totally disproportionate.

Moving on to the cost/benefit analysis of the execution of the European arrest warrant, in this case it was executed two years after it had been issued, despite the fact that in the meantime a peace process had been launched with a view to resolving the conflict in the Basque Country. International experts have said that there can be no resolution to the Basque conflict without a guarantee of freedom of political expression for the Basque movement. The European arrest warrant for Aurore Martin flies in the face of this principle.

Does the Commission realise that the execution of the European arrest warrant for Aurore Martin may jeopardise the peace process in the Basque Country?

What does the Commission intend to do to ensure that the proportionality of European arrest warrants is monitored effectively?

Answer given by Mrs Reding on behalf of the Commission
(7 December 2012)

The European arrest warrant (EAW) is an entirely judicial procedure — including exhausting all judicial avenues of appeal. Neither the Commission nor the Member States can interfere in an individual EAW case.

In relation to proportionality, while noting that the EAW is not used mainly or exclusively for minor offences, the Commission's third implementation report, issued in April 2011 ([1]) stressed that a proportionality test should be applied in the issuing state when an EAW is issued to ensure it is not overused for minor offences. The Commission has urged Member States to take steps to ensure that practitioners use the amended EAW handbook ([2]) as the guideline for the manner in which a proportionality test should be applied. The Commission has consistently delivered this message and is monitoring progress on this issue.

([1]) COM(2011) 175 final and SEC(2011) 430.
([2]) Council 17195/10 COPEN 275.

(Version française)

Question avec demande de réponse écrite E-010276/12
à la Commission
Gaston Franco (PPE)
(12 novembre 2012)

Objet: Alerte au nouveau ravageur du palmier: Pistosia dactyliferæ

Les palmiers de la Côte d'Azur, déjà victimes du charançon rouge, sont désormais menacés par un nouvel insecte ravageur, Pistosia dactyliferæ, qui vient d'être détecté dans les jardins de la presqu'île de Saint-Jean Cap Ferrat.

Ce petit coléoptère originaire d'Inde a fait son apparition pour la première fois dans une pépinière en Toscane en 2006. Il a pour particularité de s'attaquer à toutes les espèces de palmiers, sans distinction, et à d'autres espèces végétales. En grignotant les palmes tendres du cœur du palmier, cet insecte occasionne des plaies favorisant le développement de maladies. En outre, les arômes dégagés par les palmes abimées attirent la présence de l'autre ravageur, le charançon rouge, renforçant ainsi l'infestation parasitaire.

Dans les Alpes-Maritimes, le Comité de pilotage de la stratégie intercommunale de lutte contre le charançon rouge du palmier (Copil azuréen, qui regroupe trente communes fédérées par la ville de Nice) préconise le lancement d'une lutte biologique au moyen d'un champignon microscopique appelé Beauveria bassiana. Une expérimentation pourrait voir le jour début 2013 pour une durée de 3 ans.

Comment la Commission compte-t-elle réagir face à l'apparition de Pistosia dactyliferæ dans les Alpes-Maritimes? Quel soutien pourrait-elle apporter aux actions du Copil azuréen?

Quelle approche la Commission avait-elle adopté en Toscane?

La Commission a-t-elle réalisé un état des lieux de la prolifération de *Pistosia dactyliferæ* au niveau européen?

Enfin, compte-t-elle réfléchir à une stratégie globale pour lutter contre les différentes ravageurs des palmiers (*Paysandisia archon*, *Pseudarenipses insularum* ou pyrale, *Cerataphis brasiliensis* ou puceron des palmiers, *Pistosia dactyliferæ*, *Rhynchophorus ferrugineus* ou charançon rouge du palmier)?

Réponse donnée par M. Borg au nom de la Commission
(16 janvier 2013)

Pistosia dactyliferae ne fait pas partie des organismes nuisibles réglementés dans l'Union européenne. Cet insecte n'est pas répertorié dans les annexes de la directive 2000/29/CE du Conseil ([1]) instituant le régime phytosanitaire de l'UE.

Les États membres n'ont ni alerté la Commission de sa présence dans l'Union ni demandé que son cas soit examiné en vue d'une réglementation dans le cadre dudit régime. N'étant pas informée de la situation de cet organisme dans le département des Alpes-Maritimes ou ailleurs dans l'UE, elle n'a pas réalisé d'état des lieux de sa prolifération et n'a prévu à ce jour aucune mesure de réglementation le concernant.

Dans certaines conditions strictes, spécifiées dans la directive 2000/29/CE, une participation financière de l'UE au titre de la «lutte phytosanitaire» peut être accordée pour l'éradication des ravageurs et des maladies touchant les végétaux. Ce cofinancement n'a toutefois pas pour but de soutenir la recherche expérimentale en matière de lutte contre les organismes nuisibles.

Pour ce qui est des paiements directs, les articles 70 et 71 du règlement (CE) n° 73/2009 ([2]) prévoient que les États membres peuvent décider d'octroyer un soutien spécifique en cas de pertes économiques causées par des maladies végétales, sous la forme soit de contributions au paiement des primes d'assurance récolte, soit de fonds de mutualisation destinés à indemniser les agriculteurs.

Le régime phytosanitaire de l'UE n'offre pas de cadre juridique pour l'élaboration d'une stratégie globale de lutte contre les ravageurs du palmier au sein de l'UE. Il est d'ailleurs plus approprié qu'une telle stratégie de lutte soit mise au point au niveau national, afin que les aspects économiques, environnementaux et sociaux puissent être pleinement pris en compte.

([1]) JO L 169 du 10.7.2000, p. 1.
([2]) JO L 30 du 31.1.2009, p. 16.

(English version)

Question for written answer E-010276/12
to the Commission
Gaston Franco (PPE)
(12 November 2012)

Subject: Warning about a new palm pest, *Pistosia dactyliferæ*

The palm trees of the Côte d'Azur, which are already infested with red palm weevil, are now under threat from a new insect pest called *Pistosia dactyliferæ*, which was recently discovered in gardens on the peninsula of Saint-Jean Cap Ferrat.

Native to India, this small beetle was first discovered in Europe in 2006 in a Tuscan tree nursery. A distinctive feature of *Pistosia dactyliferæ* is that it will attack any species of palm indiscriminately, as well as other types of plant. By gnawing at the tender leaves of the heart of the palm, *Pistosia dactyliferæ* causes lesions that make the tree more susceptible to disease. Furthermore, the scent of the damaged palms attracts another pest, the red palm weevil, thus making the infestation even worse.

In the department of Alpes-Maritimes, the steering committee for the inter-communal strategy to combat the red palm weevil (Copil Côte d'Azur, which brings together 30 communes in and around Nice) advocates using biological control methods, namely a microscopic fungus known as *Beauveria bassiana*, to fight the pest problem. A three-year trial could be launched at the start of 2013.

What action is the Commission planning to take following the appearance of cases of *Pistosia dactyliferæ* in Alpes-Maritimes? How might the Commission be able to support Copil Côte d'Azur's efforts?

What approach did the Commission adopt in Tuscany?

Has the Commission carried out an appraisal of the way *Pistosia dactyliferæ* is spreading at European level?

Lastly, is the Commission considering formulating a comprehensive strategy to combat the various types of palm pest (*Paysandisia archon*, *Pseudarenipses insularum* or snout moth, *Cerataphis brasiliensis* or palm aphid, *Pistosia dactyliferæ*, and *Rhynchophorus ferrugineus* or red palm weevil)?

Answer given by Mr Borg on behalf of the Commission
(16 January 2013)

Pistosia dactyliferae is not a regulated harmful organism in the EU. This insect is not listed in the annexes of Council Directive 2000/29/EC ([1]), which establishes the EU plant health regime.

The Commission has not been alerted by the Member States of the presence of this insect in the Union, nor have the Member States requested that this organism is considered for regulation under the EU plant health regime. Therefore, the Commission is not aware of the situation of this organism in the department Alpes-Maritimes or anywhere else in the EU, it has not carried out an appraisal of the way this organism is spreading, and currently no regulatory action is planned in relation to this organism.

Under certain strict conditions, which are specified in Directive 2000/29/EC, an EU 'plant health control' financial contribution might be granted for the control of plant pests and diseases. However, the purpose of such co-financing is not to support experimental research on the control of harmful organisms.

In the framework of direct payments, Articles 70 and 71 of Regulation (EC) No 73/2009 ([2]) provide that Member States may decide to grant specific support either in the form of contributions to plant insurance premiums against economic losses caused by plant diseases or by way of mutual funds for compensation to farmers for economic losses caused by plant diseases..

The EU plant health regime does not provide a legal framework for the formulation of a comprehensive strategy for the control of palm pests in the EU. Moreover, it is actually more appropriate that such a control strategy is developed at the national level, so that local economic, environmental and social aspects can be fully taken into account.

([1]) OJ L 169, 10.7.2000, p.1.
([2]) OJ L 30, 31.1.2009, p. 16.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010277/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Hans-Peter Martin (NI)
(12. November 2012)

Betrifft: VP/HR — Genfer Konventionen im digitalen Raum

In ihrer bei der Konferenz zum digitalen Raum am 4.10.2012 gehaltenen Rede schlug die Hohe Vertreterin vor, dass die Regeln der Genfer Konventionen auch auf digitale Konfliktbereiche angewandt werden sollten, wenn zwischenstaatliche Konflikte auf den digitalen Raum ausgedehnt werden.

1. Kann die Kommission erläutern, in welcher Form die Regeln der Genfer Konventionen auch auf digitale Angriffe auf Staaten beziehungsweise „digitalen Krieg" angewandt werden können?

2. Ist die Kommission der Ansicht, dass ihre als Antwort auf Frage 1 aufgeführte Interpretation auch von Drittstaaten wie beispielsweise Russland, China und den USA geteilt wird? Gibt es nach Ansicht der Kommission Staaten, die diese Interpretation nicht teilen?

3. Hat die Kommission zu diesem Thema bereits den Dialog mit anderen Staaten gesucht? Wenn ja, welche Ergebnisse hatten die bereits geführten Gespräche?

4. Welche Schritte wird die Kommission unternehmen, um die Prinzipien der Genfer Konventionen ihrer Interpretation gemäß auch auf den digitalen Raum auszudehnen, wenn es keinen Konsens mit Drittstaaten geben sollte?

Antwort von der Hohen Vertreterin/Vizepräsidentin Ashton im Namen der Kommission
(25. Januar 2013)

1. Unter den EU-Mitgliedstaaten bildet sich ein allgemeiner Konsens darüber, dass das humanitäre Völkerrecht, einschließlich der Genfer Konventionen, auch auf den digitalen Raum anwendbar sind.

2. Auch die Vereinten Staaten unterstützen die Anwendbarkeit des humanitären Völkerrechts auf den digitalen Raum. Die Russische Föderation und China unterbreiteten vor kurzem mehrere Vorschläge für Instrumente betreffend den digitalen Raum bei den Vereinten Nationen. 2011 unterstützte Russland einen chinesischen Vorschlag für ein „Verhaltenskodex für Informationssicherheit", der allerdings nicht von der EU unterstützt wurde, weil sie Bedenken in Bezug auf Zensur und die Kontrolle von Internet-Ressourcen durch autoritäre Regime hatte.

3. Die EU-China-Taskforce für Computer- und Netzsicherheit hat die Anwendbarkeit des bestehenden Völkerrechts auf den digitalen Raum bereits erörtert, und die Beratungen mit anderen strategischen Partnern zu dieser Frage werden fortgesetzt.

4. Die EU unterstützt die laufenden Verhandlungen in mehreren internationalen Foren über die Anwendbarkeit des bestehenden Völkerrechts auf den digitalen Raum und den Prozess zur Festlegung von Standards für verantwortungsvolles staatliches Handeln im digitalen Raum.

Die wichtigsten Standpunkte der EU in dieser Frage werden in der EU-Strategie für Computer- und Netzsicherheit dargelegt werden, die demnächst vorgelegt werden soll.

(English version)

Question for written answer E-010277/12
to the Commission (Vice-President/High Representative)
Hans-Peter Martin (NI)
(12 November 2012)

Subject: VP/HR — Geneva Conventions and cyberspace

In her address at the conference on cyberspace of 4 October 2012, the High Representative proposed that the rules of the Geneva Conventions should also apply to cyberconflicts where international conflicts extend to cyberspace.

In view of the above, will the Commission say:

1. Can it explain how the rules of the Geneva Conventions can also be applied to cyberattacks on States or 'cyberwarfare'?

2. Does it consider that the interpretation it gives in answer to Question 1 above will also be shared by other countries such as Russia, China and the U.S.? Does it believe that there are some States that do not share this interpretation?

3. Has it already sought a dialogue with other States on this subject? If so, what have been the results of these discussions?

4. What steps will it take to extend the scope of the principles of the Geneva Conventions to include cyberspace, in line with its interpretation, if no consensus with third countries is forthcoming?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(25 January 2013)

1. The general consensus is emerging among Member States that the 'Law of Armed Conflict and International Humanitarian Law', including its Geneva Conventions, will apply also to cyberspace.

2. The United States supports the applicability of the 'Law of Armed Conflict and the International Humanitarian Law' to cyberspace. The Russian Federation and China have recently proposed several cyber instruments at the United Nations (UN). In 2011, Russia supported a Chinese proposal for the 'Code of Conduct for Information Security', which did not meet with EU support as there are concerns with regard to censorship and the control of Internet resources by authoritarian governments.

3. The EU-China Cyber Taskforce has discussed the applicability of the existing international law to cyberspace, and the consultations on this issue will continue also with other EU strategic partners.

4. The EU supports current negotiations in several international fora on applicability of the existing international law in cyberspace, as well as a process of defining the norms for responsible state behaviour in cyberspace. The forthcoming EU Cyber Security Strategy will also articulate key EU positions in this regard.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010278/12
a la Comisión
Ana Miranda (Verts/ALE)
(12 de noviembre de 2012)

Asunto: Empleo en las entidades financieras intervenidas

Las condiciones del denominado «rescate bancario» de las entidades financieras como NCG Banco S.A. tienen un evidente impacto laboral, ya que la normativa europea para las ayudas públicas a este tipo de entidades tiene como contrapartida la obligación de reducir la capacidad comercial de las mismas, lo que, lógicamente, conlleva una reducción de empleo.

Desde un punto de vista laboral, tanto la normativa europea como la estatal establecen el derecho de los ciudadanos de la UE a la libertad sindical y el derecho a la negociación colectiva. Sin embargo, el actual proceso entre la Comisión, el Banco Central Europeo y el Gobierno del Estado español podría vulnerar el derecho a la negociación colectiva de los trabajadores y trabajadoras de las entidades intervenidas, puesto que aquellos pretenden que los recortes de personal se aprueben a través de los planes de recapitalización, lo que deja sin contenido el derecho a la negociación colectiva antes mencionado.

Esta pérdida de empleo en entidades rescatadas con dinero público y el hecho de convertir en papel mojado derechos como el de la negociación colectiva se dan en un escenario en el que el Estado español no adaptó en tiempo y forma la normativa europea que establecía restricciones salariales para los directivos de las entidades intervenidas, provocando, en el caso de NCG Banco, situaciones que han generado alarma e indignación social. Todo esto, además, teniendo en cuenta la estafa de las preferentes, que afecta a miles de personas en Galicia, sin que se diferencie entre inversionistas y ahorradores. Por todo esto,

1. ¿Considera la Comisión que es posible rescatar entidades financieras como NCG Banco con recursos públicos y que, además de socializar esas pérdidas, ello implique también la destrucción de puestos de trabajo?

2. ¿Piensa la Comisión que el derecho a la negociación colectiva está siendo respetado en aquellas entidades financieras que, como NCG Banco, han sido intervenidas?

3. ¿Tiene la Comisión previsto tomar algún tipo de medida para que en la estafa de las preferentes se distinga entre inversionistas y ahorrados a la hora de establecer los mecanismos para que puedan recuperar el 100 % de sus depósitos?

Respuesta del Sr. Almunia en nombre de la Comisión
(8 de enero de 2013)

1. La Comisión señala que uno de los principales objetivos del plan de reestructuración es restablecer la viabilidad de Novagalicia Banco (NCG Banco), sin necesidad de nuevas ayudas estatales en el futuro. La viabilidad implica concentrar las actividades del banco en sus sectores principales, donde puede contribuir mejor a la concesión de préstamos viables para la economía real. La reducción de la «huella» del banco exige inevitablemente la disminución de su número de empleados. Al igual que los otros bancos del Grupo 1, NCG Banco reducirá su tamaño en aproximadamente un 60 % en comparación con el año 2010. Es preciso destacar que i) una parte importante de esta reducción ya se ha producido; ii) la reducción incluye la transferencia de activos a la Sociedad de Gestión de Activos, y iii) la parte de la reducción que aún no se ha efectuado se llevará a cabo durante el plan de reestructuración.

2. La Comisión no puede pronunciarse al respecto, ya que la mencionada operación está sujeta al Derecho nacional y se halla bajo la jurisdicción de las autoridades y los tribunales nacionales.

3. La Comisión pide a los bancos que gestionen su posición de capital de forma muy prudente a fin de reducir al mínimo la necesidad de fondos públicos y de evitar la utilización de ayudas estatales en beneficio de los inversores que invierten en instrumentos financieros de riesgo. Semejante procedimiento es necesario para garantizar que los costes de reestructuración de una institución financiera beneficiaria de ayuda no los paguen solo los contribuyentes, sino también las partes interesadas de la institución y, en particular, los titulares de acciones e instrumentos subordinados.

La Comisión subraya también que las autoridades y los tribunales nacionales tienen competencia para garantizar que los inversores y, en concreto, los pequeños inversores, sean plenamente conscientes de los riesgos de invertir en productos financieros, así como para pronunciarse sobre las condiciones de la venta de estas acciones preferentes.

(English version)

Question for written answer E-010278/12
to the Commission
Ana Miranda (Verts/ALE)
(12 November 2012)

Subject: Employment in the bailed-out financial institutions

The terms of the 'banking bailout' of financial institutions such as NCG Banco SA have an obvious impact on jobs. EU regulations on state aid for such institutions are counterbalanced by the obligation to reduce their trade capacity, which logically leads to job cuts.

Both EU and state employment regulations establish EU citizens' right to freedom of association and collective bargaining. However, the current process between the Commission, the European Central Bank and the Spanish Government could undermine the right to collective bargaining for those workers employed by the bailed-out financial institutions, as these institutions seek to approve staff cuts through the recapitalisation plans. This renders the right to collective bargaining meaningless.

These job cuts in institutions bailed out using public money, and the fact that rights such as collective bargaining have become worthless, are part of a scenario in which the Spanish State did not react in time to EU regulations establishing salary restrictions for managers of the bailed-out institutions. In the case of NCG Banco, this has led to situations which have caused social alarm and indignation. In addition to all of this is the preferred shares scam, which affects thousands of people in Galicia, without distinction between investors and savers. In view of this:

1. Does the Commission believe that it is possible to bailout financial institutions such as NCG Banco using public funds when, in addition to nationalising the losses, it also leads to job cuts?

2. Does it believe that the bailed-out financial institutions, such as NCG Banco, are respecting the right to collective bargaining?

3. Will it take any steps to ensure that the preferred shares scam distinguishes between investors and savers when establishing mechanisms to enable those affected to recover 100% of their deposits?

Answer given by Mr Almunia on behalf of the Commission
(8 January 2013)

1. The Commission points out that one of the main goals of the restructuring plan is to return NCG Banco to viability, without the need for additional state aid in the future. Viability involves concentrating the bank's activities in its core areas, where it can best contribute to sustainable lending to the real economy. Reducing the bank's footprint inevitably requires reducing employee numbers. Like the other banks in Group 1, NCG Banco will reduce its size by around 60% compared to 2010., It should be emphasised that (i) a major part of the reduction has already taken place; (ii) the reduction includes the transfer of assets to the AMC, and (iii) the reduction which has not taken place yet will be made in the course of the restructuring plan.

2. The Commission cannot comment on this, as it is subject to national law under the jurisdiction of national authorities and courts.

3. The Commission asks banks to manage their capital position very prudently to minimise the need for public funds, and to avoid using state aid for the benefit of investors who invested in risky financial instruments. This is necessary to ensure that the restructuring costs of an aided financial institution burden not only the taxpayer but also the stakeholders of the institution, and in particular equity and subordinated capital holders.

The Commission also stresses that the national authorities and courts have the competence to ensure that investors, in particular retail investors, are fully aware of the risks of investing in financial products, as well as to judge the conditions of the sale of these preferred shares.

(English version)

Question for written answer E-010279/12
to the Commission
Robert Sturdy (ECR)
(12 November 2012)

Subject: Ash tree dieback disease threatening large tree populations

Ash tree dieback disease (or chalara) has been found in over 115 sites in the UK. It is reported that the disease has now spread to six European countries and is affecting 90% of ash trees in some areas of Denmark.

This disease will have widespread consequences for UK and European forests if it is not contained. It could wipe out the entire species of ash tree which is indigenous to the UK. Imports of ash trees into the UK have already been banned and movement controls have been instituted by the UK Government. Nonetheless, there appears to be no action or even alert from the Commission on this matter.

Is the Commission monitoring the spread of the disease?

What is the Commission doing to raise awareness about the situation and prevent the further spread of this disease across Europe?

Is the Commission planning to take any concrete action to support Member States and the agricultural community in tackling this disease?

Answer given by Mr Borg on behalf of the Commission
(16 January 2013)

According to the EPPO ([1]) the fungus *Chalara fraxinea*, the causal agent of ash dieback, is widespread in continental Europe. It wasn't until 2011 that studies concluded that *Chalara fraxinea* was a form of a new species of fungus. No pest risk analysis was available and at the moment that the EPPO proposed to start working on such analysis, scientific experts advised that it was already too widespread in Europe to start developing a control strategy. The emergence of a new disease of ash trees was thus difficult to explain and act upon at this time.

Plant health legislation ([2]) requires Member States to notify the Commission and all other Member States of outbreaks of regulated harmful organisms and any new harmful organism as soon as they are aware of their presence in their territory. As soon as the Commission receives these notifications they are communicated to the competent authorities of the Member States through Commission electronic communication tool. The fungal pathogen *Chalara fraxinea* is not regulated by EU Plant Health legislation. The Commission has received formal notifications for *Chalara fraxinea* from a number of Member States since 2008 all of which have been communicated to the Member States.

This issue was discussed with Member States for the first time in November. If eradication in the United Kingdom and Ireland or in a part of their territories is still realistic, the Commission may consider adopting temporary measures for the control of *Chalara fraxinea*.

In its general proposals for a rural development policy for after 2013, the Commission has proposed a measure which would offer support for prevention and restoration activities related to damage to forests from natural disasters, including pest-& disease-related disasters.

([1]) European and Mediterranean Plant Protection Organisation.
([2]) Council Directive 2000/29/EC, OJ L 169, 10.07.2000.

(English version)

Question for written answer E-010280/12
to the Commission
Alyn Smith (Verts/ALE)
(12 November 2012)

Subject: Energy drinks and possible health risks

Over the last few years, many positive steps have been taken to tackle the problems associated with energy drinks. The implementation of the new food labelling regulations is to be welcomed, along with the recognition that the increasing consumption of energy drinks, particularly by children and young adults, has been identified as an emerging risk.

While the industry recommends that these drinks are not suitable for children under 16, there is nothing stopping a young child purchasing an energy drink whose caffeine level is equivalent to that of 14 cans of ordinary cola, with a sugar content of up to 88g. With this being entirely legal and the advertising and packaging of such products being designed in a way which is attractive to young children, many are purchasing energy drinks before school or on their lunch breaks. As such, many schools in my constituency are experiencing increasing problems relating to hyperactive and disruptive pupils who have consumed these drinks.

Can the Commission clarify what is being done at Union level regarding the availability of these high-caffeine energy drinks to young children? Is the Commission aware of any examples of best practice from other Member States who have managed to minimise the sale of these drinks to children under 16?

Answer given by Mr Borg on behalf of the Commission
(10 December 2012)

The Commission would refer the Honourable Member to its answers to written questions E-006647/2012 and E-005939/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010281/12
to the Commission
Struan Stevenson (ECR)
(12 November 2012)

Subject: Ban on the use of thiamethoxam on oilseed rape

A recent review of the M. Henry et al study entitled 'A Common Pesticide Decreases Foraging Success and Survival in Honey Bees', by scientists from the University of Exeter and the UK's Food and Environment Research Agency, refutes the initial results and shows that thiamethoxam does not precipitate the collapse of bee colonies.

It is nevertheless on the basis of the results of the Henry study that France recently banned the use of thiamethoxam (an active ingredient in the pesticide Cruiser OSR) on oilseed rape. M. Henry himself recently recognised that 'substantial improvement is needed before one could use honey bee colony modelling in its current form for risk assessment'.

What does the Commission intend to do to restore the single market in seeds coated with thiamethoxam in the EU?

Answer given by Mr Borg on behalf of the Commission
(1 February 2013)

According to Article 21 of Regulation (EC) No 1107/2009 ([1]), the Commission requested the European Food Safety Authority (EFSA) to review the risk assessment of neonicotinoid insecticides, including thiametoxam, as regards their impact on bee health. The Commission will wait until the EFSA's review is finalised before taking any measure at EU level. The first EFSA conclusions are expected by the beginning of 2013.

([1]) L 309, 24.11.2009.

(Version française)

Question avec demande de réponse écrite E-010282/12
à la Commission
Marielle de Sarnez (ALDE)
(12 novembre 2012)

Objet: Carence dans le financement des soins médicaux d'urgence en Grèce

Depuis juillet 2011, la Grèce n'a plus les moyens de financer son système de sécurité sociale et de couverture universelle des frais médicaux d'urgence. Les Grecs doivent donc régler eux-mêmes leurs dépenses de santé et environ 500 000 personnes au chômage n'ont plus de couverture médicale.

La Commission entend-elle explorer la création de mécanismes de solidarité afin de remédier à cette situation inédite en Europe et de mettre en place un plan d'urgence pour la prise en charge des soins de maladies graves (chimiothérapie, chirurgie, accès aux médicaments)?

Réponse donnée par M. Rehn au nom de la Commission
(16 janvier 2013)

La Commission demeure attentive à la situation économique et sociale en Grèce et plus particulièrement à la situation mentionnée par l'Honorable Parlementaire relative à la couverture médicale des personnes sans emploi. La Commission suivra la mise en œuvre des politiques dans le domaine de la santé au moyen de réexamens réguliers dans le cadre du programme d'ajustement économique.

La Commission ne prévoit pas actuellement d'instaurer un mécanisme de solidarité ou un plan d'urgence pour couvrir les frais médicaux dans les États membres. Selon la Commission, l'ensemble de la population devrait bénéficier de services médicaux, par l'intermédiaire soit de l'assurance maladie, soit du service national de santé.

(English version)

Question for written answer E-010282/12
to the Commission
Marielle de Sarnez (ALDE)
(12 November 2012)

Subject: Shortfall in financing emergency medical care in Greece

Since July 2011, Greece no longer has the means to finance its system of social security and universal coverage of medical expenses. The people of Greece must therefore pay for their own healthcare expenditure and 500 000 unemployed people no longer have medical cover.

Does the Commission intend to investigate the setting up of solidarity mechanisms to remedy this unprecedented situation in Europe by putting in place an emergency plan for covering the medical costs of major diseases (chemotherapy, surgery, access to medicines) ?

Answer given by Mr Rehn on behalf of the Commission
(16 January 2013)

The Commission remains attentive to the economic and social situation in Greece and more specifically to the situation the Honourable Member reported regarding the healthcare coverage of unemployed people. Through regular reviews under the Economic Adjustment Programme, the Commission will be monitoring policy implementation in the healthcare field.

Currently, the Commission does not plan the set-up of a solidarity mechanism and emergency plan to cover for medical costs in Member States. It is the Commission understanding that through either social health insurance or the National Health Service all the population should be covered by medical services.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010283/12
aan de Commissie
Esther de Lange (PPE)
(12 november 2012)

Betreft: Plannen nieuw Nederlands Kabinet om zorgpremies inkomensafhankelijk te maken

Het nieuwe Kabinet van VVD en PvdA wil de zorgpremies inkomensafhankelijk maken omdat dat goed zou uitpakken voor de lagere inkomens en een nivellerend effect zou hebben. Dit betekent voor de middeninkomens dat de koopkrachteffecten sterk negatief uitpakken. Zorgverzekeraars zijn private ondernemers. In de plannen van de VVD en PvdA zouden hun inkomsten voor 85 procent bestaan uit belastinggeld.

Bij de Nederlandse stelselherziening in de zorg in 2006 waren er al twijfels of de afspraken spoorden met EU-regels. Toen werd 50 procent van de zorgkosten uit belastinggeld gefinancierd. Dit werd door de Commissie niet gezien als staatssteun. In de plannen van de VVD en PvdA zullen de inkomens van de zorgverzekeraars voor 85 % bestaan uit belastinggeld. Deze overheidsmaatregel kan de zorgverzekeraars een financieel voordeel opleveren wat de concurrentie kan verstoren. Lidstaten van de Europese Unie zijn verplicht om dergelijke voorgenomen steunmaatregelen bij de Europese Commissie te melden.

Is de Commissie op de hoogte van de overheidsmaatregelen van het nieuwe Nederlandse Kabinet om de zorgpremies inkomensafhankelijk te maken?

Wat vindt de Commissie van deze voorgenomen plannen van het Nederlandse Kabinet?

Is deze voorgenomen maatregel bij de Commissie gemeld voordat het bekend gemaakt is?

Worden dergelijke maatregelen gezien als staatssteun door de Commissie?

Stroken de overheidsmaatregelen, het inkomensafhankelijk maken van zorgpremies, waardoor 85 % van de inkomens van de zorgverzekeraars bestaan uit belastinggeld, met de regels van de Europese Commissie?

Antwoord van de heer Almunia namens de Commissie
(10 januari 2013)

De Commissie heeft geen enkele aanmelding of klacht ontvangen in verband met plannen van de nieuwe Nederlandse regering om zorgpremies inkomensafhankelijk te maken. Zij is er echter wel van op de hoogte dat besprekingen in die zin hebben plaatsgevonden.

De Commissie kan noch commentaar geven op, noch een standpunt innemen ten aanzien van een maatregel waarnaar zij geen onderzoek heeft ingesteld en waarover zij geen gedetailleerde informatie bezit. Hoe het ook zij, de voorgenomen maatregel lijkt inmiddels te zijn ingetrokken.

(English version)

Question for written answer E-010283/12
to the Commission
Esther de Lange (PPE)
(12 November 2012)

Subject: Plans of the new Netherlands Government for income-linking of care premiums

The new coalition government comprising the VVD and PvdA parties wishes to make care premiums income-linked because that would have a favourable impact on people with relatively low incomes and produce a levelling effect. For middle incomes, this would mean a considerable loss of purchasing power. Care insurers are private businesses. According to the plans of the VVD and PvdA, 85% of their income would be derived from tax revenue.

When the Dutch care system was reformed in 2006, there were already doubts as to whether the arrangements that had been agreed accorded with EU rules. At that time, 50% of the costs of care were paid for from tax revenue. The Commission did not regard this as state aid. Under the plans of the VVD and PvdA, 85% of the incomes of care insurers would be derived from tax revenue. This government measure could give care insurers a financial advantage, thus distorting competition. EU Member States are required to notify the Commission of any plan to introduce such aid measures.

Is the Commission aware of the extent of the measures which the new Netherlands Government proposes to introduce in order to link care premiums to income?

What view does the Commission take of these proposed plans of the new Netherlands Government?

Was the Commission notified of the proposed measure before it was announced?

Does the Commission regard such measures as constituting state aid?

Do the government measures — making care premiums income-linked, so that 85% of the income of care insurers would be derived from tax revenue — accord with the rules applied by the Commission?

Answer given by Mr Almunia on behalf of the Commission
(10 January 2013)

The Commission has not received any notification or complaint concerning a proposal by the new Dutch government to make health insurance contributions income related. It is aware, however, that related discussions have taken place.

The Commission cannot comment or take a view on a measure which it is not investigating and on which it lacks detailed information. Albeit it appears that the proposed measure has in the meantime been withdrawn.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010284/12
a la Comisión
Salvador Garriga Polledo (PPE)
(12 de noviembre de 2012)

Asunto: Agencias de calificación «engañosa»

La agencia de calificación Standard & Poors (S&P) ha perdido recientemente un juicio en Australia por calificar de manera «engañosa y falaz» a los productos financieros tóxicos que desencadenaron la crisis financiera de 2008 y que han causado pérdidas millonarias en ese país. Esta calificación supuso una «tergiversación negligente» de los valores etiquetados por parte de los inversores potenciales en Australia.

Se ha condenado a S&P, ABN (creador del producto financiero tóxico) y Servicios Financieros (asesor de los litigantes) a asumir a partes iguales las indemnizaciones y los intereses, lo que supone que los litigantes recuperarán 30 millones de dólares australianos (31 millones de dólares estadounidenses o 24,2 millones de euros) de su inversión.

Esta decisión judicial supone la primera de su tipo en el mundo y abre la puerta internacional para que se reclame contra diversas entidades por la venta de productos financieros similares.

Siguiendo el ejemplo de Australia, de condenar a la citada agencia de calificación por otorgar calificación «engañosa», ¿cree la Comisión que sería conveniente impulsar en la EU una acción coordinada similar entre las administraciones de justicia de los Estados miembros?

Respuesta del Sr. Barnier en nombre de la Comisión
(21 de enero de 2013)

La Comisión es partidaria de un régimen de responsabilidad civil de las agencias de calificación crediticia (ACC), de manera que las mismas puedan ser consideradas responsables cuando hayan infringido, deliberadamente o por negligencia grave, sus obligaciones en virtud de la legislación, provocando así perjuicios para un inversor o emisor.

Por consiguiente, la Comisión propuso en noviembre de 2011 que la responsabilidad civil de las agencias de calificación crediticia se convierta en cuestión de Derecho de la UE. En noviembre de 2012, el Consejo de la Unión Europea y el Parlamento Europeo llegaron a un acuerdo político sobre esta materia, que se espera sea jurídicamente vinculante en el segundo trimestre de 2013.

Cuando el texto acordado se convierta en ley, inversores y emisores soberanos tales como los Estados, regiones y municipios podrán exigir la indemnización de los perjuicios sufridos ante el tribunal competente cuando consideren que les ha ocasionado daños el incumplimiento por parte de las agencias de calificación crediticia de sus obligaciones en virtud del Reglamento sobre las agencias de calificación crediticia de la UE.

Los demandantes, incluidos los Estados miembros, podrán decidir coordinar su actuación a este respecto. Se trata de una elección política de los Estados miembros.

Las demandas civiles interpuestas ante el poder judicial contra las agencias de calificación crediticia por los daños y perjuicios ocasionados a los inversores o los emisores se entenderán sin perjuicio de la facultad de la AEVM ([1]), el supervisor único de las agencias de calificación crediticia en la Unión, de imponer multas a las agencias de calificación crediticia cuando infrinjan el Reglamento sobre las agencias de calificación crediticia.

([1]) Autoridad Europea de Valores y Mercados.

(English version)

Question for written answer E-010284/12
to the Commission
Salvador Garriga Polledo (PPE)
(12 November 2012)

Subject: 'Misleading' rating agencies

The rating agency Standard & Poors (S&P) has recently lost a case in Australia for 'misleading and deceptive' ratings of toxic financial products that triggered the 2008 financial crisis and that have cost millions in losses in the country. This rating constituted a 'negligent misrepresentation' of values tagged by potential investors in Australia.

S&P, ABN (the creator of the toxic financial product) and the Financial Services (advisor to the litigants) have all been ordered to pay equal compensation and interest which means that the litigants will recover AUD 30 million (USD 31 million or EUR 24.2 million) of their investment.

This ruling is the first of its kind in the world and opens the door for international claims against various institutions for selling similar financial products.

Following Australia's example of convicting this rating agency for providing a 'misleading' rating, does the Commission believe that it would be desirable to initiate similar coordinated action in the EU among the judicial services of the Member States?

Answer given by Mr Barnier on behalf of the Commission
(21 January 2013)

The Commission is favourable to a civil liability regime of credit rating agencies (CRA) whereby CRAs can be held liable when they intentionally or with gross negligence infringe the obligations imposed on them by law, thereby causing a damage to an investor or issuer.

Therefore, in November 2011, the Commission proposed that civil liability of CRAs be established as a matter of EC law. In November 2012, the Council of the European Union and the European Parliament reached a political agreement on this matter, which is expected to become legally binding within the second quarter of 2013.

Once the agreed text becomes law, investors and issuers, which may also include sovereigns such as States, regions and municipalities, will be able to claim damages before the competent court when they consider that a breach by a CRA of its obligations under the EU CRA Regulation has caused them damage.

The claimants, including Member States, may decide to coordinate their action in this respect. This is a matter of political choice of Member States themselves.

Civil claims brought before the judiciary against CRAs for damages caused to investors or issuers are without prejudice to the powers of ESMA ([1]), the single supervisor for CRAs in the Union, to impose fines on CRAs when they infringe the CRA Regulation.

([1]) European Securities and Markets Authority.

(Version française)

Question avec demande de réponse écrite E-010285/12
à la Commission
Véronique Mathieu (PPE) et Brice Hortefeux (PPE)
(12 novembre 2012)

Objet: Démantèlements de camps de Roms

Le 6 septembre 2012, Véronique Mathieu a posé une question écrite à la Commission (E-007909/2012) l'interrogeant sur la partialité de la commissaire Viviane Reding, qui s'était alors réjouie du démantèlement de camps de Roms par l'actuel gouvernement socialiste français, alors même qu'elle avait condamné avec véhémence les démantèlements de camps de Roms conduits sous le gouvernement de Nicolas Sarkozy.

La Commission a répondu en affirmant qu'à la suite de son intervention en 2010, la France avait adopté une série d'actes législatifs afin de transposer complètement la directive 2004/38/CE. Elle a également indiqué avoir reçu des éléments d'information du gouvernement de François Hollande selon lesquels les démantèlements de camps de Roms faisaient suite à des retours volontaires et non à des mesures d'éloignement du territoire.

La Commission peut-elle clarifier quelles informations précises elle a reçu de la part de l'actuel gouvernement français et quels critères elle utilise pour juger du caractère volontaire d'un retour?

La Commission peut-elle indiquer en quoi les retours opérés sous contrôle judiciaire sous le gouvernement de Nicolas Sarkozy n'étaient pas volontaires?

La Commission peut-elle préciser à quels actes législatifs elle fait référence et quelles mesures auraient été prises pour mieux transposer la directive 2004/38/CE par la France en 2010?

La Commission peut-elle expliquer pourquoi elle ne s'était pas aperçue plus tôt du défaut de transposition de la directive 2004/38/CE, si tel était le cas, et pourquoi elle n'a pas agi en conséquence avant 2010?

La Commission peut-elle indiquer dans quels autres États membres un défaut de transposition de la directive 2004/38/CE a été constaté?

Réponse donnée par Mme Reding au nom de la Commission
(6 février 2013)

Après avoir pris connaissance de la situation en août 2012, la Commission avait écrit aux autorités françaises le 10 août 2012 pour leur demander des éclaircissements. Dans le même temps, elle avait expliqué sa position dans un article publié dans le journal français *Libération* ([1]) le 15 août 2012. Pendant les mois d'août et de septembre 2012, des discussions directes, au niveaux politique et technique, ont eu lieu avec les autorités françaises, au cours desquelles les faits et le cadre juridique ont été clarifiés.

La situation juridique en France a été modifiée à la suite de l'action en justice initiée en 2010 par la Commission contre la France. La situation juridique résultant des modifications du droit français opérées par la transposition de la directive 2004/38 a constitué une nouvelle base de discussion. En outre, les discussions de 2012 se sont déroulées dans le contexte nouveau du cadre européen des stratégies nationales d'intégration des Roms ([2]) proposé par la Commission en avril 2011 et approuvé par le Conseil européen de juin 2011. Sur la base de ce nouveau cadre, une coopération étroite en vue d'efforts supplémentaires en faveur de l'intégration des Roms a été mise en place, avec la participation active de la France. Le programme de travail de la Commission pour 2013 prévoit, comme mesure de suivi, une proposition de recommandation du Conseil, formulée par la Commission, visant à encourager la mise en œuvre des stratégies nationales d'intégration des Roms, sur la base des travaux d'un groupe pilote d'États membres assurant une répartition géographique équilibrée, reflétant la diversité des situations des Roms au sein de l'UE et recensant les bonnes pratiques et les stratégies efficaces en matière d'intégration des Roms.

([1]) http://www.liberation.fr/societe/2012/08/15/l-integration-des-roms-mise-a-l-epreuve_839918
http://www.liberation.fr/societe/2012/08/29/roms-une-circulaire-de-compromis_842585.

([2]) Voir la communication de la Commission sur un cadre de l'UE pour les stratégies nationales d'intégration des Roms pour la période allant jusqu'à 2020 [COM(2011) 173] et la communication de la Commission sur les stratégies nationales d'intégration des Roms: un premier pas dans la mise en œuvre du Cadre de l'UE [COM(2012) 226].

(English version)

Question for written answer E-010285/12
to the Commission
Véronique Mathieu (PPE) and Brice Hortefeux (PPE)
(12 November 2012)

Subject: Dismantling of Roma camps

On 6 September 2012, Véronique Mathieu submitted a written question to the Commission (E-007909/2012) casting doubt on Commissioner Viviane Reding's impartiality; the Commissioner had welcomed the then recent decision to dismantle Roma camps taken by the present French Socialist Government, even though she had strongly condemned similar measures carried out by Nicolas Sarkozy's government.

The Commission replied emphasising that, following its intervention in 2010, France had adopted a series of legislative instruments in order to transpose Directive 2004/38/EC in full.

The Commission also stated that it had received information from François Hollande's government indicating that the dismantling of Roma camps had taken place following voluntary returns, not expulsions.

Can the Commission state exactly what information it has received from the present French Government and what criteria it uses to judge whether a return is voluntary or otherwise?

Can the Commission specify in what way the returns of members of the Roma community that took place under judicial supervision during Nicolas Sarkozy's term in office were not voluntary?

Can the Commission clarify which legislative instruments it was referring to and what measures were taken by France in 2010 to transpose Directive 2004/38/EC more fully?

Can the Commission explain why it did not pick up on the failure to transpose Directive 2004/38/EC sooner, if such a failure did indeed occur, and why it did not take action before 2010?

Can the Commission state whether any other Member States have failed to transpose Directive 2004/38/EC?

Answer given by Ms. Reding on behalf of the Commission
(6 February 2013)

Upon having been made aware of the situation in August 2012 the Commission wrote to the French authorities on 10 August 2012 asking for clarifications. In parallel it explained its position in an article in the French newspaper Libération ([1]) on 15 August 2012. Throughout the months of August and September 2012 there have been direct discussions at both political and technical level with the French authorities during which the facts and the legal framework were clarified.

The legal situation in France has changed following the action of 2010 led by the Commission against France. The legal situation resulting from the change in the French law transposing Directive 2004/38 gave a new basis for discussion. The discussions in 2012 took also place in the new context of the European Framework for National Roma Integration Strategies ([2]) proposed by the Commission in April 2011 and endorsed by the European Council in June 2011. On the basis of this new framework, close cooperation on enhanced efforts on Roma inclusion is taking place with the active participation of France. The Commission work programme 2013 foresees as a follow-up a proposal from the Commission for a Council Recommendation on Roma aimed at fostering implementation of National Roma Integration Strategies, based on the work of a Pilot Group of Member States representing a geographical balance and the diverse situations concerning Roma within the EU and identifying good practices and effective approaches to Roma Integration.

([1]) http://www.liberation.fr/societe/2012/08/15/l-integration-des-roms-mise-a-l-epreuve_839918, http://www.liberation.fr/societe/2012/08/29/roms-une-circulaire-de-compromis_842585.

([2]) See Communication of the Commission on 'An EU Framework for National Roma Integration Strategies up to 2020' — COM(2011)173 and Communication of the Commission on National Roma Integration Strategies: a first step in the implementation of the EU Framework — COM(2012)226.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-010286/12
Komisii
Monika Flašíková Beňová (S&D)
(12. novembra 2012)

Vec: Súčasný stav Európskej únie

Európska únia sa momentálne nachádza v zlej situácii. Pretrvávajúca hospodárska a ekonomická kríza a jej dôsledky sa nás tvrdo dotýkajú. Obrovská úroveň nezamestnanosti, krachujúce podniky, nezmyselné škrty vo verejnom sektore, ako je školstvo, zdravotníctvo či sociálny systém, ktoré najviac ovplyvňujú najzraniteľnejších obyvateľov Únie. Zlá ekonomická a sociálna situácia našich obyvateľov. Padajúce ekonomiky členských štátov, pretrvávajúca recesia. V Bruseli sa vedú siahodlhé debaty, ako z krízy von. Obyvatelia jednotlivých členských štátov však necítia reálne výsledky našej snahy. Summity prinášajú nulové riešenia. Na prijatie potrebných opatrení je treba prekonať politickú krátkozrakosť a stanoviť si ambiciózny plán. Potrebujeme silnú politickú vôľu a lepšiu demokratickú kontrolu. Treba prejsť od slov k činom a prijať konkrétne opatrenia.

Akým spôsobom chce Komisia presvedčiť jednotlivé vlády členských štátov v Rade EÚ, aby konečne prijali konkrétne opatrenia na prekonanie súčasnej nepriaznivej situácie v Európskej únii?

Odpoveď pána Rehna v mene Komisie
(18. decembra 2012)

Stratégia Európa 2020 je základom pre politické usmernenia o tom, ako využívať národné hnacie sily rastu na zabezpečenie inteligentného, udržateľného a inkluzívneho rastu. Ročný prieskum rastu ([1]) vyzýva na presadzovanie diferencovaných fiškálnych konsolidácií podporujúcich rast ([2]) a zároveň vyzýva k opatreniam na obnovenie bežných poskytovaní úverov ekonomike, k podporeniu rastu a konkurencieschopnosti, k bojovaniu proti nezamestnanosti a sociálnym dôsledkom krízy a k modernizácii verejnej správy.

Okrem toho, hospodárske, finančné a štátne dlhové krízy boli od roku 2008 hnacou silou hlavného prepracovania riadenia hospodárstva Hospodárskej a menovej únie (HMÚ) ([3]). Všetky doteraz prijaté opatrenia predstavujú silnú reakciu na krízu. Ekonomická a politická integrácia si však vyžaduje ďalšie úsilie v záujme zabezpečenia hospodárskeho a sociálneho blahobytu pre občanov EÚ do budúcnosti. Je potrebná komplexná vízia rozsiahlej a skutočnej HMÚ, ktorá vedie k silnej a stabilnej štruktúre vo finančnej, daňovej, hospodárskej a politickej oblasti, ktorá by podporovala stabilitu a prosperitu. Komisia predstavila 28. novembra 2012 svoj plán takejto vízie o rozsiahlej a skutočnej HMÚ.

Na záver, zatiaľ čo počúvame výzvu na stanovenie čo najvyšších ambícií a silnej politickej vôle, Komisia nemôže súhlasiť s tvrdením váženej pani poslankyne, že samity neprinášajú žiadne riešenia. V rámci návratu našich verejných financií na udržateľnejšiu dráhu už prebieha dôležité vyváženie hospodárstva EÚ a realizujú sa zásadné štrukturálne reformy ([4]).

Pozitívny vplyv niektorých týchto reforiem sa môže vnímať iba v strednodobom horizonte, ale Komisia vytvára základy európskeho hospodárstva, ktoré by bolo udržateľnejšie a podporujúce rast a zamestnanosť.

([1]) Komisia stanovila svoje priority na rok 2013 na základe ročného prieskumu rastu zverejneného 28. novembra 2012.
([2]) t. j. diferencovaná rýchlosť konsolidácie v jednotlivých krajinách podľa ich fiškálneho priestoru a celkovej kombinácie príjmov a výdavkov podporujúcich rast s cielenými opatreniami na ochranu kľúčového hnacieho motora rastu.
([3]) Európska a menová únia.
([4]) Všetky tieto kroky vychádzajú zo smerníc vymedzených Európskou radou na základe iniciatívy Komisie.

(English version)

Question for written answer E-010286/12
to the Commission
Monika Flašíková Beňová (S&D)
(12 November 2012)

Subject: Current state of affairs in Europe

The EU is currently facing an unenviable state of affairs. The ongoing economic crisis and its effects are having a significant impact on our lives. Unemployment rates are high, businesses are failing, and pointless cuts are being made to the public sector, for instance in education, healthcare and welfare — with the EU's most vulnerable citizens being the worst affected. Against the backdrop of the difficult economic and social situation of our citizens, Member States' failing economies, and a lasting recession, long-winded debates on finding a way out of the crisis are taking place in Brussels. However, people in the Member States do not feel the results of our efforts. Summits do not lead to any solutions. In order to ensure that vital measures are adopted, political shortsightedness must be overcome and an ambitious plan must be formulated. We need a strong political will and increased democratic control. We have to move from words to actions and adopt specific measures.

How will the Commission convince Member States' governments in the European Council to adopt, at long last, specific measures to put an end to the EU's current economic difficulties?

Answer given by Mr Rehn on behalf of the Commission
(18 December 2012)

Europe 2020 strategy is the basis for policy guidance on how to use national growth drivers for a smart, sustainable and inclusive growth. The AGS ([1]) calls for pursuing differentiated, growth-friendly fiscal consolidations ([2]), and also calls for measures restoring normal lending to the economy, promoting growth and competitiveness, tackling unemployment and the social consequences of the crisis and modernising public administration.

Furthermore, the economic, financial and sovereign debt crises since 2008 have been drivers of a major overhaul of the economic governance of EMU ([3]). The totality of measures taken so far amounts to a strong response to the crisis. However, economic and political integration needs to be pursued further in order to ensure economic and social welfare for EU citizens for the future. A comprehensive vision for a deep and genuine EMU conducive to a strong and stable architecture in the financial, fiscal, economic and political domains, underpinning stability and prosperity is necessary. On 28 November 2012 the Commission presented such a vision in its blueprint on a deep and genuine EMU.

Finally, while hearing the call for a maximum level of ambition and strong political will, the Commission cannot agree with the Honourable Member's statement that 'Summits do not lead to any solutions'. In bringing back our public finances to a more sustainable path, an important rebalancing of the EU economy is already taking place and crucial structural reforms are being implemented ([4]).

The positive impact of some of these reforms may be perceived only in the medium term, but the Commission setting the foundations of a more sustainable, growth rich and employment conducive European economy.

([1]) The Commission has set out its priorities for 2013 in the Annual Growth Survey, published on 28 November 2012.
([2]) i.e. a differentiated speed of consolidation across countries, according to their fiscal space and an overall growth-friendly mix of revenue and expenditure with targeted measures to protect key growth driver.
([3]) European and Monetary Union.
([4]) All these actions find their basis on directions defined by the European Council upon initiatives by the Commission.

(Version française)

Question avec demande de réponse écrite E-010287/12
à la Commission
Frank Engel (PPE)
(12 novembre 2012)

Objet: concurrence déloyale entre l'Italie et la Grèce dans le transport maritime

En 1998, l'Italie a adopté la loi 30/98 portant création du second registre italien des navires, qui instaure une exonération partielle des cotisations de sécurité sociale pour les navires battant pavillon italien. Ces contributions sont couvertes par l'État italien et représentent environ 33 % du salaire brut des gens de mer, qui est retenu par le propriétaire du navire lui-même afin de réduire ses coûts.

Les navires italiens et les navires grecs sillonnent l'Adriatique et offrent des services de ferries et autres. La Grèce n'accorde pas d'allégement fiscal semblable à celui qui existe en Italie. Par conséquent, les navires grecs se retrouvent face à une distorsion de la concurrence au niveau des coûts opérationnels.

L'article 107 du traité sur le fonctionnement de l'Union européenne interdit l'intervention de l'État entraînant une distorsion de la concurrence entre les États membres. De plus, la communication de la Commission C (2004) 43 (sous le point 2: Champ d'application et objectifs généraux des orientations révisées sur les aides d'État) indique que les aides d'État au transport maritime ne doivent pas jouer en la défaveur des économies d'autres États membres.

1. Comment la Commission évalue-t-elle la compatibilité des divergences des régimes fiscaux nationaux dans le transport maritime, avec les dispositions susmentionnées de la législation et les pratiques de l'Union ?

2. La Commission estime-t-elle que la divergence entre les régimes fiscaux respectifs de l'Italie et de la Grèce, évoquée ci-dessus, est justifiée étant donné la nécessité d'assurer une concurrence loyale et un fonctionnement non faussé du marché unique?

Réponse donnée par M. Almunia au nom de la Commission
(1er février 2013)

La compatibilité des aides d'État accordées aux armateurs sous la forme de réduction des coûts salariaux est évaluée sur la base des orientations sur les aides d'État au transport maritime ([1]). Ces orientations autorisent, dans certaines conditions, la réduction ou l'exonération totale des cotisations de sécurité sociale pour les marins employés à bord de navires immatriculés dans les États membres.

Les orientations n'imposent pas et ne peuvent pas imposer aux États membres d'accorder des aides d'État; elles laissent cette décision à l'entière appréciation des États membres. Certains États membres peuvent décider d'accorder l'intensité d'aide maximale autorisée en vertu des orientations, tandis que d'autres peuvent décider d'accorder des intensités d'aide plus faibles, voire de n'accorder aucune aide du tout. En effet, tant qu'un régime national d'aides d'État ne dépasse pas les intensités d'aide autorisées et satisfait à toutes les autres exigences des orientations sur les aides d'État, la Commission n'a aucune compétence pour le déclarer incompatible sur la base du simple fait qu'il comporte des intensités d'aide plus élevées que les régimes d'aides d'État appliqués par d'autres États membres.

([1]) JO C 13 du 17.1.2004, p. 3.

(English version)

Question for written answer E-010287/12
to the Commission
Frank Engel (PPE)
(12 November 2012)

Subject: Unfair competition between Italy and Greece in maritime transport

In 1998, Italy adopted Law 30/98 creating the Italian second register for vessels, which institutes a partial exemption from social security contributions for vessels flying the Italian flag. Those taxes are covered by the Italian State and account for approximately 33% of the seafarer's gross salary, which is withheld by the ship owner himself to reduce his costs.

Both Italian and Greek vessels operate in the Adriatic Sea, providing ferry and other services. Greece does not grant tax relief similar to that afforded by Italy. Therefore Greek vessels suffer an unfair distortion of competition regarding operational costs.

Article 107 of the Treaty on the Functioning of the European Union forbids state interference generating a distortion of competition between Member States. Furthermore, Commission communication C (2004) 43 stipulates (under point 2: Scope and General Objectives of the Revised State Aid Guidelines) that state aid to maritime transport should not be conducted at the expense of other Member States' economies.

1. What is the Commission's assessment regarding the compatibility of divergences between national fiscal regimes in maritime transport with the aforementioned provisions of Union law and practice?

2. Does the Commission consider that the divergence between the respective fiscal regimes of Italy and Greece described above is justified in the light of the need to ensure fair competition and the undistorted functioning of the single market?

Answer given by Mr Almunia on behalf of the Commission
(1 February 2013)

The compatibility of state aid to shipowners in the form of reduction of labour-related costs is assessed under the Guidelines on state aid to maritime transport ([1]). The Guidelines allow, under certain conditions, for reduction or full exemption from social security contributions for seafarers employed on board vessels registered in the Member States.

The Guidelines do not and cannot contain an obligation for Member States to grant state aid, leaving this decision entirely to the Member States' discretion. Some Member States may decide to grant the maximum aid intensity allowed under the Guidelines, while others may decide to grant lower aid intensities or no aid at all. Indeed, as long as a national state aid scheme does not go beyond the permitted aid intensities and complies with all other requirements of the relevant state aid guidelines, the Commission has no competence to declare it incompatible on the basis of the mere fact that it contains higher aid intensities than the state aid schemes applied by other Member States.

([1]) OJ C 13, 17.1.2004, p. 3.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010288/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Hans-Peter Martin (NI)
(12. November 2012)

Betrifft: VP/HR — Evaluierung der Hilfe für die Reform des Bildungswesens in Nepal

Der Europäische Auswärtige Dienst (EAD) beabsichtigt gemäß dem „Richtprogramm 2011-2013", Mittel in Höhe von 30 bis 36 Mio. EUR für die Reform des Bildungswesens Nepals bereitzustellen.

1. Welcher Betrag wurde seit April 2010 zur Verfügung gestellt?

2. Wurden sämtliche Mittel unmittelbar an die nepalesische Regierung überwiesen?

3. Falls dies nicht der Fall ist: Wer waren die Empfänger der Mittel, und welche Beträge haben sie jeweils erhalten?

4. Welche konkreten Projekte wurden finanziert?

5. Haben die Mittel die Reform des Bildungswesens in Nepal gemäß den Erwartungen vorangebracht?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(30. Januar 2013)

1.

Zeitpunkt	Betrag
21.12.2011	8,2 Mio. EUR
16.12.2010	16 Mio. EUR
Seit April 2010	24,25 Mio. EUR
9.7.2009 pour mémoire	9 Mio. EUR
10.7.2008 pour mémoire	9,5 Mio. EUR
	42,75 Mio. EUR

2. Ja.

3. Entfällt.

4. Budgethilfe — Budget des Bildungsministeriums insbesondere für EFA ([1]) und das Schulreformprogramm.

EFA (2005-2009) — 25 Mio. EUR als Beitrag zur Verwirklichung der spezifischen Ziele von EFA im Zusammenhang mit der Förderung des Zugangs zur Primarschule (Klasse 1-5) und der Verbesserung der Chancengleichheit insbesondere für Mädchen und für Kinder aus benachteiligten Familien.

SSRP ([2]) (2009-2015) — 26 Mio. EUR (50 % aus dem britischen DFID ([3])) als Beitrag zur Verwirklichung der spezifischen Ziele des SSRP im Zusammenhang mit der Förderung des Zugangs zur Schulbildung und der Verbesserung ihrer Qualität, sowohl was die Vorschule als auch die erweiterte Primarschule (Klasse 1-8) und die Sekundarschule (Klasse 9-12) betrifft, insbesondere für Kinder aus Randgruppen.

5. Ja. Die Mittel haben zu Fortschritten der Bildungsreform in Nepal beigetragen, wenn auch das Reformtempo unter den allgemeinen politischen Rahmenbedingungen nach dem Konflikt in Nepal in allen Bereichen einschließlich Bildung verlangsamt wurde. So können einige der zu Beginn des Programms erwarteten Ergebnisse wohl erst später erreicht werden.

Mit dem Schulreformprogramm wurde die kostenlose Schulbildung von der Primarstufe (Klasse 1-5) auf die erweiterte Primarstufe (Klasse 1-8) ausgedehnt und besondere Fördermittel wie Stipendien für Mädchen, Arme und Benachteiligte bereitgestellt.

([1]) EFA = Education for All (Bildung für alle).
([2]) SSRP = School Sector Reform Program (Schulreformprogramm).
([3]) UK DFID = United Kingdom Department for International Development (britisches Ministerium für internationale Entwicklung).

Mehr Kleinkinder besuchen mindestens ein Jahr lang Vorschuleinrichtungen. Die Einführung von berufsvorbereitenden Qualifizierungsmaßnahmen in den oberen Klassen der erweiterten Primarschulen und in den Sekundarschulen ist noch in der Versuchsphase. Mit ihr sollen die Möglichkeiten zur Bestreitung des Lebensunterhalts und die Chancen von Schulabgängern verbessert werden.

(English version)

Question for written answer E-010288/12
to the Commission (Vice-President/High Representative)
Hans-Peter Martin (NI)
(12 November 2012)

Subject: VP/HR — Evaluation of aid for the reform of the education sector in Nepal

In the 'Indicative Programme 2011-2013' of April 2010, the European External Action Service (EEAS) aimed to allocate between EUR 30 and EUR 36 million to aid the reform of the Nepalese education sector.

1. What sum has been provided since April 2010?

2. Have all funds been delivered directly to the Nepalese government?

3. If not, which recipients have received funding, and how much?

4. Which concrete projects have been funded?

5. Have the funds had the expected impact in terms of aiding education sector reform in Nepal?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(30 January 2013)

1.

Date	Amount
21/12/11	EUR 8.2 million
16/12/10	EUR 16 million
Since April 2010	EUR 24.25million
9/7/9 pour mémoire	EUR 9 million
10/7/8 pour mémoire	EUR 9.5million
	EUR 42.75 million

2. Yes

3. NA

4. Budget support — the Ministry of Education budget for in particular EFA ([1]) and School Sector Reform program".

EFA (2005-2009) EUR 25 million contributed to the achievement of the specific objectives of the EFA to increase access to primary school (Grade 1-5) and increase equity, particularly for girls and children from disadvantaged backgrounds.

SSRP ([2]) (2009-2015) EUR 26 million (50% from UK DFID ([3])) contributing to the achievement of the specific objectives of the SSRP to increase access to and improve the quality of school education at early childhood, basic (G1-8) and secondary (G9-12) levels, particularly for children from marginalised groups.

5. Yes, the funds have contributed to the progress of the education sector reform in Nepal, though the wider post conflict and political context in Nepal has slowed down the pace of reform in all areas including education. As a result, some of the expected outputs and anticipated outcomes envisaged at the beginning of the programme are likely to be achieved within a longer timeframe.

SSRP has extended free education from primary (G1-G5) up to basic (G1-G8) level and expanded the provision of special support, such as scholarships, for girls, the poor and the disadvantaged.

([1]) EFA = Education for All.
([2]) SSRP = School Sector Reform Program.
([3]) UK DFID = United Kingdom Aid from the Department for International Development.

More children are experiencing at least one year's early childhood education. The introduction of skills for employability at higher basic and secondary levels is being piloted to improve the livelihood options and chances of school leavers.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010289/12
an die Kommission
Andrea Zanoni (ALDE) und Nadja Hirsch (ALDE)
(12. November 2012)

Betrifft: Umsetzung des Übereinkommens über internationale Normen für humanen Tierfang

In einem vor kurzem von der italienischen nichtstaatlichen Organisation „Lega Anti-Vivisezione" (LAV) ([1]) vorgelegten Bericht ([2]) wird darauf hingewiesen, dass die Verwendung von Tellereisen in den USA eine weit verbreitete, geregelte und zulässige Praxis ist. In dem Bericht wird auch auf Videoaufnahmen und Fotos verwiesen, die von den Organisationen „Born Free USA" und „Respect for Animals" verbreitet werden und Verstöße gegen die EU-Rechtsvorschriften, die ausdrücklich die Verwendung von Tellereisen verbieten, und das Übereinkommen über internationale Normen für humanen Tierfang belegen.

Die Generaldirektion Umwelt der Kommission hat als Folge des LAV-Berichts eine Sitzung des Gemeinsamen Verwaltungsausschusses für den 4. Dezember 2012 einberufen, an der Delegationen aus den USA, Kanada und Russland teilnehmen werden.

Wenn Felle von Wildtieren in der EU in den Verkehr gebracht werden, müssen die USA gewährleisten, dass die Methoden für die Gewinnung dieser Felle im Einklang mit der mit der EU unterzeichneten Vereinbarten Niederschrift stehen.

Andernfalls gäbe es keinen Grund, von dem allgemeinen Verbot der Einfuhr von Fellen von Wildtieren, wie es in Artikel 3 Absatz 1 der Verordnung (EWG) Nr. 3254/91 des Rates festgelegt ist, abzuweichen. Es wird auf Folgendes hingewiesen:

— Die in den USA verwendeten Methoden für das Fangen und Töten von Tieren für die Pelzgewinnung entsprechen nicht den in der Vereinbarten Niederschrift festgelegten Mindeststandards.

— Die Verwendung von Tellereisen ist in den USA eine weit verbreitete, geregelte und zulässige Praxis.

— Die Unterzeichnung der Vereinbarten Niederschrift darf nicht als Gelegenheit betrachtet werden, Geräte zu verwenden, die aufgrund ihrer Konstruktion und Funktionsweise ohne Einschränkung unter die in Artikel 1 der Verordnung (EWG) Nr. 3254/91 des Rates gegebene Definition fallen.

1. Sollte die Kommission nicht das Verfahren für die Beilegung von Streitigkeiten einleiten, auf das in dem Übereinkommen über internationale Normen für humanen Tierfang Bezug genommen wird? Wenn nein, warum nicht?

2. Sollte die Kommission die Einfuhr von (rohen, gegerbten oder fertigen) Pelzfellen von Wildtieren aus den USA in die EU nicht aussetzen? Wenn nein, warum nicht?

Antwort von Herrn Potočnik im Namen der Kommission
(22. Januar 2013)

Die Kommission führt derzeit mit den zuständigen US-Behörden Gespräche über den Grundsatz und die Praxis humaner Fangmethoden. Ziel der Beratungen ist es, eine für beide Seiten akzeptable Lösung zu finden. Zu diesem Zweck hat die Kommission die von den italienischen Behörden übermittelten Informationen über den Bericht der Lega Anti-Vivisezione bei der vierten Sitzung des gemeinsamen Verwaltungsausschusses des Übereinkommens über internationale humane Fangnormen an die US-Delegation weitergegeben. Erwartungsgemäß sollte die US-Delegation dieses Problem nun untersuchen und der Kommission dann Bericht erstatten.

Bevor weitere Schritte in Erwägung gezogen werden, wird die Kommission die Antwort der US-Behörden auf die Bedenken prüfen und um eine Klärung der von der Lega Anti-Vivisezione vorgelegten Beweise ersuchen.

([1]) www.lav.it.
([2]) IAHTS EC-USA — Evidences of violations (2012): http://www.lav.it/uploads/90/45406_IAHTS_EC_USA_Evidences_of_violations_LAV_complaint.pdf.

Dieses Vorgehen steht mit der zwischen der EU und den USA vereinbarten Niederschrift über humane Fangnormen ([3]) in Einklang, die — im Gegensatz zur Vereinbarung mit Russland und Kanada — kein Verfahren zur Beilegung von Streitigkeiten umfasst.

([3]) Beschluss 98/487/EG des Rates vom 13. Juli 1998 (ABl. L 219 vom 7.8.1998).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010289/12
alla Commissione
Andrea Zanoni (ALDE) e Nadja Hirsch (ALDE)
(12 novembre 2012)

Oggetto: Attuazione dell'accordo internazionale sulle norme relative a metodi di cattura non crudeli

Secondo un recente rapporto ([1]) dell'associazione italiana senza scopo di lucro «Lega Anti-Vivisezione» (LAV) ([2]), negli Stati Uniti l'uso di tagliole è una pratica diffusa, regolamentata e autorizzata. Il rapporto ha inoltre richiamato l'attenzione sulla documentazione video-fotografica diffusa dalle organizzazioni «Born Free USA» e «Respect for Animals» a prova della violazione della legislazione dell'UE che vieta espressamente l'uso di tagliole e del mancato rispetto dell'accordo internazionale sulle norme relative a metodi di cattura non crudeli.

A seguito del rapporto della LAV, la Direzione generale dell'ambiente della Commissione ha convocato per il 4 dicembre 2012 una riunione del comitato misto di gestione, alla quale parteciperanno delegazioni provenienti da Stati Uniti, Canada e Russia.

Quando le pelli di animali selvatici vengono esportate verso il mercato dell'Unione, gli Stati Uniti devono assicurare che i metodi utilizzati per ottenerle rispettano il verbale concordato firmato con l'Unione europea.

In caso contrario, non vi sarebbe motivo di discostarsi dal divieto generale di importazione di pelli di animali selvatici, sancito dall'articolo 3, paragrafo 1, del regolamento (CEE) n. 3254/91 del Consiglio. È opportuno segnalare che:

— la cattura e l'uccisione di animali per la produzione di pellicce negli Stati Uniti non rispettano le norme stabilite nel verbale concordato;

— negli Stati Uniti l'uso di tagliole è una pratica diffusa, regolamentata e autorizzata;

— la firma del verbale concordato non può essere considerata un'opportunità per utilizzare liberamente strumenti che, per la loro struttura e il loro funzionamento, rientrano integralmente nella definizione di cui all'articolo 1 del regolamento (CEE) n. 3254/91 del Consiglio.

1. Non ritiene la Commissione opportuno avviare la procedura di risoluzione delle controversie prevista dall'accordo internazionale sulle norme relative a metodi di cattura non crudeli? In caso negativo, quali sono le ragioni per cui non intende farlo?

2. Non ritiene la Commissione opportuno sospendere l'importazione di pellicce (grezze, conciate o finite) di animali selvatici dagli Stati Uniti verso l'Unione europea? In caso negativo, quali sono le ragioni per cui non intende farlo?

Risposta di Janez Potočnik a nome della Commissione
(22 gennaio 2013)

La Commissione ha avviato un dibattito con le autorità competenti degli Stati Uniti sul principio e sulle prassi applicate nei metodi di cattura non crudeli e conduce consultazioni con tale paese al fine di pervenire a una soluzione reciprocamente accettabile nella materia in questione. A tal fine, in occasione della quarta riunione del comitato di gestione misto dell'accordo sulle norme internazionali in materia di metodi di cattura non crudeli, la Commissione ha presentato alla delegazione statunitense le informazioni trasmesse dalle autorità italiane sul rapporto elaborato dalla Lega Anti Vivisezione. La delegazione USA dovrebbe ora esaminare la questione e riferire alla Commissione.

Prima di prendere in considerazione ulteriori provvedimenti, la Commissione intende valutare la risposta delle autorità statunitensi alle preoccupazioni formulate e chiedere chiarimenti in merito alle prove presentate dalla Lega Anti Vivisezione. Questo approccio è conforme al verbale concordato tra la Comunità europea e gli Stati Uniti sulle norme relative a metodi di cattura non crudeli ([3]), che, a differenza dall'accordo con la Russia e il Canada, non prevede una procedura di risoluzione delle controversie.

([1]) International Agreement on Human Trapping Standards EC — USA (Accordo internazionale sulle norme relative a metodi di cattura non crudeli CE-USA) — Evidences of violations (2012) http://www.lav.it/uploads/90/45406_IAHTS_EC_USA_Evidences_of_violations_LAV_complaint.pdf
([2]) www.lav.it.
([3]) Decisione 98/487/CE del Consiglio del 13 luglio 1998 (GU L 219 del 7.8.1998).

(English version)

Question for written answer E-010289/12
to the Commission
Andrea Zanoni (ALDE) and Nadja Hirsch (ALDE)
(12 November 2012)

Subject: Implementation of the International Agreement on Humane Trapping Standards (IAHTS)

A recent report ([1]) produced by the Italian non-profit association 'Lega Anti-Vivisezione' (LAV) ([2]) pointed out that the use of leghold traps in the US is a widespread, regulated and authorised practice. The report also highlighted video-photographic documentation released by the organisations Born Free USA and Respect for Animals, which demonstrates violations of EU legislation that expressly prohibits the use of leghold traps and is failing in the face of the IAHTS.

As a result of the LAV report, the Commission's Directorate-General for the Environment has convened a meeting of the Joint Management Committee on 4 December 2012, which will be attended by delegations from the US, Canada and Russia.

When the skins of wild animals are brought into the EU market, the US must ensure that the methods used to obtain those skins comply with the Agreed Minutes signed with the EU.

If not, there would be no reason to depart from the general ban on imports of skins of wild animals as described in Article 3(1) of Council Regulation (EEC) No 3254/91. It should be noted that:

— the trapping and killing of animals for fur production in the US do not meet the minimum standards set out in the Agreed Minutes;

— the use of leghold traps is a widespread, regulated and authorised practice in the US;

— the signing of the Agreed Minutes cannot be regarded as a free opportunity to use tools that are, through their design and mode of operation, totally covered by the definition set out in Article 1 of Council Regulation (EEC) No 3254/91.

1. Should the Commission not start the procedure for 'settlement of disputes' referred to in the IAHTS? If not, why not?

2. Should the Commission not suspend the import of furs (raw, tanned or finished) of wild animals from the US to the EU? If not, why not?

Answer given by Mr Potočnik on behalf of the Commission
(22 January 2013)

The Commission is engaged in discussing the principle and practice of humane trapping methods with the US competent authorities and consulting with each other with a view to finding a mutually acceptable solution for this issue. For this purpose the Commission presented the information received from the Italian authorities concerning the report produced by the Lega Anti-Vivisezione, to the US delegation at the Fourth Joint Management Committee Meeting of the Agreement on International Humane Trapping Standards. The US delegation is now expected to investigate this issue and report back to the Commission.

Before considering any further steps, the Commission will assess the response from the USA authorities to the concerns and request for clarification in respect of the evidence presented by the Lega Anti-Vivisezione.

This approach is in line with the Agreed Minutes between the EU and the US on humane trapping standards ([3]), which, differently from the Agreement with Russia and Canada, does not provide for a dispute settlement procedure.

([1]) IAHTS EC-USA — Evidences of violations (2012): http://www.lav.it/uploads/90/45406_IAHTS_EC_USA_Evidences_of_violations_LAV_complaint.pdf
([2]) www.lav.it.
([3]) Council Decision (98/487/EC) of 13 July 1998m OJ L 219, 7.8.1998.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010290/12
an die Kommission
Angelika Werthmann (ALDE)
(12. November 2012)

Betrifft: Fragwürdiger Weg in die Zwei-Klassen-Medizin

Zumindest in Deutschland, Österreich und der Schweiz hat sich in der letzten Zeit vermehrt eine fragwürdige Praxis entwickelt: einzelne sog. Dienstleistungsunternehmen stellen Ärzten eine Software zur Datenerfassung zur Verfügung. Im normalen Gebrauch (Datenerfassung) ist dagegen nichts einzuwenden. Allerdings gibt es für den Arzt die Option, die Daten an den Dienstleistungsanbieter zu übersenden, damit dieser die Bonität des Patienten überprüft. Mittels eines Ampelsystems wird dem Arzt so vermittelt, ob es sich um einen „schlechten" Patienten (mit weniger Geld; rot markiert) oder einen „guten" Patienten (mit Geld; grün markiert) handelt. Der Arzt kann auf diese Weise sehen, bei welchem Patienten er gute Chancen hat, teurere (teilweise nicht einmal notwendige) Leistungen zu verkaufen. Unter Umständen kommt es dazu, dass der Arzt einem „schlechten" Patienten dadurch weniger Aufmerksamkeit und Sorgfalt widmet, da er an diesem Patienten nicht so viel zusätzlich verdienen kann.

1. Ist sich die Kommission dieses Umstandes bewusst, dass mitten in Europa ein Zwei-Klassen-System in der ärztlichen Versorgung in der Entwicklung begriffen ist und dass diese Praxis im Umgang mit Patientendaten in einigen Ländern unter Umständen sogar illegal ist?

2. In welchem Zeitraum und mit welchem Aufwand wäre es der Kommission schätzungsweise möglich, eine Strategie gegen diese Entwicklung zu entwickeln? Ist gegen diese Entwicklung eine gesamteuropäische Strategie auf der Ebene der Gesundheitspolitik möglich?

Antwort von Frau Reding im Namen der Kommission
(25. Januar 2013)

Die Verarbeitung personenbezogener Daten in der EU wird u. a. durch die Richtlinie 95/46/EG ([1]) geregelt. Gemäß Artikel 6 Absatz 1 Buchstabe b der Richtlinie müssen personenbezogene Daten für festgelegte eindeutige und rechtmäßige Zwecke erhoben und dürfen nicht in einer mit diesen Zweckbestimmungen nicht zu vereinbarenden Weise weiterverarbeitet werden. Außerdem dürfen personenbezogene Gesundheitsdaten in erster Linie nur verarbeitet werden, wenn eine der Ausnahmen vom allgemeinen Verbot der Verarbeitung sensibler personenbezogener Daten zur Anwendung gelangt. Dazu gehört die Verarbeitung personenbezogener Daten zu bestimmten medizinischen Zwecken, wie in Artikel 8 Absatz 3 der Richtlinie niedergelegt. Eine solche Ausnahme ist vor allem erforderlich, damit aussagekräftige medizinische Forschungsarbeiten durchgeführt werden können. Eine Verarbeitung zu anderen, nicht damit verbundenen Zwecken wäre unzulässig. Bestätigt werden diese Grundsätze in der Datenschutz-Grundverordnung, die von der Kommission am 25. Januar 2012 vorgeschlagen wurde und zurzeit im Europäischen Parlament und im Rat erörtert wird.

Unbeschadet der Befugnisse der Kommission als Hüterin der Verträge sind für die Überwachung und Umsetzung der Datenschutzvorschriften die nationalen Behörden zuständig, insbesondere die Datenschutz-Kontrollstellen und Gerichte (Artikel 28). Wenn also im vorliegenden Fall personenbezogene Daten zur anderen als den ausdrücklich festgelegten Zwecken verarbeitet wurden (Bewertung der finanziellen Situation potenzieller Patienten), sollten die betroffenen Personen zunächst bei die zuständigen nationalen Datenschutzbehörden in Deutschland und Österreich Beschwerde einreichen.

([1]) Richtlinie 95/46/EG des Europäischen Parlaments und des Rates vom 24. Oktober 1995 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten und zum freien Datenverkehr, ABl. L 281 vom 23.11.1995, S. 31-50.

(English version)

Question for written answer E-010290/12
to the Commission
Angelika Werthmann (ALDE)
(12 November 2012)

Subject: Dubious practices leading to two-tier medicine

A dubious practice has recently come to light in Germany, Austria, Switzerland and possibly elsewhere with service providers' making available to doctors data collection software packages which, if used for their intended purpose (data collection), are perfectly acceptable. However, it also allows doctors to forward data to the service providers enabling them to examine the financial situation of prospective patients. Doctors are then informed by means of colour coding whether they are 'bad' (less affluent) patients, in which case they are marked red, or 'good' (affluent) patients, in which case they are marked green. In this way doctors can see which patients are likely to purchase more expensive (and sometimes unnecessary) forms of treatment and could even lead to them giving less care and attention to 'bad' (i.e. less lucrative) patients.

1. Is the Commission aware that a two-tier system of medical care is emerging in the heart of Europe and that in such use of data relating to patients is, under certain circumstances, illegal in a number of countries?

2. How long does the Commission think that it would take to develop a counter-strategy and how much would it cost? Would it be possible to formulate an overall strategy as part of EU health policy to combat this development?

Answer given by Mrs Reding on behalf of the Commission
(25 January 2013)

The processing of personal data in the EU is governed *inter alia* by the provisions of Directive 95/46/EC ([1]). Article 6(1)(b) of the directive stipulates that personal data must be collected for fair, specified, explicit and legitimate purposes and cannot be further processed in a way incompatible with those purposes. Furthermore, personal data concerning health can only be processed in the first place if one of the exemptions from the general prohibition of processing of sensitive personal data applies. One such exemption refers to processing of personal data for some medical purposes and can be found in Article 8(3) of the directive. This exception is necessary in particular in order to allow valuable medical research to be conducted. However, this exemption would not allow processing for other, unrelated purposes. These principles are confirmed in the general Data Protection Regulation proposed by the Commission on 25 January 2012 and are currently under discussion both in the European Parliament and in the Council.

Without prejudice to the powers of the Commission as guardian of the Treaties the supervision and enforcement of data protection legislation falls within the competence of national authorities, in particular data protection supervisory authorities and courts (Article 28). Therefore, in the case at hand where personal data might have been processed for a different purpose (assessment of the financial situation of prospective patients) than the explicitly specified one the data subjects concerned should first lodge their complaints with the competent national data protection authorities in Germany and Austria.

([1]) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995, p. 31-50.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010291/12
an die Kommission
Angelika Werthmann (ALDE)
(12. November 2012)

Betrifft: Lage des griechischen Gesundheitssystems

Angesichts der Pläne der Troika für einen neuen Schuldenschnitt verschärft sich die ohnehin prekäre Lage verschiedener Teile des griechischen Sozialsystems weiter. Über 600 000 Menschen in Griechenland haben keine Krankenversicherung mehr. Chronisch oder schwer kranke Menschen können sich zunehmend ihre dringend benötigten Medikamente nicht mehr leisten.

1. Hat die Kommission in Betracht gezogen, Hilfsprogramme für besonders schwer betroffene Bevölkerungsteile zu initiieren, bzw. jene privaten Gruppen von Ärzten zu unterstützen, die den Menschen unentgeltlich helfen?

2. Ist in diesem Zusammenhang ein System denkbar, das zumindest die wichtigsten Medikamente flächendeckend zur Verfügung stellt?

Antwort von Herrn Borg im Namen der Kommission
(23. Januar 2013)

Die Kommission ist sich der Lage der griechischen Bevölkerung durchaus bewusst; dazu gehört auch deren kontinuierliche gesundheitliche Versorgung.

Gemäß Artikel 168 Absatz 7 des Vertrags über die Arbeitsweise der Europäischen Union wird bei der Tätigkeit der Union die Verantwortung der Mitgliedstaaten für die Festlegung ihrer Gesundheitspolitik sowie die Organisation des Gesundheitswesens und die medizinische Versorgung in vollem Umfang gewahrt.

Gemäß diesem Grundsatz hat die Kommission bisher keine Initiative ergriffen, um griechische Ärzte zu unterstützen, die unentgeltlich tätig werden.

Jedoch unterstützt die Kommission Griechenland in seinen Anstrengungen im Rahmen des Möglichen dabei, für seine Bürgerinnen und Bürger eine nachhaltige gesundheitliche Versorgung sicherzustellen.

In diesem Zusammenhang sieht die Vereinbarung über die spezifischen wirtschaftspolitischen Auflagen zwischen Griechenland, der Kommission, der Europäischen Zentralbank und dem Internationalen Währungsfonds ausdrücklich vor, dass die Aufrechterhaltung der flächendeckenden gesundheitlichen Versorgung eines der Hauptziele ist, die es zu erreichen gilt.

Darüber hinaus arbeitet die Taskforce der Kommission für Griechenland aktiv daran, die griechischen Reformbemühungen zu unterstützen, die für die Bereitstellung von Arzneimitteln notwendig sind, insbesondere mit Blick auf die Einrichtung und den Ausbau eines elektronischen Verschreibungssystems sowie Kostenmanagementmaßnahmen im Bereich der Arzneimittel, um die langfristige Finanzierbarkeit des griechischen Gesundheitssystems zu verbessern.

Außerdem fördert der Europäische Sozialfonds (ESF) unter anderem den Ausbau der medizinischen Grundversorgung, den Schutz der öffentlichen Gesundheit und die Reform des Bereichs der psychiatrischen Versorgung mit insgesamt etwa 225 Millionen EUR.

(English version)

Question for written answer E-010291/12
to the Commission
Angelika Werthmann (ALDE)
(12 November 2012)

Subject: Situation of the Greek health system

In view of the Troika's plans for a renewed debt 'haircut', the already precarious situation in parts of the Greek social security system is worsening still further. Over 600 000 people in Greece no longer have any health cover. Increasingly, people with chronic or serious illnesses can no longer afford the medicines they urgently need.

1. Has the Commission considered initiating aid programmes for those sectors of society that are particularly hard hit, e.g. by supporting the private groups of doctors who provide assistance free of charge?

2. In this connection, might it be possible to institute a system enabling at least the most vital medicines to be made available to all?

Answer given by Mr Borg on behalf of the Commission
(23 January 2013)

The Commission is very sensitive to the situation of the Greek people, including their continuous access to healthcare.

According to Article 168, paragraph 7 of the Treaty on the Functioning of the European Union, Union action shall respect the responsibility of the Member States for the definition of their health policy and for the organisation and delivery of health services and medical care.

In respect of this principle, no initiative on supporting Greek doctors who provide assistance free of charge has been taken by the Commission.

However, wherever possible, the Commission supports Greece in its efforts to deliver healthcare to its citizens on a sustainable basis.

In this context, the memorandum of understanding on Specific Economic Policy Conditionality between Greece, the Commission, the European Central Bank and the International Monetary Fund clearly foresees that maintaining universal access to healthcare is a key objective to be met.

In addition, the Commission's Task Force for Greece has been working actively to support Greek reform efforts relevant to the supply of medicinal products, notably as regards the set-up and roll-out of an electronic prescription system, as well as the implementation of measures for managing pharmaceuticals expenditure to improve the long-term viability of the Greek health system.

Furthermore, the European Social Fund (ESF) supports, *inter alia*, the development of primary healthcare, the protection of the public health of the population and the reform of the mental health sector with a total budget of approximately EUR 225 million.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010292/12
an die Kommission
Angelika Werthmann (ALDE)
(12. November 2012)

Betrifft: Zu wenig Zahnärzte

Eine Aussage von Jost Fischer, Vorstandschef des Dentalunternehmens Sirona, es gebe weltweit eher zu wenig zahnärztliche Versorgung als zu viel, lässt aufhorchen.

1. Kennt die Kommission diesen Umstand auch für Europa? Wie sieht denn in der Tat die zahnärztliche Versorgung europaweit (in den einzelnen Mitgliedstaaten) aus? Gibt es hierzu detaillierte (Er)kenntnisse?

2. Was gedenkt die Kommission auf europäischer Ebene an Initiativen zu ergreifen (zum Beispiel Informationskampagnen), um einer allenfalls bevorstehenden zahnärztlichen Versorgungsunsicherheit vorzubeugen?

Antwort von Herrn Borg im Namen der Kommission
(16. Januar 2013)

1. Angesichts der Alterung der Bevölkerung und der Arbeitskräfte steht Europa vor einem Arbeitskräftemangel im Gesundheitswesen. Der Kommission ist jedoch nicht bekannt, dass der Zahnärztestand derzeit davon betroffen ist und dies Auswirkungen auf die zahnärztliche Versorgung hätte.

Nach Angaben der WHO gibt es im Durchschnitt etwa 66,2 Zahnärzte je 100 000 Einwohner in den EU-Mitgliedstaaten. Die Pro-Kopf-Anzahl der Zahnärzte ist mit mehr als 90 je 100 000 Einwohner am höchsten in Griechenland, Zypern und Island. In ost- und südeuropäischen Ländern wie Polen, Malta und Ungarn kommen im Durchschnitt weniger als 50 Zahnärzte auf 100 000 Einwohner ([1]).

2. Die Kommission hat im Rahmen der Mitteilung „Einen arbeitsplatzintensiven Aufschwung gestalten“ ([2]) einen Aktionsplan für die EU-Arbeitskräfte im Gesundheitswesen aufgestellt. Dieser sieht eine Reihe von Maßnahmen vor, die den Mitgliedstaaten dabei helfen sollen, dem Mangel an Arbeitskräften im Gesundheitswesen zu begegnen. Dazu gehören die Zusammenarbeit zwischen den Mitgliedstaaten, internationalen Organisationen und den Organisationen der Beschäftigen des Gesundheitswesens zur Verbesserung der Arbeitskräfteplanung in der EU, eine bessere Definition und Vorausplanung der im Gesundheitswesen benötigten Qualifikationen und der Austausch über erfolgreiche Strategien zur Personalgewinnung und -bindung zwischen den Mitgliedstaaten. Derzeit sind keine Maßnahmen eigens für Zahnärzte vorgesehen.

([1]) Europäische Kommission, Machbarkeitsstudie über die Zusammenarbeit auf EU-Ebene zu Prognosen über den Bedarf an Arbeitskräften im Gesundheitsbereich, Personalplanung und Trends 2012.
([2]) KOM(2012)173 endg. vom 18. April 2012.

(English version)

Question for written answer E-010292/12
to the Commission
Angelika Werthmann (ALDE)
(12 November 2012)

Subject: Shortage of dentists

A statement by Jost Fischer, chairman of the dental company Sirona, in which he says that there is too little rather than too much dental treatment worldwide, should make us sit up and take notice.

1. Does the Commission acknowledge that a similar situation exists in Europe? What is the situation with regard to the provision of dental treatment throughout Europe (in the individual Member States)? Are there detailed findings or information available on this matter?

2. What initiatives does the Commission intend to take at European level (e.g. information campaigns) in order to prevent a situation arising in which dental treatment is perhaps difficult to obtain?

Answer given by Mr Borg on behalf of the Commission
(16 January 2013)

1. With an ageing population and an ageing workforce, Europe is facing shortages of healthcare personnel. However, the Commission has no knowledge that the dental profession is currently affected and that there is an impact on the provision of dental treatment.

According to WHO data, there are on average approximately 66.2 dentists per 100 000 inhabitants cross EU countries. The number of dentists per capita is the highest in Greece, Cyprus and Iceland, where there are more than 90 dentists per 100 000 population. In Eastern and Southern European countries (e.g. Poland, Malta, Hungary), there are on average less than 50 dentists per 100 000 population ([1]).

2. The Commission has adopted, as part of the communication towards a job-rich recovery ([2]), an action plan on the EU health workforce. This action plan foresees a series of measures to help Member States tackle shortages of health workforce. These measures include collaboration between Member States, international organisations health professional organisation to improve workforce planning in the EU; better definition and anticipation of the skills and competences which the health workforce will require, and an exchange of best practices between Member States on successful recruitment and retention strategies. There are currently no specific measures on dentists foreseen.

([1]) European Commission, Feasibility Study EU level collaboration on forecasting health workforce needs, workforce planning and health workforce trends 2012.
([2]) COM(2012) 173 final of 18 April 2012.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010293/12
an die Kommission
Angelika Werthmann (ALDE)
(12. November 2012)

Betrifft: Verschlechterung der Lesekompetenz in allen Mitgliedstaaten

Einer aktuellen Untersuchung einer Expertengruppe zufolge (EU High Level Group of Experts on Literacy: Final Report 2012) mangelt es bei jedem fünften Jugendlichen im Alter von 15 Jahren und beinahe 75 Millionen Erwachsenen in der Europäischen Union sogar an grundlegenden Lese- und Schreibfertigkeiten.

1. Hat die Kommission im Zuge dieser Untersuchung bereits konkrete Vorschläge für eine Verbesserung dieser Situation entwickelt?

2. Angesichts der Debatte über die Finanzierung des Bildungssektors in Europa: Gibt es seitens der Kommission eine Einschätzung, welche finanziellen Mittel für dieses Anliegen im Raum der Europäischen Union zur Verfügung gestellt werden könnten?

Antwort von Frau Vassiliou im Namen der Kommission
(17. Januar 2013)

Infolge der Empfehlungen der Gruppe hochrangiger Sachverständiger für Alphabetisierung wurden mehrere Maßnahmen angekündigt, wie diesem schwerwiegenden Missstand abgeholfen werden kann. Bei der Vorstellung des Berichts der Gruppe am 6. September 2012 kündigte die Kommissarin für Bildung, Kultur, Mehrsprachigkeit und Jugend an, dass die Kommission eine europäische Lesewoche plant, die von einem Netz nationaler Alphabetisierungsorganisationen durchgeführt werden soll und für die 2013 eine Aufforderung zur Einreichung von Vorschlägen veröffentlicht wird.

Am 26. November 2012 nahmen die im Rat vereinten Bildungsminister Schlussfolgerungen zur Lese- und Schreibkompetenz an, in denen sie die Hauptaussagen des Berichts der hochrangigen Gruppe unterstreichen und zur Einrichtung eines europäischen Netzes der in diesem Bereich tätigen Organisationen aufrufen. Dieses Netz aus Praxisvertretern soll bewährte Verfahren erarbeiten und verbreiten, bei der Bekanntmachung von Initiativen helfen und gemeinsame Kampagnen zur Verbesserung der Lese- und Schreibkompetenz erarbeiten.

Im Jahr 2012 hat die Kommission insgesamt 4,8 Millionen EUR für die nationalen Koordinatoren für die Europäische Agenda für die Erwachsenenbildung bereitgestellt. In mit EU-Geldern geförderten Maßnahmen konnten mehr geringqualifizierte Erwachsene in Lernstrukturen eingebunden und konnten ihnen grundlegende Fertigkeiten vermittelt werden.

Im Rahmen der Aktion Grundtvig (Erwachsenenbildung) unter dem Programm für lebenslanges Lernen ([1]) wurden systematisch Projekte gefördert, mit denen grundlegende Schreib- und Lesefertigkeiten vermittelt werden. Bei den für 2013 geplanten Grundtvig-Workshops liegt der Schwerpunkt auf der Ausbildung von Lehrkräften aus der Erwachsenenbildung, die im Bereich der Alphabetisierung von Erwachsenen tätig sind. Hierfür stehen rund 3 Millionen EUR zur Verfügung.

Die Kommission plant, in das Budget für das Programm für lebenslanges Lernen für 2013 eine konkrete Aktion mit dem Titel „europäisches Netz nationaler Alphabetisierungsorganisationen“ einzustellen, für die 3 Millionen EUR vorgesehen sind.

Die Schreib- und Lesekompetenz wird auch ein Förderschwerpunkt des künftigen Programms „Erasmus für alle“ bleiben. Die Höhe der Mittelaufwendungen lässt sich derzeit jedoch noch nicht abschätzen.

([1]) „Lifelong Learning Programme“ (LLP) .

(English version)

Question for written answer E-010293/12
to the Commission
Angelika Werthmann (ALDE)
(12 November 2012)

Subject: Fall in reading standards in all Member Sates

According to the 2012 Final Report of the EU High Level Group of Experts on Literacy, one in five 15-year-olds and nearly 75 million adults in the European Union do not have even basic reading and writing skills.

1. As a result of this report, has the Commission already developed tangible proposals for improving this state of affairs?

2. In view of the discussions over funding for the EU's education sector, can the Commission estimate what funds could be allocated to address this worrying problem in the EU?

Answer given by Ms Vassiliou on behalf of the Commission
(17 January 2013)

As a follow-up to the recommendations given by the High Level Group (HLG) on Literacy, several actions have been announced in order to address this important issue. At the presentation of the HLG report on 6 September 2012 the Commissioner responsible for Education, Culture, Multilingualism and Youth said that the Commission planned to launch a European reading week through a network of national literacy organisations for which a call for proposals will be published in 2013.

On 26 November 2012 the Education ministers adopted Council conclusions on Literacy that endorse the main messages of the HLG Literacy report and call for the establishment of a European network of Literacy organisations. The aim of this practitioners' network is to develop and exchange good policy practice in the field, to support the dissemination of initiatives and to develop joint literacy campaigns.

In 2012, the Commission granted a total of EUR 4.8 million to the national coordinators of the European Agenda for Adult Learning. Funded activities helped to increase the participation of low qualified adults in learning and to develop their basic skills.

The Grundtvig action (adult learning) within the LLP ([1]) has systematically funded projects related to basic reading and writing skills. In 2013, the Grundtvig Workshops will focus on training of adult education staff working in the field of adult literacy. The budget available for the action is about EUR 3 000 000.

The Commission plans to include in the 2013 LLP budget a specific action entitled 'A European network of national literacy organisations', for a total of EUR 3 000 000.

Under the future Erasmus for All programme, literacy will remain a top funding priority. However, it is not possible to give specific amounts at this stage.

([1]) Lifelong Learning Programme.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010294/12
an die Kommission
Angelika Werthmann (ALDE)
(12. November 2012)

Betrifft: Armut in der Europäischen Union

Die jüngste Studie „Armut in der Europäischen Union" zeigt, dass in der Europäischen Union jeder sechste Einwohner armutsgefährdet ist — wobei es der Bevölkerung in Österreich, mit circa einer Million Menschen in Armutsgefährdung, im Vergleich zu anderen EU-Ländern noch gut zu gehen scheint.

Zur Gruppe der Armutsgefährdetsten zählen EU-weit arbeitslose Menschen mit 45,1 % und Alleinerziehende mit 36,8 %, wie auch Menschen in prekären Arbeitsverhältnissen.

1. Davon ausgehend, dass der Kommission diese Details über die europäischen Bürger und Bürgerinnen bekannt sind, was hat sie vor, konkret an Maßnahmen zu ergreifen, diesen Menschen an Möglichkeiten und Hilfen zu geben?

2. In welchem Zeitrahmen sollen diese erfolgen?

3. In welchem finanziellen Ausmaß — bitte um Auflistung nach Beträgen — Programmen — und — Ländern werden sich diese bewegen?

Mit der Bitte um ausführliche Darlegung.

Antwort von Herrn Andor im Namen der Kommission
(21. Januar 2013)

Die Kommission verweist die Frau Abgeordnete auf ihre Antworten zu früheren Anfragen ([1]) ([2]). Im AGS ([3]) 2012 legte die Kommission für die nächsten zwölf Monate Prioritäten für die Förderung von Wachstum und Arbeitsplatzschaffung fest. Die CSR ([4]) beschreiben, wie die Mitgliedstaaten die richtige politische Antwort auf größere Herausforderungen finden können. Die Kommission beobachtet die soziale Entwicklung in den Mitgliedstaaten durch laufende Konsultation der Teilnehmer der Jahreskonferenz 2012 der Europäischen Plattform gegen Armut und soziale Ausgrenzung sowie mithilfe verschiedener Berichte ([5]). 2013 soll ein umfassendes Paket zu sozialen Investitionen ([6]) verabschiedet werden, das ein integriertes Konzept für sozialpolitische Investitionen verfolgt.

EU-Finanzierungsinstrumente wie der ESF ([7]) und Progress werden die Mitgliedstaaten bei der Umsetzung der Prioritäten des SIP unterstützen. Auch das geplante Programm für sozialen Wandel und soziale Innovation soll der Förderung innovativer Initiativen und ihrer Umsetzung in größerem Maßstab sowie der Unterstützung sozialpolitischer Experimente mit mindestens 100 Mio. EUR für den Zeitraum 2014-2020 dienen.

Die Kommission hat vorgeschlagen, den ESF, das wichtigste Finanzinstrument zur Förderung der sozialen Integration/Inklusion?, zur Bekämpfung von Armut und zur Verbesserung der Beschäftigungsfähigkeit mit einem garantierten Mindesthaushalt in Höhe von mindestens 25 % der Mittel für die Kohäsionspolitik — also 84 Mrd. EUR — auszustatten und mindestens 20 % der für jeden Mitgliedstaat vorgesehenen Mittel für Maßnahmen zur sozialen Integration/Inklusion? und zur Armutsbekämpfung bereitzustellen/vorzumerken?

Schließlich schlug die Kommission die Einrichtung des FEAMD ([8]) vor, der den Mitgliedstaaten Hilfe dabei bieten soll, Programme zur direkten Unterstützung der am stärksten gefährdeten Bevölkerungsgruppen auszuarbeiten. Die vorgesehene Mittelausstattung für den Zeitraum 2014-2020 beträgt 2,5 Mrd. EUR. Das Parlament als Mitgesetzgeber wird eine wesentliche Rolle bei der Verabschiedung spielen.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([2]) E-10900/2011, E-10144/2011 und E-10138/20112.
([3]) Annual Growth Survey (Jahreswachstumsbericht).
([4]) Country Specific Recommendations (Länderspezifische Empfehlungen).
([5]) Zweiter Bericht „Employment and Social Developments in Europe" http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=7315 und Jahresbericht des Ausschusses für Sozialschutz.
([6]) Social Investment Package (SIP).
([7]) Europäischer Sozialfonds.
([8]) Fund for European Aid to the Most Deprived (Europäischer Hilfsfonds für die am stärksten von Armut betroffenen Personen).

Da die Mitgliedstaaten noch keine Einigung über den neuen Mehrjährigen Finanzrahmen 2014-2020 erzielt haben, ist eine Aufschlüsselung nach einzelnen Programmen und Ländern noch nicht möglich.

(English version)

Question for written answer E-010294/12
to the Commission
Angelika Werthmann (ALDE)
(12 November 2012)

Subject: Poverty in the European Union

The most recent study in the series 'Poverty in the European Union' shows that one in six residents of the EU is at risk of poverty. The situation in Austria, where roughly one million people are at risk of poverty, is still better than that in other EU Member States.

Throughout the EU, the group most at risk of poverty includes the unemployed (45.1%), single parents (36.8%) and people in precarious employment.

1. On the assumption that the Commission is aware of these details concerning EU citizens, what practical measures does it plan to take to give these people assistance and new opportunities?

2. When and over what period will these measures be taken?

3. What funding will be allocated to individual programmes and countries (please give a detailed breakdown)?

I would ask the Commission to provide detailed answers to these questions.

Answer given by Mr Andor on behalf of the Commission
(21 January 2013)

The Commission would refer the Honourable Member to its answers to earlier questions ([1]) ([2]). In the 2012 AGS ([3]) the Commission set the priorities for the next 12 months to boost growth and job creation. CSRs ([4]) set out how Member States (MS) can find the right policy responses to important challenges. The Commission closely follows social developments in MS through ongoing consultation with stakeholders in the 2012 Annual Convention of the Platform against Poverty and Social Exclusion and various reports ([5]). A comprehensive Social Investment Package ([6]) will be adopted in 2013 that will follow an integrated approach to investing in social policies.

EU funds such as ESF ([7]), PROGRESS are and will support MS to implement the priorities set out in the SIP. Furthermore, the planned Programme for Social Change and Innovation will support innovative initiatives and their upscaling, and enhancing social policy experimentation to at least EUR 100 million over the period 2014-2020.

The Commission proposed to give to the ESF, the main financial instrument to promote social inclusion, to fight poverty and to support employability a guaranteed minimum budget representing at least 25% of cohesion policy — i.e. EUR 84 billion — and to allocate at least 20% of the envelope of each MS for social inclusion and fighting poverty measures.

Furthermore, the Commission proposed the FEAMD ([8]) to help MS design schemes providing immediate support for the most vulnerable citizens. The budget foreseen is EUR2.5 billion for the period 2014-2020. The Parliament as co-legislator will have a key role to play for its adoption.

A breakdown to individual programmes and countries cannot be given as there is not yet agreement on the new Multiannual Framework 2014-2020 among the MS.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([2]) E-10900/2011, E-10144/2011 and E-10138/20112.
([3]) Annual Growth Survey.
([4]) Country Specific Recommendations.
([5]) 2nd Employment and Social Developments in Europe Review: http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=7315 and the Annual Social Protection Committee Report.
([6]) SIP.
([7]) European Social Fund.
([8]) Fund for European Aid to the Most Deprived.

(Version française)

Question avec demande de réponse écrite E-010296/12
à la Commission
Astrid Lulling (PPE)
(12 novembre 2012)

Objet: Un soutien durable de la banane et des cultures tropicales communautaires

Pour produire de la banane durable, voire biologique, en milieu tropical humide, les producteurs doivent disposer de tout un arsenal de produits afin de lutter contre les principales maladies fongiques, comme les cercosporioses jaunes et noires.

La banane communautaire, qui ne dispose pas des mêmes moyens de lutte en raison de la législation sanitaire et phytosanitaire européenne, doit avoir recours à des techniques mécaniques, à la jachère, aux vitroplants, aux plants de couverture et faire de la sélection variétale afin de réduire l'utilisation des pesticides chimiques.

Par ailleurs, leurs concurrents de la République dominicaine, de l'Équateur ou encore du Pérou utilisent des produits qui ne sont pas homologués en Espagne ou en France. Les firmes productrices de ces produits ne trouvent pas d'intérêt à déposer des dossiers d'homologation en raison de perspectives de marché réduites au sein de l'Union européenne.

La levure de bière, par exemple, qui sert à la production de pain et qui ne présente par conséquent aucun risque sanitaire, pourrait être utilisée comme traitement contre les maladies de conservation.

Les cultures tropicales communautaires en général sont exposées à cette concurrence déloyale de la part des pays tiers du milieu tropical. Nous nous félicitons à cet égard du POSEI, qui permet de réduire les effets de cette concurrence déloyale.

— Le POSEI renforcé de 40 millions d'euros peut-il au moins être maintenu pour faire perdurer le modèle durable de la banane communautaire, avec un emploi par hectare de bananiers, en particulier, et des cultures tropicales communautaires, en général?

— Quelles mesures pourraient être envisagées pour faciliter l'homologation des moyens de lutte contre les principales maladies fongiques et de conservation afin de faire bénéficier les producteurs communautaires des mêmes moyens de lutte, voire de moyens plus écologiques que la concurrence sud-américaine ou africaine?

— Quelles seraient les conditions de production à remplir pour faire bénéficier les bananes de l'appellation bio?

— Actuellement, les homologations de produits phytosanitaires sont spécifiques par culture, par produit et par usage. De ce fait, il s'avère impossible de produire de manière systématique des tomates plein champ dans les DOM et la production de papaye a disparu de la Réunion. Serait-il envisageable de faciliter le transfert de l'homologation entre cultures, une fois l'homologation attribuée pour le produit en question?

Réponse donnée par M. Cioloş au nom de la Commission
(21 janvier 2013)

1. La dotation annuelle de 279 millions d'euros en faveur de la banane dans le cadre du POSEI apporte un soutien adapté aux revenus et offre une protection adéquate dans un environnement concurrentiel en mutation. Les 40 millions d'euros proposés récemment par la Commission constituent un paiement unique complémentaire aux producteurs de bananes pour leur apporter un soutien supplémentaire dans leur processus d'adaptation.

2. Le règlement (CE) nº 1107/2009 ([1]) concernant la mise sur le marché des produits phytopharmaceutiques fixe des critères d'approbation des «substances de base», c'est-à-dire des substances qui ne sont pas mises sur le marché en tant que produits phytosanitaires, mais qui sont néanmoins utiles dans la protection phytosanitaire. Une fois approuvées au niveau de l'UE, les «substances de base» et les produits qui en contiennent seront exemptés de toute autre procédure d'autorisation. La levure de bière pourrait en effet être conforme aux dispositions relatives aux «substances de base».

([1]) JO L 309 du 24.11.2009, p. 1.

3. En ce qui concerne l'obtention de la certification pour la production de bananes biologiques, les règles de la production biologique sont énoncées dans le règlement (CE) nº 834/2007 du Conseil relatif à la production biologique et à l'étiquetage des produits biologiques ([2]) [voir, en particulier, les règles de production générales (articles 8 à 11) et spécifiques (article 12) que les opérateurs doivent respecter], ainsi que dans le règlement (CE) nº 889/2008 de la Commission portant modalités d'application du règlement (CE) nº 834/2007 du Conseil ([3]) (voir, entre autres, son article 5).

4. Le règlement (CE) nº 1107/2009 autorise l'extension des autorisations pour des utilisations mineures, qui sont pour la plupart des cultures horticoles. Ces extensions peuvent également être demandées par des utilisateurs professionnels et les États membres doivent prendre des mesures pour faciliter et encourager de telles demandes.

([2]) JO L 189 du 20.7.2007, p. 1.
([3]) JO L 250 du 18.9.2008, p. 1.

(English version)

Question for written answer E-010296/12
to the Commission
Astrid Lulling (PPE)
(12 November 2012)

Subject: Sustainable support for EU bananas and tropical crops

In order to use sustainable or organic production methods for bananas in humid tropical areas, producers need to have access to a plethora of products in order to combat major fungal diseases such as black leaf streak.

EU health and plant health legislation means that EU banana producers cannot fight these diseases in the same way as their counterparts elsewhere. Instead, in order to cut pesticide use, they have to resort to mechanical techniques, leave land fallow, use plants produced *in vitro* or cover plants, and practice selective plant breeding.

Banana producers in the Dominican Republic, Ecuador and Peru, however, use products that are not type-approved in Spain or France. Given the limited prospects of making inroads into the EU market, the companies that manufacture these products are not interested in applying for type-approval.

Yeast, which is used to make beer and bread and therefore poses no risk to health, could be used prevent diseases that cause storage decay.

The EU's tropical crops in general are affected by this unfair competition from non-EU countries in tropical regions. With this in mind we welcome POSEI (the programme of options specifically relating to the outermost regions and islands), which is helping to mitigate the effects of this unfair competition.

— POSEI has been allocated EUR 40 million, but can this at least be maintained so as to hold on to the EU's sustainable banana model, with one job per hectare for banana plantations in particular and for the EU's tropical crops in general?

— What steps might be envisaged in order to help establish type-approval for methods to combat the major fungal and storage diseases, with a view to ensuring that EU producers have access to prevention methods that are similar to or more environmentally friendly than those used by their competitors in South America or Africa?

— What production conditions would need to be meet in order for bananas to be certified as organic?

— Type-approval for plant health products is currently specific to the crop, product and usage involved. It is therefore impossible to grow field tomatoes on a systematic basis in the French overseas departments, and papayas are no longer grown in Reunion. Would there be any scope for authorising the transfer of type-approval from one crop to another, once type-approval had been granted for the product in question?

Answer given by Mr Cioloş on behalf of the Commission
(21 January 2013)

1. The POSEI annual banana allocation of EUR279 million is appropriate to provide income support and protection in a changing competition environment. The EUR40 million recently proposed by the Commission are an additional one-off payment to banana producers to assist further in their adaptation process.

2. Regulation (EC) No 1107/2009 ([1]) on the placing of plant protection products on the market provides for criteria for the approval of 'basic substances', i.e. substances which are not on the market as plant protection products, but that are nevertheless useful in plant protection. Once approved at EU level, 'basic substances' and products containing them will be exempted by any further authorisation procedure. Yeast could indeed comply with such provisions concerning 'basic substances'.

([1]) OJ L 309, 24.11.2009, p. 1-50.

3. Regarding getting the certification of organic banana production, the rules for organic production are set out in Council Regulation (EC) 834/2007 ([2]) on organic production and labelling of organic products, (see, in particular, the general (Article 8 to 11) and specific (Article 12) production rules that operators must comply with) as well as in Commission Regulation (EC) 889/2008 ([3]) laying down detailed rules for the implementation of Council Regulation 834/2007 (see, *inter alia*, Art 5 thereof).

4. Regulation (EC) No 1107/2009 allows for extensions of authorisations to minor uses, many of which are horticultural crops. Such extensions can also be requested by professional users and MS may take measures to facilitate and encourage such requests.

([2]) OJ L 189, 20.7.2007, p. 1-23.
([3]) OJ L 250, 18.9.2008, p. 1-84.

(Magyar változat)

Írásbeli választ igénylő kérdés E-010297/12
a Bizottság számára
Surján László (PPE)
(2012. november 12.)

Tárgy: Vajdaság helyzete

Az Európai Unió Szerbiával kapcsolatban főként Koszovó kérdésére fokuszál. Vannak azonban Koszovótól független olyan jelenségek, melyek aggodalomra adnak okot: a köztársasági elnök lehallgatása, merényletgyanús közúti incidens, feltehetőleg belpolitikai indíttatású Európai Unió-ellenes kijelentések. Mindezek tudatában kérdezem, hogy mennyi figyelmet fordítunk a többnemzetiségű Vajdaságra, melynek hatáskörei csökkennek? A Bizottság véleménye szerint a hatáskörelvonás nem alakítja-e ezt a térséget újabb feszültséggóccá?

Štefan Füle válasza a Bizottság nevében
(2013. január 18.)

A Bizottság szoros figyelemmel kíséri a helyzet alakulását a szerbiai Vajdaság Autonóm Tartományban.

A Szerbiáról szóló 2012. októberi előrehaladási jelentésében ([1]) a Bizottság azt állapította meg, hogy „a Vajdaság Autonóm Tartományban továbbra is jó a nemzetiségek közötti viszony”, illetve, hogy „a nemzetiségek között csak elszórt jelleggel került sor incidensekre”, kiegészítve azzal, hogy az említett incidensekre a tartományi illetékesek és a rendőrség megfelelően reagált, jóllehet a jogi eljárást javítani kell, mivel az ügyészség ezeket az ügyeket bűncselekmények helyett továbbra is szabálysértésként kezelte. Jelentésében a Bizottság azt is megállapította, hogy „a Vajdaság saját forrásairól szóló, az Alkotmány által előírt törvény még nem került elfogadásra”, egyúttal tudomásul vette a Alkotmánybíróság 2012 júliusában hozott azon döntését, amellyel érvénytelenítette a Vajdaság hatásköreit szabályozó törvény egyes rendelkezéseit.

A Bizottság továbbá üdvözölte a Vajdaság Statútumának elfogadását, amelyet a 2006-os szerb Alkotmány végrehajtása irányába mutató lépésnek tekint, és a szerb hatóságoktól mind központi, mind tartományi szinten azt várja el, hogy az alkotmányos és jogi keretek mentén, az érintettekkel együttműködve folytassák munkájukat. A Bizottság úgy véli, hogy a decentralizáció és a helyi önkormányzatiság, valamint a kisebbségek helyzetének kezelése tekintetében a Vajdaságnak továbbra is pozitív példaként kell szolgálnia.

([1]) http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/sr_rapport_2012_en.pdf

(English version)

Question for written answer E-010297/12
to the Commission
László Surján (PPE)
(12 November 2012)

Subject: Situation in Vojvodina

In its dealings with Serbia, the EU focuses mainly on Kosovo. There are, however, other causes for concern in the country, apart from Kosovo: the phone-tapping of the president, a road incident redolent of an assassination attempt and anti-EU statements presumably prompted by internal politics. In the light of this, I would like to ask how much attention we are paying to multi-ethnic Vojvodina, the authority of which is waning. Does the Commission not think that this removal of authority is turning the region into another tension flashpoint?

Answer given by Mr Füle on behalf of the Commission
(18 January 2013)

The Commission closely monitors the situation and developments in the Serbian Autonomous province of Vojvodina.

The Commission reported in the October 2012 Progress report on Serbia ([1]) that 'the inter-ethnic situation in the Autonomous Province of Vojvodina remained good' and that 'there have been only sporadic interethnic incidents' with reactions to such incidents by provincial officials and the police being adequate even though the legal process needs to be improved as the prosecution continued to treat them as misdemeanour cases rather than criminal offences. The Commission has also reported that 'the law on Vojvodina's own resources, required by the Constitution, has yet to be adopted' and it took note of the Constitutional Court invalidating in July 2012 some provisions of the law regulating the competences of Vojvodina.

Furthermore, the Commission has welcomed the adoption of the Vojvodina Statute as a way forward towards the implementation of the Serbian 2006 Constitution and it is expected from the Serbian authorities, at both state and provincial level, to continue working in line with the Constitutional and legal provisions and in a cooperative manner. The Commission considers that Vojvodina needs to remain a positive reference when it comes to decentralisation and local self-government matters as well as minorities' issues.

([1]) http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/sr_rapport_2012_en.pdf

(English version)

Question for written answer E-010298/12
to the Commission
Martina Anderson (GUE/NGL)
(12 November 2012)

Subject: Habitats Directive

Can the Commission confirm whether the Irish Government received funding for delivering on the Habitats Directive?

If so, can the Commission detail how much funding the Irish Government received for delivering on the Habitats Directive?

Answer given by Mr Potočnik on behalf of the Commission
(7 January 2013)

Ireland has made use of different EU funding sources to support the implementation of the Habitats Directive, with particular focus on Natura 2000 ([1]). The Commission would refer the Honourable Member to its answer to Written Question E-8488/2012 ([2]) for details about the allocation of different EU funds under the current programming period.

Information about all LIFE Nature and Biodiversity projects in Ireland in support of implementation of the Habitats Directive is available on the website of the Commission ([3]).

([1]) Council Directive 92/43/EEC on the conservation of natural habitat types and of wild fauna and flora, OJ No. L 206, 22.7.1992.
([2]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([3]) http://ec.europa.eu/environment/life/project/Projects/index.cfm.

(English version)

Question for written answer E-010299/12
to the Commission
Martina Anderson (GUE/NGL)
(12 November 2012)

Subject: Turf cutting

Has the Commission considered the proposals made by the Irish Turf Cutters and Contractors Association, which provide a basis for a solution to problems associated with the consolidation of bogs in Ireland?

Answer given by Mr Potočnik on behalf of the Commission
(4 January 2013)

The Commission is aware of the proposals made by the Irish Turf Cutters and Contractors Association (TCCA) regarding turf cutting on raised bogs that are protected under the Habitats Directive ([1]). It is for the competent authorities in Ireland to ensure the necessary protection and management measures for these raised bogs, including in relation to turf cutting. The Commission understands that the Irish authorities are developing a national management plan for Irish raised bogs under the conditions set out in the directive. The assessment carried out by the TCCA is a helpful contribution to finding a lasting solution to this problem, which must be achieved within the legal framework of the Habitats Directive.

([1]) Council Directive 92/43/EEC on the conservation of natural habitat types and of wild fauna and flora, OJ L 206, 22.7.1992.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010300/12
aan de Commissie
Jan Mulder (ALDE)
(12 november 2012)

Betreft: Natura 2000

1. Zijn lidstaten verplicht zich ten aanzien van de uitvoering van de Vogel en Habitatrichtlijn te houden aan de aanmeldingsformulieren, en vormen nationale toevoegingen een onderdeel van de uiteindelijke beoordeling door de Commissie?

2. Er dient een projectbesluit te worden genomen voor elke activiteit die een mogelijke significante negatieve invloed kan hebben op de natuur. In Nederland is dit geregeld in een aparte aanvraagprocedure in de natuurbeschermingswet en dit wordt beoordeeld in een omgevingsvergunning. Maakt een dergelijk projectbesluit ook deel uit van de beoordeling door de Commissie?

3. Dienen alle reeds in wording zijnde beheersplannen de gegevens van het standaard declaratieformulier uitgangspunt te zijn bij het vaststellen van de maatregelen en dient deze procedure openbaar te zijn?

Antwoord van de heer Potočnik namens de Commissie
(7 januari 2013)

Artikel 6 van de habitatrichtlijn is van toepassing op soorten en typen habitats waarvoor beschermde gebieden moeten worden aangewezen overeenkomstig artikel 4, lid 1, van de vogelrichtlijn ([1]) en artikel 4, lid 1, van de habitatrichtlijn ([2]). De lidstaten moeten in het standaardgegevensformulier (SGF) alle typen habitats en soorten van communautair belang opnemen die in een gebied voorkomen. Krachtens de vogelrichtlijn moeten enkel in bijlage I bij de richtlijn genoemde soorten en trekvogels waarvoor het gebied is geselecteerd in het SGF worden opgenomen. Darbij moet er rekening mee worden gehouden dat natuurlijke ontwikkelingen tot aanpassingen van de opgenomen soorten kunnen nopen. De Commissie controleert geen toevoegingen aan het SGF of door de lidstaten vastgestelde instandhoudingsmaatregelen die verder gaan dan wat deze richtlijnen voorschrijven.

Overeenkomstig artikel 6 van de habitatrichtlijn is een advies van de Commissie over een nationale vergunning voor een plan of project enkel nodig wanneer het plan of project nadelige effecten op een gebied met een prioritair type natuurlijke habitat en/of een prioritaire soort heeft en wanneer de vergunning wordt verleend om dwingende redenen van groot openbaar belang die geen verband houden met de menselijke gezondheid, de openbare veiligheid of met voor het milieu wezenlijke gunstige effecten. Deze vereisten van de habitatrichtlijn zijn naar behoren omgezet in de Nederlandse Natuurbeschermingswet 1998.

De informatie in het SGF is cruciaal voor het vaststellen van gebiedsspecifieke instandhoudingsmaatregelen. Hoewel de richtlijn geen specifiek formulier voor zulke maatregelen voorschrijft en de lidstaten ook niet verplicht het publiek over de vaststelling van zulke instandhoudingsmaatregelen te raadplegen, is de Commissie voorstander van een participatief proces.

([1]) PB L 20 van 26.1.2010, blz.1.
([2]) PB L 206 van 22.7.1992, blz.1.

(English version)

Question for written answer E-010300/12
to the Commission
Jan Mulder (ALDE)
(12 November 2012)

Subject: Natura 2000

1. In implementing the directives on Wild Birds and Habitats, are Member States required to abide by the notification forms, and do national additions form part of the ultimate assessment by the Commission?

2. A project decision has to be taken on each activity which may have a significant adverse impact on nature. In the Netherlands, provision is made for this in a separate application procedure laid down in the Nature Protection Act, and this is assessed in an environmental permit. Does such a project decision also form part of the assessment by the Commission?

3. [In?] all management plans which are already being drawn up, should the particulars on the standard declaration form be taken as the starting point for determining the measures, and should this procedure be public?

Answer given by Mr Potočnik on behalf of the Commission
(7 January 2013)

Article 6 of the Habitats Directive applies to species and habitat types for which protected areas must be designated according to Article 4.1 Birds Directive ([1]) and Article 4.1 Habitats Directive ([2]). Member States must include in the standard data form (SDF) all habitat types and species of Community interest which are present on a site. Under the Birds Directive, only species listed in Annex I of the directive and migratory species for which the site has been selected must be included in the SDF, keeping in mind that natural developments may require adaptations of the species included. The Commission will not verify any additions to the SDF or conservation measures established by the Member States going beyond what is required by these Directives.

According to Article 6 of the Habitats Directive, a national permit authorising a plan or project is only subject to a Commission opinion when the plan or a project has adverse effects on a site hosting a priority natural habitat type and/or a priority species and when the permit is granted for imperative reasons of overriding public interest other than those relating to human health or public safety or to beneficial consequences of primary importance for the environment. These requirements of the Habitats Directive have been properly transposed in the Dutch Nature Protection Act 1998.

The information in the SDF is crucial for the establishment of site specific conservation measures. The directive does not prescribe a specific form for such measures and neither does it oblige the Member States to consult the general public on the establishment of such conservation measures. Nevertheless the Commission is in favour of a participatory process.

([1]) OJ L 20, 26.1.2010.
([2]) OJ L 206, 22.7.1992.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010301/12
aan de Commissie
Ivo Belet (PPE)
(12 november 2012)

Betreft: Stand van zaken met betrekking tot sportmakelaars

Op de EU-conferentie over sportmakelaars (9-10 november 2011) concludeerde de Commissie dat een zelfregulerende aanpak te verkiezen was om het beroep van sportmakelaar beter te omkaderen.

Hoe ver staat het met de werkzaamheden rond.d. sportmakelaars?

Heeft de Commissie al enig resultaat kunnen bereiken met betrekking tot een mogelijke standaardisering van het beroep van voetbalmakelaar op Europees niveau?

Werden hiertoe al eerste stappen gezet binnen het Europees Comité voor standaardisering?

In welke mate denkt de Commissie dat deze benadering zal bijdragen tot het bewerkstelligen van minder concentratie op de makelaarsmarkt, zoals aangegeven in parlementaire vraag E-000317/2012?

Heeft de Commissie al zicht op de datum waarop de resultaten van de studie over de juridische en economische aspecten van transfers van professionele spelers bekendgemaakt zullen worden?

Antwoord van mevrouw Vassiliou namens de Commissie
(16 januari 2013)

De Commissie werkt samen met de betrokken partijen in de voetbalwereld en met de Europese en internationale normalisatie-instellingen (CEN en ISO) om na te gaan of het beroep van voetbalmakelaar kan worden gestandaardiseerd op Europees en internationaal niveau; de besprekingen zijn nog gaande. De Commissie wil het debat bevorderen en de betrokken partijen hulp bieden om tot een overeenkomst te komen, en herinnert hen er tegelijkertijd aan dat alle acties die eventueel worden ondernomen, moeten voldoen aan de EU-wetgeving, met inbegrip van de mededingingsregels.

De resultaten van het onafhankelijke onderzoek naar de economische en juridische aspecten van transfers van professionele spelers zullen begin 2013 beschikbaar gesteld worden.

(English version)

Question for written answer E-010301/12
to the Commission
Ivo Belet (PPE)
(12 November 2012)

Subject: Current situation regarding sports agents

At the EU Conference on Sports Agents held on 9-10 November 2011, the Commission concluded that a self-regulatory approach should be adopted to create a better regulatory regime for this profession.

What stage has been reached in the work on sports agents?

Has the Commission been able to achieve any results as regards the possible standardisation of the profession of football agent at European level?

Have the first steps towards this already been taken within the European Committee for Standardisation?

To what extent does the Commission believe this approach will help bring about less concentration in the football agent market, as asked in parliamentary Question E-003117/2012?

Can the Commission say when results of the study on the legal and economic aspects of transfers of professional players will be published?

Answer given by Ms Vassiliou on behalf of the Commission
(16 January 2013)

The Commission is working together with football stakeholders and European and international standardisation bodies (CEN and ISO) to examine the possible standardisation of the profession of football agents at the EU and possibly international levels; discussions are ongoing. The Commission intends to facilitate the debate and assist the stakeholders in finding an agreement, while reminding them that any possible action should respect EC laws, including competition rules.

The results of the independent study on the economic and legal aspects of transfers of professional football players will be made available in early 2013.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010302/12
aan de Commissie
Ivo Belet (PPE)
(12 november 2012)

Betreft: Franse verplichting met betrekking tot alcoholtesters in de wagen

Op 23 mei 2012 meldde de Commissie in haar antwoord op parlementaire vraag E-004171/2012 dat ze contact had opgenomen met de Franse autoriteiten met betrekking tot de Franse verplichting om een ongebruikte alcoholtester bij zich te hebben in het voertuig.

Heeft de Commissie het onderzoek naar de nieuwe wetsbepaling intussen kunnen afronden?

Is de Commissie van oordeel dat deze maatregel het vrije verkeer van personen in de Europese Unie kan belemmeren?

Meent de Commissie dat deze maatregel gerechtvaardigd is en de proportionaliteitstoets doorstaat?

Antwoord van de heer Kallas namens de Commissie
(8 januari 2013)

De Commissie verwijst het geachte Parlementslid naar haar antwoord op vraag E-6721/2012 ([1]).

Voorts wijst zij het geachte Parlementslid erop dat de Franse autoriteiten voorlopig niet sanctionerend optreden tegen bestuurders die geen alcoholtester bij zich hebben ([2]).

([1]) http://www.europarl.europa.eu/plenary/nl/parliamentary-questions.html
([2]) http://www.interieur.gouv.fr/Actualites/L-actu-du-Ministere/Verbalisation-pour-defaut-d-ethylotest.

(English version)

Question for written answer E-010302/12
to the Commission
Ivo Belet (PPE)
(12 November 2012)

Subject: French requirement regarding breathalysers in cars

On 23 May 2012 the Commission stated in its answer to my Question E-004171/2012 that it had contacted the French authorities in relation to the French requirement for drivers to have an unused breathalyser in their vehicles.

Has the Commission now completed its examination of the new legal provisions?

Does the Commission consider that this measure could hinder the free movement of persons in the EU?

Does the Commission consider that this measure is justified and passes the proportionality test?

Answer given by Mr Kallas on behalf of the Commission
(8 January 2013)

In relation to the questions addressed by the Honourable Member, the Commission would refer to its reply to Question E-6721/2012 ([1]).

Moreover, the Commission draws to the attention of the Honourable Member that the French authorities have currently suspended the application of sanctions against those drivers that do not carry a breathalyser ([2]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://www.interieur.gouv.fr/Actualites/L-actu-du-Ministere/Verbalisation-pour-defaut-d-ethylotest.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010303/12
aan de Commissie
Ivo Belet (PPE)
(12 november 2012)

Betreft: Nederlandse hervorming van de tegemoetkoming koopkrachtcompensatie — Follow up

Kan de Commissie in aansluiting op haar antwoord op eerdere vragen E-007906/2011 en E-000518/2012 meedelen wat de stand van zaken is in dit dossier?

Heeft de Commissie haar analyse van de Nederlandse hervorming kunnen afronden op basis van de informatie die de Nederlandse regering verstrekt heeft?

Zal de Commissie verdere stappen nemen in de inbreukprocedure en, zo ja, op welke termijn kunnen deze verwacht worden?

Antwoord van de heer Andor namens de Commissie
(11 januari 2013)

Op 31 mei 2012 heeft de Commissie met betrekking tot de Nederlandse Wet koopkrachttegemoetkoming oudere belastingplichtigen een met redenen omkleed advies uitgebracht. De Commissie zal begin 2013 een besluit nemen over het verdere verloop van de niet-nakomingsprocedure.

(English version)

Question for written answer E-010303/12
to the Commission
Ivo Belet (PPE)
(12 November 2012)

Subject: Dutch reform of the allowance for loss of purchasing power — follow-up

Further to the Commission's answer to the previous questions E-007906/2011 and E-000518/2012, can it indicate the state of play with regard to this matter?

Has the Commission managed to complete its analysis of the Dutch reform on the basis of information provided by the Netherlands Government?

Will the Commission take further steps in the infringement proceedings and if so, how soon can these be expected?

Answer given by Mr Andor on behalf of the Commission
(11 January 2013)

On 31 May 2012, the Commission decided to issue a reasoned opinion in respect of the Dutch *Wet koopkrachttegemoetkoming oudere belastingplichtigen* (Law on a purchasing power supplement for elderly taxpayers). The Commission should decide on the further course of the infringement proceedings in early 2013.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010305/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Hans-Peter Martin (NI)
(12. November 2012)

Betrifft: VP/HR — Drohnenangriffe der Vereinigten Staaten von Amerika

Die britische Nichtregierungsorganisation „The Bureau of Investigative Journalism" (BIJ) analysiert verschiedene Quellen, vor allem Medienberichte, um zusammenzustellen, wie viele Militärschläge die Vereinigten Staaten von Amerika in Pakistan, dem Jemen und Somalia mit Drohnen durchgeführt haben. Nach den BIJ-Statistiken führten die Vereinigten Staaten von 2004 bis 2012 in 349 Fällen Drohnenattacken in Pakistan durch. Im Jemen gab es von 2001 bis 2012 nach Angaben des BIJ 52 bis 62 und in Somalia von 2007 bis 2012 zwischen 10 und 23 Angriffe mit Drohnen. Dabei wurden nach den Recherchen der NRO allein in Pakistan 474 bis 884 Zivilisten getötet.

1. Wie bewertet die Vizepräsidentin/Hohe Vertreterin die Daten des BIJ?

2. Verfügt die Vizepräsidentin/Hohe Vertreterin über eigene Daten zu von den Vereinigten Staaten durchgeführten Drohnenattacken und den Opferzahlen?

Anfrage zur schriftlichen Beantwortung E-010389/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Hans-Peter Martin (NI)
(13. November 2012)

Betrifft: VP/HR — Rechtskonformität gezielter Tötungen mithilfe von Drohnen

Die Vereinigten Staaten von Amerika führen, vor allem in Pakistan, mit Drohnen gezielte Tötungen von mutmaßlichen Terroristen durch. Dies ist nach Auffassung vieler Beobachter weder mit den Menschenrechten noch mit den von der EU anerkannten Grundrechten vereinbar.

1. Hat die Hohe Vertreterin oder der EAD mit Politikern oder Regierungsbeamten der Vereinigten Staaten einen Dialog über das Thema gezielter Tötungen mithilfe von Drohnen geführt?

2. Wenn ja: Wann fanden Gespräche zu diesem Thema statt, welche Aspekte wurden besprochen und haben die Vereinigten Staaten in den Gesprächen Zusagen gemacht, die Verwendung von Drohnen für gezielte Tötungen zu limitieren und sie mit den Menschen- und Grundrechten vereinbar zu machen?

3. Sind diese Zusagen, sofern sie von den USA gemacht wurden, nach Ansicht der Hohen Vertreterin eingehalten worden?

4. Sollte die Hohe Vertreterin bisher nicht mit Vertretern der Vereinigten Staaten zu diesem Thema in Kontakt gewesen sein: Wird sie dieses Thema in Gesprächen mit Vertretern der Vereinigten Staaten ansprechen und, wenn ja, wann wird sie dies tun und welche Forderungen wird sie stellen?

Anfrage zur schriftlichen Beantwortung E-010449/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Hans-Peter Martin (NI)
(15. November 2012)

Betrifft: VP/HR — Auskunftsersuchen zu Drohnenangriffen

Die britische Nichtregierungsorganisation „The Bureau of Investigative Journalism" (BIJ) analysiert verschiedene Quellen, vor allem Medienberichte, um zusammenzustellen, wie viele Militärschläge die Vereinigten Staaten von Amerika in Pakistan, dem Jemen und Somalia mit Drohnen durchgeführt haben. Nach den BIJ-Statistiken führten die Vereinigten Staaten von 2004 bis 2012 in 349 Fällen Drohnenattacken in Pakistan durch. Im Jemen gab es von 2001 bis 2012 nach Angaben des BIJ 52 bis 62 und in Somalia von 2007 bis 2012 zwischen 10 und 23 Angriffe mit Drohnen. Dabei wurden den nach Recherchen der Organisation allein in Pakistan 474 bis 884 Zivilisten getötet.

1. Hat die Vizepräsidentin/Hohe Vertreterin oder der EAD die Vereinigten Staaten von Amerika bisher um Auskunft über die Anzahl von durchgeführten Drohnenangriffen ersucht?

2. Hat die Vizepräsidentin/Hohe Vertreterin die Vereinigten Staaten nach Informationen über die Zahl von „zivilen“ und „nicht-zivilen“ Opfern solcher Drohnenangriffe ersucht? Hat die Vizepräsidentin/Hohe Vertreterin eigene Informationen zu Opfern von Angriffen mit Drohnen?

3. Wenn ja: Wie haben die Vereinigten Staaten auf die Anfrage(n) reagiert und welche Auskunft hat die Vizepräsidentin/Hohe Vertreterin erhalten?

4. Wenn nein: Warum wurden die Vereinigten Staaten nicht um diese Information ersucht und wann werden die Vizepräsidentin/Hohe Vertreterin oder der EAD ein solches Ersuchen stellen?

5. Sieht die Vizepräsidentin/Hohe Vertreterin die Möglichkeit, dass sich aus Drohnenangriffen der USA auch negative Auswirkungen für die diplomatischen Vertretungen der EU-Mitgliedstaaten ergeben?

Gemeinsame Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(31. Januar 2013)

Die EU hat wiederholt erklärt, dass die Bekämpfung des Terrorismus unter Wahrung der Rechtsstaatlichkeit und in völligem Einklang mit dem geltenden Völkerrecht, einschließlich der internationalen Menschenrechtsnormen, des internationalen Flüchtlingsrechts und des humanitären Völkerrechts, erfolgen muss.

Die EU und ihre Mitgliedstaaten führen zweimal im Jahr einen informellen Dialog mit den USA über völkerrechtliche Themen. Im Rahmen dieses intensiven Dialogs hat die EU eine Reihe von Fragen und Bedenken im Zusammenhang mit der Terrorismusbekämpfung und dem Völkerrecht, darunter auch den Einsatz von Drohnen, angesprochen.

Bei dem Dialog werden nur rechtliche Aspekte behandelt und keine operationellen oder statistischen Aspekte erörtert, wie die Zahl der Drohnenangriffe oder der Opfer. Der Hohen Vertreterin/Vizepräsidentin sind die diesbezüglichen Schätzungen des „Bureau of Investigative Journalism“ bekannt. Diese Nichtregierungsorganisation gibt an, dass sich die angewandte Methodik im Wesentlichen auf Presseberichte angesehener Nachrichtenagenturen stützt, räumt jedoch ein, dass es eine Reihe von Unsicherheiten und Widersprüchen gibt, auch bei der Bestimmung der Opferzahlen unter Zivilisten und Nichtzivilisten. Die EU verfügt über keine eigenen konsolidierten Daten zu diesem Thema und kann die Angaben der NRO daher nicht bewerten.

(English version)

Question for written answer E-010305/12
to the Commission (Vice-President/High Representative)
Hans-Peter Martin (NI)
(12 November 2012)

Subject: VP/HR — Drone attacks by the United States

The British non-governmental organisation the Bureau of Investigative Journalism (BIJ) analyses various sources, in particular media reports, in order to put together an idea of how many military attacks have been carried out by the United States in Pakistan, Yemen and Somalia using drones. According to BIJ statistics, the United States carried out drone attacks on 349 occasions in Pakistan between 2004 and 2012. The information from the BIJ indicates that there were between 52 and 62 drone attacks in Yemen between 2001 and 2012 and between 10 and 23 drone attacks in Somalia between 2007 and 2012. According to the research by the BIJ, these attacks resulted in between 474 and 884 civilian deaths in Pakistan alone.

1. What is the Vice-President/High Representatives's assessment of the data from the BIJ?

2. Does the Vice-President/High Representative have any data of her own on drone attacks by the United States and the number of victims?

Question for written answer E-010389/12
to the Commission (Vice-President/High Representative)
Hans-Peter Martin (NI)
(13 November 2012)

Subject: VP/HR — Legality of targeted drone killings

The US is carrying out targeted killings of suspected terrorists, in particular in Pakistan, by means of drones. In my observers' opinion, this is compatible neither with human rights nor with the fundamental rights recognised by the EU.

1. Has the High Representative or the EEAS conducted a dialogue with US politicians or government officials on the issue of targeted drone killings?

2. If so, when did talks on that issue take place, what aspects were discussed, and, in those talks, did the US give undertakings to limit the use of drones for targeted killings and make them compatible with human and fundamental rights?

3. In the High Representative's opinion, have any such undertakings given by the US been honoured?

4. Should the High Representative not yet have been in contact with US representatives on this issue, will she raise the issue in talks with them and, if so, when will she do so and what demands will she make?

Question for written answer E-010449/12
to the Commission (Vice-President/High Representative)
Hans-Peter Martin (NI)
(15 November 2012)

Subject: VP/HR — Request for information on drone strikes

The Bureau of Investigative Journalism (BIJ), a British NGO, analyses various sources, in particular media reports, in order to establish how many military strikes the United States has carried out with drones in Pakistan, Yemen and Somalia. According to the BIJ statistics, the United States has carried out 349 drone strikes in Pakistan between 2004 and 2012. In Yemen, between 2001 and 2012, there have been 52 to 62 drone strikes, according to the BIJ, with between 10 and 23 in Somalia between 2007 and 2012. In Pakistan alone, according to BIJ research, between 474 and 884 civilians have been killed.

1. To date, has the Vice-President/High Representative or the EEAS asked the United States for information on the number of drone strikes carried out?

2. Has the Vice-President/High Representative asked the United States for information on the number of 'civilian' and 'non-civilian' victims of such drone strikes? Does the Vice-President/High Representative have her own information about drone strike victims?

3. If so, how did the United States react to the request(s) and what information has the Vice-President/High Representative received?

4. If not, why has the United States not been asked for that information and when will the Vice-President/High Representative or the EAAS make such a request?

5. Does the Vice-President/High Representative see a possibility that, for the EU Member States' diplomatic representations, the US drone strikes will have a negative impact?

Joint answer given by High-Representative/Vice-President Ashton on behalf of the Commission
(31 January 2013)

The EU has repeatedly stated its position that the fight against terrorism must be conducted with respect for the rule of law and in full conformity with applicable international law including international human rights law, international refugee law and international humanitarian law.

The EU and its Member States conduct an informal dialogue with the US on international law, which takes place twice a year. The EU side, in the context of this in-depth dialogue, has raised a number of questions and concerns with the US regarding counter-terrorism and international law, including on the use of drones.

This dialogue concerns legal aspects and not operational or statistical elements, such as the number of strikes or victims. Regarding that particular point, the High Representative/Vice-President is aware of the estimates made by the Bureau of Investigative Journalism. This non-profit organisation indicates that the methodology followed is essentially based on press reports from reputable news organisations, but recognises a number of uncertainties and discrepancies, including on the determination of civilian and non-civilian casualties. The EU does not have consolidated data of its own on this matter and therefore cannot fully assess the figures provided by this organisation.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010306/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Ολοκλήρωση μετάφρασης ESCO σε όλες τις γλώσσες

Στην ατζέντα-φάρο της ΕΕ για τις νέες δεξιότητες και θέσεις εργασίας προβλέπεται ότι, έως το 2012, θα έπρεπε να έχει ολοκληρωθεί σε όλες τις ευρωπαϊκές γλώσσες η μετάφραση της πλατφόρμας ευρωπαϊκής κατάταξης με βάση τις δεξιότητες και τα προσόντα (ESCO), ώστε να διευκολυνθεί η ανταλλαγή πληροφοριών στους τομείς απασχόλησης, εκπαίδευσης και άσκησης και να υποστηριχθεί έτσι η εύρεση θέσης εργασίας από ευρωπαίους πολίτες.

Ερωτάται η Επιτροπή:

1. Πότε αναμένεται να έχει πλήρως ολοκληρωθεί το ESCO σε όλες τις ευρωπαϊκές γλώσσες;

2. Έχει εκτιμήσει ποσοτικά η Επιτροπή τα οφέλη που θα προκύψουν από την συγκεκριμένη πολιτική;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(11 Ιανουαρίου 2013)

Η πολυγλωσσική ταξινόμηση των ευρωπαϊκών δεξιοτήτων/ικανοτήτων, επαγγελματικών προσόντων και επαγγελμάτων (ESCO) αναμένεται να δημοσιοποιηθεί το 2013. Το έργο που βρίσκεται σε εξέλιξη έχει ήδη μεταφραστεί σε όλες τις επίσημες γλώσσες της ΕΕ, εκτός από τα ιρλανδικά. Συγκεκριμένα, περιέχει περίπου 11 000 όρους ανά γλώσσα, με περίπου 240 000 όρους.

Η Επιτροπή αναπτύσσει την πλατφόρμα ESCO σε στενή συνεργασία με εξωτερικούς ενδιαφερόμενους φορείς. Το διοικητικό συμβούλιο του ESCO, το οποίο αποτελείται από τους ενδιαφερόμενους φορείς και τους αντιπροσώπους της Επιτροπής, λειτουργεί ως συντονιστική επιτροπή του εν λόγω έργου. Η Επιτροπή, σε συνεργασία με το συμβούλιο του ESCO, προετοιμάζει μια ποσοτική, καθώς και μια ποιοτική αξιολόγηση των οφελών της ταξινόμησης ESCO.

(English version)

Question for written answer E-010306/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Complete translation of ESCO into all languages

The EU Flagship Initiative — the Agenda for New skills and Jobs provides that by 2012 the platform of the European Skills, Competences and Occupations taxonomy (ESCO) should have been translated into all European languages so as to facilitate exchanges of information in the areas of employment, education and training and thus to help European citizens find jobs.

Will the Commission say:

1. When is the translation of ESCO into all EU languages expected to be fully completed?

2. Has it quantified the benefits of this particular policy?

Answer given by Mr Andor on behalf of the Commission
(11 January 2013)

The multilingual classification of European Skills/Competences, qualifications and Occupations (ESCO) is expected for public release in 2013. The current work in progress has already been translated into all official languages of the EU except for Irish. It contains around 11 000 terms per language adding up to a total of about 240 000 terms.

The Commission is developing ESCO in close collaboration with external stakeholders. The ESCO Board, which is composed of stakeholders and Commission representatives, serves as the steering committee of the ESCO project. Together with the ESCO Board the Commission is preparing both, a qualitative and a quantitative assessment of the benefits of the ESCO classification.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010307/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Αντίκτυπος στο ΑΕΠ της ΕΕ από την ανεργία των νέων

Σύμφωνα με τα πιο πρόσφατα στοιχεία της Ευρωπαϊκής Στατιστικής Υπηρεσίας 5,5 εκατομμύρια νέοι (22,8%) στην ΕΕ είναι σήμερα άνεργοι. Καθώς η συγκεκριμένη ηλικιακή ομάδα θεωρείται η πλέον παραγωγική κοινωνική ομάδα, ερωτάται η Επιτροπή:

— Έχει εκτιμήσει το οικονομικό κόστος στο ΑΕΠ της ΕΕ από τη μη απασχόληση του 22,8% των νέων; Ποια στοιχεία προκύπτουν;

— Διαθέτει σχετικά στοιχεία για τον αντίκτυπο στην οικονομία του κάθε κράτους μέλους χωριστά; Ποια είναι η περίπτωση της Ελλάδας;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(21 Ιανουαρίου 2013)

Η ανεργία των νέων και οι νέοι που βρίσκονται εκτός αγοράς εργασίας και δεν ακολουθούν κάποια εκπαίδευση ή κατάρτιση έχουν πράγματι κόστος για την κοινωνία.

Το οικονομικό κόστος που συνεπάγεται η παραμονή των νέων εκτός εκπαίδευσης, απασχόλησης ή κατάρτισης (ΕΑΕΚ), ανήλθε το 2008 σε 119 δισ. ευρώ περίπου ή στο 1% του ΑΕΠ στην ΕΕ των 26 (ΕΕ χωρίς τη Μάλτα), σύμφωνα με εκτιμήσεις του Ευρωπαϊκού Ιδρύματος για τη Βελτίωση των Συνθηκών Διαβίωσης και Εργασίας (EUROFOUND). Δύο είναι οι βασικοί παράγοντες του οικονομικού κόστους: δημοσιονομικό κόστος 8,8 δισ. ευρώ περίπου (κόστος κοινωνικών παροχών και απολεσθέντων φόρων και παροχών κοινωνικής ασφάλισης) και κόστος σε πόρους που ανέρχεται σε 111,3 δισ. ευρώ (δηλ. διαφυγόντα κέρδη και απώλεια ευημερίας). Μεταξύ 2008 και 2011, το ποσοστό των ΕΑΕΚ στους νέους 15-29 ετών αυξήθηκε από 13,1% σε 15,4% στην ΕΕ των 27 και σύμφωνα με εκτιμήσεις του (EUROFOUND) το ετήσιο οικονομικό κόστος αυξήθηκε σε 153 δισ. ευρώ. Η Ελλάδα ήταν μεταξύ των χωρών στις οποίες το κόστος των νέων ΕΑΕΚ εκτιμάται ότι αυξήθηκε από 1,74% σε 3,28% του ΑΕΠ.

Η Επιτροπή παραπέμπει το Αξιότιμο Μέλος του Κοινοβουλίου στο δημοσίευμα του EUROFUND του 2012: «ΕΑΕΚ. Νέοι εκτός απασχόλησης, εκπαίδευσης ή κατάρτισης: Χαρακτηριστικά, κόστος και απαντήσεις σε επίπεδο πολιτικής στην Ευρώπη» ([1]) για εκτιμήσεις ανά χώρα.

([1]) http://www.eurofound.europa.eu/pubdocs/2012/54/en/1/EF1254EN.pdf

(English version)

Question for written answer E-010307/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Impact of youth unemployment on the EU's GDP

According to the latest Eurostat figures, 5.5 million young people (22.8%) in the EU are currently unemployed. Since this age group is considered the most productive social group, will the Commission say:

— Has it estimated the economic cost to the EU's GDP of having 22.8% of young people out of work? Is so, what are its findings?

— Does it have any information about the impact on the economy of each Member State separately? What is the situation in Greece?

Answer given by Mr Rehn on behalf of the Commission
(21 January 2013)

Youth unemployment and youth being out of the labour market and not engaging in education or training is indeed costly for society.

The economic cost of letting young people stay not in education nor in employment or training (NEETs) was in 2008 about EUR 119 billion or 1% of the GDP in the EU-26 (EU without Malta), estimates the European Foundation for the Improvement of Living and Working Conditions. The economic cost comprised two main factors: about EUR 8.8 billion of public finance cost (cost of welfare benefits and lost taxes and social security benefits) and EUR 111.3 billion of resource costs (i.e. foregone earnings and welfare losses). Between 2008 and 2011 the share of the NEETs among the 15-29 years old increased from 13.1% to 15.4% in the EU-27, and Eurofound estimated that the annual economic costs increased to EUR 153 billion. Greece was among the countries where the cost of NEETs is estimated to have increased from 1.74% of the GDP to 3.28%.

The Commission would refer the Honourable Member to the Eurofund 2012 publication 'NEETs. Young people not in employment, education or training: Characteristics, costs and policy responses in Europe' ([1]) for country-by-country estimations.

([1]) http://www.eurofound.europa.eu/pubdocs/2012/54/en/1/EF1254EN.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010308/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Αξιολόγηση πορείας προγράμματος PROGRESS στην Ελλάδα

Το πρόγραμμα PROGRESS είναι ένα χρηματοδοτικό εργαλείο για την εκπόνηση και τον συντονισμό των πολιτικών της ΕΕ σε πέντε κρίσιμους τομείς: Απασχόληση, κοινωνική ένταξη, συνθήκες εργασίας, καταπολέμηση των διακρίσεων, ισότητα των φύλων.

Καθώς δεν υπάρχουν σχετικές πληροφορίες στην ιστοσελίδα της Επιτροπής,

— παρακολουθεί τις ελληνικές επιδόσεις υλοποίησης του συγκεκριμένου προγράμματος;

— είναι σε θέση να με ενημερώσει για την αξιολόγηση των προσπαθειών αυτών και την αποτελεσματικότητα του προγράμματος στην Ελλάδα;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(3 Ιανουαρίου 2013)

Το πρόγραμμα PROGRESS υποστηρίζει την Ευρωπαϊκή Επιτροπή προτείνοντας σχετικά μέτρα πολιτικής, βελτιώνοντας τις αρμοδιότητες των υπευθύνων λήψης αποφάσεων σχετικά με τους στόχους της Ένωσης και διασφαλίζοντας την ορθή εφαρμογή των πολιτικών της. Σε αντίθεση με το Ευρωπαϊκό Κοινωνικό Ταμείο, το πρόγραμμα PROGRESS δεν υλοποιείται μέσω εθνικών προγραμμάτων αλλά μέσω της άμεσης διαχείρισης από την Επιτροπή. Συνεπώς, η επίδοση του εν λόγω προγράμματος ελέγχεται και αξιολογείται σε επίπεδο ΕΕ, μέσα από μια προσέγγιση διαχείρισης βάσει αποτελεσμάτων, η οποία δεν προβλέπει την παροχή των αποτελεσμάτων της αξιολόγησης σε εθνικό επίπεδο.

Η Επιτροπή θα παραπέμψει τον κ. βουλευτή στην τελευταία ετήσια έκθεση απόδοσής της ([1]), στην οποία είναι διαθέσιμα μερικά στοιχεία σχετικά με τη συμβολή των χωρών που συμμετέχουν στο πρόγραμμα PROGRESS. Η συμμετοχή της Ελλάδας στο πρόγραμμα αμοιβαίας μάθησης, στις αμοιβαίες αξιολογήσεις, στις ανταλλαγές ορθών πρακτικών ή στις βασικές εκδηλώσεις επικοινωνιακού χαρακτήρα της ΕΕ είναι ιδιαίτερα σημαντική.

Η ενδιάμεση αξιολόγηση ([2]) αναλύει, επίσης, την αποτελεσματικότητα, την απόδοση και τον αντίκτυπο του προγράμματος PROGRESS συμβάλλοντας στην επίτευξη των στόχων της στρατηγικής «Ευρώπη 2020» και σημειώνοντας πρόοδο στους τομείς της απασχόλησης, της κοινωνικής ένταξης και της κοινωνικής προστασίας, των συνθηκών εργασίας, της ισότητας των φύλων, καθώς και στην καταπολέμηση των διακρίσεων.

([1]) http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=86&subCategory=987&country=0&year=0&advSearchKey=Performance MonitoringReports&mode=advancedSubmit&langId=en.
([2]) http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=86&subCategory=987&country=0&year=0&advSearchKey=progresse valuation&mode=advancedSubmit&langId=en.

(English version)

Question for written answer E-010308/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Evaluation of implementation the PROGRESS programme in Greece

The PROGRESS programme is a financial tool for the preparation and coordination of EU policies in five key areas: employment, social inclusion, working conditions, anti-discrimination and gender equality.

Since no information is available about this subject on the Commission website, will the Commission say:

— Is it monitoring Greece's performance in implementing the programme?

— Can it report on the evaluation of these efforts and the effectiveness of the programme in Greece?

Answer given by Mr Andor on behalf of the Commission
(3 January 2013)

PROGRESS supports the European Commission in proposing relevant policy responses, improving decision-makers' ownership of the Union's objectives and ensuring the Union's policies are properly implemented. Contrary to the European Social Fund, PROGRESS is not executed through national programmes but in Commission's direct management. Accordingly, PROGRESS's performance is monitored and evaluated at EU level, through a results-based management approach which does not intend to provide evaluation results at national level.

The Commission would refer the Honourable Member to its last Annual Performance Report ([1]) in which some information on participation of PROGRESS's participating countries are available. Greece is notably well involved in the mutual learning programme, peer reviews, the exchanges of good practices or key EU communication events.

The mid-term evaluation ([2]) provides also analysis of the effectiveness, efficiency and impact of PROGRESS in contributing to meeting the Europe 2020 targets and making progress in the fields of employment, social inclusion and social protection,working conditions, gender equality and combating discrimination.

([1]) http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=86&subCategory=987&country=0&year=0&advSearchKey=PerformanceMonitoringReports&mode=advancedSubmit&langId=en.

([2]) http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=86&subCategory=987&country=0&year=0&advSearchKey=progressevaluation&mode=advancedSubmit&langId=en.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010309/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Αποτελεσματικότητα της πρωτοβουλίας «Your first EURES job»

Είναι σε θέση να με ενημερώσει η Επιτροπή κατά πόσον η πιλοτική πρωτοβουλία «Your first EURES job» έχει επιφέρει συγκεκριμένα μετρήσιμα αποτελέσματα στην προσπάθεια καταπολέμησης της νεανικής ανεργίας;

Σκοπεύει στο πλαίσιο του EURES η Επιτροπή να προτείνει την ύπαρξη μιας μόνιμης πύλης για θέματα νεανικής απασχόλησης;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(11 Ιανουαρίου 2013)

Η πρωτοβουλία «Your first EURES job» συνιστά ένα μικρής κλίμακας, στοχοθετημένο πρόγραμμα επαγγελματικής κινητικότητας, με σκοπό να βοηθήσει τους νέους ηλικίας 18-30 ετών να βρουν εργασία σε άλλα κράτη μέλη. Η εν λόγω πρωτοβουλία είναι πιλοτική και πραγματοποιείται στο πλαίσιο της πρωτοβουλίας «Ευκαιρίες για τους νέους», η οποία στοχεύει στην εξασφάλιση 5 000 θέσεων εργασίας έως το 2014. Δεδομένων των πόρων της, καθώς και του γενικού στόχου της, ο αντίκτυπος στην καταπολέμηση της ανεργίας των νέων στην ΕΕ παραμένει περιορισμένος. Το 2013 η Επιτροπή θα ξεκινήσει την εκτίμηση του προγράμματος προκειμένου να αξιολογήσει τα προκαταρκτικά αποτελέσματα και θα αρχίσει τη διαδικασία συναγωγής διδαγμάτων τα οποία θα προκύψουν από την εφαρμογή του.

Για το επόμενο πολυετές δημοσιονομικό πλαίσιο (2014-2020) η Επιτροπή πρότεινε να συνεχίσει τη χρηματοδότηση τέτοιων στοχοθετημένων προγραμμάτων κινητικότητας, στο πλαίσιο του προγράμματος της ΕΕ για την κοινωνική αλλαγή και την καινοτομία, προγραμματίζοντας ενδεικτικά την ενίσχυση αυτών των προγραμμάτων με 9 εκατομμύρια ευρώ κάθε χρόνο. Τα προγράμματα αυτά θα αποτελούν μέρος του άξονα EURES του προγράμματος και συνεπώς θα επωφελούνται από τη διαδικτυακή πύλη EURES.

Ανταποκρινόμενη στην κατάσταση ανεργίας των νέων στην Ευρώπη, η Επιτροπή παρουσίασε στις 5 Δεκεμβρίου 2012 τη δέσμη μέτρων για την απασχόληση των νέων. Συνοψίζοντας τις δυνατότητες κινητικότητας, η εν λόγω δέσμη μέτρων παρουσιάζει μια πρόταση σχετικά με σύσταση του Συμβουλίου για τη θέσπιση εγγυήσεων για τους νέους, οι οποίες θα διασφαλίζουν ότι θα προσφέρεται σε όλους τους νέους μια θέση εργασίας, συνεχής εκπαίδευση, μαθητεία ή πρακτική άσκηση, μέσα σε τέσσερις μήνες από την ολοκλήρωση της τυπικής εκπαίδευσης ή από τη στιγμή που θα μείνουν άνεργοι.

(English version)

Question for written answer E-010309/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Effectiveness of the 'Your first EURES job' Initiative

Can the Commission say to what extent the pilot initiative 'Your first EURES job' has had specific measurable results in efforts to combat youth unemployment?

Does it intend, within the framework of EURES, to propose the existence of a permanent portal for youth employment issues?

Answer given by Mr Andor on behalf of the Commission
(11 January 2013)

'Your first EURES job' is a small scale and targeted job mobility scheme to help young people aged 18-30 to find work in other Member States. This is a pilot initiative in the framework of the 'Youth Opportunities Initiative' which aims to ensure 5000 job placements until 2014. Given its resources and overall target, the impact on EU youth unemployment remains limited. In 2013 the Commission will start the evaluation of the scheme with a view to assess preliminary results and begin the process of drawing lessons learnt from its implementation.

For the next Multiannual Financial Framework (2014-2020) the Commission has proposed to continue funding such targeted mobility schemes under the EU Programme for Social Change and Innovation and indicatively scheduled 9 million EUR each year for such schemes. These schemes will be part of the EURES axis of the programme and therefore they will share and benefit from the EURES portal.

In response to the unemployment situation for young people in Europe, the Commission presented the Youth Employment Package on 5 December 2012. Outlining the possibilities of mobility, this package presents a proposal for a Council Recommendation on Establishing a Youth Guarantee which would ensure that all young people are offered a job, continued education, an apprenticeship or a traineeship within 4 months of leaving formal education or becoming unemployed.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010310/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Αύξηση της κοινοτικής συνδρομής στο πρόγραμμα «φρούτα στα σχολεία»

Σύμφωνα με τον κανονισμό του ευρωπαϊκού προγράμματος «φρούτα στα σχολεία», το πλαίσιο χρηματοδότησης είναι κοινό σε όλα τα κράτη μέλη. Μάλιστα, το άρθρο 21 της ΚΓΠ 2020 προβλέπει αύξηση της κοινοτικής χρηματοδότησης από 50-75% σε 75-90%.

Ερωτάται η Επιτροπή:

Ποια είναι τα κριτήρια σύμφωνα με τα οποία θα επιλέγεται η κοινοτική συνεισφορά (75% ή 90%) σε ένα κράτος μέλος;

Απάντηση του κ. Ciolos εξ ονόματος της Επιτροπής
(19 Δεκεμβρίου 2012)

Το άρθρο 103ζα παράγραφος 4 στοιχείο β) του κανονισμού (ΕΚ) αριθ. 1234/2007 του Συμβουλίου (Ενιαίος κανονισμός ΚΟΑ) ([1]) για τη θέσπιση σχεδίου προώθησης της κατανάλωσης φρούτων στα σχολεία της ΕΕ, ορίζει ότι η ενίσχυση της ΕΕ δεν θα υπερβαίνει το 75% των εξόδων προμήθειας και των συναφών εξόδων σε περιφέρειες επιλέξιμες βάσει του στόχου σύγκλισης και στις εξόχως απόκεντρες περιφέρειες. Για τις άλλες περιφέρειες, η ενίσχυση προβλέπεται να μην υπερβαίνει το 50% των δαπανών αυτών.

Για να ενθαρρύνει τα κράτη μέλη να χρησιμοποιήσουν την ενίσχυση της ΕΕ, το άρθρο 21 της πρότασης για την ΚΓΠ το 2020 προβλέπει να αυξηθεί, για τις λιγότερο αναπτυγμένες περιφέρειες και τις εξόχως απόκεντρες περιφέρειες που αναφέρονται στο άρθρο 349 της Συνθήκης, το μερίδιο της ΕΕ στις ενισχύσεις από το 75% στο 90% των εξόδων προμήθειας και των άλλων σχετικών δαπανών. Για ανάλογες δαπάνες στις άλλες περιφέρειες, το μερίδιο της ενίσχυσης αυξάνεται από 50% σε 75%.

Κατά τον υπολογισμό του ποσοστού των ενωσιακών ενισχύσεων για κάθε κράτος μέλος, προβλέπεται να λαμβάνονται υπόψη οι λιγότερο αναπτυγμένες και οι εξόχως απόκεντρες περιφέρειες.

([1]) EL 299 της 16.11.2007, σ. 1-149.

(English version)

Question for written answer E-010310/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Increasing Community assistance to the School Fruit Scheme

According to the EU's School Fruit Scheme Regulation, the funding framework is common to all Member States. Now Article 21 of the 2020 CAP provides for an increase in Community funding from 50-75% to 75-90%.

In view of the above, will the Commission say:

What are the criteria that determine the percentage of the Community contribution (75% or 90%) in a given Member State?

Answer given by Mr Cioloş on behalf of the Commission
(19 December 2012)

Article 103ga, paragraph 4b of Council Regulation (EC) No 1234/2007 ([1]) (single CMO) setting up the EU School Fruit Scheme, states that the EU aid shall not exceed 75% of the costs of supply and other related costs in the regions eligible under the Convergence Objective and the outermost regions. For the other regions the aid shall not exceed 50% of such costs.

In order to encourage the Member States to use the EU aid, Article 21 of the 2020 CAP proposal foresees to raise for less developed regions and outermost regions, referred to in Article 349 of the Treaty, the EU share of the aid from 75 to 90% of the costs of supply and other related costs. For the other regions the share of the aid is increased from 50 to 75% of such costs.

When calculating the percentage of EU aid for each Member State, its less developed and outermost regions will be taken into account.

([1]) OJ L 299, 16.11.2007, p. 1-149.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010311/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Κέντρα αριστείας στην Ευρώπη

Στην ατζέντα-φάρο της ΕΕ για τις νέες δεξιότητες και θέσεις εργασίας προβλέπεται ότι, έως το 2012, η Επιτροπή θα έπρεπε να έχει προωθήσει έναν χάρτη ευρωπαϊκών κέντρων αριστείας σε νέες δεξιότητες που θα αφορούν εργασίες με σημαντική προστιθέμενη αξία στο μέλλον.

Ερωτάται η Επιτροπή:

1. Ποια τα βασικά αποτελέσματα της συγκεκριμένης μελέτης;

2. Ποιες είναι οι προτάσεις της Επιτροπής για την στήριξη της κινητικότητας των νέων προς αυτά τα κέντρα αριστείας;

Απάντηση της κ. Βασιλείου εξ ονόματος της Επιτροπής
(17 Ιανουαρίου 2013)

Αρκετά κράτη μέλη αναπτύσσουν κέντρα αριστείας με νέες ακαδημαϊκές ειδικότητες, με σκοπό να προετοιμάσουν άτομα υψηλής ειδίκευσης για θέσεις εργασίας σε αναδυόμενους τομείς. Η μελέτη της Επιτροπής σε αυτό το θέμα — τα αποτελέσματα της οποίας αναμένονται στα μέσα του 2013 — στοχεύει να υποστηρίξει αυτή την ενέργεια. Η μελέτη αυτή θα ορίσει πιθανούς καινοτόμους επαγγελματικούς τομείς και δεξιότητες, οι οποίοι απαιτούν νέες ακαδημαϊκές ειδικότητες· θα αντληθούν γνώσεις από τις ορθές πρακτικές που εφαρμόζουν τα αναπτυσσόμενα κέντρα καινοτομίας (ιδιαίτερα εκείνα που είναι διεπιστημονικά ή που αφορούν εξαιρετικά ειδικευμένους τομείς)· και θα προτείνει συστάσεις σχετικά με το πώς θα ευθυγραμμιστούν τα συστήματα εκπαίδευσης και κατάρτισης, ώστε να ανταποκριθούν στην καλύψη των αναγκών για νέες δεξιότητες, συμπεριλαμβανομένης και μέσω της κινητικότητας σπουδαστών.

Η κινητικότητα σπουδαστών σε άλλα κράτη μέλη και σε άλλους ακαδημαϊκούς κλάδους, καθώς και η συνεργασία των ιδρυμάτων, συνιστούν βασικά συστατικά για την ενίσχυση της αριστείας στην ανώτερη εκπαίδευση στην Ευρώπη και αποτελούν την κεντρική ιδέα των προτάσεων της Επιτροπής για το πρόγραμμα «Erasmus για όλους» για την περίοδο 2014-2020. Εκτός από τις «παραδοσιακές» ανταλλαγές κινητικότητας, τους κοινούς τίτλους σπουδών και την υποστήριξη της κινητικότητας για πλήρες μεταπτυχιακό πρόγραμμα μέσω του νέου μηχανισμού εγγύησης δανείων, το πρόγραμμα «Erasmus για όλους» θα προσφέρει στα κέντρα αριστείας πολλές ευκαιρίες βελτίωσης των διεθνών σχέσεών τους, καθώς και προσέλκυσης ταλέντων: είτε στο πλαίσιο των Στρατηγικών σχέσεων με άλλα ιδρύματα ή σχετικούς φορείς (με σκοπό να επεξεργαστούν, για παράδειγμα, νέα προγράμματα σπουδών σε αναδυόμενους κλάδους), ή στο πλαίσιο των *Συμμαχιών γνώσεων* με ευρείας κλίμακας συμπράξεις, ώστε να ενισχυθεί η καινοτομία. Επιπλέον, ενθαρρύνουν τα κέντρα αριστείας να χρησιμοποιήσουν αυτές τις ευκαιρίες για διδακτορικές σπουδές υψηλού επιπέδου, οι οποίες προσφέρονται από το πρόγραμμα Marie Curie.

(English version)

Question for written answer E-010311/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Centres of excellence in Europe

The European flagship initiative — the Agenda for New Skills and Jobs — requires the Commission to have adopted measures by 2012 to promote a European centres of excellence charter for the development of new skills leading to jobs with substantial added value in future.

In view of this:

1. Can the Commission outline the basic findings of the report?

2. What mobility measures does it recommend to attract young people to these centres of excellence?

Answer given by Ms Vassiliou on behalf of the Commission
(17 January 2013)

A number of Member States are developing centres of excellence within new academic specialisations, to prepare highly skilled people for jobs in emerging sectors. The Commission study on this theme — with results due by mid-2013 — aims to support this development. The study will identify potential innovative occupational areas and skills which require new academic specialisations; learn from good practices in developing innovation centres (in particular those that are multidisciplinary or in highly specialised areas); and provide recommendations on how to align education and training systems to respond to new skills needs, including through study mobility.

Study mobility across borders and academic disciplines, as well as collaboration among institutions, are key ingredients for enhancing excellence in European higher education and central to the Commission's proposals for the 'Erasmus for All' programme 2014-2020. In addition to 'traditional' mobility exchanges, joint degrees and support for full Masters degree mobility through the new Loan Guarantee Facility, Erasmus for All will give centres of excellence many opportunities to improve their international collaboration and attract talent: through strategic partnerships with other institutions or relevant actors (to work on new curricula in emerging disciplines, for example), and through *knowledge alliances*, large-scale partnerships with business to foster innovation. Centres of excellence will also be encouraged to use the opportunities for high quality doctoral training offered by the Marie Curie programme.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010312/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(12 Νοεμβρίου 2012)

Θέμα: Τροποποίηση επιχειρησιακών προγραμμάτων στην Ελλάδα για χρηματοδότηση κοινωνικών κατοικιών και για την αντιμετώπιση της αύξησης των αστέγων

Με απάντηση σε προηγούμενη ερώτηση μου (E-006477/2012), ο αξιότιμος Επίτροπος κ. Hahn, ανέφερε ότι το ΕΤΠΑ συγχρηματοδοτεί στεγαστικές παρεμβάσεις υπέρ των περιθωριοποιημένων ομάδων του πληθυσμού. Μάλιστα ανέφερε πως ορισμένες χώρες, όπως η Βουλγαρία, η Ισπανία, η Ρουμανία, η Ελλάδα και η Ουγγαρία, διερευνούν τη δυνατότητα να αναπτύξουν δραστηριότητες και να χρηματοδοτήσουν μια σειρά πιλοτικών ολοκληρωμένων στεγαστικών παρεμβάσεων σε τοπικό ή περιφερειακό επίπεδο.

Ερωτάται η Επιτροπή:

— Έλαβε μέχρι σήμερα από την Ελλάδα αίτημα τροποποίησης των επιχειρησιακών της προγραμμάτων έτσι ώστε να επιτραπούν παρεμβάσεις στον τομέα αυτό (όπως συνέβη στην περίπτωση της Γαλλίας); Στην προτεραιότητα «Πλήρης ενσωμάτωση όλων των ανθρώπινων πόρων σε μια κοινωνία ίσων ευκαιριών» (συνολικός προϋπολογισμός 273 855 563 ευρώ), στο πλαίσιο του προγράμματος «Ανάπτυξη ανθρώπινων πόρων» για την περίοδο 2007-2013, έχουν χρησιμοποιηθεί πόροι για αυτό το σκοπό;

— Είναι σε θέση να με ενημερώσει κατά πόσον η κοινοτική συνεισφορά στον συγκεκριμένο τομέα εμπίπτει στον κανόνα 95% κοινοτική και 5% εθνική συμμετοχή;

— Στο πλαίσιο της συμμετοχής του ΕΤΠΑ προσφέρεται και η εναλλακτική δυνατότητα στήριξης με κοινοτικούς πόρους Μη Κυβερνητικών — Μη κερδοσκοπικών Οργανώσεων που δραστηριοποιούνται στον τομέα στέγασης απόρων;

Απάντηση του κ. Hahn εξ ονόματος της Επιτροπής
(21 Ιανουαρίου 2013)

Στον στεγαστικό τομέα, το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης (ΕΤΠΑ) μπορεί να συγχρηματοδοτήσει την κατασκευή ή την ανακαίνιση κατοικιών σε περιθωριοποιημένες κοινότητες στο πλαίσιο μιας ολοκληρωμένης προσέγγισης που θα επιτρέπει την ενσωμάτωσή τους στον κοινωνικό ιστό ([1]), καθώς και σχέδια που αφορούν την ενεργειακή απόδοση και τις ανανεώσιμες πηγές ενέργειας τα οποία προωθούν την κοινωνική συνοχή ([2]).

1. Η Επιτροπή έλαβε προτάσεις για την αναθέωρηση των ελληνικών επιχειρησιακών προγραμμάτων, τα οποία εγκρίθηκαν τον Δεκέμβριο του 2012. Το επιχειρησιακό πρόγραμμα «Ανάπτυξη ανθρώπινου δυναμικού 2007-2013» (ΕΠ ΑΑΔ), το οποίο συγχρηματοδοτείται από το Ευρωπαϊκό Κοινωνικό Ταμείο, δεν μπορεί να υποστηρίξει παρεμβάσεις που αφορούν τις υποδομές ([3]). Το ΕΠ ΑΑΔ συμβάλλει στην ενεργή ένταξη των ευάλωτων ομάδων στην αγορά εργασίας μέσω της κατάρτισης και της προώθησης στα μέτρα απασχόλησης.

2. Η διευκόλυνση πληρωμής για ορισμένα κράτη μέλη ([4]), η οποία επιτρέπει ποσοστό συγχρηματοδότησης της τάξεως του 5% από το σύνολο του εθνικού προϋπολογισμού και 95% από τα διαρθρωτικά ταμεία, αφορά τις πληρωμές σε άξονες προτεραιότητας και όχι σε προγράμματα. Πράγματι, το ποσοστό της συνδρομής της ΕΕ σε ένα συγκεκριμένο πρόγραμμα μπορεί να διαφέρει από το ποσοστό της συνδρομής της ΕΕ σε μια προτεραιότητα, στο πλαίσιο της οποίας εφαρμόζεται ένα πρόγραμμα.

3. Η Επιτροπή θεωρεί ότι για τα στεγαστικά προγράμματα υπέρ των περιθωριοποιημένων κοινοτήτων, οι δημόσιες αρχές ή οι μη κερδοσκοπικοί φορείς πρέπει να έχουν στην κατοχή τους ή να αποκτήσουν την κατοικία ή τα κτίρια τα οποία συνιστούν επιλέξιμες δαπάνες.

([1]) Άρθρο 7 παράγραφος 2 σημείο 2α του κανονισμού (ΕΚ) αριθ. 1080/2006 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 5ης Ιουλίου 2006, για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης και την κατάργηση του κανονισμού (ΕΚ) αριθ. 1783/1999, ΕΕ L 210 της 31.7.2006, όπως τροποποιήθηκε από τον κανονισμό (ΕΚ) αριθ. 437/2010 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 19ης Μαΐου, ΕΕ L 132 της 29.5.2010.

([2]) Άρθρο 7 παράγραφος 1α του κανονισμού (ΕΚ) αριθ. 1080/2006 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 5ης Ιουλίου 2006, για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης και την κατάργηση του κανονισμού (ΕΚ) αριθ. 1783/1999, ΕΕ L 210 της 31.7.2006, όπως τροποποιήθηκε από τον κανονισμό (ΕΚ) αριθ. 397/2009 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 6ης Μαΐου 2009, ΕΕ L 126 της 21.5.2009.

([3]) Άρθρο 11 παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 1081/2006.

([4]) Κανονισμός (ΕΚ) αριθ. 1311/2011 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 13ης Δεκεμβρίου 2011, για την τροποποίηση του κανονισμού (ΕΚ) αριθ. 1083/2006 όσον αφορά ορισμένες διατάξεις σχετικά με την χρηματοοικονομική διαχείριση για ορισμένα κράτη μέλη που αντιμετωπίζουν ή απειλούνται από σοβαρές δυσκολίες όσον αφορά τη χρηματοοικονομική τους σταθερότητα.

(English version)

Question for written answer E-010312/12
to the Commission
Georgios Papanikolaou (PPE)
(12 November 2012)

Subject: Modification of operational programmes in Greece to fund social housing and combat increased homelessness

In reply to my previous Written Question E-006477/2012, Commissioner Hahn indicated that the European Regional Development Fund was helping to provide housing for marginalised groups of the population, indicating that a number of countries, including Bulgaria, Spain, Romania, Greece and Hungary, were exploring the possibility of providing assistance and funding for a number of local or regional pilot integrated housing schemes.

In view of this:

— Has the Commission received from Greece a request for modification of its operational programme so that help can be provided in this area (as is the case in France, for example)? Has funding been deployed for this purpose under the priority for the full integration of all in a society of equal opportunities (total budget EUR 273 855 563) in the framework of the human resources development programme for the period 2007-2013?

— To what extent is EU funding for this specific purpose covered by the 95% EU and 5% national funding ratio?

— Is an alternative solution possible enabling ERDF assistance to be provided for non-governmental and non-profit making organisations helping to provide housing for those in need?

Answer given by Mr Hahn on behalf of the Commission
(21 January 2013)

In the field of housing, the European Regional Development Fund (ERDF) can co-finance the construction or renovation of houses for marginalised communities in the framework of an integrated approach that allow their integration into the mainstream society ([1]) as well as energy efficiency and renewable energy projects that promote social cohesion ([2]) .

1. The Commission received proposals for the revision of the Greek operational programmes which were adopted in December 2012. The 'Human Resource Development 2007-13' programme (HRD OP) co-financed by the European Social Fund cannot support interventions related to infrastructure ([3]). The HRD OP contributes to the active inclusion of vulnerable groups in the labour market through training and promotion to employment measures.

2. The payment facility for certain Member States ([4]) which allows a co-financing rate of 5% from the national budget and of 95% from the Structural Funds concerns payments to the priority axes and not to projects. Indeed, the rate of EU assistance to a given project can be different from the rate of EU assistance to the priority under which the project is implemented.

3. The Commission takes the view that for housing projects in favour of marginalised communities, public authorities or non-profit operators should own or acquire the housing or buildings which qualify as eligible expenditure.

([1]) Article 7(2)(2a) of Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999, OJ L 210, 31.7.2006, amended by Regulation (EU) No 437/2010 of the European Parliament and of the Council of 19 May OJ L 132, 29.5.2010.

([2]) Article 7(1a) of Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999, OJ L 210, 31.7.2006, amended by Regulation (EC) No 397/2009 of the European Parliament and of the Council of 6 May 2009, OJ L 126, 21.5.2009.

([3]) Article 11.2 of Regulation (EC) No 1081/2006.

([4]) Regulation (EC) No 1311/2011 of the European Parliament and of the Council of 13 December 2011 amending Council Regulation (EC) No 1083/2006 as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010313/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(12 Νοεμβρίου 2012)

Θέμα: Διακοπή αντικαρκινικού φαρμάκου από την εταιρεία Merck προς τα ελληνικά νοσοκομεία

Στην Ελλάδα η φαρμακευτική εταιρεία Merck έπαψε να προμηθεύει τα ελληνικά νοσοκομεία με το αντικαρκινικό φάρμακο Erbitux, λόγω των ανεξόφλητων χρεών του ελληνικού Δημοσίου.

Σύμφωνα με δημοσιογραφικές πληροφορίες, η εταιρεία αποφάσισε τη διακοπή της προμήθειας του φαρμάκου στην Ελλάδα, κι όχι και σε άλλες χώρες της ΕΕ που επίσης έχουν χρέη, επειδή είχε ήδη υποστεί «κούρεμα» των ελληνικών ομολόγων, που είχε συμφωνήσει να λάβει από το ελληνικό Δημόσιο για την εξόφληση παλαιοτέρων οφειλών του. Δεδομένου ότι το ίδιο μπορεί να πράξουν και άλλες εταιρείες, και ότι:

— το άρθρο 168 παρ.1 της Συνθήκης (ΣΛΕΕ) ορίζει ότι, «κατά τον καθορισμό και την εφαρμογή όλων των πολιτικών και δράσεων της Ένωσης, πρέπει να εξασφαλίζεται υψηλό επίπεδο προστασίας της ανθρώπινης υγείας», γεγονός που σημαίνει ότι πρέπει να εξασφαλίζεται υψηλό επίπεδο προστασίας της ανθρώπινης υγείας και οσάκις η Ένωση θεσπίζει πράξεις βάσει άλλων διατάξεων της Συνθήκης,

— η Επιτροπή στην ερώτηση μου (E-005825/2012) με παρέπεμψε στο Πρόγραμμα Οικονομικής Προσαρμογής της Ελλάδας, όπου, προκειμένου να «αποφευχθεί η συσσώρευση νέων καθυστερούμενων οφειλών» του ελληνικού δημοσίου, ορίζεται ότι η εξόφληση των τιμολογίων του Δημοσίου δεν πρέπει να ξεπερνά τις 90 ημέρες από την οριζόμενη ημερομηνία εξόφλησης,

ερωτάται η Επιτροπή:

— Ποια είναι η τιμή με την οποία έχει τιμολογήσει το εν λόγω φάρμακο το αρμόδιο ελληνικό υπουργείο; Ποιες είναι οι τρεις φθηνότερες τιμές αυτού του φαρμάκου στην υπόλοιπη Ευρώπη;

— Εφαρμόζεται από την Ελλάδα ο παραπάνω όρος της εξόφλησης εντός 90 ημερών; Αν ναι, γιατί η εταιρεία αποφάσισε τη διακοπή της παροχής του φαρμάκου, με ενδεχόμενες δραματικές συνέπειες για την υγεία των ασθενών; Αν όχι, πως επιτρέπει η Επιτροπή την κατά προτεραιότητα εξόφληση των δανειστών της Ελλάδας, με αποτέλεσμα το δημόσιο σύστημα υγείας να στερείται των αναγκαίων επιχορηγήσεων για τη συνέχιση της ομαλής προμήθειας φαρμάκων για τον πληθυσμό;

— Επειδή η ενδεχόμενη έλλειψη του φαρμάκου θέτει σε άμεσο κίνδυνο την ανθρώπινη υγεία, θεωρεί η Επιτροπή ότι η διακοπή της παροχής είναι σύμφωνη με την αρχή της καλής πίστης; Τι δυνατότητες διαθέτουν τα κράτη μέλη απέναντι σε τέτοιες ενέργειες προκειμένου να προστατέψουν την υγεία των πολιτών τους; Υπάρχει δυνατότητα αποκλεισμού της Merck από μελλοντικούς διαγωνισμούς προμηθειών;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(21 Ιανουαρίου 2013)

Σύμφωνα με το άρθρο 6 παράγραφος 4 της οδηγίας 89/105/ΕΟΚ του Συμβουλίου ([1]), τα κράτη μέλη οφείλουν να δημοσιεύουν και να κοινοποιούν στην Επιτροπή τον κατάλογο των προϊόντων που καλύπτονται από το ασφαλιστικό τους σύστημα υγείας μαζί με τις τιμές τους, όπως αυτές καθορίζονται από την αρμόδια εθνική αρχή. Ωστόσο, είναι δύσκολη η σύγκριση των τιμών των ιατρικών προϊόντων μεταξύ των χωρών, δεδομένου ότι οι δημοσιευμένες τιμές μπορεί να είναι τιμές σε επίπεδο εργοστασίου ή τιμές λιανικής πώλησης, ότι υπάρχουν διαφορετικοί συντελεστές ΦΠΑ, ότι είναι διαφορετικό το ύψος των εκπτώσεων από χώρα σε χώρα, ότι έχουν διαφορετικές δοσολογίες και συνταγές και διαφορετικά περιθώρια κέρδους στις αλυσίδες διανομής κτλ.

([1]) Οδηγία 89/105/ΕΟΚ του Συμβουλίου, της 21ης Δεκεμβρίου 1988, σχετικά με τη διαφάνεια των μέτρων που ρυθμίζουν τον καθορισμό των τιμών των φαρμάκων για ανθρώπινη χρήση και την κάλυψη του κόστους των στα πλαίσια των εθνικών ασφαλιστικών συστημάτων υγείας, (1989)· ΕΕ L 040/8.

Η Επιτροπή επιθυμεί να επαναλάβει ότι η εξόφληση των ληξιπρόθεσμων οφειλών από δημόσιους φορείς και η αποφυγή της συσσώρευσης νέων οφειλών παραμένει προτεραιότητα του προγράμματος. Επιπλέον, σύμφωνα με την οδηγία 2011/7/ΕΕ για την καταπολέμηση των καθυστερήσεων πληρωμών στις εμπορικές συναλλαγές ([2]) (που πρέπει να μεταφερθεί στο εσωτερικό δίκαιο έως τις 16 Μαρτίου 2013), οι δημόσιες αρχές θα πρέπει να πληρώνουν εντός 30 ημερολογιακών ημερών για την παροχή των αγαθών και των υπηρεσιών, με δυνατότητα παράτασης της προθεσμίας πληρωμής σε 60 ημερολογιακές ημέρες το πολύ για δημόσιους φορείς παροχής ιατρικής μέριμνας οι οποίοι είναι δεόντως αναγνωρισμένοι για τον σκοπό αυτό.

([2]) ΕΕ L 48 της 23.2.2011.

(English version)

Question for written answer E-010313/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(12 November 2012)

Subject: Shipments of cancer drug to Greek hospitals halted by the Merck pharmaceuticals firm

The German pharmaceuticals firm Merck has halted shipments to Greek hospitals of the cancer drug Erbitux because of bills remaining unpaid by the Greek Government.

According to press reports, the company has not halted shipments of the drug to other EU countries which also owe it money but has taken this measure with regard to Greece, having already been forced to take a 'haircut' on Greek Government bonds previously accepted by it in settlement of outstanding debts. In view of the fact that the similar action could be taken by other companies and that:

— Article 68(1) of the Treaty on the Functioning of the European Union states that 'a high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities', which means that it is necessary to ensure a high level of human health protection whenever the Union takes action under other provisions of the Treaty;

— in reply to my Written Question E-005825/2012, the Commission referred me to the Economic Adjustment Programme in Greece and measures to avoid the build up of fresh arrears, requiring the settlement of amounts outstanding no more than 90 days beyond the agreed deadline;

Can the Commission indicate the price of the pharmaceutical in question quoted by the relevant Greek Ministry? What are the three cheapest prices at which the product is sold elsewhere in Europe?

Is the 90-day payment deadline being respected in Greece? If so, why has the company decided to halt shipments of the drug, a measure which will have such a disastrous impact on the health of those needing it? If not, why is the Commission allowing priority to be given to the settlement of Greece's debts, thereby depriving the public health sector of funding for the continued supply of the necessary medicines?

Given that the withholding of the drug would constitute an immediate danger to public health, does the Commission believe such a measure to be in accordance with the principle of good faith? What options are open to Member States in this situation to protect the health of their citizens? Would it be possible to exclude Merck from future invitations to tender?

Answer given by Mr Rehn on behalf of the Commission
(21 January 2013)

According to Article 6(4) of Council Directive 89/105/EEC ([1]), Member States have to publish and communicate to the Commission the list of the products covered by their health insurance system, together with their prices fixed by the national competent authority. However, it is difficult to compare prices of medicinal products across countries as published prices may be ex-factory prices or retail price, there are different levels of VAT, countries apply various rebates, have different dosages and formulations and apply different margins in the distribution chains, etc.

The Commission would like to reiterate that clearing arrears in payments by public bodies and avoiding the build-up of new arrears remains a programme priority. In addition according to Directive 2011/7/EU on late payment in commercial transactions ([2]) (to be transposed by 16 March 2013), public authorities will have to pay within 30 calendar days for the goods and services they procured, with the possibility to extend the payment period to a maximum of 60 calendar days to public entities providing healthcare which are duly recognised for that purpose.

([1]) Council Directive 89/105/EEC of 21 December 1988 relating to the transparency of measures regulating the prices of medicinal products for human use and their inclusion in the scope of national health insurance systems,(1989) OJ L040/8.

([2]) OJ L 48, 23.2.201.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010314/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(12 Νοεμβρίου 2012)

Θέμα: Ρήτρα στο Μνημόνιο Ελλάδας-Τρόικα

Στην Ελληνική Βουλή, κατά τη διάρκεια της συζήτησης για το νέο μνημόνιο, σε μία θυελλώδη συνεδρίαση, όπου υιοθετήθηκαν εξαιρετικά επώδυνα μέτρα σε βάρος του ελληνικού λαού, ειπώθηκε από κυβερνητικά χείλη ότι: «Αυτά είναι τα τελευταία μέτρα … Τα τελευταία. Όποια βελτίωση χρειαστεί στο μέλλον θα γίνει από την πάταξη της φοροδιαφυγής. Είναι η πρώτη φορά που μπαίνει τέτοια ρήτρα στη συμφωνία».

Ερωτάται η Επιτροπή:

— Υπάρχει ρήτρα στη συμφωνία ότι δεν θα υπάρξουν νέα μέτρα, πέρα από αυτά που ψηφίστηκαν με το τρίτο μνημόνιο στις 7.11.2012, και ότι οποιαδήποτε μελλοντική προσαρμογή θα γίνει μόνο από την πάταξη της φοροδιαφυγής;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(16 Ιανουαρίου 2013)

Το μνημόνιο συμφωνίας (ΜΣ) υπογράφηκε στις 10 Δεκεμβρίου 2012. Οι πολιτικές που ορίζονται στο ΜΣ, με την προϋπόθεση ότι θα εφαρμοστούν πλήρως, θεωρούνται επαρκείς για την επίτευξη των στόχων του προγράμματος και οι ελληνικές αρχές είναι έτοιμες να λάβουν μέτρα που ενδεχομένως ενδείκνυνται για τον σκοπό αυτό σε περίπτωση μεταβολής των περιστάσεων ([1]).

([1]) http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp123_en.pdf σ. 142.

(English version)

Question for written answer E-010314/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(12 November 2012)

Subject: Clause in the memorandum of understanding for Greece — Troika

In the course of a particularly acrimonious discussion in the Greek Parliament leading to the adoption of the new Memorandum of Understanding, which will impose particularly harsh austerity measures on the Greek people, the Government gave an undertaking that these would be the last such measures and that any further rationalisation needed in future would be achieved by clamping down on tax evasion, indicating that this was the first time such a clause had been included in the agreement.

In view of this:

Can the Commission indicate whether the agreement contains a clause that no austerity measures addition to those adopted under the third Memorandum of Understanding of 7 November 2012 will be taken and that any future adjustment will only be limited to clamping down on tax evasion?

Answer given by Mr Rehn on behalf of the Commission
(16 January 2013)

The Memorandum of Understanding (MoU) was signed on 10 December 2012. Provided they are fully implemented, the policies set out in the MoU are considered adequate to achieve the objectives of the programme and the Greek authorities stand ready to take any measures that may be appropriate for this purpose if circumstances should change ([1]).

([1]) http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp123_en.pdf, p.142.

(English version)

Question for written answer E-010316/12
to the Council
Julie Girling (ECR)
(12 November 2012)

Subject: Dispute between French and British fishermen over the 12-nautical-mile limit

There has recently been a report of a dispute between British and French fishermen that has resulted in violence between fishermen on board their vessels.

A British boat was fishing 15 nautical miles off the French coast, in an area outside of the 12-nautical-mile limit. Apparently, French authorities had temporarily closed that area to their own fishermen for 'conservation reasons' but were legally unable to do anything to prevent the British fishermen's presence. Technically, while the UK has control over 12 nautical miles of its inland territorial waters, in recognition of 'historical fishing rights' French fishermen are allowed to fish in certain areas within the UK's 6- to 12-nautical-mile limit. UK fishermen do not have reciprocal rights in French waters.

Further information on this dispute can be found at the following links:
http://www.bbc.co.uk/news/uk-england-19907813 and
http://www.independent.co.uk/news/uk/home-news/british-fishermen-to-call-for-royal-navy-support-after-scallop-clash-with-french-8207714.html

Given the importance of strong ongoing dialogue between French and British fisherman with regard to the reform of the common fisheries policy, can the Council confirm what action is being taken in order to resolve this conflict?

Reply
(30 January 2013)

The dispute to which reference is made does not fall within the Council's sphere of competence.

(English version)

Question for written answer E-010317/12
to the Commission
David Martin (S&D)
(12 November 2012)

Subject: Emergency food aid to Cuba and Haiti

I welcome the news that the Commission has released EUR 6 million to assist Cuba and Haiti with food aid and infrastructure assistance following the devastation caused by Hurricane Sandy in such vulnerable areas.

Can the Commission outline the procedure for monitoring the use of this humanitarian assistance to ensure it delivers improvements on the ground to the living conditions of the Cuban and Haitian peoples?

Answer given by Ms Georgieva on behalf of the Commission
(18 December 2012)

The Commission channels EU funds through partners which have undergone a close screening exercise before a grant agreement can be signed with them. These partners are also subject to regular audits and verifications. In addition, the Commission, through its Humanitarian and Civil Protection Directorate-General (DG ECHO), has a worldwide network of field offices with experienced staff, who assist in providing up-to-date analysis of existing and forecast needs in a given country or region, contribute to the development of intervention strategies and policies and provide technical support to EU-funded operations, thus ensuring necessary monitoring of these interventions and facilitating donor coordination at field level.

Being part of this field network, the DG ECHO offices in Port au Prince and Santo Domingo are closely monitoring the implementation of the selected projects on the ground to ensure that the aid made available from the EU budget brings the expected improvements to the living conditions of the most vulnerable people affected by the Hurricane Sandy in Haiti and Cuba.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010318/12
an die Kommission
Sven Giegold (Verts/ALE)
(12. November 2012)

Betrifft: In Griechenland zu verzeichnender Rückgang der Nettoausgaben für die Einfuhr von Erdöl, Erdgas und anderen natürlichen Ressourcen

Aus der Analyse der letzten Leistungsbilanz, die von Eurostat veröffentlicht wurde, geht hervor, dass es in Griechenland zu einem dramatischen Rückgang der Nettoausgaben für die Einfuhr von Eröl, Erdgas und anderen natürlichen Ressourcen gekommen ist (siehe die entsprechenden Angaben in dem beigefügten Diagramm). Die Kommission wird daher um folgende Auskünfte gebeten:

1. Welche Erklärung hat die Kommission für diese Entwicklung?

2. Fall ein bestehender Zahlungsverzug eine signifikante Rolle bei dieser Entwicklung spielt, wer sind die Gläubiger bzw. um welche Gläubigergruppen dürfte es sich handeln?

3. Hat die Kommission angesichts des Ausmaßes des Problems dieses Phänomen bei ihren Troika-Missionen berücksichtigt?

4. Welche Schlussfolgerungen wird die Kommission in Zukunft ziehen?

Antwort von Herrn Rehn im Namen der Kommission
(21. Februar 2013)

Das Energieverbrauchsmuster Griechenlands, das sich gerade im Wandel befindet, wird von der Kommission regelmäßig analysiert. Da die Wirtschaft des Landes in hohem Maße vom Erdöl abhängt (rund 60 % des Gesamtenergieverbrauchs werden durch Erdöl gedeckt), führt die anhaltend tiefe wirtschaftliche Rezession in Griechenland unweigerlich dazu, dass die Nachfrage sowohl der privaten Haushalte als auch der Industrie nach Erdöl und anderen natürlichen Ressourcen nachlässt. Auch die Fluktuation der Erdölpreise auf dem Weltmarkt und die steigende inländische Besteuerung des Erdölverbrauchs haben zum Rückgang der Nachfrage und damit zu einer Verringerung der Ausgaben für Erdölimporte beigetragen. Die Kommission erwartet, dass sich die Nettoausgaben für Erdöl aufgrund einer wachsenden Nachfrage im Zuge des für 2014 prognostizierten BIP-Anstiegs erhöhen werden, dieser Anstieg jedoch durch eine erhöhte Effizienz des Energiesektors infolge laufender und geplanter Reformen zum Teil wieder ausgeglichen wird.

(English version)

Question for written answer E-010318/12
to the Commission
Sven Giegold (Verts/ALE)
(12 November 2012)

Subject: Reduction in net spending on imports of oil, gas and other natural resources in Greece

The analysis of the latest current account data published by Eurostat shows a dramatic reduction in net spending on imports of oil, gas and other natural resources (see the corresponding line on the graph submitted with this question) in Greece. This being so,

1. How does the Commission explain this development?

2. If unpaid bills play a significant role in this development, who are the creditors, or what groups of creditors are likely to be involved?

3. Bearing in mind the scale of the problem, has the Commission taken this phenomenon into account in the course of its troika missions?

4. What conclusions will the Commission draw in future?

Answer given by Mr Rehn on behalf of the Commission
(21 February 2013)

The Commission regularly analyses the changing pattern of the energy consumption in Greece. As the country's economy is highly dependent on oil (accounting for around 60% of total energy consumption), the deep prolonged economic recession in Greece is inevitably reflected in decreased demand for oil and other natural resources, from both household and industry sectors. Moreover, the fluctuation of global oil prices and rising domestic taxation on oil consumption contributed to fall in demand, hence reduction on spending on imports of oil. The Commission expects an increase of the net oil bill originating from higher demand matching an increase in GDP, which is projected to occur in 2014, partly compensated by an improved efficiency in energy sector reflecting ongoing and planned reforms.

(English version)

Question for written answer E-010319/12
to the Commission (Vice-President/High Representative)
Diane Dodds (NI)
(12 November 2012)

Subject: VP/HR — Further attacks on Christians in Nigeria

Forty-six people, mainly students, were killed in October 2012 by gunmen at the campus of the Federal Polytechnic Mubi in Adamawa state, north-eastern Nigeria. The perpetrators reportedly separated Muslim students from the Christians. No group has claimed responsibility, but the attack could be the work of the extreme Islamist group, Boko Haram.

1. The Vice-President/High Representative has previously stated that the EU is working together with Nigeria to help it tackle the challenges of creating durable security and dealing with the multiple socioeconomic and political factors conducive to radicalisation. Can the VP/HR outline the nature of this work and her assessment of the progress made?

2. The Vice-President/High Representative further states that the EU has already reoriented important parts of its cooperation programme with Nigeria to the north of the country to accelerate action against poverty and deprivation there. What assessment does the VP/HR have of the success of this move?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(30 January 2013)

The escalating violence in parts of northern Nigeria is a growing cause of concern for those inside and outside the country. The EU is working with Nigeria to help it tackle the challenges of creating durable security and dealing with the factors conducive to radicalisation, through both continuous political dialogue on appropriate approaches to the problems, as well as targeted aid interventions. A mission is currently (early December 2012) in Nigeria to examine specific forms of support to fight terrorism.

The EU already undertakes a number of programmes providing social assistance, e.g. through maternal care, and water resources in the North. However, consideration is being given to focusing more attention under the 11th European Development Fund (EDF) on integrated programmes that tackle the full range of economic and social challenges that give impetus to the violence.

In addition, in July 2012 the EU provided capacity building for mediation in one of the most fragile areas, using funds from a special initiative by Parliament (EEAS BL 2238). Another project is being prepared which focuses on conflict prevention and youth employment for this area.

(Version française)

Question avec demande de réponse écrite E-010320/12
au Conseil
Rachida Dati (PPE)
(12 novembre 2012)

Objet: Simplifier les visas touristiques pour miser sur nos meilleurs atouts

L'Europe est la première destination touristique mondiale, et le tourisme pourrait représenter jusqu'à 1,6 million d'emplois en plus d'ici à 2022. Ce secteur ne souffre pas de la crise, et nous devons nous appuyer sur lui pour en faire un véritable moteur de croissance. Il a des retombées sur l'ensemble de nos économies.

Comment procéder? Une mesure simple et au résultat garanti, c'est de faciliter l'obtention des visas pour les ressortissants des pays dont nous savons qu'un nombre important de touristes provient. Faciliter les visas pour ces touristes, ce n'est pas réduire nos exigences en matière d'immigration, c'est seulement accélérer la délivrance de leurs visas.

Il est temps de donner la priorité à nos nouveaux partenaires à croissance forte, que l'on appelle encore souvent, à tort, «émergents». Ces pays, comme la Chine ou la Russie, ont connu des mutations politiques et économiques fulgurantes. Or, nos systèmes de délivrance des visas ont peu évolué, traitant leurs ressortissants de manière insatisfaisante.

Ces touristes sont les porteurs de notre croissance, de nos emplois, ils sont les messagers du rayonnement de notre culture. Peut-on se permettre de les faire attendre plusieurs mois pour la délivrance d'un visa, quand ils peuvent commander leurs billets d'avion en ligne en quelques minutes à peine? Si nous ne leur ouvrons pas nos portes, d'autres le feront. Le secteur du tourisme, tout comme nos économies, en pâtiraient fortement.

Nous devons désormais traiter ces pays avec les égards qui leurs sont dus. Voilà trop longtemps qu'ils nous demandent d'agir, nous devons les entendre! Nous devons engager un dialogue sincère et constructif avec eux, et notamment avec la Russie, afin de renforcer activement les liens culturels et économiques privilégiés qui nous unissent à cette grande puissance alliée. Cela doit être une priorité. Et, à quelques semaines du sommet UE-Russie, nous devons sérieusement réfléchir à une exemption des visas pour les ressortissants russes.

C'est pourquoi je demande au Conseil s'il va répondre à l'appel que lui ont lancé les commissaires Antonio Tajani et Cecilia Malmström, en prenant une position claire? L'Union doit adopter des règles intelligentes pour l'octroi de ses visas, et nous avons tout intérêt à ce que cela soit fait rapidement.

Réponse
(30 janvier 2013)

1. Le 7 novembre 2012, la Commission a transmis au Conseil et au Parlement européen une communication intitulée «La mise en œuvre et l'amélioration de la politique commune des visas comme levier de croissance dans l'UE» ([1]). En vue d'engager un débat au niveau de l'UE sur la nécessité d'accroître les flux de touristes à destination de l'Europe en raison de l'incidence favorable qu'ils exercent sur l'économie, la communication recense certaines lacunes dans la mise en œuvre des procédures en vigueur dans le cadre du code des visas. Elle passe également en revue les initiatives qui pourraient être envisagées afin d'assurer une mise en œuvre optimisée de ce code et avance quelques idées concernant des modifications futures des règles en matière de délivrance des visas, qu'il serait utile de creuser davantage. Dans ce contexte, la Commission suggère notamment de concevoir une méthode qui tienne mieux compte des considérations économiques dans le cadre de la prochaine révision (prévue en 2013) du règlement nº 539/2001 ([2]) (listes de pays dont les ressortissants doivent être en possession d'un visa). En outre, la Commission suggère de tenir compte de certains développements technologiques, comme le système électronique de visas demandé par l'Organisation mondiale du tourisme. Le Conseil a l'intention d'examiner cette communication de manière approfondie.

([1]) Doc. 16019/12 VISA 221 COMIX 632.
([2]) Règlement (CE) nº 539/2001 du Conseil du 15 mars 2001 fixant la liste des pays tiers dont les ressortissants sont soumis à l'obligation de visa pour franchir les frontières extérieures des États membres et la liste de ceux dont les ressortissants sont exemptés de cette obligation.

2. Pour ce qui est de la Russie, que l'Honorable Parlementaire mentionne dans sa question, les ressortissants de ce pays et ceux de l'UE bénéficient à l'heure actuelle des dispositions de l'accord UE-Russie visant à faciliter la délivrance de visas ([3]). L'UE et la Russie négocient actuellement une modification de cet accord afin d'améliorer encore leur coopération dans ce domaine. En outre, l'UE et la Russie sont en train de mettre en œuvre des mesures communes en vue d'un régime d'exemption de visas pour les séjours de courte durée en faveur des citoyens de la Fédération de Russie et de l'UE, adoptées lors du sommet UE-Russie du 15 décembre 2011. À l'occasion du Conseil permanent de partenariat UE-Russie du 3 octobre 2012, l'UE et la Fédération de Russie se sont félicitées que la mise en œuvre de ces mesures communes soit en cours et ont confirmé une nouvelle fois leur volonté de faire avancer les travaux en commun dans ce contexte ([4]).

([3]) JO L 129 du 17.5.2007, p. 27.
([4]) Doc. 14557/12.

(English version)

Question for written answer E-010320/12
to the Council
Rachida Dati (PPE)
(12 November 2012)

Subject: Simplifying tourist-visa issuing procedures — making the most of Europe's assets

Europe is the world's main tourist destination, and the sector has the potential to create up to 1.6 million extra jobs between now and 2022. Given that the tourism industry has not been affected by the crisis, Europe should make it a real engine of growth. In turn, this will have a positive impact on all other sectors of the economy.

How can this be achieved? One simple and effective step would be to make it easier for people to obtain visas, particularly those nationalities for whom Europe is a popular tourist destination. This would not involve a reduction in immigration requirements. Rather, people would simply be issued with their visas more quickly.

Our new economic partners, who are experiencing fast growth and whom we are wrong to call 'emerging countries', should now be our priority. These countries, such as China and Russia, have undergone remarkable political and economic transformations. Meanwhile, our systems for issuing visas have changed little and do not adequately meet the needs of people from those countries.

These tourists generate growth and create jobs in Europe, and spread the word about our culture overseas. Can we afford to make them wait several months for their visas when it takes them only a few minutes to purchase flight tickets online? If we do not open our doors to them, then other countries will beat us to it, and our tourism sector, and economies as a whole, will suffer greatly as a result.

From now on, we must treat these countries with the respect they deserve. They have been calling for us to take action for far too long, and it is time that we paid attention. We must pursue an open and constructive dialogue with them, in particular with Russia, in order to actively strengthen the special cultural and economic ties we have with our powerful ally. This must be made a priority. What is more, with only a few weeks remaining until the EU-Russia Summit, we should think seriously about a visa exemption for Russian nationals.

In the light of the above, does the Council intend to respond to the call of Commissioners Antonio Tajani and Cecilia Malmström and adopt a clear position? The Union needs to adopt an intelligent set of rules for issuing visas, and we all have an interest in seeing that happen sooner rather than later.

Reply
(30 January 2013)

1. On 7 November 2012 the Commission forwarded the Council and the European Parliament a communication on the implementation and development of the common visa policy to spur growth in the EU ([1]). With a view to initiating a debate at EU level as regards the need to increase tourist flows to Europe owing to the favourable impact which tourists have on the economy, the communication identifies certain shortcomings in the implementation of current procedures under the Visa Code. It also explores initiatives that could be envisaged to ensure an optimised implementation of that Code, and suggests some ideas towards future amendments of the visa rules that should be further explored. In this context, the Commission suggests in particular developing a methodology so that the next revision (planned for 2013) of Regulation No 539/2001 ([2]) (lists of countries whose nationals are required to possess a visa) takes better account of economic considerations. Moreover, the Commission also suggests taking into account some technological developments, like the electronic visa system which is sought by the UN World Tourism Organisation. The Council intends to examine this communication in detail.

([1]) 16019/12 VISA 221 COMIX 632.
([2]) Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

2. As regards Russia, which the Honourable Member has referred to in her question, the nationals of that country and of the EU benefit at present from the provisions of the 2007 EU-Russia Visa Facilitation Agreement ([3]). The EU and Russia are currently negotiating an amendment to this agreement in order to further improve the cooperation with Russia in this area. In addition, the EU and Russia are in the process of implementing the 'Common steps towards visa-free short term travel for Russian and EU citizens' adopted at the EU-Russia Summit on 15 December 2011. At the EU-Russia Permanent Partnership Council on 3 October 2012, the EU and Russia welcomed the ongoing implementation of the Common Steps and reconfirmed their willingness to progress in joint work in that context ([4]).

([3]) OJ L 129, 17.5.2007, p. 27.
([4]) 14557/12.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010322/12
à Comissão
Nuno Melo (PPE)
(12 de novembro de 2012)

Assunto: Lagoa dos Salgados

Situada no Algarve, sobre os antigos sapais de Pêra, a Lagoa dos Salgados tornou-se nos últimos anos um dos locais mais visitados para observação de aves.

Nesta lagoa, existem manchas de vegetação herbácea de conservação prioritária, que servem de refúgio a várias espécies de aves protegidas e de interesse comunitário.

Considerando o seguinte:

— A Lagoa dos Salgados tem um papel importante do ponto de vista paisagista, recreativo e ecológico;

— A referida Lagoa está inserida num dos poucos troços de acumulação de areias do barlavento, onde podemos encontrar um significativo campo de dunas cinzentas, ou seja, dunas fixas com vegetação herbácea de Crucianellion maritimae, habitat de conservação prioritária, segundo a Diretiva 92/43/CEE, do Conselho, de 21 de maio (Diretiva Habitats);

— Neste local encontram-se 39 espécies classificadas de aves no Anexo A-I da Diretiva 79/409/CEE do Conselho, de 21 de abril (Diretiva Aves), como espécies de interesse comunitário (por exemplo, o perna-longa (Himantopus himantopus), o guarda-rios (Alcedo atthis), a calhandrinha (Calandrella brachydactyla), o alcaravão (Burhinus oedicnemus), o tartaranhão-ruivo-dos-pauis (Circus aeruginosus), etc.), tendo duas delas estatuto de conservação prioritário — o caimão (Porphyrio porphyrio) e o zarro-castanho (Aythya nyroca);

— Recentemente, foi anunciada a intenção da construção de três unidades hoteleiras, seis aldeamentos e um campo de golfe que porão em risco todo o ecossistema em torno da Lagoa dos Salgados.

Pergunto à Comissão:

Tem conhecimento desta situação?

Não considera que a intenção anunciada da construção de três unidades hoteleiras, seis aldeamentos e um campo de golfe em torno da Lagoa dos Salgados viola o Direito Comunitário em matéria de conservação da natureza, tendo em conta a Diretiva 92/43/CEE e a Diretiva 79/409/CEE do Conselho?

Resposta dada por Janez Potočnik em nome da Comissão
(7 de janeiro de 2013)

A Comissão tem conhecimento e acompanha de perto a situação na Lagoa dos Salgados, e solicitou já esclarecimentos às autoridades portuguesas. As informações comunicadas por Portugal estão a ser examinadas.

(English version)

Question for written answer E-010322/12
to the Commission
Nuno Melo (PPE)
(12 November 2012)

Subject: Salgados Lake

Salgados Lake, located on the former Pêra marshes in the Algarve, has become one of the most popular birdwatching destinations in recent years.

This lake is home to stretches of herbaceous vegetation whose conservation is a priority and which serve as a refuge for several species of protected birds of community importance.

Given that:

— Salgados Lake plays an important role from a landscape, leisure and environmental perspective;

— This lake forms part of one of the few stretches of windward sand ramps, where we can find a significant field of grey dunes, that is, fixed dunes with herbaceous vegetation (*Crucianellion maritimae*): a priority conservation habitat under Council Directive 92/43/EEC of 21 May 1992 (the Habitats Directive);

— This place is home to 39 species of birds classified as species of community importance in Annex A-I to Council Directive 79/409/EEC of 2 April 1979 (Birds Directive) (*inter alia* the Black-winged Stilt (*Himantopus himantopus*), the Common Kingfisher (*Alcedo atthis*), the Greater Short-toed Lark (*Calandrella brachydactyla*), the Eurasian Stone-curlew (*Burhinus oedicnemus*), and the Western Marsh Harrier (*Circus aeruginosus*)). Two of these species have priority conservation status: the Purple Swamphen (*Porphyrio porphyrio*) and the Ferruginous Duck (*Aythya nyroca*);

— The intention to build three hotels, six holiday villages and a golf course, which will jeopardise the entire ecosystem surrounding Salgados Lake, was recently announced;

I ask the Commission:

Is it aware of this situation?

Does it not believe that the stated intention to build three hotels, six holiday villages and a golf course around Salgados Lake is in breach of EC law on nature conservation, bearing in mind Council Directives 92/43/EEC and 79/409/EEC?

Answer given by Mr Potočnik on behalf of the Commission
(7 January 2013)

The Commission is aware of the situation in Salgados and follows it up closely, having requested an explanation from the Portuguese authorities. The information supplied by Portugal is currently under evaluation.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010323/12
à Comissão
Nuno Melo (PPE)
(12 de novembro de 2012)

Assunto: Exportações europeias de azeite

Face à possível restrição às importações de azeite que está a ser ponderada nos Estados Unidos através da publicação de uma marketing order,

Considerando que:

— O mercado dos EUA é um dos mais importantes para a Espanha e é o sexto para Portugal;

— Esta restrição irá afetar particularmente as exportações europeias, uma vez que os europeus terão maiores custos para colocar o azeite no mercado norte-americano;

— Nos primeiros oito meses do ano em curso, Portugal exportou para este país 2,9 milhões de euros em azeite.

Pergunto à Comissão:

1. Que avaliação faz da situação descrita?

2. Não considera que deve existir uma defesa dos interesses europeus nesta matéria, através de uma ação diplomática da UE, concertada com os Estados-Membros produtores?

Resposta dada por Dacian Cioloş em nome da Comissão
(17 de janeiro de 2013)

A Comissão remete o Senhor Deputado para a sua resposta à pergunta escrita E-9729/12 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010323/12
to the Commission
Nuno Melo (PPE)
(12 November 2012)

Subject: European olive oil exports

Regarding the possible restriction on olive oil imports that is being considered in the United States through the publication of a marketing order,

Whereas:

— The USA is one of the largest markets for Spain and the sixth largest for Portugal;

— This restriction will particularly affect European exports, since it costs Europeans more to place their olive oil on the American market;

— In the first eight months of this year, Portugal exported 2.9 million euros' worth of olive oil to this country.

I therefore ask the Commission:

1. What is its assessment of this situation?

2. Does it not believe that European interests in this area must be defended through diplomatic action taken by the EU together with Member State producers?

Answer given by Mr Cioloş on behalf of the Commission
(17 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-9729/12 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010324/12
à Comissão
Nuno Melo (PPE)
(12 de novembro de 2012)

Assunto: Ameaça aos apicultores portugueses

Segundo notícia veiculada pela comunicação social portuguesa, foi confirmada em nove localizações do distrito de Viana do Castelo a presença da vespa Velutina nigrithorax, que é conhecida por atacar colmeias de abelhas.

Esta espécie é originária do sudoeste asiático e chegou à Europa por via marítima, tendo sido detetada pela primeira vez em Bordéus (França) no ano de 2004.

A agressividade desta vespa aumentou o estado de alerta entre os apicultores do Alto Minho, temendo-se que a não serem encontradas formas de destruição dos seus ninhos, de forma a abrandar a sua proliferação, este problema poderá rapidamente alastrar-se a todo o continente português.

Pergunto à Comissão:

Tem conhecimento desta situação?

Que medidas está disposta a implementar, para combate, prevenção e erradicação da vespa Velutina nigrithorax no espaço da UE?

Tendo em conta que o setor apícola da UE já se debate com o trágico aumento da taxa de mortalidade das abelhas, que apoios extraordinários está disposta a colocar à disposição dos apicultores portugueses face a esta nova ameaça?

Resposta dada por Janez Potočnikem em nome da Comissão
(7 de janeiro de 2013)

A Comissão está plenamente ciente dos problemas crescentes causados por espécies exóticas invasoras, bem como da presença e proliferação na Europa da *Vespa velutina nigrothorax* e das suas consequências negativas.

A Comissão está atualmente a elaborar uma proposta para tratar a questão a perda de biodiversidade e outros problemas ligados às espécies exóticas invasoras. Está a ser preparado o enquadramento necessário para dar prioridade a ações relativas a determinadas espécies exóticas invasoras, com base nas provas científicas sólidas do risco para a biodiversidade decorrente da sua presença e consequente impacto económico e social negativo.

Embora a Comissão não proporcione «apoios extraordinários» para este tipo de questão, os Estados-Membros podem, ao abrigo de programas apícolas nacionais, obter apoio financeiro para o setor apícola a fim de estimular a produção e a comercialização de produtos apícolas. O problema levantado afeta o número de colónias de abelhas e tem repercussões sobre a produção de mel. As medidas para combater esta situação são, em princípio, elegíveis para apoio financeiro aos programas apícolas previsto nos artigos 105.° a 109.° do Regulamento (CE) n.° 1234/2007 ([1]). Os referidos programas serão elaborados em estreita colaboração com as organizações representativas e atenderão às suas necessidades concretas. Compete a cada Estado-Membro decidir quanto às medidas apoiadas no âmbito do programa.

No caso vertente, é conveniente contactar as organizações de apicultores e as autoridades nacionais em Portugal a fim de as alertar para o assunto, para que este possa ser tido em conta aquando da elaboração do próximo programa apícola para o período 2014-2016.

([1]) JO L 299 de 16.11.2007.

(English version)

Question for written answer E-010324/12
to the Commission
Nuno Melo (PPE)
(12 November 2012)

Subject: Threat to Portuguese beekeepers

It has been reported in the Portuguese press that the presence of the Velutina nigrithorax hornet, which is known for attacking beehives, has been confirmed at nine locations in the district of Viana do Castelo.

This species originates in south-west Asia and arrived in Europe by sea. It was first detected in Bordeaux (France) in 2004.

Bearing in mind the aggressive nature of this hornet, beekeepers in the Alto Minho region of Portugal have been on high alert. It is feared that the problem could quickly spread throughout the Portuguese mainland unless methods are found to destroy this hornet's young and halt its proliferation.

Is the Commission aware of this situation?

What steps will it take to combat, prevent and eradicate the Velutina nigrithorax hornet in the EU?

Bearing in mind that the EU beekeeping sector is already having to cope with a tragic increase in the bee mortality rate, what exceptional support will it make available for Portuguese beekeepers in the light of this new threat?

Answer given by Mr Potočnik on behalf of the Commission
(7 January 2013)

The Commission is well aware of the accelerating problems caused by invasive alien species (IAS) and it is aware of the presence and spread in Europe of *Vespa velutina nigrothorax* and of its negative impacts.

The Commission is in the process of developing a proposal to address the loss of biodiversity and other problems linked to IAS. Work is ongoing to set up a framework to prioritise action on certain IAS on the basis of sound scientific evidence of their risk to biodiversity and their negative economic and social impacts.

Even though there is no 'exceptional support' provided by the Commission for this type of matter, under the national apiculture programmes Member States can obtain financial support for the beekeeping sector to foster the production and marketing of apicultural products. The matter presented affects the number of bee colonies and has repercussions on the production of honey. Measures to combat such a situation are in principle eligible for the financial support to apicultural programmes provided under Articles 105-109 of Regulation 1234/2007 ([1]). These programmes shall be drawn up in close collaboration with the respective organisations and address their specific needs. It is up to each Member State to decide about the measures supported within the programme.

In this case it is advisable to contact the beekeeping organisations and national authorities in Portugal in order to raise their awareness and to consider this issue when drawing up the next apiculture programme for the period 2014-2016.

([1]) OJ L 299, 16.11.2007.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010325/12
à Comissão
Nuno Melo (PPE)
(12 de novembro de 2012)

Assunto: Desemprego dos jovens na União Europeia

Considerando o seguinte:

— Em Portugal, os jovens entre os 15 e os 29 anos que não estudam nem trabalham já custam aos Estado 2 680 milhões de euros por ano. É um montante que já corresponde a 1,57 % do Produto Interno Bruto (PIB);

— Em agosto de 2012, segundo o Eurostat, o desemprego dos jovens com menos de 25 anos já tinha atingido 22,7 % da média dos 27 países da União Europeia, correspondendo a 5,5 milhões de euros;

— Em 2011, os chamados NEET *(not in employment, education or training)* correspondiam a 33 % da população da União Europeia, 14 milhões de jovens.

— Além das evidentes perdas económicas, o desemprego de longa duração assume proporções alarmantes, com a adoção de comportamentos de risco, stress psicológico e abstencionismo eleitoral, com a tendência comprovada de estes jovens se afastarem dos partidos políticos e aderirem a movimentos propensos a protestos radicais.

Pergunto à Comissão:

Sabendo o custo social e económico do desperdício de toda uma geração que surge como a mais qualificada de sempre, que medidas apresenta a Comissão face à necessidade de recuperar estes jovens e combater esta apatia política social e cívica?

Resposta dada por László Andor em nome da Comissão
(17 de janeiro de 2013)

A Comissão está perfeitamente ciente da situação que o Senhor Deputado descreve relativamente ao desemprego jovem em toda a UE.

Portugal é um dos oito Estados-Membros que gera mais preocupação e para os quais a Comissão, em conformidade com a Iniciativa Oportunidades para a Juventude ([1]), organizou equipas de ação compostas por funcionários da Comissão e nacionais, em fevereiro de 2012, com o objetivo de redistribuir os fundos não atribuídos da UE a medidas destinadas a resolver o desemprego jovem e a apoiar as PME.

O governo português desenvolveu, assim, o seu programa estratégico *Impulso Jovem* para estimular a empregabilidade dos jovens. O programa, lançado em 1 de agosto de 2012, foi cofinanciado pelo FSE e pelo FEDER e deverá beneficiar 90 000 jovens portugueses.

Em 20 de novembro, a Comissão adotou a Comunicação «Repensar a Educação: Investir nas competências para melhores resultados socioeconómicos» ([2]), que tem como objetivo munir os jovens das qualificações adequadas para entrarem no mercado de trabalho ou criarem as suas próprias empresas.

No seu Pacote para o emprego dos jovens ([3]), de 5 de dezembro, a Comissão propõe uma recomendação do Conselho relativa à Garantia para a Juventude que convida os Estados-Membros a garantir que todos os jovens com menos de 25 anos recebem uma oferta de emprego de boa qualidade, formação contínua, aprendizagem ou um estágio no prazo de quatro meses após terminarem a sua educação formal ou ficarem desempregados.

Este pacote também inclui iniciativas relativas a estágios, a contratos de aprendizagem e à mobilidade profissional, que têm como objetivo aumentar a empregabilidade dos jovens e assim reduzir o número de jovens que não estão empregados nem inseridos em programas de educação ou formação.

([1]) COM(2011) 933 de 20 de dezembro de 2011.
([2]) COM(2012) 669 de 20 de novembro de 2012.
([3]) COM(2012) 727-728-729.

Tanto o Pacote para o emprego dos jovens como a Comunicação «Repensar a Educação» criaram, nomeadamente, uma Aliança Europeia para a Aprendizagem com o objetivo de acelerar a progressão da aprendizagem no local de trabalho.

(English version)

Question for written answer E-010325/12
to the Commission
Nuno Melo (PPE)
(12 November 2012)

Subject: Youth unemployment in the European Union

In Portugal, young people between the ages of 15 and 29 who are neither studying nor working are already costing the state EUR 2.680 billion per year. This sum corresponds to 1.57% of gross domestic product (GDP). According to Eurostat, unemployment among young people under 25 reached an average of 22.7% in the 27 European Union countries in August 2012, corresponding to 5.5 million young people. In 2011, so-called NEETS (not in education, employment or training) accounted for 33% of the European Union population, i.e. 14 million young people.

In addition to the evident economic losses, long-term unemployment is reaching alarming proportions, leading to the adoption of risk-taking behaviour, psychological stress and abstention in elections. It has been shown that the young people affected are likely to distance themselves from political parties and join radical protest movements.

Given the social and economic cost resulting from the waste of an entire generation which is better qualified than ever before, what measures does the Commission propose in order to reintegrate the young people affected and combat this political, social and civic apathy?

Answer given by Mr Andor on behalf of the Commission
(17 January 2013)

The Commission is well aware of what the Honourable Member describes regarding youth unemployment across the EU.

Portugal is one of the eight most concerned Member States, for which the Commission, in line with the Youth Opportunities Initiative ([1]), organised action teams of Commission and national officials in February 2012, with the aim to re-allocate uncommitted EU funds towards measures meant to tackle youth unemployment and support SMEs.

The Portuguese Government thus developed its *Impulso Jovem* strategic programme to foster young people's employability. Co-financed by ESF and ERDF, and launched on 1st August 2012, it should benefit to 90,000 young Portuguese.

On November 20th, the Commission adopted a communication ([2]) on 'Rethinking Education: Investing in skills for better socioeconomic outcomes', aiming at equipping young people with the right skills to enter the labour market or create their own business.

In its Youth Employment Package ([3]) (YEP) of December 5th, the Commission proposes a Council recommendation on Youth Guarantee, calling on Member States to ensure that all young people under 25 receive a good quality offer of employment, continued education, an apprenticeship or a traineeship within a four months of leaving formal education or becoming unemployed.

The YEP also includes initiatives on traineeships, apprenticeships and job mobility aiming to increase young people's employability and thus reduce the number young people neither in employment, education or training

Both YEP and the 'Rethinking Education' Communication set out in particular a European Alliance for Apprenticeships in order to accelerate improvements in work-based learning.

([1]) COM(2011) 933 of 20 December 2011.
([2]) COM(2012) 669 final of 20 November 2012.
([3]) COM(2012) 727-728-729.

(българска версия)

Въпрос с искане за писмен отговор E-010326/12
до Комисията
Филиз Хакъева Хюсменова (ALDE)
(12 ноември 2012 г.)

Относно: Опазване и развитие на европейското културно наследство

В съответствие с член 2 от Лисабонския договор Европейският съюз „зачита богатството на своето културно и езиково многообразие и следи за опазването и развитието на европейското културно наследство.“ Тъй като България е член на Съюза, нейното историческо и културно наследство е част от общите европейски ценности. В този смисъл не следва ли Комисията да се отнася към него като към такова и не лишава ли този аргумент от основание представители на Комисията да се произнасят, че то е въпрос, който следва да се изяснява между Република България и Македония? Още повече, че в същия член на Договора е посочено, че в „отношенията си с останалата част от света Съюзът утвърждава и насърчава своите ценности и интереси и допринася за защитата на своите граждани“. Нещо повече, член 3 изисква, съгласно принципа на лоялното сътрудничество, Съюзът и държавите членки, при пълно взаимно зачитане, да си съдействат при изпълнението на задачите, произтичащи от Договорите, и да взимат всички общи или специални мерки, необходими за гарантиране на задълженията си.

Отговор, даден от г-н Фюле от името на Комисията
(22 януари 2013 г.)

Комисията оценява значението на член 3 от Договора за Европейския съюз по отношение на опазването на европейското културно наследство.

Комисията многократно е подчертавала значението на добросъседските отношения и регионалното сътрудничество като основни елементи в процеса на стабилизиране и асоцииране.

Комисията приветства неотдавнашните контакти на високо равнище между България и бивша югославска република Македония, целящи насърчаването на добросъседските отношения.

В съответствие със заключенията на Съвета от 11 декември 2012 г. през пролетта на 2013 г. Комисията ще представи доклад за напредъка, включително относно предприетите стъпки за насърчаване на добросъседските отношения.

(English version)

Question for written answer E-010326/12
to the Commission
Filiz Hakaeva Hyusmenova (ALDE)
(12 November 2012)

Subject: Conservation and development of Europe's cultural heritage

Article 2 of the Treaty of Lisbon states that the European Union 'shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.' Bulgaria is a member of the EU and its historical and cultural heritage form part of Europe's common assets. Should not the Commission therefore treat is as such and is this status not being undermined by the statements made by Commission representatives to the effect that this is a matter which should be clarified between the Republic of Bulgaria and Macedonia? What is more, that Article of the Treaty specifies that in 'its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens'. There is one more thing: Article 3 of the Treaty requires, pursuant to the principle of sincere cooperation, that the Union and the Member States shall, in full mutual respect, assist each other in carrying out tasks which flow from the Treaties and take any appropriate measure, general or particular, to ensure fulfilment of their obligations.

Answer given by Mr Füle on behalf of the Commission
(22 January 2013)

The Commission is aware of the importance of Article 3 of the Treaty on European Union with regard to the preservation of Europe's cultural heritage.

The Commission has consistently underlined the importance of good neighbourly relations and regional cooperation as essential elements of the Stabilisation and Association Process.

The Commission welcomes recent high level contacts between Bulgaria and the former Yugoslav Republic of Macedonia aimed at promoting good neighbourly relations.

In accordance with the Council conclusions of 11 December 2012, the Commission will present a report in spring 2013 on progress, including on steps taken to promote good neighbourly relations.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010327/12
til Kommissionen
Morten Løkkegaard (ALDE)
(12. november 2012)

Om: ACTA opfølgning — en ACTA version 2.0

Europa-Parlamentet stemte som bekendt om den omstridte og politisk betændte internationale IPR-aftale, ACTA, på plenarmødet i juli måned i år. Her afviste et flertal aftalen, og man afventer nu EU-Domstolens udtalelse om, hvorvidt ACTA er i overensstemmelse med EU-traktaterne (forventet foråret 2014).

Siden afvisningen af ACTA er bevågenheden omkring aftalen faldet markant og det første land — nemlig Japan — ratificerede aftalen i slutningen af august/begyndelse af september 2012 uden videre opmærksomhed eller omtale i pressen.

Med hensyn til ACTA's fremtid har der i en vis grad været lagt op til, at man fra Kommissionens side nu (fremadrettet) ville udarbejde et alternativt eller modificeret udspil til en international håndhævelsesaftale — en slags ACTA 2.0 — som så kunne komme til afstemning i Parlamentet på ny.

Vurderer Kommissionen imidlertid, at et scenarie, hvor man genåbner en forhandling af aftaleteksten, overhovedet er sandsynligt nu, hvor ratifikationsprocessen er i gang (— eksempelvis en genforhandling, hvor de mest kontroversielle elementer er taget ud)?

Det samme spørgsmål gør sig gældende i forhold til muligheden for en helt ny, alternativ løsning — en ACTA 2.0: Vurderer Kommissionen, at en helt ny, alternativ løsning og aftaletekst er et realistisk scenarie nu, hvor ratifikationsprocessen er i gang?

Svar afgivet på Kommissionens vegne af Karel De Gucht
(25. januar 2013)

Parlamentet nægtede at godkende handelsaftalen vedrørende bekæmpelse af forfalskning (ACTA) den 4. juli 2012 og har dermed hindret EU i at tilslutte sig ACTA.

Den 10. maj 2012 henvendte Kommissionen sig til Domstolen med spørgsmålet om, hvorvidt ACTA er forenelig med traktaterne, herunder navnlig med chartret om grundlæggende rettigheder.

Den 19. december 2012 besluttede Kommissionen at trække sin anmodning om en udtalelse fra EU-Domstolen tilbage.

ACTA mangler kun seks ratifikationer for at træde i kraft. Kommissionen har forstået, at de fleste andre ACTA-parter er involveret i deres nationale ratifikationsprocesser. Kun EU har hidtil afvist.

Kommissionen har ikke til hensigt at genåbne forhandlingerne på dette område i løbet af denne proces.

(English version)

Question for written answer E-010327/12
to the Commission
Morten Løkkegaard (ALDE)
(12 November 2012)

Subject: Follow-up to ACTA — an ACTA version 2.0

As we know, at its part-session in July this year the European Parliament voted on ACTA, the controversial and politically suspect international IPR agreement, and rejected it by a majority. We are now awaiting the ruling by the EU Court of Justice on whether ACTA is compatible with the EU treaties (expected in Spring 2014).

Since the rejection of ACTA, the media attention surrounding the agreement has fallen off significantly, and at the end of August / beginning of September 2012 Japan became the first country to ratify it without eliciting any comment or debate in the press.

With regard to the future of ACTA, there has been some expectation that the Commission, looking forward, will devise an alternative or modified draft for an international enforcement agreement — a kind of ACTA 2.0 — which could come before Parliament for another vote.

Does the Commission, however, consider that a scenario in which negotiations on the text of the agreement are reopened is at all likely now that the ratification process is under way (e.g. a renegotiation with the most controversial items taken out)?

The same question applies to the possibility of an entirely new, alternative solution — an ACTA 2.0. Does the Commission consider that an entirely new, alternative solution and text of the agreement is realistic now that the ratification process is under way?

Answer given by Mr De Gucht on behalf of the Commission
(25 January 2013)

Parliament has refused to give its consent to the Anti-Counterfeiting Trade Agreement (ACTA) on 4 July 2012, thus preventing the EU from adhering to ACTA.

On 10 May 2012, the Commission seized the Court of Justice with the question whether ACTA is compatible with the Treaties and in particular with the Charter of Fundamental Rights.

On 19 December 2012, the Commission decided to withdraw its request for an opinion of the

Court of Justice of the European Union.

ACTA only needs six ratifications to enter into force. The Commission understands that most other ACTA parties are engaged in their national ratification processes. Only the EU has rejected it so far.

During this process, the Commission does not intend to reopen the negotiations in this field.

(English version)

Question for written answer E-010328/12
to the Commission
Sir Graham Watson (ALDE)
(12 November 2012)

Subject: Council Regulation (EC) No 2201/2003

Council Regulation (EC) No 2201/2003 is designed to facilitate the work of judges and legal practice and to regulate the exercise of cross-border rights of access. It establishes, as a general rule, that when a child is moved from one Member State to another without the consent of those with parental responsibility, the courts in the EU country in which the child was habitually resident immediately before the removal will continue to have jurisdiction. The legislation also prioritises children's rights and allows for their views to be made known on all aspects of parental responsibility (having due regard for the child's age and degree of maturity).

1. Is the Commission aware of any problems relating to the recognition by the Austrian judiciary of certificates issued by the English courts, and specifically:

(a) the Annex II certificate referred to in Article 39 concerning judgments on parental responsibility;

(b) the Annex IV certificate referred to in Article 42(1) concerning the return of the child?

2. Does the Commission have any concerns that the Austrian authorities may not be giving due regard to children's views when considering aspects of (a) parental responsibility and (b) the Member State in which the child wishes to reside when his or her parents have separated?

3. Following concerns raised by one of my constituents, would the Commission be willing to take a closer look at the specific application of Regulation (EC) No 2201/2003 by the Austrian courts?

Answer given by Mrs Reding on behalf of the Commission
(21 January 2013)

The Commission is not aware of any problems relating to the recognition by the Austrian judiciary of certificates issued by the English courts, specifically the certificates set out in Annexes II and IV of Regulation (EC) No 2201/2003 ([1]).

The Commission does not have sufficient details on the matter to be able to investigate the implementation of the child's right to be heard in Austria, and is therefore not in a position to answer the question at the moment. I would ask the Honourable Member to provide more details on this particular matter.

If the Commission were provided with details on the case of the Honourable Member's constituent, it would be able to take a closer look at the specific application of Regulation (EC) No 2201/2003 by the Austrian courts.

([1]) OJ L 338, 23.12.2003, p. 1.

(English version)

Question for written answer E-010330/12
to the Commission
Catherine Stihler (S&D)
(12 November 2012)

Subject: Enforcement of Council Regulation (EC) No 44/2001

A constituent who has contacted me obtained a small claims judgment from Kirkcaldy Sheriff Court in the sum of GBP 1 440 against a UK citizen resident and trading in Spain. A certificate under Article 54 of the regulation covering judgments and court settlements (Council Regulation (EC) No 44/200) was obtained and sent by a firm of messengers-at-arms to the relevant Spanish court in Vera, Almeria on 7 March 2012. Despite reminders being sent by the messengers-at-arms, the claim has neither been acknowledged nor processed.

Does the Commission monitor the application of Regulation (EC) No 44/2001? What action does the Commission suggest my constituent take to receive the amount owed to him? If the regulation is ineffective, or ignored by some Member States, how will the Commission improve the enforcement and implementation of the recognition of judgments?

Answer given by Mrs Reding on behalf of the Commission
(25 January 2013)

Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ('Brussels I Regulation') applies to the present case. A party seeking to enforce a judgment in another Member State first has to apply to a court in the state of enforcement for a declaration of the enforceability. Thus, your constituent, wishing to enforce in Spain the UK judgment has to lodge an application with the Spanish court for a declaration of enforceability. The competent courts in Spain for issuing the declaration are the 'Juzgado de Primera Instancia' (see Annex II). Under Article 39(2), either the court of the place of domicile of the debtor against whom the enforcement is sought or of the place of enforcement have local jurisdiction to entertain an application. Such an application is to be accompanied by the certificate issued by the UK court (Article 54). The requirement of the declaration of the enforceability was abolished in the recast of the Brussels I Regulation (Regulation No 1215/2012 coming into application in January 2015), thus allowing the party to apply directly to competent enforcement authorities to enforce the judgment.

The Commission notes that the complaints of the citizens, like in this case, allow it to monitor application of the regulation in the Member States. The Honourable Member should be assured that the Commission recognises the importance of ensuring its correct application and employs various methods with that aim. For example, an external contractor carried out a study on the practical application of the regulation in 2007. This provided an insight on the problems faced when applying it. In 2009, the Commission adopted a report on the application of the regulation (COM(2009)174 final).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010331/12
an die Kommission
Andreas Mölzer (NI)
(12. November 2012)

Betrifft: Sicherung von Schwarzgeld durch EU-Hilfe für Zypern

Hinsichtlich einer möglichen milliardenschweren EU-Hilfe für Zypern gibt es Bedenken, dass damit Einlagen von russischem Schwarzgeld bei zyprischen Banken abgesichert würden. Laut einem geheimen Bericht des deutschen Auslandsgeheimdienstes sollen bei zyprischen Banken 26 Milliarden Dollar von russischen Staatsbürgern deponiert sein. Für reiche Russen soll es dem Vernehmen nach leicht machbar sein, die zyprische Staatsangehörigkeit zu erwerben.

1. Sind laut Kenntnissen der Kommission tatsächlich Spareinlagen von russischen Staatsbürgern in einem Ausmaß bei zyprischen Banken deponiert, das die Jahreswirtschaftsleistung des Landes übertrifft?

2. Falls ja, welche Konsequenzen ergeben sich für eine mögliche EU-Hilfe?

3. Wie steht die Kommission zu dem Vorwurf, dass Zypern die vereinbarten Vorschriften zur Bekämpfung der Geldwäsche nur mangelhaft anwenden soll?

Antwort von Herrn Rehn im Namen der Kommission
(1. Februar 2013)

Bei der Due-Diligence-Prüfung zum Kapitalbedarf des zyprischen Finanzsektors sind Fortschritte zu verzeichnen. Der Abschlussbericht soll veröffentlicht werden, sobald das Memorandum of Understanding (MoU) unterzeichnet wird.

Die endgültige Vereinbarung wird unter anderem vorsehen, dass die Geldwäschebekämpfungs- und Steuervorschriften sowie deren Umsetzung einer strengen Überwachung unterliegen werden.

(English version)

Question for written answer E-010331/12
to the Commission
Andreas Mölzer (NI)
(12 November 2012)

Subject: Protection of illicit funds thanks to EU aid for Cyprus

Regarding the possibility of Cyprus receiving billions of euros in EU aid, concern is being expressed that this may also serve to protect illicit Russian funds deposited in its banks. According to a confidential report drawn up by the German Foreign Intelligence Service, Riussians have made bank deposits totalling USD 26 billion in Cyprus. Furthermore, Cyprus reportedly makes no difficulties about granting citizenship to wealthy Russians.

1. As far as the Commisson is aware, do savings account deposits held by Russians in Cypriot banks actually exceed the country's annual economic output?

2. If so, what are the implications of this for possible EU aid?

3. What view does the Commission take of allegations that Cyprus is failing to implement properly the agreed measures to combat money laundering?

Answer given by Mr Rehn on behalf of the Commission
(1 February 2013)

The due diligence exercise on the capital needs of the Cypriot financial sector has progressed. The final report is expected to be published as soon as the memorandum of understanding (MoU) would be signed.

The final agreement will also provide for a close monitoring of Anti-Money Laundering and tax frameworks and their implementation.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010332/12
an die Kommission
Andreas Mölzer (NI)
(12. November 2012)

Betrifft: Auswirkungen der Entscheidung des Europäischen Gerichtshofs auf die Dublin-Verordnung

In einer unlängst ergangenen Grundsatzentscheidung C-245/11 kam der Europäische Gerichtshof zu dem Urteil, dass ein laut der Dublin-Verordnung zunächst nichtzuständiger Staat dann über den in einem anderen Mitgliedstaat gestellten Asylantrag entscheiden muss, wenn es um das Zusammenbleiben einer Familie geht und ein Angehöriger aus wichtigen Gründen wie schwerer Krankheit auf die Unterstützung eines anderen Angehörigen angewiesen ist.

Im konkreten Fall ging es um eine aus Tschetschenien kommende Frau, die zunächst in Polen um Asyl angesucht hatte und dann vor der Entscheidung nach Österreich weiterreiste, wo einer ihrer Söhne mit seiner Frau und den drei Kleinkindern Asyl erhalten hatte. Als Begründung wurde vorgebracht, dass die angeblich schwer traumatisierte Schwiegertochter für sich selbst und ihre Kinder Hilfe brauche.

1. Wie steht die Kommission zu dieser Stärkung des Familienzusammenhalts von Asylwerbern durch das EuGH-Urteil?

2. In welchem Ausmaß werden Auswirkungen auf die Dublin-Verordnung erwartet?

3. Sieht die Kommission aufgrund dieser Grundsatzentscheidung die Möglichkeit einer innereuropäischen Wanderungsbewegung von Asylantragstellern in jeweils diejenigen Mitgliedstaaten mit den höchsten Anerkennungsquoten?

4. Wann steht die nächste Überarbeitung der Dublin-Verordnung an?

Antwort von Frau Malmström im Namen der Kommission
(7. Januar 2013)

Der Gerichtshof der Europäischen Union hat in seinem Urteil in der Sache C-245/11 klargestellt, dass unter Umständen wie denjenigen des vorliegenden Falls — d. h. wenn eine Person wegen einer schweren Krankheit von dem Asylbewerber abhängig ist — Artikel 15 Absatz 2 der Dublin-Verordnung so auszulegen ist, dass ein Mitgliedstaat, der auf der Grundlage der in Kapitel III der Verordnung aufgeführten Kriterien nicht zur Prüfung eines Asylantrags verpflichtet ist, zu dem für die Prüfung des Asylantrags zuständigen Mitgliedstaat wird.

Der Gerichtshof stellt in Randnummer 38 des Urteils fest, dass der Begriff „Familienangehörige“ im Sinne von Artikel 2 Buchstabe i der Dublin-Verordnung weder die Schwiegertochter noch die Enkelkinder eines Asylbewerbers erfasst, gleichwohl aber dahin auszulegen ist, dass solche Personen unter den in Artikel 15 Absatz 2 verwendeten Ausdruck „anderer Familienangehöriger“ fallen. Nach dem Urteil ist die Bedeutung und Anwendung von Artikel 15 Absatz 2 folglich so auszulegen, dass die Mitgliedstaaten verpflichtet sind, einen Asylbewerber von einem Familienangehörigen nicht zu trennen bzw. sie zusammenzuführen, sofern eine dieser Personen von der anderen abhängig ist. Der Gerichtshof stellt außerdem klar, dass ein Mitgliedstaat von der Verpflichtung, die betroffenen Personen nicht zu trennen, nur abweichen darf, wenn eine solche Abweichung aufgrund des Vorliegens einer Ausnahmesituation gerechtfertigt ist.

Der Kommission liegen keine Informationen vor, die auf eine auf dieses Urteil zurückzuführende Wanderungsbewegung in diejenigen Mitgliedstaaten mit den höchsten Anerkennungsquoten hinweisen.

Die Dublin-Verordnung wird derzeit auf der Grundlage eines Vorschlags der Kommission überarbeitet. Am 14. November wurde zwischen den Mitgesetzgebern eine politische Einigung erzielt; die Annahme der überarbeiteten Verordnung steht allerdings noch aus. Gegenwärtig ist nicht geplant, einen neuen Vorschlag zur Überarbeitung der Dublin-Verordnung vorzulegen.

(English version)

Question for written answer E-010332/12
to the Commission
Andreas Mölzer (NI)
(12 November 2012)

Subject: The impact of a European Court of Justice decision on the Dublin Regulation

In a recent landmark judgment C-245/11, the European Court of Justice ruled that a state which is not initially responsible according to the Dublin Regulation must examine an application for asylum made in another Member State when it involves a family staying together and where a member of the family is, for important reasons such as a serious illness, dependant on the support of another family member.

This particular case revolved around a woman of Chechnyan origin who first sought asylum in Poland and who, before a decision was made on her application, travelled on to Austria where one of her sons and his wife and three small children had already been granted asylum. The explanation given was that the allegedly seriously traumatised daughter-in-law was in need of assistance for both herself and her children.

1. What is the Commission's position as regards the fact that the ECJ Judgment strengthens the notion of keeping families of asylum-seekers together?

2. What expected impact will this have on the Dublin Regulation?

3. Based on this landmark decision, does the Commission consider it possible that there would be a migration movement of asylum-seekers within Europe towards those Member States which have the highest recognition rates?

4. When is it planned to have the next revision of the Dublin Regulation?

Answer given by Ms Malmström on behalf of the Commission
(7 January 2013)

In its judgment in Case C-245/11, the Court of Justice of the European Union clarified that in circumstances such as those of the case — i.e. a person is dependent on the asylum-seeker on grounds of serious illness — Article 15(2) of the Dublin Regulation must be interpreted as meaning that a Member State which is not otherwise responsible for examining an application for asylum pursuant to the criteria laid down in Chapter III of that regulation becomes so responsible.

The Court notes in paragraph 38 of its judgment that the definition of 'family members' within the meaning of Article 2(i) of the Dublin Regulation does not cover the daughter-in-law or grandchildren of an asylum-seeker, but that such persons are covered by the words 'another relative' used in Article 15(2). Thus the judgment interprets the meaning and application of Article 15(2) as regards Member States' obligation to keep or put together an applicant with a relative, when one of them is dependent on the care of the other. The Court also clarifies that a Member State may derogate from that obligation to keep the persons concerned together only when justified by an exceptional situation.

The Commission is not aware of any information or reasons suggesting that there would be a migration movement towards Member States with the highest recognition rates following this judgment.

A revision of the Dublin Regulation is currently ongoing, based on a Commission proposal. A political agreement was reached between co-legislators on 14 November and is awaiting adoption. There are currently no plans to submit another new proposal to revise the Dublin Regulation.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010333/12
an die Kommission
Andreas Mölzer (NI)
(12. November 2012)

Betrifft: Beschränkung des Emissionshandels

In der Vergangenheit sind die Preise für Emissionszertifikate stark eingebrochen, wodurch diese zu Dumpingpreisen erwerbbar waren. Die EU-Kommission will dem Preisverfall beim Handel mit CO_2-Emissionszertifikaten nun durch eine Beschränkung des Handels Einhalt gebieten. Um mehr Anreize für klimafreundlichere Produktion zu schaffen, wird ja überlegt, eineinhalb bis zwei Milliarden Zertifikate vom Markt zu nehmen.

1. Sind im Zuge der geplanten Überarbeitung des Emissionshandelssystems auch Maßnahmen vorgesehen, um (potenzielle) Missbrauchsmöglichkeiten einschränken?

2. In welchem Ausmaß wurde im Zuge des Emissionshandels Missbrauch aufgedeckt und welche Konsequenzen wurden daraus gezogen?

3. Wird im Zuge der Systemänderung auf EU-Ebene auch darüber diskutiert, wieder vermehrt andere Anreize für Investitionen in klimaschonende Technik zu schaffen?

Antwort von Frau Hedegaard im Namen der Kommission
(22. Januar 2013)

Es bestehen Schutzmaßnahmen gegen Missbrauchsmöglichkeiten auf Märkten in Verbindung mit dem Emissionshandelssystem (EU-EHS). Dies trifft insbesondere auf Versteigerungen von und den Handel mit Emissionszertifikaten sowie mit internationalen Gutschriften in Form von Finanzinstrumenten (Futures, Optionen, Swaps usw., die rund 90 % des Marktes ausmachen) zu. Derzeit werden die Vorschriften für den Sekundärmarkt für Zertifikate für die sofortige Lieferung (Spot-Handel) im Rahmen der Überarbeitung der Richtlinie über Märkte für Finanzinstrumente ([1]) und der Richtlinie über Marktmissbrauch ([2]) weiter harmonisiert.

Der CO_2-Markt ist in den letzten Jahren erheblich gewachsen und leider auch für Betrüger interessanter geworden. Dies hat zwischen 2009 und 2010 zu Fällen sogenannten „Karussellbetrugs" im MwSt-Bereich geführt. Natürlich betrachtete die Kommission diese Vorfälle mit großer Sorge, so dass sie — gemeinsam mit den Mitgliedstaaten — eine Reihe geeigneter Gegenmaßnahmen verabschiedet hat. Um die Gefahr des MwSt-Betrugs im Zusammenhang mit dem EU-EHS zu bekämpfen, hat die Kommission 2009 einen Vorschlag für das fakultative Reverse-Charge-Verfahren bei Lieferungen bestimmter Waren und Dienstleistungen, einschließlich Emissionszertifikate, vorgelegt, den der Rat angenommen hat.

Im Zusammenhang mit den Änderungen am EU-EHS hat die Kommission zwei Schritte unternommen, um das aktuelle Ungleichgewicht zwischen Angebot und Nachfrage bei Emissionszertifikaten auszugleichen, die gleichzeitig stärkere Anreize für Investitionen in emissionsarme Technologien schaffen werden. Sie hat eine Änderung der EU-EHS-Richtlinie ([3]) vorgeschlagen, die eine Überarbeitung des Zeitprofils für Versteigerungen ermöglichen würde, und einen Bericht über die Lage des CO_2-Markts in der EU angenommen, in dem eine Reihe möglicher Strukturmaßnahmen ([4]) festgelegt werden.

([1]) KOM(2011)652 endg. und KOM(2011)656 endg.
([2]) KOM(2011)651 endg. und KOM(2011)654 endg.
([3]) KOM(2012)416 endg.
([4]) http://europa.eu/rapid/press-release_IP-12-1208_de.htm

(English version)

Question for written answer E-010333/12
to the Commission
Andreas Mölzer (NI)
(12 November 2012)

Subject: Limiting emissions trading

In the past, a sharp fall in prices for CO_2 emissions allowances led to allowances being purchased at dumping prices. The Commission now intends to stem falling prices by limiting the trading of allowances. To create more incentive for climate-friendlier production, the removal of one and a half to two billion allowances from the market is being considered.

1. In the context of the planned revision of the Emissions Trading Scheme, are measures foreseen that would reduce the possibilities for (potential) abuse?

2. To what extent has abuse been exposed in emissions trading and what conclusions have been drawn from such exposure?

3. In the context of changes to the Scheme, do the discussions at EU level include consideration of creating more incentives for investing in climate-friendly technology?

Answer given by Ms Hedegaard on behalf of the Commission
(22 January 2013)

Safeguards are in place against situations of market abuse in markets related to the Emissions Trading Scheme (ETS), this is particularly the case for auctions of emission allowances, and trading in emission allowances and international credits in the form of financial instruments (futures, options, swaps etc. representing around 90% of the market). Further harmonisation of the rules applicable to the secondary market in allowances for immediate delivery (spot) is underway, via the reviews of the Markets in Financial Instruments Directive ([1]) and of the Market Abuse Directive ([2]).

The carbon market has grown significantly over the past years and unfortunately the market has also become more interesting to fraudsters. This led to cases of so-called value added tax (VAT) carousel fraud in 2009-2010. These incidents were of course of great concern to the Commission and, together with the Member States, it adopted various appropriate counter-measures. In order to combat the threat of the VAT fraud in the context of the ETS, the Commission presented a proposal for the optional application of a reverse charge mechanism to supplies of certain goods and services, including emission allowances, in 2009, which the Council has adopted.

In the context of changes to the ETS, the Commission has taken two steps to address the current supply-demand imbalance of allowances that will also strengthen incentives for investment in low carbon technologies. It has proposed an amendment to the ETS Directive ([3]) that would allow it to revise the auction time profile, and has adopted a report on the state of the European carbon market which sets out a range of possible structural measures ([4]).

([1]) COM(2011)652 final and COM(2011)656 final.
([2]) COM(2011)651 final and COM(2011)654 final.
([3]) COM(2012)416 final.
([4]) http://europa.eu/rapid/press-release_IP-12-1208_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010334/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(12 Νοεμβρίου 2012)

Θέμα: Φορολογικό πλαίσιο στην Ελλάδα

Η Ελλάδα βρίσκεται στις πρώτες θέσεις της λίστας με των ευρωπαϊκών χωρών που έχουν τους υψηλότερους φορολογικούς συντελεστές, την ίδια ώρα που η ακρίβεια οδηγεί σε οικονομικό «κραχ» τα νοικοκυριά και τις επιχειρήσεις.

Σύμφωνα με στοιχεία που δημοσιοποίησε πρόσφατα η Eurostat, ο ανώτατος συντελεστής ΦΠΑ, καθώς και οι ανώτατοι συντελεστές φορολόγησης στα εισοδήματα των φυσικών προσώπων και στα εταιρικά κέρδη, είναι στην Ελλάδα αρκετά υψηλότεροι σε σύγκριση με το μέσο όρο της Ευρωζώνης αλλά και ολόκληρης της ΕΕ. Συγκεκριμένα, φέτος στη χώρα μας η ανώτατη φορολογική επιβάρυνση των φυσικών προσώπων αγγίζει το 49%, (συμπεριλαμβανομένου και του ανώτατου συντελεστή 4% της έκτακτης εισφοράς αλληλεγγύης). Το ποσοστό αυτό κατατάσσει την Ελλάδα στην 5η θέση μεταξύ των συνολικά 27 κρατών μελών της ΕΕ με την υψηλότερη φορολογία (σ.σ. στα φυσικά πρόσωπα). Όσον αφορά στις επιχειρήσεις, παρόλο που η ανώτατη φορολογική επιβάρυνση σημειώνει καθοδική πορεία (από το 40% το 2000 περιορίστηκε στο 30% το 2011 και φέτος), παραμένει η 6η υψηλότερη στην ΕΕ, όπου ο μέσος όρος είναι 23,5%. Ελαφρά υψηλότερα, στο 26,1%, διαμορφώνεται ο μέσος ανώτατος συντελεστής στην Ευρωζώνη.

Ερωτάται η Επιτροπή:

— Δεδομένου ότι η Ελλάδα, εν μέσω οικονομικής κρίσης, βρίσκεται στη διαδικασία προσέλκυσης επενδυτών (οι οποίοι θα πρέπει να απευθυνθούν σε πελάτες με αγοραστική δύναμη) έτσι ώστε να επιτευχθεί η πολυπόθητη ανάπτυξη, πόσο ελκυστικό πιστεύετε ότι είναι το υπάρχον φορολογικό πλαίσιο;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(31 Ιανουαρίου 2013)

Το 2012, η Ελλάδα είχε τον 8ο υψηλότερο επίσημο συντελεστή φορολογίας εισοδήματος φυσικών προσώπων στην ΕΕ27, μαζί με άλλα δύο κράτη μέλη. Όσον αφορά τον φόρο εισοδήματος νομικών προσώπων, η Ελλάδα είχε τον 6ο υψηλότερο επίσημο φορολογικό συντελεστή στην ΕΕ27, μαζί με ένα ακόμη κράτος μέλος ([1]).

Η Ελλάδα χρειάζεται να εξυγιάνει τα δημόσια οικονομικά της, να διασφαλίσει τη βιωσιμότητα του δημοσίου χρέους και να επαναφέρει την οικονομία της σε αναπτυξιακή τροχιά. Η Ελληνική κυβέρνηση έχει λάβει πολλά μέτρα για τη βελτίωση της δημοσιονομικής θέσης της Ελλάδας, τα οποία παρατίθενται στη μεσοπρόθεσμη δημοσιονομική στρατηγική της χώρας (ΜΠΔΣ) που εγκρίθηκε τον Νοέμβριο του 2012. Τα μέτρα περιλαμβάνουν τα στοιχεία των εσόδων και των δαπανών που προορίζονται για την υλοποίηση της εξυγίανσης η οποία συμφωνήθηκε μεταξύ της Ελληνικής κυβέρνησης και των δανειστών της (τα κράτη μέλη της ζώνης του ευρώ και το ΔΝΤ). Βασική συνιστώσα της ΜΠΔΣ αποτελεί η μεταρρύθμιση της φορολογίας εισοδήματος η οποία ψηφίστηκε στη Βουλή τον Ιανουάριο του 2013. Η μεταρρύθμιση απλουστεύει το φορολογικό σύστημα, διευρύνει τη φορολογική βάση με τον περιορισμό των φοροαπαλλαγών και οδηγεί στη δικαιότερη κατανομή της φορολογικής επιβάρυνσης. Ο ανώτατος συντελεστής του φόρου εισοδήματος φυσικών προσώπων μειώθηκε και αναμορφώθηκε το σύστημα φορολογίας των εταιρειών. Ένα απλούστερο και σταθερότερο φορολογικό σύστημα που στηρίζει περισσότερο την ανάπτυξη και την απασχόληση θα καταστήσει τη χώρα πιο ελκυστική στους ξένους επενδυτές.

Επιπλέον, οι Ελληνικές αρχές έχουν δεσμευτεί να υλοποιήσουν διαρθρωτικές μεταρρυθμίσεις προκειμένου να επανέλθει η ανάπτυξη και η απασχόληση, μέσω, για παράδειγμα, της επιτάχυνσης των μεταρρυθμίσεων στις αγορές προϊόντων και υπηρεσιών, της βελτίωσης του επιχειρηματικού κλίματος και της αναμόρφωσης του δικαστικού συστήματος. Έχουν πραγματοποιηθεί αρκετές μεταρρυθμίσεις που προάγουν την ανάπτυξη σε αρκετούς τομείς, όπως το επιχειρηματικό περιβάλλον, η ενέργεια, οι μεταφορές, το λιανικό εμπόριο και τα κλειστά επαγγέλματα.

([1]) Πηγή: Επιτροπή της ΕΕ «Tax Reforms in Member States 2012» European Economy 6/2012.

(English version)

Question for written answer E-010334/12
to the Commission
Nikolaos Salavrakos (EFD)
(12 November 2012)

Subject: Tax levels in Greece

Greece is one of the European countries with the highest tax rates at a time when the rising cost of living is bringing households and businesses to the verge of ruin.

According to recent Eurostat data, the maximum rates of VAT and income tax for physical persons and corporate profits are substantially higher in Greece than the average for the euro area and the EU as a whole, the maximum tax rate for physical persons rising to 49% this year (including the maximum rate of 4% for the special solidarity levy), the fifth highest in EU-27. With regard to businesses, while the maximum tax rate is declining (from 40% in 2000 to 30% in 2011 and this year), it remains the sixth highest in the EU, where the average is 23.5%, the average for the euro area being slightly higher at 26.1%.

In view of this:

— Does the Commission consider current tax levels attractive to investors, whom Greece is currently trying to attract in the midst of an economic crisis and who need customers with purchasing power, so as to achieve the much desired goal of economic growth?

Answer given by Mr Rehn on behalf of the Commission
(31 January 2013)

In 2012, Greece had the 8th highest statutory personal income tax rate in EU-27, along with two other Member States. For the corporate income tax, Greece had the 6th highest statutory rate in EU-27, sharing the ranking with one other Member States ([1]).

Greece faces the need to consolidate public finances, ensure public debt sustainability and bring its economy back onto a growth path. The Greek Government has undertaken many measures to improve the fiscal position of Greece that are set out in the Government's Medium-Term Fiscal Strategy (MTFS) adopted in November 2012. The measures include both expenditure and revenue items designed to fulfil the consolidation agreed between the Greek Government and its Lenders (the euro area Member States and the IMFA key component of the MTFS is a major income tax reform that was voted in Parliament in January 2013. The reform simplifies the tax system, broadens the tax base by reducing tax exemptions and results in a more equal sharing of the tax burden. The top personal tax rate has been reduced and the corporate tax system restructured. A simpler and more stable tax system that is more growth and employment supportive will make the country more attractive to foreign investors.

Moreover, the Greek authorities have committed to implement structural reforms to unlock growth and employment, for example to accelerate product and services market reforms, improve business environment and reform the judicial system. A number of growth enhancing reforms in many areas such as business environment, energy, transport, retail trade and regulated professions have been implemented.

([1]) *Source:* EU Commission 'Tax Reforms in Member States 2012' European Economy 6/2012.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010335/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(12 Νοεμβρίου 2012)

Θέμα: Διοικητική Μεταρρύθμιση

Ο Γενικός Επιθεωρητής Οικονομικών Υποθέσεων της Γαλλίας και επικεφαλής της γαλλικής Ομάδας Δράσης, Πιερ Λεπετί τόνισε πρόσφατα ότι το «κλειδί» για την επιτυχία της διοικητικής μεταρρύθμισης είναι η κινητικότητα των υπαλλήλων ακόμη και σε άλλες ειδικότητες, υπηρεσίες και πόλεις, κρατώντας, ο ίδιος αλλά και άλλοι Γάλλοι αξιωματούχοι της Ομάδας Δράσης, αποστάσεις από την απαίτηση της τρόικας για άμεσες απομακρύνσεις δημοσίων υπαλλήλων στην Ελλάδα. Είναι σαφές ότι τάσσονται υπέρ της κινητικότητας του προσωπικού στον δημόσιο τομέα αλλά κατά των απολύσεων.

Ερωτάται η Επιτροπή:

1. Πιστεύετε ότι η διοικητική μεταρρύθμιση μπορεί να επιτευχθεί μέσω της κινητικότητας των υπαλλήλων;

2. Υπάρχουν παραδείγματα άλλων κρατών-μελών τα οποία προσπάθησαν να επιτύχουν κάτι ανάλογο και αν ναι, ποιος ήταν ο τρόπος τον οποίο ακολούθησαν και ποια τα αποτελέσματα;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(21 Ιανουαρίου 2013)

Η διοικητική μεταρρύθμιση άρχισε σε διαφορετικούς τομείς και περιλαμβάνει τους κεντρικούς, τοπικούς και περιφερειακούς διοικητικούς φορείς καθώς και όλους τους λοιπούς φορείς του δημοσίου. Στόχος της μεταρρύθμισης είναι να βελτιωθεί η ποιότητα των δημόσιων υπηρεσιών, η αποτελεσματικότητα και η αποδοτικότητα της δημόσιας διοίκησης και η ικανότητά της να διαχειρίζεται την οικονομική πολιτική.

Η κινητικότητα και οι απομακρύνσεις είναι μέρος μιας ολοκληρωμένης προσέγγισης της μεταρρύθμισης της ελληνικής δημόσιας διοίκησης. Στόχος είναι να συμβιβαστεί η ανάγκη εργασίας των υπαλλήλων εντός καλά στοχοθετημένων, αποτελεσματικών και οργανωμένων δομών, με την καλύτερη χρήση των δεξιοτήτων (κινητικότητα προς το συμφέρον των υπηρεσιών) και με τις ελληνικές προτεραιότητες που προβλέπονται στους αντίστοιχους τομείς πολιτικής. Στο πλαίσιο αυτό, εφαρμόζεται η ανωτέρω αναλογία (1 νέα πρόσληψη έναντι 5-10 συνταξιοδοτήσεων — ανάλογα με τη βαθμίδα κρατικής διοίκησης). Επίσης, 27 000 δημόσιοι υπάλληλοι θα περιληφθούν στο πρόγραμμα κινητικότητας μέχρι τον Νοέμβριο του 2013, με την κατάργηση θέσεων ορισμένων κατηγοριών εργαζομένων, με τον χειρισμό των πειθαρχικών υποθέσεων (μεταξύ άλλων και με οριστική απόλυση) και με την κατάργηση θέσεων που συνδέονται με κλειστές/συγχωνευμένες οντότητες. Έχουν ξεκινήσει συνομιλίες για την ανάπτυξη μιας νέας πολιτικής για τους ανθρώπινους πόρους, που αφορά επίσης τους κανόνες για την πρόσληψη, την κατάρτιση, την κινητικότητα, την επάρκεια και τη συνολική διαχείριση της σταδιοδρομίας των υπαλλήλων. Περιλαμβάνεται επίσης, ως ανάγκη πρωταρχικής σημασίας, η αξιολόγηση των ικανοτήτων και των προσόντων των ανώτερων διοικητικών στελεχών.

(English version)

Question for written answer E-010335/12
to the Commission
Nikolaos Salavrakos (EFD)
(12 November 2012)

Subject: Administrative reform

The French Inspector-General of Financial Affairs and head of the French Task Force, Pierre Lepetit, recently stressed that the 'key' to the success of administrative reform is the mobility of officials, even between disciplines, services and cities; he and other French officials of the Task Force are thus distancing themselves from the Troika's demand for the immediate dismissal of civil servants in Greece. They are clearly in favour of the mobility of public sector staff and against making them redundant.

In view of the above, will the Commission say:

1. Does it believe that administrative reform can be achieved through staff mobility?

2. Are there any examples of other Member States endeavouring to achieve something similar? If so, what method did they follow and with what results?

Answer given by Mr Rehn on behalf of the Commission
(21 January 2013)

Administrative reform has started under different headings and involves the central, local and regional administrative entities as well as all other public entities. The objective of the reform is to improve the quality of public services, the efficiency and effectiveness of the civil service and its ability to manage economic policy.

Mobility and exits are part of an integrated approach of the reform of the Greek civil service. The aim is to reconcile the necessity for the staff to work within well focused, efficient and organised structures, with the best use of competence (mobility in the interest of the service) and with the Greek priorities within their policy fields. In that context, the attrition rule (1 new hire against 5-10 retirees — depending on the level of government) is being applied. Moreover, 27 000 civil service employees will be placed into the mobility scheme by November 2013 abolishing positions of certain categories of employees, addressing disciplinary cases (including via outright dismissals) and abolishing positions associated with closed/merged entities ([1]). Discussions have started on the development of a new Human Resources policy, including rules of recruitment, training, mobility, competence and overall management of officials' career path. This also encompasses, as a priority need, the assessment of senior management competence and merit ([2]).

([1]) The Second Economic Adjustment Programme for Greece — First Review December 2012, p. 24, available at: http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp123_en.pdf

([2]) Quarterly report of the Task Force for Greece December 2012, pp. 14-17, available at: http://ec.europa.eu/commission_2010-2014/president/pdf/qr3_en.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010336/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(12 Νοεμβρίου 2012)

Θέμα: Συνεχιζόμενες παραβιάσεις του ελληνικού εναέριου χώρου από τουρκικά μαχητικά αεροσκάφη

Τέσσερα τουρκικά μαχητικά αεροσκάφη, εκ των οποίων τα δυο οπλισμένα, πραγματοποίησαν πρόσφατα στο βόρειο Αιγαίο μία παράβαση του FIR Αθηνών και δύο παραβιάσεις του ελληνικού εναέριου χώρου.

Τα αεροσκάφη αναγνωρίστηκαν και αναχαιτίστηκαν από αεροσκάφη της Ελληνικής Πολεμικής Αεροπορίας. Εκείνο που πρέπει να σημειωθεί είναι ότι οι παραβάσεις και οι παραβιάσεις έγιναν την ώρα που ο τούρκος Υπουργός Εξωτερικών Αχμέτ Νταβούτογλου βρισκόταν στην Αθήνα για επίσημη επίσκεψη.

Ερωτάται η Επιτροπή:

— Πώς αντιμετωπίζει η ΕΕ αυτή την επαναλαμβανόμενη συμπεριφορά της Τουρκίας, δεδομένου ότι τα σύνορα της Ελλάδος αποτελούν και τα νοτιοανατολικά σύνορα της Ευρωπαϊκής Ένωσης;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(16 Ιανουαρίου 2013)

Μολονότι δεν διαθέτει λεπτομερή ενημέρωση για τα αναφερθέντα περιστατικά, η Επιτροπή υπενθυμίζει ότι τα δικαιώματα και οι υποχρεώσεις των κρατών όσον αφορά περιοχές πληροφοριών πτήσης (FIR) θεσπίζονται με βάση τη σύμβαση του Σικάγου του 1944. Η Επιτροπή εκτιμά ότι οι διαφορές σχετικά με την ερμηνεία της εν λόγω σύμβασης από τα κράτη θα πρέπει να αντιμετωπιστούν επειγόντως.

Η Επιτροπή γνωρίζει την ύπαρξη διαδικασίας διερευνητικών συνομιλιών μεταξύ Ελλάδας και Τουρκίας που έχουν ξεκινήσει από το 2002, με στόχο την αντιμετώπιση ορισμένων προβλημάτων που ανακύπτουν στις διμερείς τους σχέσεις. Η Επιτροπή ενθαρρύνει τα μέρη να διευθετήσουν τις διαφορές τους και, ευκαιρίας δοθείσης, θα τους το ανακοινώσει.

Η Επιτροπή υπενθυμίζει ότι, σύμφωνα με την παράγραφο 6 του πλαισίου διαπραγμάτευσης που συμφωνήθηκε τον Οκτώβριο του 2005, η πρόοδος των ενταξιακών διαπραγματεύσεων θα αξιολογείται σε συνάρτηση με μια σειρά απαιτήσεων, μεταξύ των οποίων είναι και η «σαφής δέσμευση της Τουρκίας για σχέσεις καλής γειτονίας και επίλυση κάθε εκκρεμούς συνοριακής διαφοράς σε συμφωνία με την αρχή της ειρηνικής ρύθμισης των διαφορών με βάση το Χάρτη των Ηνωμένων Εθνών, συμπεριλαμβανομένης, εφόσον απαιτείται, και της υποχρεωτικής δικαιοδοσίας του Διεθνούς Δικαστηρίου».

(English version)

Question for written answer E-010336/12
to the Commission
Nikolaos Salavrakos (EFD)
(12 November 2012)

Subject: Continued encroachments on Greek airspace by Turkish fighter planes

A formation of four Turkish fighter planes, two of them armed, have recently encroached on the Athens flight information region, and entered Greek airspace over the northern Aegean on two occasions.

The Turkish fighters were identified and intercepted by Hellenic Air Force planes.

Furthermore, these incidents occurred in the course of an official visit to Athens by Ahmet Davutogou, the Turkish Foreign Minister.

In view of this:

— Can the Commission indicate what view is taken by the EU of these continued encroachments by Turkey, given that Greek borders also constitute the south-eastern borders of the European Union?

Answer given by Mr Füle on behalf of the Commission
(16 January 2013)

Without having received specific details of the incidents referred to, the Commission recalls that the rights and obligations of States as regards Flight Information Regions (FIRs) are established under the Chicago Convention of 1944. The Commission considers that differences about the interpretation of this Convention between States should be addressed as a matter of urgency.

The Commission is aware of a process of exploratory talks between Greece and Turkey which have been underway since 2002 aiming at addressing certain issues arising in bilateral relations. The Commission encourages the parties to address their differences and will convey this to the parties when the opportunity arrives.

The Commission recalls that according to paragraph 6 of the negotiating framework agreed in October 2005, progress in the accession negotiations is to be measured against a number of requirements, including 'Turkey's unequivocal commitment to good neighbourly relations and its undertaking to resolve any outstanding border disputes in conformity with the principle of peaceful settlement of disputes in accordance with the United Nations Charter, including if necessary compulsory jurisdiction of the International Court of Justice'.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010337/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: VP/HR — La morte di Sattar Beheshti mette in evidenza il ricorso alla tortura nelle prigioni e le violazioni dei diritti umani commesse in Iran

L'Iran è stato accusato di aver torturato a morte Sattar Beheshti, un blogger arrestato la settimana scorsa dalla Fata per aver criticato la Repubblica islamica su Facebook. A causa delle sue attività in rete, sui social network, l'uomo era stato accusato di «agire contro la sicurezza nazionale» e tradotto nel famigerato carcere Evin di Teheran. I funzionari del carcere hanno chiamato la famiglia all'inizio della settimana per prelevare il cadavere dall'obitorio di Kahrizak.

L'opposizione ha accusato i funzionari iraniani di aver torturato il blogger trentacinquenne fino a provocarne la morte. Ai funerali è stata consentita la presenza di un solo membro della famiglia, accompagnato da agenti di sicurezza. Le autorità avrebbero già minacciato Beheshti in passato. Un membro della commissione parlamentare sulla sicurezza nazionale ha dichiarato all'ILNA, un'agenzia di stampa iraniana, che non è necessario che i deputati avviino un'inchiesta sull'accaduto.

Alla luce di quanto sopra, può la Vicepresidente/Alto Rappresentante rispondere ai seguenti quesiti:

1. è la Vicepresidente/Alto Rappresentante a conoscenza dell'arresto di Sattar Beheshti e della sua morte durante la detenzione da parte delle autorità iraniane?

2. non ritiene la Vicepresidente/Alto Rappresentante che questo decesso sia sospetto, e che la famiglia, cui è stata negata la partecipazione ai funerali, abbia diritto a ricevere maggiori risposte?

3. cosa può fare la Vicepresidente/Alto Rappresentante per sollevare il caso di Sattar Beheshti con l'Iran, al fine di ridurre la possibilità che i blogger o altri cittadini iraniani siano uccisi in futuro per aver esercitato il proprio diritto alla libertà di espressione?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(18 gennaio 2013)

L'AR/VP è a conoscenza della tragica morte di Sattar Beheshti, nonché delle accuse secondo cui il decesso sarebbe stato causato da maltrattamenti in carcere. Un portavoce dell'AR/VP ha rilasciato una dichiarazione sul caso l'11 novembre scorso, chiedendo l'apertura di un'indagine approfondita per stabilire le circostanze esatte della morte di Beheshti.

Pare che questa volta le autorità iraniane abbiano reagito alla pressione internazionale, dato che il parlamento ha avviato un'indagine in materia. In base alle informazioni disponibili, sono sette le persone sinora arrestate per la morte di Beheshti e il capo della polizia informatica iraniana, Mohammad Hassan Shokrian, è stato rimosso dall'incarico. Ovviamente anche il SEAE segue con estrema attenzione gli ulteriori sviluppi.

L'AR/VP ha espresso in più occasioni le sue preoccupazioni per i diritti dei difensori dei diritti umani, dei blogger e degli attivisti dell'opposizione iraniani e ricorre a tutti gli strumenti a sua disposizione per sostenerli. A tal fine sono state rilasciate numerose dichiarazioni, in cui si esortano le autorità iraniane a garantire la tutela dei diritti civili e politici dei cittadini. Sono state altresì intraprese diverse iniziative riguardanti singoli casi relativi ai diritti umani, sia a Bruxelles che dalla rappresentanza locale dell'UE a Teheran. Inoltre, l'UE aggiorna regolarmente l'elenco dei responsabili, diretti o indiretti, di gravi violazioni dei diritti umani in Iran, in cui figurano i nomi di 78 iraniani per i quali è stato disposto il congelamento dei beni e il divieto di viaggio nel territorio dell'UE.

(English version)

Question for written answer E-010337/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(12 November 2012)

Subject: VP/HR — The death of Sattar Beheshti highlights prison torture and human rights abuses in Iran

Iran has been accused of torturing to death Sattar Beheshti, a blogger who was arrested last week by Fata for criticising the Islamic republic on Facebook. He was charged with 'acting against national security' because of his online activities on social networking sites. He was then taken to Tehran's notorious Evin prison. Prison officials called his family to collect his body from the Kahrizak coroner's office earlier this week.

The opposition has accused Iranian officials of torturing the 35-year-old blogger to death. Only one family member was allowed to attend the funeral, which was conducted by security officials. The, authorities are said to have threatened Beheshti in the past. A member of the parliamentary committee on national security told ILNA, an Iranian news agency, that it was not necessary for parliamentarians to investigate the incident.

In the light of the above, can the VP/HR answer the following:

1. Is the VP/HR aware of Sattar Beheshti's arrest and subsequent death while in the custody of the Iranian authorities?

2. Does the VP/HR not believe that the death of Sattar Beheshti is suspicious, and that his family, who were denied the right to attend his funeral, have the right to receive more answers?

3. What can the VP/HR do to raise the case of Sattar Beheshti with Iran, with a view to reducing the possibility of bloggers or other Iranians being killed in future for exercising their right to freedom of expression?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(18 January 2013)

The HR/VP is aware of the tragic death of Sattar Beheshti, as well as the allegations that he died as a result of mistreatment in custody. A spokesperson for the HR/VP released a statement on the case on 11 November, calling for a thorough investigation to establish the exact circumstances of Beheshti's death.

It appears the Iranian authorities have reacted to international pressure in this case, as the Iranian parliament has lauched an investigation into the matter. According to reports, seven people have so far been arrested in relation to Beheshti's death, and the head of Iran's cyber police, Mohammad Hassan Shokrian, has been dismissed. The EEAS of course follows further developments very closely.

The HR/VP has on several occastions expressed her concern over the rights of Iranian human rights defenders, bloggers and opposition activists, and is using all tools available in supporting them. Several statements have been released to this end, calling on the Iranian authorities to guarantee the protection of the civil and political rights of its citizens. Demarches on individual humans rights cases have been carried out both in Brussels and by the local EU representation in Tehran. In addition to this, the EU continously updates the sanctions list of people who are responsible, directly or by order, for grave human rights violations in Iran. This list names 78 Iranians, who are subject to an asset-freeze and travel-ban in the EU.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010338/12
alla Commissione
Mara Bizzotto (EFD)
(12 novembre 2012)

Oggetto: Ancora delitti di giovani donne per motivi d'onore in Pakistan

Una coppia pakistana è stata arrestata con l'accusa di aver ucciso la propria figlia quindicenne Anusha, che ha riportato ustioni sul 60 % del corpo dopo essere stata cosparsa di acido. I genitori hanno dichiarato di aver compiuto questo gesto perché la ragazza aveva macchiato l'onore della famiglia guardando un ragazzo che passava in motocicletta.

La tragica morte di Anusha mette in evidenza il problema dei cosiddetti «delitti d'onore» in Pakistan, paese in cui le donne e le ragazze vengono uccise a causa di matrimoni o relazioni non approvati dalle loro famiglie, oppure, come in questo caso, semplicemente perché si ritiene abbiano in qualche modo disonorato la famiglia.

Stando alla Commissione per i diritti umani del Pakistan, lo scorso anno almeno 943 donne sono state uccise in nome dell'onore. Solo 20 di loro avevano ricevuto cure mediche prima di morire. Si ritiene però che il numero delle vittime sia superiore, perché molti di questi reati non vengono denunciati.

Alla luce di quanto sopra, può la Commissione rispondere ai seguenti quesiti:

1. È al corrente la Commissione del caso di Anusha? Seguirà il caso per vedere se sarà fatta giustizia?

2. Ha discusso del problema dei delitti di donne e ragazze per motivi d'onore nel contesto del dialogo sui diritti umani con il Pakistan? In caso negativo, intende sollevare la questione?

3. Cosa ritiene si possa fare per proteggere maggiormente donne e ragazze dai cosiddetti «delitti d'onore»? In quali paesi, oltre al Pakistan, si verifica il maggior numero di casi?

Risposta congiunta di Catherine Ashton a nome della Commissione
(18 gennaio 2013)

Il delitto d'onore, perpetrato nella maggior parte dei casi da familiari nella convinzione che la vittima abbia disonorato la famiglia o la comunità, è una pratica diffusa in tutto il mondo. Stando alla Commissione per i diritti umani del Pakistan, sono 943 le donne uccise nel paese lo scorso anno per i cosiddetti «delitti d'onore». Un caso recente è quello della quindicenne Anusha, morta dopo aver subito un'aggressione con acido. Gli autori del crimine, i genitori, sono stati arrestati. Il reato è punibile con la pena dell'ergastolo.

L'UE ha esortato il governo del Pakistan a prendere con urgenza misure atte a garantire la protezione dei diritti delle donne. Il disegno di legge del 2010 sul controllo degli acidi e la prevenzione delle aggressioni con acidi è stato introdotto dal governo al fine di sostenere le donne vittime di tali aggressioni. Inoltre, sono state intraprese iniziative giuridiche, istituzionali e amministrative volte a migliorare la condizione femminile, tra cui il disegno di legge sulla violenza domestica (prevenzione e protezione). Si dovrà tuttavia garantire che queste nuove leggi vengano effettivamente attuate.

Il rispetto dei diritti umani è un valore fondamentale dell'Unione europea, sia a livello interno che nelle relazioni con tutti i paesi terzi. L'UE è impegnata in un dialogo regolare con il Pakistan su tali questioni, nonché sull'attuazione delle convenzioni internazionali in materia di diritti umani di cui l'UE e il Pakistan sono firmatari. Inoltre, l'UE finanzierà progetti di potenziamento delle capacità delle istituzioni federali e provinciali allo scopo di aumentare la sensibilizzazione ai diritti umani e la tutela degli stessi, favorire l'accesso alla giustizia per i gruppi vulnerabili e rafforzare le organizzazioni della società civile.

L'UE ha attuato programmi di assistenza, anche riguardanti l'accesso alla giustizia, finalizzati ad apportare miglioramenti in materia di azione giudiziaria e sentenze, e sostiene altresì programmi relativi all'istruzione e all'equilibrio di genere. Spesso però, una delle principali difficoltà per garantire giustizia alle vittime è rappresentata dalla mancanza di testimoni.

(English version)

Question for written answer E-010338/12
to the Commission
Mara Bizzotto (EFD)
(12 November 2012)

Subject: 'Honour killings' of young girls continue in Pakistan

A Pakistani couple has been accused of and arrested for killing their 15-year-old daughter Anusha, who had burns on 60% of her body after they poured acid on her. The parents say they carried out the attack because she had tarnished the family's honour by looking at a boy as he drove past on a motorcycle.

Anusha's tragic death underlines the problem of so-called 'honour killings' in Pakistan where women and girls are killed for marrying or having relationships not approved of by their families, or, as in this case, merely because they are perceived to have dishonoured their families in some way.

According to the Human Rights Commission of Pakistan, at least 943 women were killed in the name of honour last year. Only 20 of these women received medical care before they died. However, the real toll is believed to be higher because many of the crimes go unreported.

In the light of the above information, can the Commission answer the following:

1. Is the Commission aware of Anusha's case? Will the Commission follow the case to see if justice prevails?

2. Has the Commission discussed the problem of 'honour killings' of girls and women in the context of the human rights dialogue with Pakistan? If not, does it intend to do so?

3. What does the Commission believe could be done further to protect girls and women from so-called 'honour killings'? Where in the world, apart from Pakistan, are such cases most prevalent?

Question for written answer E-010574/12
to the Commission (Vice-President/High Representative)
Nirj Deva (ECR)
(20 November 2012)

Subject: VP/HR — 'Honour killing' in Pakistan

The Vice-President/High Representative will be aware of the recent death in Pakistan of a 15-year-old girl who died after being doused in acid by her parents. The parents' justification for their action was that the girl had brought dishonour on her family by looking at boys.

1. What is the Vice-President/High Representative's assessment of the problem of so-called 'honour killings' in Pakistan?

2. What efforts has the Vice-President/High Representative made to raise her concerns about 'honour killings' with the Pakistani authorities?

3. To what extent does the Vice-President/High Representative believe that the prevalence of 'honour killings' in Pakistani society is partly the consequence of problems within the systems of public and religious education?

4. How confident is the Vice-President/High Representative that the Pakistani justice system is able to deliver justice for the victim of this attack and for the victims of the hundreds of other such attacks that take place in Pakistan every year?

5. Finally, how important are such abuses in the overall consideration of the European Union's strategic relationship with Pakistan?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(18 January 2013)

Honour killings are a worldwide phenomenon, perpetrated most frequently by other family members in the belief that the victim has dishonoured the family or community. The Human Rights Commission of Pakistan reported that 943 women died in so-called honour killings in Pakistan last year. A recent case is that of the acid attack on 15-year Anusha which led to her death. The perpetrators, her parents, were arrested. The offence is punishable with life imprisonment.

The EU has encouraged the Government of Pakistan to take urgent measures to ensure protection for the rights of women. Acid Control and Acid Crime Prevention Bill 2010 was introduced by the government to support women who are the victims of acid attacks. In addition legal, institutional and administrative initiatives for the advancement of women have been taken, including the Domestic Violence (Prevention and Protection) Bill. But the actual implementation of these new laws will need to be ensured.

Respect for human rights is a core value of the EU, internally and in relations with all third countries. It engages with Pakistan regularly on these issues. Such dialogue also concerns the implementation of international human rights conventions to which the EU and Pakistan are parties. Furthermore the EU will be funding capacity-building projects in federal and provincial institutions to improve awareness and protection of human rights, access to justice for vulnerable groups and strengthen civil society organisations.

The EU has assistance programmes in place — including on access to justice — that should improve prosecution and sentencing, and also supports programmes related to education and gender balance. But a major challenge in ensuring justice is often a lack of witnesses.

(Version française)

Question avec demande de réponse écrite P-010339/12
à la Commission
Jean-Luc Bennahmias (ALDE)
(13 novembre 2012)

Objet: Approche comptable d'Eurostat envers les schémas de financement des infrastructures de transport

Ces dernières années, Eurostat a développé des règles claires pour évaluer le traitement des projets d'infrastructures publiques dans les comptes des États membres. L'Agence européenne établit en particulier une distinction nette entre les schémas de type concession et le partenariat public-privé. Ces règles ont clairement encouragé l'investissement.

Plus récemment, de nouveaux modèles de financement d'infrastructures routières ou ferroviaires sont apparus, avec pour objectif de mieux répartir la charge du risque de trafic entre les différents acteurs. Cette approche novatrice, à mi-chemin entre un partenariat public-privé classique et un contrat de concession, est actuellement mise en place au Portugal. Elle est également envisagée dans plusieurs pays: en Pologne (projet d'autoroute A1), en Hongrie ou en Estonie.

Cependant, l'analyse d'Eurostat sur le projet d'autoroutes SCUT ([1]) au Portugal menace de freiner le développement de ces schémas innovants, comme le souligne l'EPEC dans un récent rapport ([2]). Selon Eurostat, l'État, qui retirerait pourtant directement les bénéfices des péages, devrait inscrire l'infrastructure à son actif, ainsi que la dette correspondante, ce qui alourdirait considérablement son bilan.

Si cette décision de l'agence fait jurisprudence en la matière, cela constituerait un coup d'arrêt certain au développement de plusieurs projets d'infrastructures, alors que dans le même temps l'Union européenne soutient des politiques ambitieuses pour relancer l'investissement sur le continent («project bonds», mécanisme d'interconnexion en Europe, etc.).

C'est pourquoi je souhaite poser trois questions précises à la Commission:

1. La Commission considère-t-elle que l'approche d'Eurostat concernant ce type de financement innovant est compatible avec une bonne gestion des finances publiques?

2. La Commission a-t-elle prévu qu'Eurostat évalue l'impact de cette décision sur le développement d'autres projets d'infrastructures, dont le mode de financement serait similaire? Si oui, une procédure particulière est-elle envisagée, et quel calendrier l'agence se fixe-t-elle?

3. La Commission ne pense-t-elle pas qu'il est paradoxal de freiner l'investissement en infrastructure, alors que l'Union européenne n'en a jamais eu autant besoin?

Réponse donnée par M. Šemeta au nom de la Commission
(21 décembre 2012)

La Commission est consciente du besoin de soutenir les investissements en infrastructure dans cette période de difficultés économiques et souhaite attirer plus de financements de la part d'investisseurs privés pour compenser les restrictions budgétaires.

1. Le traitement statistique des partenariats public-privé (PPP), de même que le traitement de toute autre question statistique, est fondé sur les dispositions du règlement relatif au système européen des comptes nationaux (SEC 95) et sur les règles du manuel pour le déficit public et la dette publique. Eurostat exerce son indépendance professionnelle dans l'application des principes statistiques, conformément au règlement n° 223/2009 du Conseil sur les statistiques européennes ([3]).

2. Eurostat, en étroite concertation avec les autorités statistiques des États membres de l'UE, a pris sa décision sur une base statistique, reflétant la répartition des risques dans le cadre des dispositions susmentionnées.

([1]) Conclusions finales, visites de dialogue sur la PDE et ad hoc au Portugal (17-18 janvier 2011 et 14-15 avril 2011), Eurostat, 18 octobre 2011.
([2]) New Eurostat rules on contracts that fund the major part of availability payments using tolls collected by or on behalf of the government, The case of the SCUT motorway contracts in Portugal, European PPP Expertise Center (EPEC), September 2011.
([3]) JO L 87 du 31.3.2009.

3. L'objectif principal des statistiques des finances publiques est de donner une image impartiale de la situation budgétaire des États membres, en s'assurant notamment que les États membres ne conservent pas, de manière inappropriée, leurs actifs et passifs hors bilan. Un tel traitement hors bilan ne serait compatible ni avec la transparence budgétaire ni avec une bonne gestion financière. Il est important de veiller à ce que les gouvernements ne réalisent pas plus d'investissements dans des infrastructures publiques au moyen de partenariats public-privé uniquement parce qu'ils n'auraient pas immédiatement un impact sur leurs données budgétaires, mais seulement à moyen et long terme.

(English version)

Question for written answer P-010339/12
to the Commission
Jean-Luc Bennahmias (ALDE)
(13 November 2012)

Subject: Eurostat's accounting approach to transport infrastructure financing scenarios

Over the past few years, Eurostat has developed clear rules on assessing the way in which Member States handle their accounting of public infrastructure projects. In particular, Eurostat has drawn a clear distinction between concession-type scenarios and public-private partnerships. These rules have clearly stimulated investment.

More recently, new road and rail infrastructure financing models have been developed. These seek to better spread the traffic risk burden among the various players. This novel approach, which is midway between a classic public-private partnership and a concession agreement, is currently being implemented in Portugal. It is also being considered in many other countries such as Poland (A1 Motorway project), Hungary and Estonia.

However, Eurostat's analysis of the SCUT motorways project ([1]) in Portugal threatens to hamper the development of these innovative schemes, as was emphasised by the EPEC in a recent rapport ([2]). According to Eurostat, the State — which would in fact be the direct recipient of the tolls paid — should enter the infrastructure concerned on the asset side of its accounts, and should also enter the corresponding liabilities, which would weigh heavily on its accounts.

Should Eurostat's decision be used as a reference, it would be sure to stop several infrastructure projects dead in their tracks, at a time when the EU is supporting ambitious policies to boost investment across the continent (e.g. project bonds and the Connecting Europe Facility).

I should therefore like to put three specific questions to the Commission:

1. Does it consider Eurostat's approach to this type of innovative financing to be compatible with the sound management of public finances?

2. Does it plan to ask Eurostat to assess the impact of its decision on the development of other infrastructure projects which might be financed along similar lines? If so, would a specific procedure be followed, and what timescale would Eurostat set?

3. Does it not consider it paradoxical for infrastructure investment to be hampered at a time when the EU needs this more than ever?

Answer given by Mr Šemeta on behalf of the Commission
(21 December 2012)

The Commission is aware of the need to support infrastructure investments in these difficult economic times and is willing to attract more private investors towards infrastructure financing to complement constrained public budgets.

1. The statistical treatment of public-private partnerships (PPPs), as the treatment of any other statistical matter, is based on the provisions of the European System of Accounts Regulation (ESA 95) and on the rules of the Manual on Government Deficit and Debt (MGDD). Eurostat exercises professional independence in applying statistical principles, according to Council Regulation No 223/2009 on European statistics ([3]).

2. Eurostat, in full consultation with EU Member State statistical authorities, has taken its decision on statistical grounds, reflecting the distribution of risks within the arrangements mentioned.

3. The primary objective of Government Finance Statistics is to give an unbiased representation of the fiscal position of Member States, including ensuring that governments do not inappropriately keep their assets and liabilities off-balance sheet.

([1]) Final findings on the EDP and dialogue visits to Portugal (17-18 January 2011 and 14-15 April 2011) — Eurostat, 18 October 2011.
([2]) New Eurostat rules on contracts that fund the major part of availability payments using tolls collected by or on behalf of the government, The case of the SCUT motorway contracts in Portugal, European PPP Expertise Center (EPEC), September 2011.
([3]) OJ L 87, 31.3.2009.

Such off-balance sheet treatment would not be compatible with either fiscal transparency or sound financial management. It is important to ensure that governments do not make more public infrastructure investments through PPPs simply because they would not immediately impact on their fiscal data, but only in the medium to longer term.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010340/12
alla Commissione
Mara Bizzotto (EFD)
(13 novembre 2012)

Oggetto: In Turchia 144 curdi gravi a causa dello sciopero della fame

In Turchia l'Associazione delle famiglie dei prigionieri (Tuhadfed) riferisce che almeno 144 dei circa 700 detenuti curdi in sciopero della fame da 55 giorni sono oggi in «condizioni critiche». I detenuti curdi chiedono la fine dell'isolamento in carcere del leader del Pkk Abdullah Ocalan nell'isola prigione di Imrali e il diritto di potersi difendere in curdo nei tribunali turchi, poiché oggi in Turchia l'uso della lingua curda è proibito dai tribunali.

È la Commissione a conoscenza di questo grave sciopero della fame? Nella risposta all'interrogazione precedente E-008177/2012 la Commissione ha espresso preoccupazioni per quanto riguarda le procedure giudiziarie in relazione al caso KCK. La Turchia ha da allora manifestato la volontà di migliorare i diritti umani dei prigionieri curdi?

Risposta di Štefan Füle a nome della Commissione
(25 gennaio 2013)

La Commissione ha seguito da vicino la vicenda cui si riferisce l'onorevole deputata, rallegrandosi che lo sciopero della fame sia stato sospeso il 18 novembre 2012.

La Commissione ha sollevato la questione dei detenuti curdi nei contatti avuti con le autorità turche e continuerà a seguire da vicino la questione.

In via di principio generale, la Commissione ribadisce che la questione curda va affrontata adeguatamente e, al riguardo, rimanda alle più recenti conclusioni del Consiglio, nelle quali si sottolinea che «la riforma costituzionale dovrebbe fornire un quadro utile per numerosi sforzi importanti di riforma, in particolare per quanto riguarda la questione curda».

(English version)

Question for written answer E-010340/12
to the Commission
Mara Bizzotto (EFD)
(13 November 2012)

Subject: Hunger strike in Turkey leaves 144 Kurds in a serious condition

The Turkish Prisoners' Families Association (TUHAD-FED) is reporting that at least 144 out of approximately 700 Kurdish detainees who have been on hunger strike for 55 days are currently in a 'critical condition'. The Kurdish prisoners are demanding an end to the isolation of the Kurdistan Workers' Party (PKK) group leader Abdullah Öcalan, who is imprisoned on the island of Imrali, and the right to defend themselves in Kurdish in Turkish courts, since the use of the Kurdish language is currently prohibited by the courts in Turkey.

Is the Commission aware of this serious hunger strike? In answer to the previous question E-008177/2012, the Commission expressed concerns regarding the judicial procedures in connection with the KCK case. Since then, has Turkey expressed its intention to improve the human rights of Kurdish prisoners?

Answer given by Mr Füle on behalf of the Commission
(25 January 2013)

The Commission closely followed the issue raised by the Honourable Member and welcomed the end of the hunger strike on 18 November 2012.

The Commission raised the situation of Kurdish detainees in its contacts with the Turkish authorities and will continue to monitor the issue in detail.

As a general principle the Commission reiterates the importance to adequately address the Kurdish issue. In this context, the Commission also refers to the latest Council Conclusions which stress that 'the constitutional reform should provide a useful framework for several important reform efforts, notably with regard to the Kurdish issue.'

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010341/12
alla Commissione
Mara Bizzotto (EFD)
(13 novembre 2012)

Oggetto: Ritiro proposta di regolamento sull'indicazione del paese di origine di taluni prodotti importati da paesi terzi

Il 21 ottobre 2010 il Parlamento europeo ha approvato la proposta della Commissione di un «regolamento sull'indicazione del paese di origine di taluni prodotti importati da paesi terzi» finalizzato a istituire un sistema europeo di etichettatura obbligatoria. Il 24 ottobre 2012 la Commissione ha improvvisamente ritirato la proposta di regolamento, bloccata ormai da due anni in Consiglio per l'opposizione dei paesi del Nord Europa. In un momento come quello attuale, in cui la crisi mette a dura prova l'intero tessuto economico comunitario, questa decisione lascia un vuoto legislativo che mette in pericolo non solo la sopravvivenza di quelle imprese europee che hanno deciso di non delocalizzare, ma anche la piena tutela dei consumatori dall'acquisto inconsapevole di prodotti potenzialmente di dubbia qualità.

A tale riguardo la Commissione:

1. Può spiegare perché non ha ritenuto di dover coinvolgere formalmente il Parlamento prima di procedere unilateralmente al ritiro di un atto che lo stesso aveva votato;

2. Può illustrare come intende assicurare a imprese e consumatori europei una regolamentazione che garantisca l'efficienza globale degli scambi commerciali tra l'Europa e suoi concorrenti quali la Cina, gli Stati Uniti, il Giappone, l'Australia e il Sudafrica, dove l'indicazione d'origine è già obbligatoria anche per gli esportatori europei che desiderano operare in quei mercati;

3. Non ritiene pericolosa la scelta di ritirare questa proposta di regolamento in un momento come quello attuale in cui le eccellenze della produzione di qualità europea, quali ad es. il Made in Italy, devono competere con i produttori delle economie emergenti che molto spesso non rispettano i criteri di qualità e sicurezza, né le normative sociali ed ambientali;

4. Può far sapere quando intende presentare una nuova proposta?

Risposta di Karel De Gucht a nome della Commissione
(18 gennaio 2013)

Al momento di adottare il suo programma di lavoro per il 2013 la Commissione ha incluso una proposta di regolamento sull'indicazione del paese d'origine di certi prodotti importati da paesi terzi (la cosiddetta proposta «made in») nell'elenco delle proposte che intende ritirare. Così facendo, la Commissione prendeva atto di un contesto generale contrassegnato da evoluzioni esterne e dall'assenza di un compromesso politico nonostante l'ampio sostegno espresso dal Parlamento.

Secondo la prassi consueta, il Parlamento e il Consiglio hanno la possibilità di formulare commenti fino al momento della decisione formale di ritiro. La Commissione è pronta a fornire ulteriori spiegazioni e prenderà in debita considerazione tali commenti.

Alcuni paesi terzi dispongono di regimi di marchio d'origine. La Commissione è pronta a esaminare le eventuali difficoltà che insorgono negli scambi con questi paesi a motivo di detti regimi se l'industria europea vorrà segnalargliele.

Si noti che la proposta «made in» intende fornire informazioni relativamente all'origine di certe categorie di prodotti industriali importati. Il suo obiettivo non è fornire informazioni sull'ottemperanza ai requisiti legati, ad esempio, alla sicurezza, all'ambiente o alla manodopera.

In questa fase la Commissione non intende presentare una proposta riveduta. La Commissione è comunque attenta alla necessità di creare condizioni eque per le imprese europee, soprattutto le piccole e medie imprese, e di assicurare che i consumatori europeo fruiscano di informazioni appropriate per fare una scelta informata dei prodotti che acquistano.

(English version)

Question for written answer E-010341/12
to the Commission
Mara Bizzotto (EFD)
(13 November 2012)

Subject: Withdrawal of proposal for a regulation on the indication of the country of origin of certain products imported from third countries

On 21 October 2010, the European Parliament adopted the Commission's proposal for a regulation on the indication of the country of origin of certain products imported from third countries, which aims to set up a Europe-wide system for compulsory labelling. On 24 October 2012, the Commission unexpectedly withdrew the proposal for a regulation, which has been blocked in Council for two years due to opposition from northern European countries. Given the current climate, in which the crisis is severely testing the economic fabric throughout the European Union, this decision leaves a legal vacuum which endangers both the survival of European businesses that have decided not to relocate and the full protection of consumers from unwittingly purchasing products that may be of poor quality.

Given the above:

1. Can the Commission clarify why it did not believe it was necessary to formally involve the European Parliament before proceeding unilaterally to withdraw an act upon which Parliament had voted?

2. Can the Commission explain how it intends to provide EU businesses and consumers with a set of regulations that ensures greater trade efficiency between Europe and its competitors such as China, the United States, Japan, Australia and South Africa, where the indication of origin is already compulsory for EU exporters who wish to operate in these markets?

3. Does the Commission believe that the decision to withdraw this proposal for a regulation presents a risk at a time when European manufacturing excellence, such as 'Made in Italy' for example, is forced to compete with products from emerging economies that very often breach quality and safety criteria and also flout social and environmental standards?

4. Can the Commission confirm when it intends to submit a new proposal?

Answer given by Mr De Gucht on behalf of the Commission
(18 January 2013)

When adopting its work programme for 2013, the Commission included the proposal for a regulation on the indication of the country of origin of certain products imported from third countries (so-called 'made in' proposal) in the list of proposals that it intends to withdraw. When doing so, the Commission took account of an overall context marked by external evolutions and the absence of political compromise despite the large support expressed by Parliament.

According to standard practice, Parliament and Council have the possibility to comment until the formal decision to withdraw. The Commission is ready to provide further explanations and will give due consideration to the comments.

Some third countries have origin-marking schemes in place. The Commission stands ready to examine any difficulty that may be brought to its attention by the European industry due to these schemes when trading to those countries.

It is worth noting that the 'made in' proposal aims to provide information regarding the origin of some categories of imported industrial goods. Its objective is not to provide information regarding compliance with requirements related for instance to safety, the environment or labour.

At this stage, the Commission does not intend to table a revised proposal. However, the Commission is mindful of the need to provide a level playing field for European companies, especially small and medium-sized companies, and to ensure that European consumers benefit from appropriate information for their purchase choice.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010342/12
alla Commissione
Andrea Zanoni (ALDE)
(13 novembre 2012)

Oggetto: Uso consolidato in Italia di fucili da caccia con canna ad anima rigata (carabine) con numero di colpi superiore a quanto consentito dalla direttiva «Habitat»

La legge italiana sulla caccia n.157/1992, all'articolo 13, consente l'impiego di fucili con canna ad anima rigata (le carabine) senza limitazioni di colpi, in palese contrasto con la direttiva «Habitat» 92/43/CEE e la Convenzione di Berna che stabiliscono che tutte le armi da caccia non possono utilizzare più di tre colpi complessivi (due nel caricatore più uno in canna).

In effetti, tale legge prevede il limite di due cartucce nel serbatoio, oltre al colpo in canna, e una sanzione penale in caso di violazione di questa disposizione, solo per i fucili a canna liscia.

Paradossalmente, quindi, la citata norma italiana considera la carabina con canna ad anima rigata (notoriamente più potente del fucile a canna liscia) un'arma idonea per la caccia a mammiferi, in particolare agli ungulati, determinando in questo modo una situazione di estremo svantaggio per questo tipo di fauna selvatica.

Tale possibilità è stata ribadita anche nel Decreto Legislativo n. 204/2010 (all'articolo 6, comma 6), emanato in attuazione della direttiva 2008/51/CE relativa al controllo dell'acquisizione e della detenzione di armi, nel quale non si prevede alcuna limitazione di colpi per le carabine a canna rigata per uso venatorio.

Inoltre, l'allegato F del decreto del Presidente della Repubblica n. 357/97, che recepisce la direttiva Habitat in Italia, pur annoverando fra i mezzi di caccia vietati le armi con caricatore contenente più di due cartucce, in caso di trasgressione non prevede alcuna sanzione per i trasgressori.

Grazie a questa lacuna legislativa e a queste norme permissive e contraddittorie, di fatto, oggi in Italia la caccia agli ungulati viene esercitata in tutte le regioni con armi a canna rigata senza limitazione di colpi.

Non ritiene la Commissione necessario intervenire presso lo Stato italiano al fine di ottenere la corretta applicazione delle norme europee a tutela della fauna selvatica, in particolare della direttiva «Habitat» 92/43/CEE e della Convenzione di Berna recepita dall'Unione europea con decisione n. 82/72/CEE?

Risposta di Janez Potočnik a nome della Commissione
(7 gennaio 2013)

L'articolo 15 e l'allegato VI della direttiva 92/43/CEE (direttiva «Habitat») ([1]) vietano l'uso di armi semiautomatiche e automatiche con caricatore contenente più di due cartucce. Tale disposizione si applica all'uccisione delle specie elencate alla lettera a) dell'allegato V della medesima direttiva.

Pertanto la Commissione contatterà le autorità italiane per ottenere delucidazioni in merito al divieto o meno dell'utilizzo di tutti i tipi di armi semiautomatiche e automatiche nella legislazione italiana.

([1]) GU L 206 del 22.7.1992.

(English version)

Question for written answer E-010342/12
to the Commission
Andrea Zanoni (ALDE)
(13 November 2012)

Subject: Established use in Italy of shotguns (rifles) with number of shots exceeding the limit set by the Habitats Directive

Article 13 of the Italian Law on Hunting No 157/1992 allows the use of shotguns (rifles) with an unlimited number of shots, in stark contrast to the Habitats Directive 92/43/EEC and the Bern Convention, which stipulate that no hunting weapon may use more than a total of three shots (two in the magazine and one in the barrel).

This legislation imposes a limit of two loaded cartridges, in addition to the shot in the barrel, and a criminal sentence if the provision is breached, but this only applies to rifles.

Paradoxically, the aforesaid Italian law therefore deems shotguns (which are notoriously more powerful than rifles) to be a suitable weapon for hunting mammals, particularly ungulates, thus putting these wild animals at an extreme disadvantage.

This was reinforced by Article 6(6) of Legislative Decree No 204/2010, issued to implement Directive 2008/51/EC on control of the acquisition and possession of weapons, which does not impose any limit on shots from shotguns when hunting.

Furthermore, while listing weapons with magazines containing more than two cartridges among illegal hunting methods, Annex F of Presidential Decree No 357/97, which transposes the Habitats Directive into Italian law, does not penalise those who break these rules.

Due to these lax regulations and these lenient and contradictory laws, ungulates are now hunted throughout Italy using shotguns with unlimited shots.

Does the Commission believe that it is necessary to intervene with the Italian Government to ensure that EU regulations on the protection of wild animals, particularly the Habitats Directive 92/43/EEC and the Bern Convention transposed by the European Union by Decision No 82/72/EEC, are being properly implemented?

Answer given by Mr Potočnik on behalf of the Commission
(7 January 2013)

Article 15 and Annex VI of the Habitats Directive 92/43/EEC ([1]) prohibit the use of semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition. This prohibition applies to the killing of species listed in Annex V(a) of the directive.

The Commission will therefore contact the Italian authorities in order to receive clarification on whether Italian national legislation prohibits all types of semis-automatic or automatic weapons.

([1]) OJ L 206, 22.7.1992.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010343/12
aan de Commissie
Corien Wortmann-Kool (PPE)
(13 november 2012)

Betreft: Financiële educatie en een „Europese week van het geld"

Deze week is het de *Week van het geld* in Nederland. Het doel van deze nationale projectweek is om scholieren te leren omgaan met geld. *De Week van het geld* is in de afgelopen jaren een groot succes gebleken als onderdeel van de bredere nationale strategie *Wijzer in geldzaken*, met betrokkenheid van overheid, financiële instellingen en belangorganisaties.

Het Europees Parlement heeft meerdere malen gewezen op het belang van financiële educatie en de Commissie opgeroepen om met concrete voorstellen te komen ([1]). Een voortgangsrapport van EIOPA ([2]) concludeerde eind 2011 dat slechts in een aantal lidstaten een nationale strategie is gelanceerd; in veel landen is de voortgang traag.

1. Onderschrijft de Commissie het grote maatschappelijke belang van financiële educatie? Onderschrijft de Commissie dat de financiële crisis bij uitstek de noodzaak onderstreept om financiële educatie te stimuleren zodat consumenten bewust financiële beslissingen nemen?

2. Beaamt de Commissie dat de *Week van het geld* en het platform *Wijzer in geldzaken* kunnen dienen als een aanjager in Europa om financiële educatie te bevorderen? Zo ja, is de Commissie bereid naar Nederlands voorbeeld een *Europese week van het geld* te organiseren?

3. In augustus 2008 heeft de Commissie een expertgroep financiële educatie opgericht. Het laatste publieke verslag dateert van 17 december 2010 ([3]). Kan de Commissie opheldering geven over de status van deze expertgroep? Indien deze werkgroep is opgeheven, wat was doorvoor de voornaamste reden? Kan de Commissie in dit geval aangeven welk alternatief platform er bestaat om nationale ervaringen in Europa uit te wisselen en de zichtbaarheid van financiële educatie in de lidstaten te vergroten?

4. Het Parlement heeft in 2008 gevraagd om een online database van nationale strategieën en onderzoek op het gebied van financiële educatie. Deze database is op 17 juni 2011 door de Commissie offline gehaald ([4]). Wat is hiervoor de voornaamste reden? Kan de Commissie aangeven op welke manieren de voortgang structureel en beter gevolgd kan worden?

5. Kan de Commissie een overzicht geven van de voortgang die het afgelopen jaar is gemaakt in de lidstaten en op Europees niveau op het gebied van financiële educatie? Kan de Commissie een overzicht geven van geplande concrete acties op korte en middellange termijn om financiële educatie in Europa te stimuleren en nationale initiatieven bij elkaar te brengen?

Antwoord van de heer Barnier namens de Commissie
(15 januari 2013)

Financiële educatie is een belangrijk instrument om het vertrouwen van de consument in de financiële markten te kunnen herstellen. Dergelijke educatie vormt een aanvulling op een adequate bescherming van de consument en op de verantwoordelijkheidszin van aanbieders van financiële diensten.

De Europese Commissie verleent daarbij steun aan nationale strategieën en evenementen die betrekking hebben op financiële educatie (bv. door op te treden als beschermheer).

([1]) Resolutie van het Europees Parlement over Consumentenbescherming: verbetering consumenteneducatie en kennis van krediet- en geldzaken, 14 oktober 2008 (2007/2288) en Resolutie van het Europees Parlement over Consumentenbeleid (2011/2149(INI)).
([2]) European Insurance and Occupational Pensions Authority (2011), „Report on Financial Literacy and Education initiatives by Competent Auhorities", EIOPA-CCPFI-11/018.
([3]) http://ec.europa.eu/internal_market/finservices-retail/capability/.
([4]) http://ec.europa.eu/internal_market/fesis/index.cfm.

Zij ziet echter niet toe op de voortgang die de lidstaten op dit gebied maken. Zij is wel actief betrokken bij een aantal projecten op EU-niveau. Zo heeft de Commissie Dolceta ontwikkeld, een online-instrument voor consumenteneducatie met daarin twee onderdelen over financiële diensten, dat zij zelf ook beheert. De Commissie is ook bezig met het ontwikkelen van een community-website voor educatie onder de benaming „Consumer Classroom", die zich richt tot leerkrachten van jongeren tussen 12 en 18 jaar. Op deze website zullen zij vrij toegang krijgen tot pedagogisch materiaal, onder meer over financiële diensten. Daarnaast heeft de Commissie een twee jaren durend proefproject gelanceerd waarmee opleidingen zullen worden verstrekt aan non-profitorganisaties voor adviesverstrekking aan consumenten, zodat deze hun capaciteit op dit gebied kunnen opbouwen. Ten slotte is er nog een informatiecampagne over de rechten die consumenten ontlenen aan de richtlijn consumentenkrediet. Deze zal in 2013 in vier lidstaten worden gelanceerd.

De deskundigengroep voor financiële educatie heeft zijn driejarig mandaat volbracht. Er is besloten dit mandaat niet te verlengen omdat het geen echte toegevoegde waarde zou opleveren. Wat de Europese gegevensbank over financiële educatie betreft, is uit de statistieken over de frequentie van raadplegingen en zoekoperaties gebleken dat deze weinig werd gebruikt. Op basis daarvan is dan ook besloten de gegevensbank in 2011 stop te zetten.

(English version)

Question for written answer E-010343/12
to the Commission
Corien Wortmann-Kool (PPE)
(13 November 2012)

Subject: Financial education and a 'European Money Week'

This week is 'Money Week' in the Netherlands. The purpose of this national project week is to teach schoolchildren how to manage money. 'Money Week' has been a great success in recent years as part of the broader national Wijzer in geldzaken (Money Wise) strategy involving the authorities, financial institutions and interest groups.

The European Parliament has repeatedly stressed the importance of financial education and called on the Commission to submit concrete proposals ([1]). An EIOPA progress report ([2]) of late 2011 concluded that only a few Member States have launched a national strategy, and progress is slow in many countries.

1. Does the Commission agree that financial education is of great social importance? Does the Commission agree that the financial crisis clearly emphasised the need to promote financial education in order to help consumers make conscious financial decisions?

2. Does the Commission agree that 'Money Week' and the Money Wise platform can serve as a driver in Europe to promote financial education? If so, is the Commission prepared to follow the Dutch example by organising a 'European Money Week'?

3. In August 2008 the Commission set up an expert group on financial education. Its last published report dates back to 17 December 2010 ([3]). Can the Commission clarify the status of this expert group? If this working group has been dissolved, what was the main reason for doing so? If this is the case, can the Commission indicate what alternative platforms exist for exchanging national experience in Europe and enhancing the visibility of financial education in the Member States?

4. In 2008 Parliament called for an online database of national strategies and research in the field of financial education. The Commission took this database offline on 17 June 2011 ([4]). What is the main reason for this? Can the Commission indicate how structural improvements can be made in monitoring progress?

5. Can the Commission provide an overview of the progress made over the past year in the field of financial education in the Member States and at European level? Can the Commission provide an overview of the actions planned in the short and medium term to promote financial education in Europe and bring together national initiatives?

Answer given by Mr Barnier on behalf of the Commission
(15 January 2013)

Financial education is an important tool enabling to restore consumer confidence in financial markets. It should complement adequate consumer protection and the responsible behaviour of financial services providers.

Although, the European Commission supports national strategies and events in the area of financial education (e.g. by means of a patronage),

It does not monitor the progress of Member States in the area of financial education. However, the Commission is actively involved in several projects at EU level. For example, it has developed and runs Dolceta, an online consumer education tool, which includes two sections on financial services. The Commission is also currently developing a community educational website called 'Consumer Classroom', aimed at teachers of 12-18 year-olds, which will provide them with free access to educational material, including on financial services. Furthermore, the Commission has launched a two-year pilot project which aims at providing training courses to non-profit entities which give financial advice to consumers, in order to build their capacity in this area. Lastly, an information campaign on the rights that the Consumer Credit Directive grants to consumers will be launched in four Member States in 2013.

([1]) European Parliament resolution on protecting the consumer: improving consumer education and awareness on credit and finance, 14 October 2008 (2007/2288) and European Parliament resolution on consumer policy (2011/2149(INI)).
([2]) European Insurance and Occupational Pensions Authority (2011), 'Report on Financial Literacy and Education initiatives by Competent Authorities', EIOPA-CCPFI-11/018.
([3]) http://ec.europa.eu/internal_market/finservices-retail/capability/.
([4]) http://ec.europa.eu/internal_market/fesis/index.cfm.

The Expert Group on Financial Education has fulfilled its 3-year mandate. It has been decided that its extension was not necessary as it would not bring a substantial added value. Since the satistics on the frequency of visits and searches pointed at a limited use of the European Database on Financial Education, it has also been decided that the database be discontinued in 2011.

(Version française)

Question avec demande de réponse écrite P-010344/12
à la Commission
Michèle Rivasi (Verts/ALE)
(13 novembre 2012)

Objet: Proposition de règlement COM(2012)0380 concernant le «contrôle technique périodique des véhicules à moteur et de leurs remorques»

Les motivations de la proposition de règlement COM(2012)0380 concernant le «contrôle technique périodique des véhicules à moteur et de leurs remorques» se basent sur un renforcement de la sécurité routière grâce au recours plus régulier à des contrôles techniques.

Cette proposition de changement de réglementation s'appuie sur plusieurs études fondées sur un seul et même document de référence concernant les deux roues motorisées, à savoir un rapport d'accidentologie rédigé par le leader européen du contrôle technique, DEKRA.

Je rejoins M. S. Schmidt, responsable européen de la sécurité des routes, qui a déclaré que les données concrètes sur le taux d'accidents causés par des défaillances techniques sont encore trop peu documentées.

Par ailleurs, d'autres études, comme le rapport MAIDS, qui présentent des garanties plus sérieuses d'indépendance, apportent des conclusions bien différentes de celles de DEKRA.

Pour quelle raison les seuls chiffres de DEKRA ont-ils été pris en compte pour cette proposition de règlement?

Je voudrais vous demander de commanditer une nouvelle expertise qui pourrait préciser les chiffres d'accidents liés à des problèmes techniques ou au comportement du conducteur. Cela permettrait d'éclairer les parlementaires qui auront à débattre de cette proposition de règlement dans les semaines qui viennent.

Réponse donnée par M. Kallas au nom de la Commission
(8 janvier 2013)

La Commission souhaiterait faire observer à l'Honorable Parlementaire que 4 500 motocyclistes environ trouvent la mort chaque année sur les routes de l'Union européenne et que ce chiffre est identique à celui enregistré il y a quinze ans. Par rapport aux autres catégories d'usagers, le pourcentage de victimes chez les motocyclistes a même augmenté entre 2001 et 2010, passant de 10 à 15 % du nombre total de tués sur les routes. La Commission estime, par conséquent, que le législateur devrait prendre toutes les mesures susceptibles de permettre d'éviter les accidents de motocycles, et notamment ceux qui sont dus à des défaillances techniques, même en l'absence de rapports statistiques fiables sur les causes d'accidents.

L'étude MAIDS, à laquelle se réfère l'Honorable Parlementaire, conclut que le taux d'accidents de motocycles liés à des défaillances techniques n'excède pas 6 % ([1]), ce qui est assez proche du taux de 8 % établi par DEKRA dans son rapport sur la sécurité routière à la suite d'enquêtes approfondies sur les accidents menées entre 2002 et 2009.

La Commission considère que, en dépit des pourcentages divergents figurant dans les différentes études en ce qui concerne les causes techniques des accidents, le nombre d'accidents de motocycles qui peut être lié à des défaillances techniques a fait l'objet d'une analyse appropriée.

([1]) 5,1 % d'accidents dus à des défaillances techniques avérées et 0,9 % d'accidents pour lesquels les enquêteurs n'ont pas pu déterminer si une défaillance du véhicule s'était produite.

(English version)

Question for written answer P-010344/12
to the Commission
Michèle Rivasi (Verts/ALE)
(13 November 2012)

Subject: Proposal for a regulation COM(2012)0380 on 'periodic roadworthiness tests for motor vehicles and their trailers'

The grounds for Proposal for a regulation COM(2012)0380 on 'periodic roadworthiness tests for motor vehicles and their trailers' lie in enhancing road safety by means of more regular roadworthiness tests for vehicles.

This proposal to change the rules draws on a number of studies, all of which are based on the same reference document for motorcycles, namely a report by DEKRA, the European leader in motor vehicle inspections, on road traffic accidents.

I agree with Mr S. Schmidt, Head of the Commission's Road Safety Unit, who said that there is still not enough well-documented tangible data on the number of accidents caused by technical failures.

Furthermore other, more reliably independent, studies, such as the MAIDS Report, have reached very different conclusions from DEKRA.

Why have only DEKRA's figures been taken into account in this proposal for a regulation?

I would like to ask for a new expert report to be commissioned, one that gives more specific figures for accidents linked to technical problems and to driver behaviour. This would help MEPs who will have to discuss this proposal for a regulation in the near future.

Answer given by Mr Kallas on behalf of the Commission
(8 January 2013)

The Commission would like to draw the attention of the Honourable Member that about 4.500 motorcyclists are killed every year in the EU, which is as many as 15 years ago. In comparison to other road users the share of motorcyclist fatalities has even increased between 2001 and 2010 from 10% to 15% of all fatal accidents. Therefore, the Commission considers that the legislator should take all steps that are likely to prevent motorcycle accidents, including accidents that are due to technical failure, even in the absence of reliable statistical reporting on accident causes. The MAIDS study, referred to by the Honourable Member of Parliament, concludes that up to 6% ([1]) of motorcycle accidents are linked to technical defects which is rather similar to the 8% established in DEKRA's road safety report as a result of in-depth accident investigations performed in the years 2002 to 2009.

The Commission takes the view that despite diverging percentages in the various studies on the substance as regards technical reasons for accidents the magnitude of motorcycle accidents that can be linked to technical defects has been duly analysed.

([1]) 5.1% with identified technical defects plus 0,9% where the investigators were unable to determine if a vehicle failure had occurred.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010346/12
a la Comisión
María Irigoyen Pérez (S&D)
(13 de noviembre de 2012)

Asunto: Incumplimiento de España de la normativa europea sobre desahucios

El pasado 8 de noviembre la Abogada general del Tribunal de Justicia de la Unión Europea (UE) dictaminó que la Ley española de desahucios vulnera la normativa comunitaria, en concreto la Directiva 93/13/CEE del Consejo, de 5 de abril de 1993, sobre las cláusulas abusivas en los contratos celebrados con consumidores, porque no garantiza una protección eficaz de los consumidores frente a posibles cláusulas contractuales abusivas en las hipotecas. Y ello en base al artículo 3 de la Directiva que dispone que «Las cláusulas contractuales que no se hayan negociado individualmente se considerarán abusivas si, pese a las exigencias de la buena fe, causan en detrimento del consumidor un desequilibrio importante entre los derechos y obligaciones de las partes que se derivan del contrato.».

No obstante, la ausencia de armonización en la EU de las medidas nacionales de ejecución forzosa deja en manos de los Estados miembros el establecimiento de las modalidades procesales. Pero no por ello la regulación nacional puede obstaculizar la invocación de los derechos garantizados al consumidor por la Directiva 93/13/CEE, puesto que la libertad de configuración de los Estados miembros está limitada por el principio de equivalencia y por el principio de efectividad.

¿Contempla la Comisión a la luz del alto número de ejecuciones forzosas que se están produciendo en la EU con motivo de la grave crisis económica y financiera elaborar una normativa europea que armonice las prácticas nacionales con el objetivo de proteger a los consumidores? ¿Piensa realizar algún tipo de recomendación al Gobierno español en relación a este incumplimiento?

Respuesta de la Sra. Reding en nombre de la Comisión
(23 de enero de 2013)

Es cierto que el asunto C-415/11 se refiere a la compatibilidad de las normas españolas sobre la ejecución hipotecaria con la Directiva 93/13/CEE, de 5 de abril de 1993, sobre las cláusulas abusivas en los contratos celebrados con consumidores. En su dictamen de 8 de noviembre de 2012, el Abogado General propuso, entre otras cosas, considerar que la legislación española es incompatible con la Directiva 93/13/CEE, en la medida en que los consumidores podrían no obtener la suspensión de la ejecución, incluida la expulsión de su domicilio, hasta que un tribunal pueda evaluar el carácter abusivo de las cláusulas de su contrato de préstamo.

También es cierto que el Tribunal de Justicia ha declarado en repetidas ocasiones que la libertad de los Estados miembros de establecer normas de procedimiento que afecten al ejercicio de derechos derivados de la legislación de la UE está limitada por los principios de equivalencia y eficacia.

Sin embargo, como sabe Su Señoría, el Tribunal aún tiene que dictar sentencia en este asunto. Por lo tanto, la Comisión volverá a estudiar este tema después de que se dicte la sentencia.

La Comisión publicó el año pasado una propuesta de Directiva sobre los contratos de crédito para bienes inmuebles de uso residencial ([1]). Su objeto es garantizar el comportamiento responsable de los prestamistas y los prestatarios, sobre todo en la fase precontractual.

Además, la Comisión publicó un documento de trabajo sobre las medidas nacionales destinadas a prevenir las ejecuciones hipotecarias ([2]). El propósito del este documento es recabar la atención de los Estados miembros sobre los diferentes mecanismos aplicados a escala nacional, de forma que se fomenten y sigan las mejores prácticas.

([1]) COM(2011) 142.
([2]) SEC(2011) 357.

(English version)

Question for written answer E-010346/12
to the Commission
María Irigoyen Pérez (S&D)
(13 November 2012)

Subject: Spain's non-compliance with European legislation on evictions

On 8 November 2012 the Advocate General of the Court of Justice of the European Union (EU) ruled that the Spanish law on evictions was in breach of Community legislation, specifically Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts, because it does not ensure effective consumer protection against unfair contract terms in mortgages. This was based on Article 3 of the directive, which provides that 'A contractual term which has not been individually negotiated shall be regarded as unfair if, contrary to the requirement of good faith, it causes a significant imbalance in the parties' rights and obligations arising under the contract, to the detriment of the consumer.'

However, the lack of harmonisation of national foreclosure measures within the EU means that it is left up to Member States to establish their own procedural rules. Nevertheless, this should not allow national legislation to prevent consumers from exercising the rights afforded to them by Directive 93/13/EEC, since the freedom of Member States to establish their own rules is limited by the principle of equivalence and the principle of effectiveness.

In the light of the high number of foreclosures occurring in the EU as a result of the serious economic and financial crisis, is the Commission planning to draw up a European framework harmonising national practices in order to protect consumers? Does it intend to make any kind of recommendation to the Spanish Government with regard to this non-compliance?

Answer given by Mrs Reding on behalf of the Commission
(23 January 2013)

It is correct that Case C-415/11 concerns the compatibility with Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts of the Spanish rules of procedure on the enforcement of mortgages. In her opinion of 8 November 2012, the Advocate General proposed, amongst other things, to consider that Spanish law is incompatible with Directive 93/13/EEC insofar as consumers may not obtain the suspension of the enforcement, including their eviction from their home, so that a court may assess the unfairness of terms in the loan contract.

It is also correct that the Court of Justice has repeatedly stated that the freedom of the Member States to lay down rules of procedure affecting the exercise of rights stemming from EC law is limited by the principles of equivalence and effectiveness.

However, the Honourable Member will be aware that the Court is still to hand down its judgment in this matter. Therefore, the Commission will give further consideration to this matter after the delivery of the judgment.

Last year, the Commission published a proposal for a directive on credit agreements relating to residential property ([1]). The objective is to ensure responsible behaviour by lenders and borrowers mainly in the pre-contractual phase.

Furthermore, the Commission published a staff working paper on national measures to avoid foreclosure ([2]). The purpose of this paper is to draw Member States' attention to the different mechanism in place at national level, so that best practices are developed and implemented.

([1]) COM(2011) 142.
([2]) SEC(2011)357.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010347/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(13 de noviembre de 2012)

Asunto: Desahucios y ley hipotecaria en España

El Dictamen C-415/11 de la Abogada general del Tribunal de Justicia Europeo, Juliane Kokott, ha concluido que la normativa española sobre desahucios incumple la Directiva 93/13/CEE, sobre las cláusulas abusivas en los contratos celebrados con consumidores. Dichas conclusiones responden a una serie de cuestiones remitidas por el Juzgado Mercantil de Barcelona sobre un caso de ejecución hipotecaria llevado a cabo por CatalunyaCaixa en 2011.

En la ley hipotecaria de España, el consumidor no dispone de un recurso legal eficaz para demostrar el carácter abusivo de su contrato de préstamo y con el cual pueda detener un desahucio. De hecho, sólo con posterioridad al desahucio, está legitimado para ejercitar una acción de daños y perjuicios.

Debido a esto se está llevando gran cantidad de desahucios, despojando a la gente de sus viviendas y hasta causando suicidios, como el caso de un vecino de Granada de 54 años, que se suicidó poco antes de ser desahuciado o el caso de Amaya Egaña, esposa de un ex concejal del PSE de Barakaldo, que se suicidó minutos antes de que la comitiva judicial entrara en su vivienda.

Así mismo, en la informe del Parlamento Europeo sobre la Directiva para hipotecas, se establece una mayor rigidez en los requisitos para conseguir una hipoteca y una mayor información precontractual dirigida al consumidor.

¿Conoce la Comisión los procesos de desalojo por parte de los bancos en España? ¿Los considera una limitación a la protección de los consumidores establecido en la Directiva 93/13/CEE y en el art. 38 de la Carta de los Derechos Fundamentales de la UE? Dado el art. 34.3 de la misma Carta, ¿qué acciones tomará la Comisión para garantizar la existencia de una vivienda digna? Dado que el sistema financiero español se encuentra bajo la supervisión de la Comisión y el FMI, ¿considera recomendar al Gobierno que garanticen que los bancos actúen ante los desahucios bajo el principio de responsabilidad social, y acepten la dación en pago? Dadas las negociaciones sobre la Ley Hipotecaria y la posición del Parlamento Europeo en la Directiva sobre hipotecas, ¿piensa la Comisión tomar medidas para asegurar que la nueva legislación sea acorde con el dictamen del Tribunal, la Carta de derechos fundamentales y a la vista de la nueva Directiva de Hipotecas? ¿Propondrá directamente la dación en pago?

Respuesta del Sr. Barnier en nombre de la Comisión
(21 de enero de 2013)

La sentencia del Tribunal de Justicia en el asunto que evoca Su Señoría está todavía pendiente y las conclusiones del Abogado General no son vinculantes. Por lo tanto, la Comisión solo estudiará las medidas apropiadas después de que el Tribunal dicte sentencia.

Están vigentes diversos regímenes y leyes en toda la Unión en materia de procedimientos de liquidación de deudas. Estos procedimientos se tratan a escala nacional y siguen estando dentro del ámbito de competencia de las autoridades nacionales correspondientes.

El concepto de dación en pago, que solo es pertinente *a posteriori*, no se ha incluido en la propuesta de la Comisión de Directiva sobre el crédito hipotecario ([1]), que aborda sobre todo los asuntos precontractuales. El texto es objeto actualmente de negociaciones tripartitas.

Junto con la propuesta, la Comisión publicó un documento de trabajo de sus servicios ([2]), que se dirige a los Estados miembros y en el que se indica una serie de posibles alternativas a la ejecución hipotecaria.

El memorando de entendimiento firmado entre las autoridades y la Comisión, en nombre de los Estados miembros acreedores, establece las condiciones que deben cumplir las autoridades españolas frente al sector bancario y, más en general, a escala de todo el sistema. No existe condicionalidad relacionada con la dación en pago para las hipotecas.

([1]) COM(2011) 142.
([2]) SEC(2011) 357 final.

El Grupo de Usuarios de Servicios Financieros (FSUG), el grupo consultivo de la Comisión que aporta contribuciones a la política de servicios financieros, encargó en 2012 un estudio dirigido a evaluar también las prácticas de dación en pago. La Comisión y el FSUG están analizando el informe final. Cuando el informe esté listo para publicación, se hará público.

Las instituciones de la Unión y los Estados miembros deben observar la Carta de los Derechos Fundamentales de la Unión Europea al aplicar el Derecho de la Unión.

(English version)

Question for written answer E-010347/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(13 November 2012)

Subject: Evictions and mortgage law in Spain

Opinion C-415/11 of the Advocate General of the European Court of Justice, Juliane Kokott, concluded that Spanish legislation on evictions fails to comply with Directive 93/13/EEC on unfair terms in consumer contracts. These conclusions respond to a series of questions raised by the Juzgado Mercantil de Barcelona concerning a case of foreclosure executed by CatalunyaCaixa in 2011.

In mortgage law in Spain, consumers do not have any effective legal remedy enabling them to demonstrate that a loan agreement is unfair and possibly to halt an eviction. Indeed, only after eviction can consumers bring actions for damages.

For this reason a large number of evictions are taking place, divesting people of their homes and even leading to suicides, as in the case of a resident of Granada aged 54, who committed suicide shortly before being evicted, or the case of Amaya Egaña, the wife of a former councillor of the PSE (Euskadi socialist party) from Barakaldo, who committed suicide just minutes before the judicial delegation was to enter her home.

Also, in the European Parliament's report on the mortgage Directive, it is established that there is greater rigidity in the requirements for obtaining a mortgage and greater pre- contractual information directed at the consumer.

Is the Commission aware of the procedures used by banks in Spain for serving eviction notices? Does it consider them to be a restriction of the protection of consumers laid down in Directive 93/13/EEC and in Article 38 of the EU Charter of Fundamental Rights? In view of Article 34.3 of that Charter, what actions will the Commission take to guarantee the existence of decent housing? Since the Spanish financial system is under the supervision of the Commission and the IMF, is the Commission considering recommending to the Government that they guarantee that the banks act vis-à-vis the evictions, on the principle of social responsibility, and accept dation in payment? In view of the negotiations on the Spanish Mortgage Law and the European Parliament's position on the mortgage Directive, is the Commission thinking of taking measures to ensure that the new legislation complies with the Court's Opinion and the Charter of Fundamental Rights takes account of the new mortgage Directive? Will it make a direct proposal for dation in payment?

Answer given by Mr Barnier on behalf of the Commission
(21 January 2013)

The Court of Justice's ruling on the case cited by the Honourable Member is still pending and the opinion of the Advocate General is non-binding. Therefore, the Commission will consider any appropriate measures only after the Court has handed down its judgment.

Different systems and laws are currently in force throughout the Union regarding debt settlement procedures. These procedures are dealt with at national level and remain within the jurisdiction of the national authorities concerned.

The concept of dation in payment, which only becomes relevant *ex post*, has not been included in the Commission's proposal of the Mortgage Credit Directive ([1]) which primarily addresses pre-contractual issues. The text is currently in trilogue negotiations.

With the proposal the Commission issued a Staff Working Paper ([2]) addressed to Member States listing a number of potential alternatives to the foreclosure procedure.

The Memorandum of Understanding (MoU) signed between the authorities and the Commission on behalf of the lending Member States establishes the conditionality to be fulfilled by the Spanish authorities vis-à-vis the banking sector more globally and at a system-wide level. There is no conditionality on dation in payment for mortgages.

The Financial Services User Group (FSUG), the Commission's advisory group providing input to financial services policy, in 2012 contracted a study aiming to assess also dation in payment practices. The final report is currently analysed by the Commission and the FSUG. Once the report is ready for publication, it will be made available.

([1]) COM(2011) 142.
([2]) SEC 2011/357 final.

The Charter of Fundamental Rights of the European Union should be respected by Union institutions and Member States when implementing Union law.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010348/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(13 de noviembre de 2012)

Asunto: Hipotecas

Considerando que España se encuentra en plena constitución de la Sociedad de Gestión de Activos procedentes de la Restructuración Bancaria (llamada Banco Malo) tal y como fue acordado en el Memorándum de Entendimiento firmado con la Facilidad Europea de Estabilidad Financiera.

Considerando que esta Sociedad ha hecho público que recibirá 89 000 viviendas y 13 millones de metros cuadrados de suelo de las antiguas bancas nacionalizadas (Bankia, CatalunyaCaixa, Novagalicia y Banco de Valencia).

Considerando que la entidad Bankia y su matriz BFA, recapitalizada con dinero público del Fondo Europeo de Estabilidad Financiera (FEEF) vía el Fondo de Reestructuración Ordenada Bancaria (FROB), acumula 100 millones de metros cuadrados de suelo improductivo (viviendas, locales, garajes, etc.).

En vistas de que durante la burbuja inmobiliaria (2002-2008), el Banco Central Europeo mantuvo un tipo de interés excesivamente bajo para el país, y que ni el Banco de España, ni el Banco Central Europeo (BCE), ni la Autoridad Bancaria Europea (ABE) denunciaron la concesión de hipotecas *subprime* (50 000 clientes al año recibían hipotecas por el valor del 120 % del inmueble con un contrato laboral solo de 3 meses).

Sabiendo que desde 2008, se han abierto 350 000 procesos de desahucios en España y se realizan 500 desalojos diarios.

¿Qué responsabilidad deberían asumir el BCE y la ABE sobre la burbuja inmobiliaria? ¿Por qué la Comisión no advirtió ni denunció la concesión de hipotecas *subprime* y el desequilibrio macroeconómico que genera la deuda privada? Dado que la Comisión forma parte de la Troika que determina junto al FMI las recomendaciones y supervisión sobre el mercado financiero, piensa sugerir una renegociación de estas hipotecas *subprime*, haciendo responsable de abuso al consumidor a los bancos y reconociendo su propio fallo en la falta de control y protección a los ciudadanos? ¿Propondrá que el Banco Malo destine las viviendas vacías de las que dispone a vivienda social? ¿Asumirá sus responsabilidades y evitará así la inhumana situación de los desahucios de las familias?

Respuesta del Sr. Rehn en nombre de la Comisión
(11 de febrero de 2013)

En el período previo a la crisis, cuando se generaron los desequilibrios a que alude la pregunta de Su Señoría, las Instituciones de la UE no tenían competencias en materia microprudencial o macroprudencial. Estas competencias eran puramente nacionales. Como consecuencia de la crisis y a fin de aumentar la eficacia de la supervisión financiera, varias iniciativas han confiado tareas de supervisión a autoridades de la UE como la Autoridad Bancaria Europea (ABE) o la Junta Europea de Riesgo Sistémico (JERS), que no existían antes de la crisis. Además, el Parlamento Europeo y el Consejo están debatiendo una propuesta de la Comisión sobre la creación de un mecanismo de supervisión único. Por último, en el ámbito de la supervisión macroeconómica, mientras que las competencias de la Comisión tenían que ver sobre todo con el nivel de déficit y la deuda pública de los Estados miembros según lo previsto en el Pacto de Estabilidad y Crecimiento, esas competencias se han reforzado en gran medida al efecto de detectar y tratar desequilibrios macroeconómicos como los observados durante esta crisis y de fomentar la vigilancia fiscal (conjunto de medidas de gobernanza económica «six pack» y el próximo «two pack»).

En lo referido a la adjudicación de viviendas sociales a los muy necesitados, la Comisión apoya firmemente las medidas adoptadas por el Gobierno español y los bancos privados españoles para facilitar el acceso a las propiedades vacías que pertenecen actualmente a los bancos.

(English version)

Question for written answer E-010348/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(13 November 2012)

Subject: Mortgages

Spain is in the process of constituting the asset management company arising from bank restructuring (or 'bad bank'), as agreed in the memorandum of understanding signed with the European Financial Stability Facility (EFSF).

This company has announced that it will receive 89 000 homes and 13 million m^2 of land from the former nationalised banks (Bankia, CatalunyaCaixa, Novagalicia and Banco de Valencia).

The Bankia conglomerate and its holding company BFA, recapitalised with public money from the EFSF via the Fund for Orderly Bank Restructuring (FROB), is accumulating 100 m^2 of unproductive surface area (housing, offices, garages, etc.).

During the property bubble (2002-2008), the European Central Bank (ECB) maintained an extremely low interest rate for the country, and neither the Banco de España, the ECB, nor the European Banking Authority (EBA) condemned the granting of subprime mortgages (50 000 clients per year received mortgages to the value of 120% of the property with a paid employment contract of only three months).

Since 2008, in Spain 350 000 eviction procedures have been opened and 500 eviction notices are served each day.

What responsibility should the ECB and the EBA assume with regard to the property bubble? Why did the Commission not draw attention to or condemn the granting of subprime mortgages and the macroeconomic imbalance generated by private debt? Given that the Commission forms part of the Troika that together with the IMF determines the recommendations concerning and supervision of the financial market, is it thinking of suggesting a renegotiation of these subprime mortgages, making the banks responsible for having taken advantage of consumers and acknowledging its own error in the lack of supervision and of protection for citizens? Will it propose that the bad bank allocates the vacant homes it has in its possession as social housing? Will it assume its responsibilities and thus avoid the inhumane situation of families being evicted?

Answer given by Mr Rehn on behalf of the Commission
(11 February 2013)

In the run up to the crisis, when the imbalances described in the Honourable Member's question built up, EU institutions did not have microprudential or macroprudential powers. These competences were purely national. As a result of the crisis and in order to increase the effectiveness of financial supervision, several initiatives have entrusted supervisory tasks to EU authorities such as the EBA or the ESRB which did not exist before the crisis. Moreover, the European Parliament and the Council are currently discussing a Commission proposal for the creation of a Single Supervisory Mechanism. Finally, in the area of macroeconomic surveillance, where the powers of the Commission were mainly related to the level of deficit and public debt in Member States, as foreseen in the Stability and Growth Pact, the competences of the EU Commission have been strengthened quite significantly in order to identify and address macroeconomic imbalances like the ones observed during this crisis and also enhance fiscal surveillance ('6 pack' and forthcoming '2 pack').

As for the allocation of social housing for those who are strongly in need, the Commission strongly supports the steps taken by the Spanish Government and private Spanish banks to facilitate the access to empty properties which now belong to the banks.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010349/12
a la Comisión
Francisco Sosa Wagner (NI)
(13 de noviembre de 2012)

Asunto: Exigencia abusiva de la entrega de tarjetas de pago

Hace meses ya manifesté mi preocupación por las prácticas comerciales, especialmente en los servicios de hospedaje, que exigen la entrega de una tarjeta de pago de manera previa al registro en el hotel por el cliente (pregunta E-002858/2012). En el mismo sentido, he tratado de informarme en distintas entidades de crédito, que me han confirmado que ciertamente es responsabilidad del titular el uso de la tarjeta y la facilitación de los datos pero que, ante las prácticas comerciales en las que tantos datos se comunican, es frecuente el reintegro de las cantidades sustraídas, después de las correspondientes comprobaciones. De ahí, según me han explicado, que sean tan altas las comisiones anuales para paliar las compensaciones por usos fraudulentos. Dicho de otra manera, el fraude bancario lo pagamos el conjunto de los consumidores.

En la respuesta que en su día me transmitió, esa Comisión Europea resumió las previsiones contenidas en los contratos bancarios. También anunció la Comisión que llevan tiempo realizando una evaluación sobre el «impacto» de la Directiva de medios de pago (Directiva 2007/64, de 13 de noviembre de 2007).

Por ello, habiendo transcurrido cinco años de la aprobación de esa Directiva y seis meses desde que recibí la respuesta de esa Comisión, me interesa conocer:

1. ¿Ha llegado la Comisión a alguna conclusión sobre la aplicación de la Directiva de medios de pago?

2. ¿Sigue considerando que, en todo caso, es responsabilidad del titular de la tarjeta su uso, incluso cuando se le exige de manera tan abusiva a la entrada de los establecimientos hoteleros?

3. ¿No considera esa Comisión que existe una desprotección de los consumidores y usuarios ante la generalización de la práctica comercial de entregar una tarjeta de pago, sobre todo en relaciones jurídicas tan desiguales como la llegada a un establecimiento hotelero?

4. ¿No entiende la Comisión que si se protegiera a los consumidores ante situaciones abusivas, no padecerían el calvario para que se les reintegraran los gastos indebidos, y se reducirían igualmente las comisiones bancarias?

Respuesta del Sr. Barnier en nombre de la Comisión
(21 de enero de 2013)

La Comisión está examinado actualmente la incidencia de la Directiva sobre servicios de pago (DSP) ([1]). El proceso de revisión se basa en amplias consultas de partes interesadas y fuentes muy diversas, además de en estudios externos, todo lo cual ha facilitado a la Comisión una visión completa de las consecuencias jurídicas y económicas de la Directiva sobre servicios de pago.

El trabajo realizado hasta la fecha indica que la Directiva puede tener que revisarse tanto para ajustar algunas de sus disposiciones, teniendo en cuenta la experiencia adquirida desde su entrada en vigor, como para atender a la evolución más reciente de los mercados y la innovación en los pagos al por menor, tal como se señala en el Libro Verde sobre pagos mediante tarjeta, pagos por Internet y pagos móviles. Una revisión de la Directiva sobre servicios de pago constituye, por lo tanto, uno de los elementos clave del Acta del Mercado Único II, que se presentará en el segundo trimestre de 2013.

En lo que respecta a la revisión de los derechos de devolución en virtud de la Directiva de los servicios de pago en relación con las situaciones imprevistas de débito excesivo, en caso de adeudos directos preautorizados o transacciones con tarjeta incorrectas, especialmente en los negocios de viajes y ocio, las conclusiones hasta ahora todavía son provisionales.

([1]) Directiva 2007/64/CE del Parlamento Europeo y del Consejo, de 13 de noviembre de 2007, sobre servicios de pago en el mercado interior, por la que se modifican las Directivas 97/7/CE, 2002/65/CE, 2005/60/CE y 2006/48/CE y por la que se deroga la Directiva 97/5/CE (DO L 319 de 5.12.2007).

Las normas de devolución armonizadas, por las que el usuario de la tarjeta dispone de hasta ocho semanas para impugnar la transacción y el proveedor de servicios de pago tiene que proceder al reembolso en un plazo de diez días, parecen redundar claramente en ventaja de los usuarios de tarjetas en todo el Espacio Económico Europeo, en comparación con la situación anterior en varios Estados miembros. Al mismo tiempo, las operaciones con autorización previa siguen dando pie a un alto número de quejas por parte de los usuarios, así como a recursos y cargos por devolución frecuentes. La Comisión valorará este asunto y sus repercusiones con mayor detenimiento y decidirá en consecuencia si resulta necesario modificar las disposiciones vigentes.

(English version)

Question for written answer E-010349/12
to the Commission
Francisco Sosa Wagner (NI)
(13 November 2012)

Subject: Abusive requirement to hand over payment cards

Months ago I expressed concern regarding commercial practices, particularly in the hospitality industry, which require that customers hand over payment cards prior to checking in at a hotel (Question E-002858/2012). In that same vein, I have tried to find out more from various credit institutions, which confirmed that card use and data provision are indeed the owner's responsibility. However, given commercial practices in which so much data is communicated, the subtracted amounts are often recovered only after the appropriate checks have been carried out. I therefore discovered that annual fees have to be very high to offset compensation for fraudulent card use. In other words, we the consumers, as a group, pay for bank fraud.

The Commission's recent answer to my question outlined the provisions governing banking contracts. The Commission also stated that an 'impact assessment' of the Payment Services Directive (Directive 2007/64 of 13 November 2007) is currently ongoing.

As five years have therefore passed since this directive was approved and six months have passed since I received an answer from the Commission, I would ask:

1. Has the Commission reached a conclusion on the application of the Payment Services Directive?

2. Does it still believe that in all cases card use is the cardholder's responsibility, even when it is so abusively required when staying at hotels?

3. Does it not believe that there is a lack of protection for consumers and users given the widespread commercial practice of handing over payment cards, particularly in legal relationships as unequal as staying at a hotel?

4. Does it not understand that if consumers were protected from abusive situations, they would not have to go through the ordeal of recovering fraudulent expenditure and this would also lower banking fees?

Answer given by Mr Barnier on behalf of the Commission
(21 January 2013)

The Commission is currently reviewing the impact of the Payment Services Directive (PSD) ([1]). The review process is based on extensive consultations of a wide range of stakeholders and sources, including external studies, which provided the Commission with a comprehensive picture of the legal and economic consequences arising from the PSD.

Work to date suggests that the PSD may need to be revisited both to adjust some of its provisions taking into account the return of experience gained since its entry into force, and to cater for latest market developments and innovation in retail payments as identified in the Green paper on card, Internet and mobile payments. A revision of the Payment Services Directive therefore features as one of the main levers in the single market Act II, to be presented in Q2 2013.

Regarding the review of the refund rights under the PSD with respect to unexpected excessive debit in case of pre-authorised direct debits or incorrect card transactions, notably in the travel and leisure business, the results received until now are still preliminary.

The harmonised refund rules — where the card user is given up to eight weeks to challenge the transaction and the payment service provider has to reimburse within ten days — seem to clearly be to the advantage of card users across the European Economic Area compared to the prior situation that prevailed in several Member States. At the same time, transactions with preauthorisation continue to trigger a large number of complaints from the users' side and frequent challenges and charge-backs. The Commission will assess this issue and its impact in further detail, and will accordingly decide whether there is a need to amend the existing rules.

([1]) Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC — OJ L 319 of 5 December 2007.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010350/12
a la Comisión
Francisco Sosa Wagner (NI)
(13 de noviembre de 2012)

Asunto: Trascendencia de las Confederaciones hidrográficas españolas

Los medios de comunicación españoles han dado noticia de la visita que el Comisario de Medio Ambiente ha realizado a España para mantener reuniones y entrevistarse con el Ministro español y con los Consejeros autonómicos con competencias de protección ambiental. De manera especial, los periódicos han resaltado algunas declaraciones relativas a la gestión de los recursos hídricos en España.

Ha de saber la Comisión que en España son las Confederaciones hidrográficas los organismos públicos que cuentan con las competencias más relevantes para gestionar y proteger dichos recursos. Que su diseño casi centenario responde con acierto al principio de unidad de cuenca hidrográfica, acogido en la Directiva 2000/60/CE, de 23 de octubre de 2000, por la que se establece un marco comunitario de actuación en el ámbito de la política de aguas; y que es, en su seno, donde se sientan responsables de la Administración estatal y autonómica para integrar todos los intereses afectados.

En varias ocasiones ya me he dirigido a esa Comisión para poner de manifiesto las quiebras y fragmentaciones de la unidad de cuenca debido a las tensiones con los gobiernos regionales. Por ejemplo, en mi pregunta E-008859/2011, en cuya respuesta hace un año se me adelantó que la Comisión se informaría sobre esas quiebras de la gestión unitaria de las cuencas. Por ello, me interese saber:

1. ¿Qué información ha obtenido la Comisión de las autoridades estatales y autonómicas relativas al respeto a la gestión unitaria de las cuentas hidrográficas?

2. ¿Ha mantenido alguna reunión la Comisión Europea con las Confederaciones hidrográficas españolas, organismos que son los que deben garantizar la protección de los recursos hídricos de la cuenca hidrográfica?

Respuesta del Sr. Potočnik en nombre de la Comisión
(18 de enero de 2013)

La Comisión es consciente de los problemas relacionados con la unidad de gestión que plantea Su Señoría. A raíz de la pregunta E-8859/2011 sobre el mismo asunto, la Comisión solicitó información complementaria a las autoridades españolas el 17 de febrero de 2012.

La primera parte de la pregunta E-8859/2011 hacía referencia al Real Decreto 12/2011. Este confería a las autoridades autonómicas la competencia ejecutiva en las demarcaciones hidrográficas del Guadalquivir, el Guadiana y el Ebro. El Real Decreto 17/2012 derogó el Decreto 12/2011 y devolvió la competencia ejecutiva a la administración nacional. Por lo tanto, la Comisión considera que este problema se ha resuelto y que no es necesaria ninguna medida adicional.

La segunda parte de la pregunta se refería a las competencias de las autoridades nacionales y autonómicas en el proceso de planificación de la demarcación hidrográfica del Cantábrico Oriental, y la necesaria cooperación entre estas a fin de garantizar la unidad de gestión en dicha demarcación hidrográfica.

España informó a la Comisión de que el 25 de julio de 2012 se celebró un acuerdo de cooperación entre las administraciones, que prevé un mecanismo de coordinación entre la autoridad nacional (Confederación hidrográfica del Cantábrico) y la Agencia Vasca del Agua.

La Comisión ha concluido, por lo tanto, que no se ha infringido la Directiva Marco del Agua ([1]).

En cuanto a su segunda pregunta, la Comisión se reunió con los directores de las demarcaciones hidrográficas durante la reunión celebrada en España el 6 de noviembre de 2012, en la que se trataron aspectos relacionados con el cumplimiento de los requisitos de la Directiva. Las autoridades españolas reiteraron su compromiso de aunar todos los esfuerzos nacionales y regionales para adoptar todos los demás planes hidrológicos de cuenca.

([1]) DO L 327 de 22.12.2000.

(English version)

Question for written answer E-010350/12
to the Commission
Francisco Sosa Wagner (NI)
(13 November 2012)

Subject: The importance of Spanish River Basin Confederations

The Spanish media have reported the European Commissioner for the Environment's visit to Spain to hold meetings and to be interviewed alongside the Spanish minister and the regional councillors in charge of environmental protection. Newspapers, in particular, have highlighted some statements regarding the management of water resources in Spain.

The Commission should know that the River Basin Confederations in Spain are the public bodies with the most relevant competencies to manage and protect these resources. Their almost century-old design rightly corresponds to the principle of the river basin as a unit, which is laid down in Directive 2000/60/EC of 23 October 2000 establishing a framework for community action in the field of water policy. Furthermore, they comprise representatives from the state and regional authorities to integrate all of the interests concerned.

I have addressed this Commission on several occasions to highlight the failures and fragmentations of the basin unit due to tensions with regional governments. For example, a year ago I received a response to my Question E-008859/2011 informing me that the Commission would look into failures in the unity of management of these basins. In view of this, I would ask the Commission:

1. What information has it obtained from the state and regional authorities regarding the unity of management of the river basins?

2. Has it held a meeting with the Spanish River Basin Confederations, the bodies which must safeguard river basin water resources?

Answer given by Mr Potočnik on behalf of the Commission
(18 January 2013)

The Commission is aware of the issues related to the unity of management that the Honourable Member raises. Following Question E-8859/2011 on the same matter, the Commission requested further information from the Spanish authorities on 17 February 2012.

The first part of the abovementioned Question E-8859/2011 referred to the Royal Decree 12/2011. This introduced regional competence for enforcement powers in the River Basin Districts (RBD) of Guadalquivir, Guadiana and Ebro. Royal Decree 17/2012 has repealed Decree 12/2011, giving back the enforcement powers to the national administration. Therefore the Commission deems that the issue has been solved and that no additional measure is needed.

The second part of the question referred to the competences of the national and regional authorities in the planning process of the RBD of Cantábico Oriental, and the necessary cooperation among them to ensure the unity of management in that RBD.

Spain has informed the Commission that a cooperation agreement between the administrations was established on 25 July 2012, providing for a coordination mechanism between the national authority (C.H. del Cantábrico) and the Basque Country Water Agency.

The Commission has therefore concluded that there is no breach of the Water Framework Directive (WFD) ([1]).

On the second question, the Commission met the heads of the River Basin Districts during the package meeting to Spain on 6 November 2012, where discussions on the fulfilment of the requirements of the WFD took place. The Spanish authorities maintained their commitment to gather all national and regional efforts in order to adopt all the remaining River Basin Management Plans.

([1]) OJ L 327, 22.12.2000.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010351/12
til Kommissionen
Morten Løkkegaard (ALDE)
(13. november 2012)

Om: Tvangstilslutning til antenneforeninger

Kommissionen har flere gange før behandlet spørgsmålet om, at der i Danmark eksisterer tvunget medlemskab af og betaling til lokale antenneforeninger, i henhold til direktiv 2002/77/EF.

I et svar af 30. januar 2011 (E-010292/2010) har Kommissionen opfordret til, at Danmark hurtigt vedtager den nødvendige lovgivning med henblik på at fjerne obligatorisk medlemskab af lokale antenneforeninger, så adgangen til markedet eller indførelsen af bredbåndsnet (fiberbredbånd eller anden teknologi) ikke hindres.

Kommissionen har senest i et svar af 30. august 2012 (E-007037/2012) udtalt, at Kommissionen vil være i stand til at give en vurdering, når de danske myndigheder meddeler Kommissionen ordlyden af et kommende lovforslag, og at Kommissionen vil tage yderligere skridt, hvis det skønnes nødvendigt.

Den danske miljøminister har d. 4. oktober 2012 fremlagt et konkret forslag ([1]) til ophævelse af medlemspligt til antenneforeninger. Det foreslås, at bestemmelser i gældende lokalplaner mv. om tilslutningspligt til antenneforeninger skal miste deres gyldighed efter en overgangsperiode på to år fra lovforslagets ikrafttrædelse. Forslaget er planlagt fremsat i Folketinget i februar 2013, med forventet ikrafttrædelse 1. januar 2014. Det betyder, at tvangstilslutning til antenneforeninger først forventes ophævet i 2016. Miljøministerens forslag bygger navnlig på anbefalinger fra en tværministeriel arbejdsgruppe. Arbejdsgruppen har konstateret, at restgælden for de typisk omfattede antenneforeninger er beskeden.

1. Finder Kommissionen, at det fremlagte forslag om ophævelse af tvangstilslutning til antenneforeninger er foreneligt med Kommissionens opfordring fra januar 2011 om en hurtig fjernelse af obligatorisk medlemskab til lokale antenneforeninger?

2. Vil Kommissionen give en vurdering af, om forslaget findes at være forenelig med EU-lovgivningen?

3. Agter Kommissionen, hvis den vurderer, at det fremlagte forslag til ophævelse af antennetvang ikke er foreneligt med EU-lovgivningen, at indlede en procedure overfor den danske regering for at sikre, at det planlagte lovforslag bringes i fuld overensstemmelse med EU-lovgivningen?

Svar afgivet på Kommissionens vegne af Joaquín Almunia
(14. januar 2013)

Det ærede medlem har fire gange tidligere fremsat forespørgsler ([2]) vedrørende problemet med EU-rettens overholdelse inden for dansk lovgivning om obligatorisk medlemskab af lokale antenneforeninger. I den forbindelse er Kommissionen i gang med at indsamle de nødvendige fakta og har fremsendt flere anmodninger om oplysninger til Danmark.

Den 14. april og den 14. juli 2011 ændrede Danmark loven og fjernede kravet om medlemskab af lokale antenneforeninger i nyt boligbyggeri. Ændringen, der trådte i kraft den 1. september 2011, gælder kun for boliger opført efter denne dato.

Kommissionen har bedt de danske myndigheder oplyse, hvordan de planlægger at håndtere boligbyggerier opført før 1. september 2011. Danmark behandlede spørgsmålet i et lovforslag fremsat den 4. oktober 2012 og underrettede Kommissionen om den seneste udvikling den 3. december 2012.

Kommissionen er ved at analysere den seneste udvikling, herunder timingen af lovgivningsprocessen og den overgangsperiode, som den vil omfatte. Som nævnt i tidligere svar vil Kommissionen fortsat følge situationen og træffe yderligere foranstaltninger, hvis det anses for nødvendigt.

([1]) http://www.mim.dk/NR/rdonlyres/F4A25BA3-992D-422D-A3EF-EE56EE94F5C5/0/Planloven_notat.pdf
([2]) Skriftlig forespørgsel nr. E-010292/2010, E-011157/2011, P-001688/2012 og E-007037/2012; http://www.europarl.europa.eu/plenary/da/parliamentary-questions.html

(English version)

Question for written answer E-010351/12
to the Commission
Morten Løkkegaard (ALDE)
(13 November 2012)

Subject: Compulsory affiliation to cable distribution networks

The Commission has, on several occasions, with reference to Directive 2002/77/EC, dealt with the issue of the existence of mandatory membership of and payment to local cable distribution networks in Denmark.

In its answer of 31 January 2011 (E-010292/2010), the Commission encouraged speedy adoption of the necessary legislation in Denmark to remove compulsory membership of local cable TV associations in Denmark so that market entry or the deployment of broadband networks (fibre and other new technologies) would not be hindered.

Recently, in its answer of 30 August 2012 (E-007037/2012), the Commission stated that it would be in a position to give an assessment once the Danish authorities had communicated to the Commission services the text of a forthcoming amendment, and that the Commission would take further action if that was deemed necessary.

On 4 October 2012, the Danish Minister for the Environment presented a specific proposal ([1]) to abolish mandatory membership of cable distribution networks. It is proposed that provisions in existing local planning guidelines etc. regarding compulsory affiliation to cable distribution networks will no longer be valid after a transitional period of two years from the entry into force of the proposed legislation. The proposal is scheduled to be put before the Danish Parliament in February 2013 and is expected to enter into force on 1 January 2014. This means that compulsory affiliation to cable distribution networks will only be lifted in 2016. The Environment Minister's proposal is mainly based on recommendations from an inter-ministerial working group, and this working group noted that the outstanding capital for most of the cable distribution networks covered was modest.

1. Does the Commission consider that the proposal submitted on abolishing mandatory membership of cable distribution networks is compatible with the Commission's request of January 2011 for the speedy removal of compulsory membership of local cable TV associations in Denmark?

2. Will it give an assessment of whether the proposal is found to be compatible with EC law?

3. If it considers that the proposal submitted to abolish mandatory membership of cable distribution networks is not compatible with EC law, will the Commission initiate proceedings against the Danish government to ensure that the planned legislation is brought fully into line with EC law?

Answer given by Mr Almunia on behalf of the Commission
(14 January 2013)

In four previous questions ([2]), the Honourable Member addressed the issue of compliance with EC law of the Danish law on mandatory membership of local cable TV associations. Regarding this matter, the Commission is gathering the relevant facts and has sent several requests for information to Denmark.

On 14 April and 14 July 2011 Denmark amended the law and removed the obligation of membership of local cable TV associations in new housing developments. The amendment, which came into force on 1 September 2011, applies only to houses built after this date.

The Commission has asked Denmark how it plans to deal with housing developments built before 1 September 2011. Denmark addressed the issue in a legislative proposal presented on 4 October 2012 and informed the Commission about the latest development on 3 December 2012.

The Commission is currently analysing the most recent developments, including the timing of the legislative process and the transition period that it would involve. As mentioned in previous replies, the Commission continues to monitor the situation and will take further action if that is deemed necessary.

([1]) http://www.mim.dk/NR/rdonlyres/F4A25BA3-992D-422D-A3EF-EE56EE94F5C5/0/Planloven_notat.pdf
([2]) Written questions E-010292/2010, E-011157/2011, P-001688/2012 and E-007037/2012; http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010352/12
an den Rat
Ingeborg Gräßle (PPE)
(13. November 2012)

Betrifft: Ex-Mitarbeiter der Tabakindustrie als EU-Mitarbeiter

Wie viele Mitarbeiter des Rats haben vor ihrer Tätigkeit für die Europäische Union in der Tabakindustrie und verbundenen Lobbyfirmen gearbeitet?

Aus welchen Firmen kamen diese Mitarbeiter?

In welchen Generaldirektionen und welchen Verantwortlichkeiten arbeiten diese Mitarbeiter heute?

Antwort
(21. Januar 2013)

Artikel 26 des Statuts der Beamten der Europäischen Gemeinschaften enthält keine Bestimmung, wonach die von der Frau Abgeordneten erbetenen Informationen in die Personalakte der Beschäftigten aufgenommen werden muss.

(English version)

Question for written answer E-010352/12
to the Council
Ingeborg Gräßle (PPE)
(13 November 2012)

Subject: Former employees of the tobacco industry now working for the EU

How many employees in the Council were working in the tobacco industry and related lobbying firms prior to taking up a position with the European Union?

For which firms were they working?

In which directorates-general are these employees working today, and what are their responsibilities?

Reply
(21 January 2013)

Article 26 of the Staff Regulations contains no requirement that the information requested by the Honourable Member be recorded in the personal file of staff members.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010353/12
an die Kommission
Ingeborg Gräßle (PPE)
(13. November 2012)

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Antwort von Herrn Šefčovič im Namen der Kommission
(18. Dezember 2012)

Gemäß Artikel 27 des Statuts ist bei der Einstellung anzustreben, „dem Organ die Mitarbeit von Beamten zu sichern, die in Bezug auf Befähigung, Leistung und Integrität höchsten Ansprüchen genügen …". Die Befähigung wird von der einstellenden Dienststelle im Hinblick auf die Aufgaben und die zu besetzende Stelle bewertet.

Im Übrigen gelten ab der Einstellung einer Person — insbesondere, was Unabhängigkeit und Loyalität anbetrifft —, die statutären Pflichten (Artikel 11 ff).

Die der Kommission zum Zeitpunkt der Einstellung vorliegenden Informationen über die Bewerber sind Akten in Papierform, hauptsächlich Kopien von Lebensläufen, Zeugnissen und Bescheinigungen von Arbeitgebern. Diese Kopien werden eingescannt und in elektronischer Form in die Personalakte der betreffenden Person aufgenommen; sie werden nicht in eine Datenbank eingegeben, die automatische Recherchen ermöglichen würde; zu den früheren Arbeitgebern erfolgt keine spezifische Eintragung ([1]). Eine detaillierte Antwort auf die Anfrage der Frau Abgeordneten würde deshalb unverhältnismäßigen Aufwand erfordern.

Der Kommission ist übrigens keine andere öffentliche Verwaltung bekannt, in der es ein solches Eintragungssystem gäbe.

([1]) S. auch Antwort auf die parlamentarische Anfrage E-009844/2012: http://www.europarl.europa.eu/plenary/de/parliamentary-questions.html.

(English version)

Question for written answer E-010353/12
to the Commission
Ingeborg Gräßle (PPE)
(13 November 2012)

Subject: EU staff formerly employed in the tobacco industry

How many of the Commission's staff worked in the tobacco industry and for associated lobby firms before taking up their EU posts?

Which firms did they come from?

Which DGs do these members of staff work for now and what are their responsibilities?

(Version française)

Réponse donnée par M Šefčovič au nom de la Commission
(18 décembre 2012)

Selon l'Article 27 du Statut, le recrutement vise à assurer «à l'institution le concours de fonctionnaires possédant les plus hautes qualités de compétence, de rendement et d'intégrité …». S'agissant des compétences, elles sont évaluées — par le service qui recrute — par rapport aux fonctions et au poste à pourvoir.

Par ailleurs, à partir du moment où une personne est recrutée, les obligations statutaires, notamment en matière d'indépendance et de loyauté s'appliquent, articles 11 et s.

Les informations sur les candidats dont dispose la Commission, au moment du recrutement, sont des dossiers papier constitués principalement de copies de CV, diplômes, attestations d'employeurs. Ces copies sont scannées et versées sous forme d'image électronique au dossier personnel de l'intéressé; elles ne sont pas ré-encodées dans une base de données qui permettrait des recherches automatiques; il n'y a pas d'enregistrement spécifique concernant les employeurs précédents ([1]). La recherche nécessaire pour fournir une réponse détaillée à la question de l'honorable membre serait donc hors de proportion avec le résultat obtenu.

Par ailleurs, la Commission n'a pas connaissance d'autres administrations publiques qui auraient établi un tel système d'enregistrement.

([1]) Voir aussi la réponse à la question parlementaire E-009844/2012, http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html .

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010354/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(13 Νοεμβρίου 2012)

Θέμα: Παραγωγή μεταξιού στην ΕΕ

Η ακριτική περιοχή του Έβρου στην Ελλάδα, παρήγαγε, εδώ και αιώνες, άριστης ποιότητας μετάξι. Η παραγωγή σήμερα, δυστυχώς, φθίνει σε σημείο εξαφάνισης και πολύτιμες θέσεις εργασίας χάνονται. Η κατάσταση αυτή άρχισε από τότε που η Ελλάδα εντάχθηκε στην τότε ΕΟΚ και σήμερα έχει γίνει δραματική με την αθρόα εισαγωγή μεταξιού από την Κίνα.

Ερωτάται η Επιτροπή:

— Γιατί δεν αναλαμβάνει, ή δεν υποβοηθά, μια άμεση και σοβαρή πρωτοβουλία ενίσχυσης της παραγωγής μεταξιού στον Έβρο και απλώς παρακολουθεί τη διάλυση ενός άλλοτε κραταιού αγροτικού κλάδου;

Απάντηση του κ. Cioloş εξ ονόματος της Επιτροπής
(14 Δεκεμβρίου 2012)

Η Επιτροπή θα ήθελε να υπενθυμίσει στο Αξιότιμο Μέλος του Ευρωπαϊκού Κοινοβουλίου ότι, επί του παρόντος, η ΕΕ παρέχει στήριξη στον τομέα των μεταξοσκωλήκων μέσω άμεσης ενίσχυσης στην παραγωγή στους εκτροφείς μεταξοσκωλήκων, όπως προβλέπεται στα άρθρα 111 και 112 του κανονισμού ενιαίας κοινής οργάνωσης αγορών (ΚΟΑ) ([1]). Η ενίσχυση ανέρχεται σε 133,26 ευρώ ανά χρησιμοποιούμενο κουτί μεταξόσπορου, υπό τον όρο ότι τα κουτιά περιέχουν τουλάχιστον 20 000 μεταξόσπορους. Η συνολική ετήσια δαπάνη ανέρχεται σε 0,5 εκατ. ευρώ.

Λαμβανομένου υπόψη του μικρού μεγέθους του καθεστώτος, η Επιτροπή, στις νομοθετικές της προτάσεις για μεταρρύθμιση της ΚΓΠ, που εκδόθηκαν στις 12 Οκτωβρίου 2011, κατάργησε τις τομεακές ενισχύσεις για τους μεταξοσκώληκες και πρότεινε την ενσωμάτωση των πόρων στα εθνικά κονδύλια για άμεσες ενισχύσεις.

Επιπλέον, σύμφωνα με την πρόταση της Επιτροπής περί θεσπίσεως κανόνων για άμεσες ενισχύσεις στους γεωργούς βάσει καθεστώτων στήριξης στο πλαίσιο της κοινής γεωργικής πολιτικής ([2]), δίνεται στα κράτη μέλη η δυνατότητα χορήγησης προαιρετικής συνδεδεμένης στήριξης στον τομέα των μεταξοσκωλήκων.

([1]) Κανονισμός (ΕΚ) αριθ. 1234/2007 του Συμβουλίου, της 22ας Οκτωβρίου 2007.
([2]) COM(2011)625 τελικό, της 19ης Οκτωβρίου 2011.

(English version)

Question for written answer E-010354/12
to the Commission
Nikolaos Salavrakos (EFD)
(13 November 2012)

Subject: Silk production in the EU

The border region of Evros in Greece has for centuries produced silk of the highest quality. Unfortunately, production today is ailing to such an extent that it is on the verge of collapsing altogether, leading to the loss of valuable jobs. This situation began when Greece joined what was then the EEC and has now become dramatic with massive imports of silk from China.

In view of the above, will the Commission say:

— Why does it not take — or at least give its backing to — some immediate and substantive initiative to boost silk production in Evros, instead of simply observing the dismantling of a once mighty agricultural sector?

Answer given by Mr Cioloş on behalf of the Commission
(14 December 2012)

The Commission would like to remind the Honourable Member that currently the EU provides support for the silkworm sector through direct production aid to silk worm rearers, as laid down in Articles 111 and 112 of the single Common Market Organisation (CMO) regulation ([1]). The aid equals 133,26 EUR per box of silkworm eggs used, on condition that the boxes contain at least 20.000 silkworm eggs. Total annual expenditure equals EUR 0.5 million.

In view of the limited size of the scheme, in its legal proposals for reform of the CAP issued on 12 October 2011, the Commission removed the sectoral aid for silkworms and proposed to integrate the funds in national envelops for direct payment.

In addition, according to Commission proposal establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy ([2]), Member States are given the option to grant voluntary coupled support to the silkworms sector.

([1]) Council Regulation (EC) No 1234/2007, of 22 October 2007.
([2]) COM(2011) 625 fin, of 19 October 2011.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010356/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de noviembre de 2012)

Asunto: La quiebra de Spanair: presión política sobre Qatar Airways y posible distorsión de la competencia a favor de la aerolínea española Iberia

Qatar Airways ha admitido que abandonó las negociaciones para adquirir Spanair como consecuencia de las amenazas de sanciones de la Unión Europea. Como explicó el 12 de noviembre de 2012 el director ejecutivo de Qatar Airways, Akbar Al Baker, el acuerdo para rescatar Spanair a principios de este año no llegó a buen término por el requisito de la Unión Europea de que deberían devolverse las subvenciones recibidas.

En enero de 2012, después de tres meses de negociaciones, Qatar Airways anunció que no invertiría en Spanair y cesó las negociaciones para el rescate en el último momento, lo que dejó a la aerolínea en una situación crítica y la obligó a suspender su actividad.

Al Baker ha criticado la actitud de la UE, apuntando que el día después de abandonar las negociaciones, Spanair cesó sus actividades, con lo que dejó a más de 2 000 trabajadores sin empleo. Al Baker comunicó a los delegados en la reunión anual de la Organización Árabe de Transportistas Aéreos en Argel lo cerca que llegó a estar la aerolínea de cerrar un acuerdo, diciendo que «Qatar Airways iba a adquirir finalmente el 49 % y tan solo dos días antes de firmar recibimos una advertencia de las autoridades de la competencia según la cual si aceptábamos esa participación accionarial tendríamos que devolver las subvenciones estatales recibidas por Spanair».

«Así pues, nos retiramos y al día siguiente la aerolínea quebró y 2 500 personas perdieron su trabajo por culpa del asunto de las subvenciones públicas, lo cual es una completa estupidez. La UE es una entidad que se supone que debe crear empleo y velar por sus Estados miembros», añadió ([1]).

Enseguida comenzaron a escucharse voces que decían que España había presionado en favor del cierre de Spanair con el objetivo de proteger el aeropuerto principal de Iberia en Madrid en detrimento del aeropuerto de Barcelona.

A la luz de lo anterior:

1. ¿Podría proporcionarnos la Comisión su opinión y sus argumentos en relación con los artículos 101 y 102 del TFUE, en concreto en lo que respecta al mantenimiento de una competencia efectiva dentro del mercado interior?

2. ¿No considera la Comisión que el cierre de Spanair fue más el resultado de la presión del Gobierno español que de la mala gestión por parte de la empresa establecida en Cataluña?

3. ¿No considera la Comisión que esta presión política se ejerció a favor de la aerolínea nacional Iberia y que sirvió para proteger al aeropuerto internacional de Madrid a expensas del aeropuerto de Barcelona?

Respuesta del Sr. Almunia en nombre de la Comisión
(23 de enero de 2013)

1. El artículo 101 del TFUE prohíbe los acuerdos contrarios a la competencia y las prácticas concertadas entre empresas, mientras que el artículo 102 del TFUE prohíbe los abusos de posición dominante en el mercado. Aunque existen herramientas importantes para mantener una competencia efectiva, no parecen ser pertinentes en el contexto de la quiebra de Spanair. Por otra parte, la Comisión está estudiando si podría haber sido concedida a Spanair una ayuda estatal a tenor del artículo 107 del TFUE.

([1]) http://www.flightglobal.com/news/articles/eu-subsidy-ruling-scuppered-qatars-spanair-rescue-talks-al-baker-378845/.

2. De conformidad con el artículo 108, apartado 3, del TFUE, los Estados miembros deben notificar a la Comisión su intención de conceder una ayuda estatal y no pueden desembolsar ninguna ayuda que no se haya aprobado previamente. España nunca presentó una notificación oficial, pero, según informes de prensa ([2]), Spanair se acogió supuestamente a numerosas medidas de apoyo que pueden constituir ayudas ilegales. La Comisión decidió efectuar una evaluación preliminar de dichas medidas en noviembre de 2011 de conformidad con el artículo 10, apartado 1, del Reglamento (CE) n° 659/1999 ([3]). En virtud del artículo 10, apartado 2, de dicho Reglamento, la Comisión recabó información de España mediante varias cartas, la primera de las cuales se envió en diciembre de 2011. Como esta investigación preliminar está en curso, la Comisión no puede opinar sobre si se han infringido las normas sobre ayudas estatales.

3. Los Tratados confían a la Comisión la tarea de garantizar el cumplimiento de las normas sobre ayudas estatales. En el desempeño de esta tarea, la Comisión lleva a cabo su misión de manera independiente, sin recibir instrucciones de ningún Gobierno, institución, órgano u organismo, en el respeto del artículo 17, apartado 3, del TUE.

La Comisión también señala que no conoce las razones que llevaron supuestamente a Qatar Airways a interrumpir las negociaciones para invertir en Spanair, por lo que no puede pronunciarse al respecto.

([2]) La prensa informó ampliamente de numerosas medidas en favor de Spanair entre 2010 y 2012. Véanse, por ejemplo, http://www.expansion.com/2011/09/20/catalunya/1316545379.html?a=c1d9984a16ddc4daba35e0b038b31c1a&t=1316768117 http://elpais.com/diario/2011/01/26/catalunya/1296007640_850215.html o http://www.expansion.com/2011/11/10/empresas/transporte/1320919556.html?a=e3d2fb3847e30689fbbdfc05166ceb21&t=1321001938.

([3]) DO L 83 de 27.3.1999, p. 1.

(English version)

Question for written answer E-010356/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 November 2012)

Subject: Spanair bankruptcy — political pressure on Qatar Airways and possible distortion of competition in favour of Spanish national carrier Iberia

Qatar Airways has admitted that it left the negotiations to acquire Spanair following threats of sanctions from the European Union. As explained on 12 November 2012 by Qatar Airways chief executive Akbar Al Baker, a deal to save Spanair earlier this year was scuppered by the European Union's requirement that subsidies received would have to be paid back.

In January 2012, after three months of negotiations, Qatar Airways announced that it would not invest in Spanair and ended rescue talks at the 11th hour, leaving the company in a critical situation and forcing it to suspend its operations.

Al Baker has criticised the attitude of the EU, noting that the day after leaving the negotiations, Spanair ceased its activities, thus leaving more than 2 000 workers unemployed. Al Baker told delegates at the Arab Air Carriers Organisation annual meeting in Algiers how close the airline came to concluding a deal, saying that 'Qatar Airways was finally there to acquire 49% and just two days before we would sign we got a directive from the competition authorities that if we took this shareholding then Spanair's state subsidy would have to be returned'.

'So we pulled the plug and the next day the airline collapsed with 2 500 job losses, for the sake of state subsidy, which is absolute rubbish. The EU is an entity that is supposed to be creating jobs and looking after its member nations', he added ([1]).

Immediately voices began to be heard suggesting that Spanish pressures were behind the closure of Spanair, the purported aim being to protect Iberia's hub airport in Madrid at the expense of Barcelona's airport.

In the light of the above:

1. Could the Commission provide us with its opinion and arguments pertinent to Articles 101 and 102 TFEU, namely as regards the maintenance of effective competition within the internal market?

2. Doesn't the Commission believe that the closure of Spanair was more the result of pressure brought to bear by the Spanish Government than poor management on the part of the Catalonia-based company?

3. Doesn't the Commission believe that this political pressure was exerted in favour of the national carrier Iberia and served to protect the Madrid hub at the expense of Barcelona's airport?

Answer given by Mr Almunia on behalf of the Commission
(23 January 2013)

1. Article 101 TFEU prohibits anticompetitive agreements and concerted practices between undertakings and Article 102 TFEU prohibits the abuse of a dominant market position. While they are important tools for maintaining effective competition, they do not appear to be relevant in the context of Spanair's bankruptcy. On the other hand, the Commission is assessing whether state aid in the sense of Article 107 TFEU could have been granted to Spanair.

2. Under Article 108(3) TFEU, Member States must notify the Commission of any plans to give state aid and may not disburse any aid that has not been approved beforehand. Spain never submitted a formal notification but according to press reports ([2]), Spanair allegedly benefited from many support measures possibly constituting unlawful aid. The Commission decided to start a preliminary assessment of these measures in November 2011 in accordance with Article 10(1) of Regulation 659/1999 ([3]). Pursuant to Article 10(2) thereof, the Commission requested information from Spain in several letters, the first sent in December 2011. As this preliminary investigation is ongoing, the Commission cannot express a view on whether state aid rules have been infringed.

([1]) http://www.flightglobal.com/news/articles/eu-subsidy-ruling-scuppered-qatars-spanair-rescue-talks-al-baker-378845/.
([2]) The press widely covered numerous measures provided to Spanair between 2010 and 2012. See for example http://www.expansion.com/2011/09/20/catalunya/1316545379.html?a=c1d9984a16ddc4daba35e0b038b31c1a&t=1316768117, http://elpais.com/diario/2011/01/26/catalunya/1296007640_850215.html or http://www.expansion.com/2011/11/10/empresas/transporte/1320919556.html?a=e3d2fb3847e30689fbbdfc05166ceb21&t=1321001938.
([3]) OJ L 83, 27.03.1999, p. 1.

3. The Commission is entrusted by the Treaties with the task of ensuring compliance with state aid rules. In performing that task, the Commission carries out its responsibilities in an independent way, without instructions from any Government or other institution, body, office or entity, in respect of Article 17(3) TEU.

The Commission also notes that the reasons allegedly leading Qatar Airways to halt negotiations for investing in Spanair are not known to it, so the Commission cannot comment on them.

(English version)

Question for written answer E-010358/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(13 November 2012)

Subject: Turkish protests

In light of the recent government crackdown in Ankara on a march commemorating the founding of the Turkish republic, has the Commission considered whether this repression should impact on Turkey joining the EU?

Question for written answer E-010360/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(13 November 2012)

Subject: Turkish protests

According to an article in the *International Herald Tribune* of 30 October 2012, one marcher defying the Turkish Government's ban on pro-secular Republic Day demonstrations stated that 'they [the government of Prime Minister Recep Tayyip Erdogan] are trying to turn us into another Iran or some kind of neo-Ottoman Empire'.

Has the Commission considered whether, in the event of Turkey joining the European Union, Turkish membership will affect the EU's standing as a secular organisation?

Joint answer given by Mr Füle on behalf of the Commission
(17 January 2013)

The Commission is aware of the issue raised by the Honourable Member.

It is up to Turkey to define the way the country should celebrate the establishment of the Turkish Republic. The Commission considers however that the relevant decisions taken by the Turkish Authorities need to respect fundamental rights and freedoms, including the freedoms of expression and assembly, as foreseen by the European Chart of Fundamental Rights.

The Commission, as usual, will consider in the context of its enlargement policy if the respect of the Human Rights is guaranteed in Turkey in an appropriate manner.

(English version)

Question for written answer E-010361/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(13 November 2012)

Subject: Keeping the peace in Europe

In a letter published in the *Daily Mail* on 24 October 2012, Bob Ashton notes that in a 2010 tour of the European institutions at Strasbourg, a guide described the EU as 'being responsible for 60 years' peace in Europe'. Can the Commission detail what credit, if any, it gives NATO for contributing to that peace?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(14 February 2013)

The statement mentioned by Bob Ashton does not accurately reflect the official position of the Commission and the European Council on how the EU contributed to peace in Europe, which would be best summarised by this joint statement of 12 October 2012 made by the President of the Commission and President of the European Council: 'Over the last sixty years, the European Union has reunified a continent split by the Cold War around values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights.'

As regards the North Atlantic Treaty Organisation (NATO), the European Council conclusions of 11 December 1999 state that : 'NATO remains the foundation of the collective defence of its members, and will continue to have an ilmportant role in crisis management.'

(English version)

Question for written answer E-010362/12
to the Commission
Gay Mitchell (PPE)
(13 November 2012)

Subject: Pet passporting rules in the European Union

There remains an issue in the transport of animals by private persons across the Union. The Pet Passport Scheme was introduced as of 1 January 2012. The previous system, known as the Prior Approval Scheme, has been replaced by the Pet Passport Scheme. Since the Prior Approval Scheme was scrapped there are no direct carriers to Dublin willing to carry animals. The alternative is a lengthy and extremely costly indirect route. Is it possible for provisions to be made to allow for the direct transport of animals to such areas of the Union?

Answer given by Mr Borg on behalf of the Commission
(16 January 2013)

According to the information made available to the public by the Irish competent authorities ([1]), any ferry company and the majority of airlines operating routes into Ireland from other Member States and certain non-EU European countries are approved to carry pet animals under the Irish transport approval system. This is in line with EU legislation. However, the Commission cannot comment on the decision made by those transport companies to operate direct flights to Dublin, for passengers travelling with or without pets.

([1]) http://www.agriculture.gov.ie/pets/introduction.

(English version)

Question for written answer E-010363/12
to the Commission
David Martin (S&D)
(13 November 2012)

Subject: Commission report on property development in Cyprus

The Commission will be aware that in January 2012 it received a reply to a letter it had sent to Cyprus. The Commission's initial letter was an enquiry into the actions carried out at a national level to address the practices of property developers and the measures taken to ensure that consumers are adequately informed about the Cypriot law on unfair commercial practices.

In April 2012 the Commission finalised its report on the Cypriot response.

Could the Commission outline the conclusions of this report and provide an update on the situation regarding consumer protection in dealings with property developers (this question is with regard to Alpha Panareti Limited specifically)?

Answer given by Mrs Reding on behalf of the Commission
(18 December 2012)

The Commission cannot communicate on the content of the Cypriot letter mentioned by the Honourable Member. Indeed, this document has been received in the context of an ongoing pre-infringement procedure and its disclosure, even partial, might jeopardise the process of investigation and inspection of the dispute and its resolution.

Answers to written questions E-8121/2012, E-6765/2012 and E-9932/2012 ([1]) provide an update on the various actions initiated by the Commission in order to address the problems faced by many immovable property buyers in Cyprus and ensure that consumers are adequately protected.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Version française)

Question avec demande de réponse écrite E-010364/12
à la Commission
Christine De Veyrac (PPE)
(13 novembre 2012)

Objet: Voitures en zone urbaine et avenir du secteur automobile

Les villes européennes, qui sont le principal moteur de la croissance économique de l'Union européenne, sont bien souvent saturées par des véhicules particuliers, parfois très polluants.

En 2011, la Commission a adopté une feuille de route pour la prochaine décennie, le livre blanc sur les transports, qui promeut un système de transports plus propre et plus mobile tout en soutenant la croissance économique. L'objectif est de réduire la dépendance de l'Union vis-à-vis du pétrole importé et d'abaisser de 60 % les émissions de carbone dans les transports d'ici à 2050.

En septembre 2012, le Vice-président et commissaire aux transports, Siim Kallas, a lancé une initiative visant à encourager la recherche et l'investissement dans les nouvelles technologies de transport lors de la semaine de la mobilité. L'objectif de la Commission est donc le développement de transports efficaces, durables et plus conviviaux avec pour finalité d'écarter des agglomérations, d'ici à 2050, les voitures qui fonctionnent à l'essence.

Dans le même temps, le secteur de l'automobile européen est durement touché par la crise économique actuelle, comme en témoigne l'exemple de PSA Peugeot Citroën, avec la suppression supplémentaire attendue de milliers d'emplois en France.

Pour répondre à ces licenciements massifs, l'Union, dans son projet CARS 2020, prévoit des financements d'un montant de plusieurs milliards d'euros pour venir en aide à l'industrie automobile européenne.

Tout en défendant la stratégie de sauvegarde des emplois dans l'industrie automobile, et sachant que les possibilités de forte croissance se situent sur les marchés des autres moyens de transport, la Commission prévoit-elle des plans d'accompagnement des travailleurs qui sont licenciés ou qui le seront dans les prochaines années afin d'aider à leur reconversion et à leur réinsertion sur les marchés de transport porteurs de croissance?

Réponse donnée par M. Andor au nom de la Commission
(21 janvier 2013)

La Commission est déterminée à recourir à tous les moyens en sa possession pour aider à la reconversion des travailleurs licenciés. À cet effet, elle s'occupe d'appliquer le plan d'action CARS 2020 et, notamment, des mesures contribuant à pérenniser les activités et les emplois du secteur automobile. Elle dispose pour ce faire de plusieurs instruments:

— ainsi, le Fonds social européen (FSE) peut soutenir les politiques pour l'emploi des États membres et développer les compétences des travailleurs. En pleine crise, la Commission a élaboré des mesures pour remédier aux conséquences de celle-ci sur le plan social comme sur celui de l'emploi et pour faire en sorte que ce fonds vienne en aide à ceux qui en ont le plus besoin. En outre, la crise a touché certains groupes peut-être moins vulnérables dans le passé (dont les travailleurs du secteur automobile), et de nombreux États membres ont donc réorienté le FSE au profit de nouveaux bénéficiaires afin de leur éviter le chômage ou de favoriser leur retour à l'emploi;

— le Fonds européen d'ajustement à la mondialisation (FEM) peut, à la demande d'un État membre, aider les travailleurs victimes de licenciements massifs dus à une modification de la structure des échanges mondiaux à retrouver un emploi au plus vite. Il peut aussi financer des mesures de formation et de réinsertion grâce auxquelles les travailleurs seront prêts à saisir les occasions qui se présentent dans de nouveaux secteurs prometteurs;

— le Fonds européen de développement régional encourage l'esprit d'entreprise et l'innovation, promeut le transfert de connaissances et soutient les projets de développement destinés à renforcer l'attrait des villes et la durabilité des transports urbains.

En tout état de cause, la Commission demande instamment aux entreprises et à tous les intéressés d'anticiper les restructurations et de les gérer d'une manière socialement responsable. Dans le prolongement d'un livre vert consacré à ce sujet ([1]), la Commission cherche la meilleure façon d'encourager et de garantir le respect des bonnes pratiques dans ce domaine.

([1]) «Restructurations et anticipation du changement: quelles leçons tirer de l'expérience récente?» — COM(2012)7 final du 17 janvier 2012.

(English version)

Question for written answer E-010364/12
to the Commission
Christine De Veyrac (PPE)
(13 November 2012)

Subject: Cars in urban areas and the future of the automotive industry

Towns and cities in Europe, which are the main drivers of economic growth in the EU, are often heavily congested with private cars, some of which are highly polluting.

In 2011, the Commission adopted a roadmap for the coming decade — the White Paper on Transport — that sets out measures to promote a cleaner and transport system which offers people greater mobility whilst supporting economic growth. The objective is to reduce the EU's dependence on imported oil and cut carbon emissions from transport by 60% by 2050.

In September 2012, during Mobility Week, Siim Kallas, Vice-President and Commissioner for Transport, launched an initiative aimed at encouraging research and investment in new transport technologies. The Commission is seeking to develop an efficient, sustainable and user-friendly transport system, with the ultimate aim of getting cars that run on petrol off the roads in built-up areas by 2050.

At the same time, the European automotive industry has been severely hit by the current economic crisis, as illustrated by the case of PSA Peugeot Citroën; the company is expected to cut thousands more jobs in France.

To address to these large-scale redundancies, the EU's CARS 2020 action plan makes provision for several billion euros' worth of funding to help the European automotive industry.

The Commission endorses the strategy of safeguarding jobs in the automotive industry, yet it also acknowledges that the opportunities for strong growth are to be found in other sectors of the transport industry. In the light of this, is the Commission planning to introduce support schemes for workers who have been made redundant, or who will be in the next few years, in order to help them retrain and find jobs in those transport industry sectors that promise to generate growth?

Answer given by Mr Andor on behalf of the Commission
(21 January 2013)

The Commission is willing to consider using all tools at its disposal to support the retraining of workers made redundant. To that end, the Commission is engaged in the implementation of the CARS 2020 Action Plan including measures to help this sector build a sustainable future for its activities and jobs. Various instruments are available, including:

— the ESF (European Social Fund) can support Member States' employment policies and improve people's skills. During the crisis, the Commission has elaborated measures to address the social and employment consequences of the economic crisis and to reinforce the capacity of the ESF to deliver to those who need it most. Moreover, as the crisis has had negative impacts on certain target groups which may have been less vulnerable in the past (incl. workers in the automotive industry), many Member States have focused the ESF on new target groups to help avoid unemployment or to support their re-employment.

— the EGF (European Globalisation Adjustment Fund) can, in cases of large scale layoffs resulting from changing global trade patterns, and upon request of a Member State help redundant workers find a new job as quickly as possible. This fund can be used for training and retraining measures to help workers prepare for and take up opportunities arising in new and promising sectors.

— the ERDF (European Regional Development Fund) encourages entrepreneurship and innovation, promotes knowledge transfer and supports development projects to make cities more attractive and urban transport more sustainable.

In any case, the Commission urges companies and all stakeholders to anticipate restructuring and to manage it in a socially responsible way. Following its Green Paper ([1]), the Commission is considering on how to best encourage and ensure wide observance of the best practices in that field.

([1]) Green Paper 'Restructuring and anticipation of change: what lessons from recent experience?' COM(2012) 7 final of 17 January 2012.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010365/12
alla Commissione
Sergio Berlato (PPE)
(13 novembre 2012)

Oggetto: Bocciatura del regolamento sul «Made In» e situazione di grave difficoltà del settore orafo

Nel dicembre 2010, il Parlamento europeo ha approvato con 525 voti a favore e soltanto 49 voti contrari la proposta di regolamento sull'indicazione del paese di origine di taluni prodotti importati da paesi terzi, che prevede la creazione di un sistema paneuropeo di etichettatura sul paese d'origine per beni importati da paesi terzi. Il testo così approvato stabilisce che i beni importati al di fuori dell'Unione europea dovrebbero sempre indicare chiaramente il paese d'origine al fine di aiutare i consumatori a compiere una scelta informata e, inoltre, prevede sanzioni in caso di violazione delle regole. Si tratta, pertanto, di un sistema che fornisce ai cittadini europei maggiori informazioni e un maggiore controllo sulle loro scelte mettendoli in tal modo al riparo dall'acquisto inconsapevole di prodotti potenzialmente di dubbia qualità. Apprendiamo, tuttavia, che la Commissione ha deciso di bocciare la proposta di regolamento di cui sopra anche a causa di alcuni Stati membri, a minor vocazione manifatturiera e maggiormente dipendenti dalle importazioni extra UE, che si sono da sempre fermamente opposti all'idea di una legislazione europea sul «Made In».

Considerato che contestualmente al ritiro della proposta da parte della Commissione vi è l'impegno della stessa a riproporla con una base giuridica diversa che si fonda sulle problematiche del mercato interno e della protezione dei consumatori piuttosto che del commercio internazionale,

1. Può la Commissione dare un'indicazione quanto ai tempi previsti per la presentazione di questa nuova proposta?

2. Pur modificando la base giuridica della proposta di regolamento sul «Made In», come ritiene la Commissione di poter superare le difficoltà incontrate con la precedente proposta tra gli Stati membri che da sempre si oppongono all'introduzione di questo regolamento?

3. È la Commissione a conoscenza dei gravi danni di natura economica che il ritiro della proposta di regolamento di cui sopra ha provocato ai diversi settori dell'economia tra cui, in particolare, quello orafo? Condivide le preoccupazioni circa le difficoltà incontrate da questo settore nonché il coinvolgimento di ampie fasce di lavoratori?

4. Può la Commissione rendere noto con quali azioni ritiene di intervenire in attesa della nuova proposta di regolamento?

Risposta di Antonio Tajani a nome della Commissione
(25 febbraio 2013)

Nel suo programma di lavoro per il 2013 la Commissione ha comunicato la sua intenzione di ritirare la proposta di regolamento sull'indicazione del paese d'origine di certi prodotti importati da paesi terzi. Il Parlamento europeo e il Consiglio hanno ora la possibilità di formulare commenti. Dopo aver debitamente esaminato tali commenti, il ritiro della proposta diverrebbe effettivo con l'adozione di una decisione della Commissione.

La Commissione ha esaminato tuttavia le opzioni alternative per affrontare la situazione. La maggior parte delle direttive e dei regolamenti sui prodotti industriali e di consumo fa obbligo al fabbricante o all'importatore di indicare sul prodotto il proprio nome commerciale registrato o il proprio marchio commerciale registrato e l'indirizzo presso il quale può essere contattato o, ove ciò non fosse possibile, sulla confezione o su un documento di accompagnamento. Troppi prodotti di dubbia qualità entrano però nel territorio dell'Unione, con il risultato che i consumatori sono tratti in inganno e le imprese oneste si trovano in posizione di svantaggio rispetto ai commercianti disonesti. La Commissione ha affrontato il problema introducendo l'obbligo di indicare l'origine di certi prodotti manifatturieri non alimentari destinati ai consumatori nella sua neoadottata proposta di regolamento sulla sicurezza dei prodotti di consumo ([1]). L'indicazione obbligatoria dell'origine si applica sia ai prodotti dell'UE che a quelli di paesi extra unionali. Se il paese d'origine è uno Stato membro dell'UE l'operatore economico ha la scelta di indicare l'UE o un particolare Stato membro quale luogo d'origine.

([1]) La proposta (COM(2013)78 def.) è stata adottata il 13 febbraio 2013 nel contesto del pacchetto «Sicurezza dei prodotti e vigilanza del mercato» che comprende anche una proposta relativa a un regolamento sulla sorveglianza del mercato dei prodotti.

(English version)

Question for written answer E-010365/12
to the Commission
Sergio Berlato (PPE)
(13 November 2012)

Subject: Withdrawal of the 'Made In' Regulation and serious difficulties in the jewellery sector

In December 2010, the European Parliament approved, by 525 votes to 49, the proposal for a regulation on the indication of the country of origin of certain products imported from third countries, which provides for the creation of a pan-European country-of-origin labelling system for goods imported from third countries. The text thus approved states that goods imported from outside the EU should always clearly indicate the country of origin in order to help consumers make an informed choice, and also establishes sanctions for breaches of the rules. The system therefore provides European citizens with greater information and greater control over their choices, thus protecting them from unwittingly buying products that might be of dubious quality. However, we learn that the Commission has decided to withdraw the proposal for a regulation, partly because of certain Member States that do not have high levels of manufacturing output and are more dependent on imports from outside the EU, which have always been firmly opposed to the idea of European 'Made In' legislation.

At the same time as withdrawing the proposal, the Commission has undertaken to re-present it with a different legal basis, focusing on the problems of the internal market and consumer protection rather than international trade.

1. Can the Commission give any indication of the anticipated timescale for the presentation of this new proposal?

2. Even if the legal basis of the proposal for a 'Made In' Regulation is modified, how does the Commission think it can overcome the difficulties encountered with the previous proposal among the Member States that have always opposed the introduction of that regulation?

3. Is the Commission aware of the serious economic damage that has been caused to various sectors of the economy, and particularly the jewellery sector, by the withdrawal of the proposal for a regulation? Does it share the concerns regarding the difficulties encountered by this sector, as well as the involvement of large numbers of workers?

4. Can the Commission say what actions it proposes to take while awaiting the new proposal for a regulation?

Answer given by Mr Tajani on behalf of the Commission
(25 February 2013)

In its work programme for 2013, the Commission informed about its intention to withdraw the proposal for a regulation on the indication of the country of origin of certain products imported from third countries. The European Parliament and the Council now have the possibility to comment. After due consideration of those comments, the withdrawal of the proposal would become effective after the adoption of a Commission Decision.

Nevertheless, the Commission examined alternative options to address the situation. Most directives and regulations on industrial and consumer products oblige the manufacturer or importer to indicate on the product their registered trade name or registered trade mark and the address at which they can be contacted or, where not possible, on its packaging or in a document accompanying the product. Yet, too many products of dubious quality enter the Union, consumers are misled and honest businesses placed at a disadvantage vis-à-vis rogue traders. The Commission tackled the problem by introducing a mandatory indication of origin of certain manufactured non-food products intended for consumers in its recently adopted proposal for a regulation on consumer products safety ([1]). The mandatory indication of origin applies both to products from the EU and from non-EU countries. Where the country of origin is an EU Member State the economic operators have the choice to either refer to the EU or to a particular Member State, in order to indicate the origin.

([1]) This proposal [COM(2013) 78 final] was adopted on 13 February 2013, as part of a Product Safety and Market Surveillance Package including as well a proposal for a regulation on Market Surveillance of Products.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010366/12
a la Comisión (Vicepresidenta/Alta Representante)
Willy Meyer (GUE/NGL)
(13 de noviembre de 2012)

Asunto: VP/HR — Represión política en Ruanda: injusta condena a Victorie Ingabire

El pasado 30 de octubre, y tras más de año y medio encarcelada injustamente en la prisión central de Kigali, la reciente candidata al Premio Sájarov, Victoire Ingabire, fue condenada a ocho años de prisión después de un proceso plagado de irregularidades, con acusaciones carentes de fundamentación jurídica y un juicio sin las condiciones mínimas para la defensa de su inocencia.

Tal y como señalaba en mi anterior pregunta, E-005726/2012, decenas de asociaciones y ONG denuncian que, detrás de su cautiverio, se encuentra la represión política que ejerce sistemáticamente el Gobierno de Kagame y el partido en el poder, el Frente Patriótico Ruandés (FPR), quienes utilizan discrecionalmente leyes aprobadas por su Gobierno para evitar la existencia de partidos o movimientos opositores fuertes.

En su respuesta a dicha pregunta, la Vicepresidenta/Alta Representante expresó su preocupación por el proceso iniciado a la Sra. Ingabire, así como mostraba haber seguido el caso de cerca y anunciaba la toma de las medidas necesarias al término del juicio.

Ante la injusta condena a 8 años de prisión dictaminada en el juicio,

1. ¿Se ha dirigido formalmente, o piensa dirigirse, la Vicepresidenta/Alta Representante al Gobierno de Kagame para mostrar su preocupación y rechazar el injusto veredicto de Victoire Ingabire?

2. ¿Qué medidas piensa llevar a cabo la Vicepresidenta/Alta Representante para que se garantice el recurso de amparo a los abogados defensores de Ingabire con plenas garantías jurídicas?

3. ¿Piensa la Vicepresidenta/Alta Representante abogar públicamente por la puesta en libertad de Victoire Ingabire ante las irregularidades observadas en el juicio?

4. ¿Qué medidas piensa implementar la Vicepresidenta/Alta Representante para presionar al régimen de Kagame y conseguir su liberación?

Respuesta de la Alta Representante y Vicepresidenta Sra. Ashton en nombre de la Comisión
(4 de febrero de 2013)

La delegación de la UE ha estado muy atenta al juicio de Victoire Ingabire, así como a sus condiciones de encarcelamiento. La UE y los Estados miembros han expresado periódicamente en Kigali su preocupación pora el respeto de los derechos humanos y el derecho a una justicia imparcial en el marco del diálogo político con las autoridades ruandesas en virtud del artículo 8 del Acuerdo de Cotonú.

El Tribunal Supremo de Ruanda condenó a Victoire Ingabire a ocho años de prisión tras declararla culpable de los delitos de conspiración contra las autoridades mediante el terrorismo y la guerra y negación del genocidio de 1994 contra los tutsis. Ingabire fue declarada inocente de las acusaciones de haber promovido la ideología del genocidio e incitado a la población contra las autoridades, así como de los delitos de divisionismo y discriminación por razones étnicas. Las pruebas halladas en los Países Bajos han desempeñado un papel importante en la sentencia relacionada con la acusación de terrorismo, en particular sus vínculos con las Fuerzas Democráticas de Liberación de Ruanda (FDLR).

Aunque la UE está dispuesta a abogar por la protección de los derechos humanos y, en concreto, por el derecho a una injusticia imparcial, respetamos la independencia del sistema judicial de Ruanda.

La Fiscalía ha interpuesto un recurso ante el Tribunal Supremo contra la pena de ocho años impuesta a Victoire Ingabire. También Ingabire interpondrá seguramente un recurso.

Hay que señalar que el indulto presidencial solicitado por Ingabire en noviembre de 2011 sigue siendo válido y el Presidente puede considerarlo.

(English version)

Question for written answer E-010366/12
to the Commission (Vice-President/High Representative)
Willy Meyer (GUE/NGL)
(13 November 2012)

Subject: VP/HR — Political repression in Rwanda: wrongful conviction of Victoire Ingabire

On 30 October 2012, after more than a year and a half of wrongful imprisonment in Kigali Central Prison, the recent Sakharov Prize Nominee, Victoire Ingabire, was sentenced to eight years in prison. This followed a deeply flawed process involving accusations that lacked legal reasoning and a trial that did not provide her with the basic requirements to defend her innocence.

As I stated in my previous question (EE-005726/2012), dozens of associations and NGOs report that, behind her imprisonment, is the political repression systematically exercised by the Kagame Government and the ruling party, the Rwandan Patriotic Front (RPF), who discretionally use laws passed by their government to block the existence of strong opposition parties or movements.

In her answer to this question, the Vice-President/High Representative expressed her concern about Ms Ingabire's trial, stated that the EU was closely monitoring the case and assured that it would take the required actions following the completion of the trial.

Given the wrongful sentence of eight years imprisonment handed down in the trial:

1. Has the Vice-President/High Representative formally contacted or will she contact the Kagame Government to express her concern and to reject the wrongful conviction of Victoire Ingabire?

2. What measures will she take to ensure that Ms Ingabire's defence lawyers can appeal the decision with full legal guarantees?

3. Will she publicly call for Victoire Ingabire's release due to the irregularities witnessed throughout the trial?

4. What measures will she implement to pressure the Kagame regime and to secure her release?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 February 2013)

The EU Delegation has closely monitored Victoire Ingabire's trial and her conditions of imprisonment. The EU and Member States in Kigali regularly raised their concerns for the respect of human rights and rights to a fair justice within the official political dialogue with Rwandan authorities under the article 8 of the Cotonou Agreement.

The High Court of Rwanda sentenced Victoire Ingabire to eight years in jail after finding her guilty of conspiracy to harm authorities through terrorism and war as well as denying the 1994 Genocide against the Tutsi. Ingabire was cleared on charges of promoting genocide ideology, inciting the public against the leadership as well as crimes of ethnic divisionism and discrimination. The evidence found in the Netherlands played a significant role in the verdict linked to the charges of terrorism (including links to the FDLR — Forces Démocratiques de Libération du Rwanda).

While the EU is ready to advocate the protection of human rights in particular for the rights to a fair justice, we respect the independence of the judicial system of Rwanda.

The Prosecution has appealed to the Supreme Court challenging the eight-year sentence handed to Victoire Ingabire. Ingabire will probably file her appeal.

It must be noted that the Presidential pardon requested by Ingabire in November 2011 is still valid and can be considered by the President.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010367/12
lill-Kummissjoni
Simon Busuttil (PPE)
(13 ta' Novembru 2012)

Suġġett: Il-moviment ħieles tal-ħaddiema — L-analisti tad-DNA fir-Renju Unit

Il-persuni bil-kwalifiki meħtieġa li jkunu jixtiequ jaħdmu bħala analisti tad-DNA fir-Renju Unit jeħtieġ li l-ewwel jiksbu approvazzjoni tas-sigurtà mill-pulizija Britannika. Din ir-regola dwar l-approvazzjoni tas-sigurtà tapplika għal impjiegi fis-settur privat kif ukoll għal impjiegi mal-pulizija Britannika.

Madankollu, wieħed mill-kriterji biex tinkiseb din l-approvazzjoni tas-sigurtà huwa li l-persuna li tkun qed tapplika għaliha trid tkun ilha residenti fir-Renju Unit għal tal-anqas 3 snin.

Dan il-kriterju qiegħed, fil-fatt, jeskludi ħafna ċittadini tal-UE milli jiġu kkunsidrati għal dawn l-impjiegi.

1. Minħabba l-effett li qed ikollu fuq iċ-ċittadini tal-UE, ma taħsibx il-Kummissjoni li dan il-kriterju jmur kontra l-liġi tal-UE dwar il-moviment ħieles tal-ħaddiema?

2. Jekk dan huwa l-każ, x'biħsiebha tagħmel il-Kummissjoni biex il-kriterji applikati f'dawn il-każi fir-Renju Unit jinġiebu konformi mal-liġi tal-UE?

Tweġiba mogħtija mis-Sur Andor f'isem il-Kummissjoni
(11 ta' Jannar 2013)

Ħaddiema migranti tal-UE huma intitolati li jkunu ttrattati b'mod ugwali bħan-nazzjonali f'dak li jirrigwarda aċċess għal postijiet u kondizzjonijiet tax-xogħol (l-Artikolu 45 TFUE u l-Artikoli 3 u 7 (1) tar-Regolament (UE) Nru 492/2011 dwar il-moviment liberu tal-ħaddiema fi ħdan l-Unjoni).

Isegwi mill-ġurisprudenza tal-Qorti tal-Ġustizzja tal-Unjoni Ewropea (QtĠ) ([1])li, sakemm ma jkunx oġġettivament ġustifikat u proporzjonat mal-għan tagħha, dispożizzjoni ta' liġi nazzjonali trid titqies bħala indirettament diskriminatorja jekk intrinsikament aktarx tkun taffettwa lill-ħaddiema migranti aktar mill-ħaddiema nazzjonali u jekk ikun hemm riskju konsegwenti li se tqiegħed lil tal-ewwel fi żvantaġġ partikolari.

Il-QtĠ ([2]) ddeċidiet ukoll li dan huwa l-każ għal miżura li teħtieġ perjodu speċifiku ta' residenza, fis-sens li topera primarjament għad-detriment tal-ħaddiema migranti billi n-non-residenti normalment ma jkunux nazzjonali.

Il-Kummissjoni tqisha bħala diskriminazzjoni indiretta jekk, biex xi ħadd jgħaddi minn approvazzjoni tas-sigurtà mill-pulizija Brittanika biex ikun intitolat jaħdem bħala analista tad-DNA fis-settur privat jew mal-pulizija Brittanika, ħaddiem migrant irid ikun diġà kien jgħix fir-Renju Unit għal mill-anqas tliet snin.

Il-Kummissjoni se tikkuntattja lill-awtoritajiet tar-Renju Unit biex tirċievi aktar informazzjoni u l-pożizzjoni tagħhom dwar il-kwistjoni. Skont dan, il-Kummissjoni se tiddeċiedi jekk tiħux passi ulterjuri.

([1]) Kawża C-237/94 O'Flynn ECR [1996] I-02617.
([2]) Ara eż. is-Sentenza tal-Qorti tal-14 ta' Ġunju 2012 fil-każ c-542/09 Il-Kummissjoni Ewropea vs ir-Renju tal-Olanda, nyr, p. 38.

(English version)

Question for written answer E-010367/12
to the Commission
Simon Busuttil (PPE)
(13 November 2012)

Subject: Free movement of workers — DNA analysts in the UK

Persons with the necessary qualifications who would like to take up posts as DNA analysts in the United Kingdom first need to get security clearance from the British police. This security clearance rule applies for posts in the private sector as well as for posts with the British police.

One of the criteria for obtaining this security clearance, however, is that the person applying for it needs to have been a resident of the United Kingdom for at least 3 years.

This criterion is, in fact, excluding many EU citizens from being considered for these posts.

1. Given the effect it is having on EU citizens, does the Commission think that that this criterion is contrary to EC law on the free movement of workers?

2. If so, what does the Commission intend to do in order to bring the criteria applied in these cases in the United Kingdom, into line with EC law?

Answer given by Mr Andor on behalf of the Commission
(11 January 2013)

EU migrant workers are entitled to be treated equally with nationals as regards access to posts and working conditions (Article 45 TFEU and Articles 3 and 7 (1) of Regulation (EU) No 492/2011 on freedom of movement for workers within the Union).

It follows from the jurisprudence of the Court of Justice of the European Union (CJ) ([1]) that, unless objectively justified and proportionate to its aim, a provision of national law must be regarded as indirectly discriminatory if it is intrinsically liable to affect migrant workers more than national workers and if there is a consequent risk that it will place the former at a particular disadvantage. The CJ ([2]) further ruled that this is the case for a measure which requires a specific period of residence, in that it primarily operates to the detriment of migrant workers in so far as non-residents are usually non-nationals.

The Commission considers it as indirect discrimination if , to pass a security clearance by the British police to be entitled to work as a DNA analyst in the private sector or with the British police, a migrant worker must have already lived in the UK for at least three years.

The Commission will contact the British authorities to receive more information and their position on the issue. Depending on this, the Commission will decide whether it will take additional steps.

([1]) Case C-237/94 O'Flynn ECR [1996] I-02617.
([2]) See e.g. Judgment of 14 June 2012 in Case C-542/09 Commission v. Netherlands, nyr, p. 38.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010368/12
alla Commissione
Roberta Angelilli (PPE)
(13 novembre 2012)

Oggetto: Possibili finanziamenti per la realizzazione di un laboratorio di analisi nel settore vitivinicolo e delle bioenergie

La società «Il canto del vino» è composta da un team di figure professionali in ambito chimico, biologico ed enologico in grado di fornire consulenze nel settore vitivinicolo e delle bioenergie. Tale società vorrebbe realizzare in Val di Chiana, in Toscana, un laboratorio di analisi chimiche e microbiologiche nei settori agricolo, alimentare e ambientale. Il laboratorio nascerebbe al centro di un vasto bacino di utenza tra il Lazio, l'Umbria e la Toscana, andando così a colmare l'attuale carenza di strutture adeguate per questo settore. Nello specifico, il nuovo centro di analisi tratterà i seguenti comparti: protezione e qualità ambientale, sicurezza alimentare, agricoltura di qualità e biologica, supporto alle bioenergie. Infatti, la necessità della costruzione di questo laboratorio è determinata dal crescente bisogno di svolgere su un determinato prodotto, in un momento qualsiasi del ciclo produttivo, tutte le analisi richieste dalla normativa vigente e quelle che possono consentire al produttore di intervenire sul processo di trasformazione.

L'altra necessità della Val di Chiana è legata allo sviluppo di centrali per la produzione di biogas, che possono contribuire in misura notevole allo sviluppo sostenibile delle zone rurali, offrendo agli agricoltori nuove possibilità di reddito. Questo tipo di attività, connessa con la classica attività agricola, richiede un supporto analitico per quanto riguarda il controllo delle materie prime e del digestato, nonché degli eventuali sottoprodotti che ne possono derivare.

Inoltre, in base alla direttiva 2009/28/CE sulla promozione dell'uso dell'energia da fonti rinnovabili, l'utilizzo di materiale agricolo per la produzione di biogas offre, grazie all'elevato potenziale di riduzione nelle emissioni di gas a effetto serra, notevoli vantaggi ambientali sia nella produzione di calore e di elettricità sia nell'utilizzo come biocarburanti. Infine, la società sarà impegnata nella valorizzazione dei prodotti agricoli locali e delle acque termali che costituiscono un'importante risorsa economica per tutto il territorio.

1. Ciò premesso, può la Commissione far sapere se vi sono programmi o finanziamenti per il progetto suesposto?

2. Può inoltre fornire un quadro generale della situazione?

Risposta di Dacian Cioloș a nome della Commissione
(11 gennaio 2013)

L'UE cofinanzia interventi di sviluppo regionale e rurale, definiti e gestiti a livello regionale in regime di gestione concorrente con la Commissione europea.

Sulla base delle scarse informazioni fornite, il progetto potrebbe essere ammesso a beneficiare del sostegno previsto dalle seguenti misure del Programma di sviluppo rurale della Regione Toscana per il periodo 2007-2013: 121 — Ammodernamento delle aziende agricole, 123 — Accrescimento del valore aggiunto dei prodotti agricoli e forestali, 124 — Cooperazione per lo sviluppo di nuovi prodotti, 125 — Infrastrutture in parallelo con lo sviluppo e l'adeguamento dell'agricoltura e 311 — Diversificazione verso attività non agricole, attraverso cui l'UE sostiene anche la promozione delle fonti energetiche rinnovabili.

I progetti per la produzione di bioenergia possono essere cofinanziati anche dal Fondo europeo di sviluppo regionale nell'ambito della priorità III (Competitività e sostenibilità del sistema energetico) del programma della Toscana per il periodo 2007-2013.

Per ulteriori informazioni sui criteri di ammissibilità e gli inviti a presentare candidature, la Commissione suggerisce all'onorevole parlamentare di rivolgersi alle autorità di gestione dei due Fondi:

FEASR:

Regione TOSCANA
Direzione Generale dello sviluppo economico
Settore Programmi Comunitari in materia di sviluppo rurale.
Via di Novoli, 26
I-50127 — FIRENZE
E-mail: lorenzo.drosera@regione.toscana.it.

FESR:

Regione Toscana
Direzione Generale Competitività del sistema regionale e sviluppo delle competenze
Via Luca Giordano, 13
I-50132 — FIRENZE
E-mail: autoritagestionecreo@regione.toscana.it

(English version)

Question for written answer E-010368/12
to the Commission
Roberta Angelilli (PPE)
(13 November 2012)

Subject: Potential funding for the construction of a test laboratory in the wine and bioenergy sector

The company 'Il Canto del Vino' comprises a team of chemistry, biology and oenology professionals who can provide consultancy services in the wine-producing and bioenergy sector. The company would like to build a laboratory in Val di Chiana, Tuscany, to perform chemical and microbiological analyses in the farming, food and environment sectors. The laboratory would be at the centre of a huge catchment area between Lazio, Umbria and Tuscany, thus filling the current lack of adequate facilities for this sector. In particular, the new analysis centre will deal with the following areas: environmental protection and quality, food safety, quality and organic agriculture, and support for bioenergy. The laboratory is needed because of an increasing need to perform product tests at any given moment in the production cycle as required by current legislation, allowing the producer to intervene in the transformation process.

The Val di Chiana also needs to develop biogas production plants, which can make a substantial contribution to the sustainable development of rural areas, providing farmers with new ways of generating income. This type of activity is connected with traditional farming and requires analytical support to check the raw materials and digestate, as well as any resulting by-products.

Furthermore, based on Directive 2009/28/EC on the promotion of the use of energy from renewable sources, using agricultural materials to produce biogas provides significant environmental benefits both in the production of heat and electricity and in their use as biofuels, thanks to the high potential for reducing greenhouse gas emissions. Finally, the company will be committed to the development of local agricultural produce and the spa waters that are an important economic resource for the entire area.

1. Can the Commission say whether there are any programmes or sources of funding for the above project?

2. Can it also provide a general outline of the situation?

Answer given by Mr Cioloş on behalf of the Commission
(11 January 2013)

The EU co-finances interventions for regional and rural development defined and managed at the regional level, in shared management with the European Commission.

On the basis of the limited information provided, the project could be eligible to support through the following measures of the Rural Development Programme 2007-13 of Tuscany: 121 'Modernisation of agricultural holdings', 123 'Adding value to agricultural and forestry products', 124 'Cooperation for development of new products', 125 'Infrastructure related to the development and adaptation of agriculture', and 311 'Diversification into non-agricultural activities' through which the EU supports also the promotion of renewable energy.

Bioenergy production projects can also be co-financed by the European Fund for Regional Development under priority III (Competitiveness and sustainability of the energy system) of the 2007-2013 programme of Tuscany.

For further information on eligibility criteria, and calls for applications, the Commission invites the honourable Member to address the Managing Authorities of the two programmes:

EAFRD

Regione TOSCANA
Direzione Generale dello sviluppo economico
Settore Programmi Comunitari in materia di sviluppo rurale
Via di Novoli, 26
I — 50127 — FIRENZE
E-mail: lorenzo.drosera@regione.toscana.it

EFRD

Regione Toscana
Direzione Generale Competitività del sistema regionale e sviluppo delle competenze
Via Luca Giordano, 13
I — 50132 — FIRENZE
E-mail: autoritagestionecreo@regione.toscana.it

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010369/12
alla Commissione
Mario Borghezio (EFD)
(13 novembre 2012)

Oggetto: Compatibilità della pena di morte con l'adesione della Turchia

Fonti di stampa sostengono che il premier islamico nazionalista Recep Tayyip Erdogan ha intenzione di ripristinare la pena di morte in Turchia, abolita dieci anni fa, per alcuni crimini gravi.

Erdogan ha affermato che «solo le famiglie delle vittime possono perdonare un assassino, non noi, non lo Stato» e che «dobbiamo fare le modifiche necessarie», aggiungendo che «molte persone sono favorevoli al ripristino della pena di morte secondo i sondaggi, perché i genitori dei morti soffrono mentre altri festeggiano mangiando kebab». Il premier ha anche ricordato che se nell'Unione europea la pena capitale è stata abolita, negli Stati Uniti, in Russia, in Cina e in Giappone è tuttora in vigore, e ha detto che «dobbiamo ripensare la situazione in Turchia».

Dopo queste ennesime preoccupanti affermazioni del premier turco Erdogan, può la Commissione far sapere se ritiene che sia giunto il momento di sospendere definitivamente ogni negoziato di adesione della Turchia all'Unione europea?

Risposta congiunta di Štefan Füle a nome della Commissione
(22 gennaio 2013)

La Commissione è a conoscenza delle dichiarazioni di cui all'interrogazione scritta.

L'abolizione universale della pena di morte è uno dei principali obiettivi della politica dell'Unione europea sui diritti umani ed è uno dei pilastri delle regole nel campo dei diritti fondamentali europei. Il divieto della pena capitale è una delle disposizioni fondamentali della Carta dei diritti fondamentali dell'Unione europea. L'articolo 2 stabilisce esplicitamente «Nessuno può essere condannato alla pena di morte, né giustiziato» nell'Unione. Per questa ragione nel verificare il rispetto dei criteri politici da parte dei paesi candidati e dei candidati potenziali, la Commissione analizza anche le disposizioni giuridiche sulla pena di morte. L'abolizione della pena di morte è una delle principali riforme politiche realizzate dalla Turchia nel ambito del processo di integrazione europea.

Inoltre la Turchia ha ratificato due protocolli addizionali alla convenzione europea per la salvaguardia dei diritti dell'uomo e delle libertà fondamentali, relativi all'abolizione della pena di morte, ossia:

il protocollo n. 6, adottato nel 1982, che prevede l'abolizione della pena di morte in tempo di pace;

il protocollo n. 13, adottato nel 2002, che prevede l'abolizione della pena di morte in tutte le circostanze, anche in tempo di guerra o in caso di pericolo imminente di guerra.

Il quadro di negoziazione per il 2005 relativo ai negoziati con la Turchia definisce le condizioni per una sospensione dei negoziati e la Commissione non ritiene che tali condizioni siano soddisfatte.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010384/12
aan de Commissie
Laurence J. A. J. Stassen (NI)
(13 november 2012)

Betreft: Turkije overweegt herinvoering doodstraf

De Turkse premier Erdoğan heeft gezegd dat in Turkije de herinvoering van de doodstraf zou moeten worden overwogen. De doodstraf werd tien jaar geleden in Turkije juist afgeschaft — als voorwaarde voor eventuele Turkse toetreding tot de EU.

1. Is de Commissie bekend met het bericht „Turkse premier zinspeelt op herinvoering doodstraf" ([1])?

2. Hoe beoordeelt de Commissie het dat Erdoğan de herinvoering van de doodstraf in Turkije overweegt? Deelt de Commissie de mening dat dat verwerpelijk is?

3. Hoe beoordeelt de Commissie het dat Turkije, thans met het overwegen van de herinvoering van de doodstraf, almaar verder afglijdt (van de Europese normen)?

4. Is de Commissie eindelijk ertoe bereid de conclusie te trekken dat Turkije hiermee voor de zoveelste keer aantoont niet tot de EU te wíllen en nooit tot de EU te kúnnen toetreden? Zo neen, waarom niet?

5. Is de Commissie eindelijk ertoe bereid alle toetredingsonderhandelingen met én alle EU-geldstromen naar Turkije onmiddellijk te beëindigen? Zo neen, hoe verantwoordt de Commissie het dat de EU over toetreding onderhandelt met én geld schenkt aan een land dat de herinvoering van de doodstraf overweegt?

Antwoord van de heer Füle namens de Commissie
(22 januari 2013)

De Commissie is op de hoogte van de verklaring waarnaar in de vragen wordt verwezen.

De afschaffing van de doodstraf overal ter wereld is een van de belangrijkste doelstellingen van het mensenrechtenbeleid van de EU en een van de pijlers van de Europese grondrechtnormen. Het verbod op de doodstraf is een van de voornaamste bepalingen van het Handvest van de Grondrechten van de Europese Unie. In artikel 2 van het Handvest wordt uitdrukkelijk bepaald dat in de Unie „niemand tot de doodstraf wordt veroordeeld of terechtgesteld". De Commissie bestudeert derhalve de wettelijke bepalingen inzake de doodstraf wanneer zij toeziet op de naleving van de politieke criteria door kandidaat-lidstaten en potentiële kandidaat-lidstaten. De afschaffing van de doodstraf is een van de belangrijkste politieke hervormingen die Turkije in de loop van zijn Europees integratieproces heeft tot stand gebracht.

Bovendien bekrachtigde Turkije beide onderstaande protocollen bij het Europees Verdrag tot bescherming van de rechten van de mens en de fundamentele vrijheden inzake de afschaffing van de doodstraf.

Protocol nr. 6 is in 1982 aangenomen en voorziet in de afschaffing van de doodstraf in vredestijd.

Protocol nr. 13 is in 2002 aangenomen en voorziet in de afschaffing van de doodstraf in alle omstandigheden, ook in tijd van oorlog of bij onmiddellijke oorlogsdreiging.

In het onderhandelingskader van 2005 voor de onderhandelingen met Turkije zijn de voorwaarden vastgesteld voor een opschorting van de onderhandelingen. De Commissie is niet van mening dat aan deze voorwaarden is voldaan.

([1]) http://www.telegraaf.nl/buitenland/21067352/___Doodstraf_terug_in_Turkije___.html

(English version)

Question for written answer E-010369/12
to the Commission
Mario Borghezio (EFD)
(13 November 2012)

Subject: Compatibility of the death penalty with Turkey's accession

Press sources claim that Turkey's Islamic nationalist Prime Minister Recep Tayyip Erdogan intends to reintroduce the death penalty, abolished 10 years ago, for certain serious crimes.

Erdogan has said that 'only the victim's family can pardon a killer, not us, not the State', and that 'we have to make the necessary changes', adding that 'a lot of people are in favour of reinstating capital punishment, according to polls, because the parents of the dead suffer while others party and eat kebabs.' The premier also noted that although the death penalty had been abolished, it was still in force in the USA, Russia, China and Japan, and said 'we need to review the situation in Turkey.'

After these latest worrying statements from the Turkish Prime Minister Erdogan, does the Commission consider that the time has come for the definitive suspension of all negotiations on Turkey's accession to the EU?

Question for written answer E-010384/12
to the Commission
Laurence J.A.J. Stassen (NI)
(13 November 2012)

Subject: Reintroduction of capital punishment being considered by Turkey

According to Turkish Prime Minister Erdogan, it is necessary to consider the reintroduction in Turkey of capital punishment, which was abolished 10 years ago as a precondition for possible Turkish accession to the EU.

1. Is the Commission aware of the report entitled 'Intimation by Turkish Prime Minister that capital punishment may be reintroduced'? ([1])

2. What view does the Commission take of the fact that Mr Erdogan is considering the reintroduction of capital punishment in Turkey? Does the Commission agree that such a move would be reprehensible?

3. What view does the Commission take of the fact that Turkey, in considering the reintroduction of capital punishment, is further distancing itself from European standards?

4. Is the Commission finally willing to admit that Turkey is demonstrating yet again that it does not wish to join the EU and will never be able to? If not, why not?

5. Is the Commission prepared finally to end all accession negotiations with Turkey and all EU funding for it? If not, how can the Commission justify the EU's actions in negotiating with and providing funding for a country that is considering the reintroduction of capital punishment?

Joint answer given by Mr Füle on behalf of the Commission
(22 January 2013)

The Commission is aware of the statement referred to in the questions.

Global abolition of the death penalty is one of the main objectives of the EU's human rights policy and is one of the pillars of European fundamental rights standards. The prohibition of the death penalty is one of the key provisions of the Charter of Fundamental Rights of the European Union. Its Article 2 explicitly states that 'no one shall be condemned to the death penalty or executed' in the Union. Therefore, when the Commission monitors compliance by candidate countries and potential candidates with the political criteria, it looks at the legal provisions on the death penalty. The abolition of the death penalty is one of the major political reforms achieved by Turkey in its European integration process.

([1]) http://www.telegraaf.nl/buitenland/21067352/___Doodstraf_terug_in_Turkije___.html

In addition, Turkey ratified the two following protocols to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of Death Penalty.

Protocol No 6, adopted in 1982 provides for the abolition of the death penalty in peacetime.

Protocol No 13, adopted in 2002, provides for the abolition of the death penalty in all circumstances, including time of war or of imminent threat of war.

The 2005 Negotiating framework for the negotiations with Turkey defines the conditions for a suspension of the negotiations and the Commission does not consider that these conditions are met.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010370/12
alla Commissione
Mario Borghezio (EFD)
(13 novembre 2012)

Oggetto: L'UE intervenga sulle vessazioni nei confronti delle donne armene in Turchia

In Turchia ci sono tra i 10 000 e i 20 000 immigrati armeni che lavorano senza i permessi necessari. L'alto numero di immigrati è dovuto al fatto che la Turchia è la destinazione più vicina e ha una popolazione armena locale; inoltre, effettuare il primo ingresso in Turchia è sempre stato più facile rispetto ad altri paesi come l'Ucraina e la Russia. Infatti, per entrare è necessario solo un visto turistico acquistabile alla frontiera, che costa 15 dollari ed è valido per un mese.

La gran parte degli immigrati sono donne. Le difficoltà economiche riscontrate in Armenia le hanno portate a spostarsi all'estero per cercare lavoro e Istanbul, per la vastità delle possibilità offerte, è diventata la destinazione principale per molte di loro. Hanno trovato impiego in fabbriche, in atelier tessili, oppure nel commercio tra i due paesi. La maggioranza di loro, però, lavora in casa come donna delle pulizie, badante per anziani e malati e baby-sitter e, in ogni caso, il lavoro è quasi sempre in nero.

1. Può la Commissione far sapere come intende intervenire sulla semplicità con la quale è possibile ottenere il visto per entrare in Turchia?

2. Quali misure intende adottare per quanto riguarda il lavoro in nero, che coinvolge la maggior parte delle donne armene in Turchia, anche e soprattutto nel rispetto dei loro diritti e della loro dignità nel mondo lavoro?

Interrogazione con richiesta di risposta scritta E-010371/12
alla Commissione
Mario Borghezio (EFD)
(13 novembre 2012)

Oggetto: L'UE intervenga sulle vessazioni nei confronti dei minori armeni in Turchia

Da fonti di stampa, emerge la situazione di una scuola «clandestina» frequentata da 105 bambini privi, per la maggior parte, di una carta d'identità perché nati in Turchia da genitori senza permesso di soggiorno. Una situazione che, in tutta la Turchia, interessa circa mille bambini e che rappresenta uno dei problemi più seri per gli immigrati armeni che si trovano in condizione di «irregolarità». Quando una coppia «irregolare» di immigrati armeni ha un figlio in Turchia non può chiedere la cittadinanza alle autorità per il nuovo nato. Ma anche l'assenza di relazioni diplomatiche tra Ankara e Yerevan rende tutto ancor più complicato. Il bambino non può ottenere un passaporto se non andando in Armenia, ma non viene fatto passare alla frontiera se non ha alcun documento di identificazione. Il groviglio di divieti e difficoltà si ripercuote direttamente sul diritto dei bambini di avere un'istruzione. I figli degli immigrati armeni, con un passaporto armeno o senza documenti d'identità, non possono frequentare le scuole pubbliche turche. A partire dall'anno scorso un regolamento ha concesso a questi ragazzi di potersi iscrivere alle 17 scuole delle minoranze armene locali in qualità di «ospiti», cosa che permette loro di frequentare le lezioni senza però che gli venga rilasciato alcun diploma valido a livello nazionale.

Nel 2012 si è stimato che gli iscritti sono diminuiti perché per le famiglie c'è sempre il rischio di venire esposti e in buona parte perché il programma scolastico, pur trattandosi di scuole armene, è interamente modellato su quello turco, senza alcun riferimento al popolo armeno e alla sua storia. Un programma che, ad ogni modo, non consentirebbe ai ragazzi di inserirsi nelle scuole armene se tornassero indietro. C'è poi anche il problema della lingua: l'armeno dell'Est (parlato in Armenia) è infatti una variante diversa da quello usato in Turchia.

Come intende la Commissione porre rimedio a tale situazione anche e soprattutto nel rispetto del diritto all'istruzione per i minori?

Risposta congiunta di Štefan Füle a nome della Commissione
(22 gennaio 2013)

L'allineamento della politica dei visti turca all'acquis sarà uno dei temi del dialogo sulla liberalizzazione dei visti che la Commissione intende avviare alla luce delle conclusioni del Consiglio del 21 giugno 2012 sullo sviluppo della cooperazione con la Turchia nei settori della giustizia e degli affari interni. Particolare attenzione sarà posta sulla politica dei visti nei confronti dei paesi terzi i cui cittadini rappresentano una quota considerevole dei flussi migratori verso l'UE.

Il tasso di lavoratori non dichiarati in Turchia è particolarmente elevato tra le donne, non solo lavoratrici migranti, ma anche cittadine turche. La Commissione segue l'adozione delle misure dell'amministrazione turca volte a promuovere l'occupazione regolare.

In Turchia, gli istituti di insegnamento privati forniscono una risposta alle esigenze delle minoranze non musulmane, ivi compreso dei figli di cittadini turchi di origine armena. Con l'adozione, nel marzo 2012, di un regolamento relativo a tali istituti, le autorità turche hanno consentito ai bambini che non abbiano la cittadinanza turca di frequentare in qualità di uditori gli istituti di insegnamento privati o le scuole delle minoranze. Questi sviluppi sono stati riportati e commentati nella relazione del 2012 sui progressi della Turchia.

La Commissione segue con attenzione l'accesso all'istruzione nel paese, questione che solleva con le autorità turche in tutte le sedi opportune.

(English version)

Question for written answer E-010370/12
to the Commission
Mario Borghezio (EFD)
(13 November 2012)

Subject: The EU should take action against the oppression of Armenian women in Turkey

Between 10 000 and 20 000 Armenian immigrants work in Turkey without the necessary permits. The high number of immigrants is due to Turkey being the nearest destination and having a local Armenian population. Furthermore, entering Turkey has always been easier compared to countries like Ukraine and Russia. All you need to enter the country is a tourist visa, which can be purchased at the border for 15 dollars and is valid for a month.

The great majority of immigrants are women. The economic difficulties they face in Armenia have led them to move abroad to look for work — Istanbul, because of the wide range of options on offer, has become the main destination for many of them. They have found work in factories, textile workshops, or in trade between the two countries. Most of them, however, work in houses as cleaners, carers for the elderly and sick and babysitters and the work is almost always illegal.

1. Can the Commission state whether it intends to take action on how simple it is to obtain a visa to enter Turkey?

2. What measures does it intend to adopt concerning the illegal work in which most of the Armenian women in Turkey are involved, and above all to ensure that their rights are respected and they have dignity in the world of work?

Question for written answer E-010371/12
to the Commission
Mario Borghezio (EFD)
(13 November 2012)

Subject: The EU should take action against the oppression of Armenian children in Turkey

Press reports have revealed the existence of an 'illegal' school attended by 105 children, the majority of whom have no identity card because they were born in Turkey to parents lacking a residence permit. In Turkey as a whole, this situation concerns around 1 000 children and is one of the most serious problems faced by 'illegal' Armenian immigrants. When an 'illegal' Armenian immigrant couple have a child in Turkey, they cannot request citizenship for their baby from the authorities. The situation is further complicated by the absence of diplomatic relations between Ankara and Yerevan. Children can only get a passport by going to Armenia, but are not allowed across the border without an identity document. The tangled web of bans and difficulties has a direct impact on the children's right to education. Children of Armenian immigrants, whether they have an Armenian passport or no identity documents, cannot attend Turkish public schools. As of last year, a ruling has allowed these children to enrol at the 17 schools for local Armenian minorities as 'guests', which enables them to attend lessons although they are not awarded any diplomas recognised at national level.

Enrolments are estimated to have fallen in 2012 because families face the risk of being exposed and largely because the curriculum, albeit intended for Armenian schools, is entirely modelled on the Turkish curriculum, with no reference to the Armenian people and their history. The curriculum would not therefore allow the children to enrol in Armenian schools if they went back. There is also a language problem: Eastern Armenian (spoken in Armenia) is very different to the form spoken in Turkey.

How does the Commission intend to remedy this situation and above all ensure that the children's right to education is respected?

Joint answer given by Mr Füle on behalf of the Commission
(22 January 2013)

Alignment of the Turkish visa policy with the *acquis* will be tackled in the framework of the visa liberalisation dialogue, which the Commission intends to launch on the basis of Council Conclusions of 21 June 2012 on developing cooperation with Turkey in the areas of Justice and Home Affairs. A particular emphasis will be put on the visa policy towards those third countries whose nationals constitute a significant source of the migratory flows towards the EU.

The rate of non-declared workers in Turkey is especially high among women, not only migrant workers but also Turkish citizens. The Commission is following the measures taken by the Turkish administration to promote registered employment.

In Turkey, there are private educational institutions catering for the needs of the non-Muslim minorities, including children of Turkish citizens of Armenian origin. In March 2012 the Turkish authorities, through a regulation on these private educational institutions, allowed children with citizenship other than Turkish to attend, as guest students, the private educational institutions or minority schools. These developments were reflected and commented upon in the 2012 Turkey Progress Report

The Commission follows closely the issue of access to education in the country and raises it with the Turkish authorities on all appropriate occasions.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010372/12
alla Commissione
Mario Borghezio (EFD)
(13 novembre 2012)

Oggetto: Boicottaggio da parte di Ankara della riunione UE-Turchia

A dicembre si sarebbe dovuta svolgere a Istanbul una riunione congiunta UE-Turchia.

A causa però del boicottaggio da parte di Ankara della Presidenza di turno cipriota, questo meeting è stato rimandato all'inizio del 2013 quando si insedierà la Presidenza irlandese.

1. Come giudica la Commissione questo perseverante atteggiamento da parte della Turchia nei confronti di un Paese membro dell'UE e dell'Europa tutta?

2. Non ritiene la Commissione che questo comportamento non rispetti il protocollo del trattato di Ankara che prevede normali relazioni con la Repubblica di Cipro?

Risposta di Štefan Füle a nome della Commissione
(21 gennaio 2013)

La Commissione invita l'onorevole parlamentare a consultare il quadro di negoziazione adottato all'unanimità dagli Stati membri nell'ottobre del 2005, in cui si sottolinea che i progressi raggiunti nei negoziati sono valutati in base a una serie di parametri, tra cui la «normalizzazione delle relazioni bilaterali tra la Turchia e tutti gli Stati membri dell'Unione europea, compresa la Repubblica di Cipro» e «il soddisfacimento degli obblighi della Turchia nel quadro dell'accordo di associazione e del protocollo aggiuntivo che estende l'accordo di associazione a tutti i nuovi Stati membri dell'UE».

La mancanza di progressi della Turchia al riguardo ha portato alla decisione del Consiglio del dicembre 2006 di non aprire i negoziati «sui capitoli in cui rientrano i settori politici interessati dalle restrizioni imposte dalla Turchia nei confronti della Repubblica di Cipro fino a quando la Commissione non avrà verificato che la Turchia abbia rispettato i suoi impegni connessi al protocollo aggiuntivo».

(English version)

Question for written answer E-010372/12
to the Commission
Mario Borghezio (EFD)
(13 November 2012)

Subject: Ankara boycotts Turkey-EU meeting

A joint Turkey-EU meeting was due to take place in Istanbul in December.

However, due to the Turkish boycott of the Cyprus Presidency, this meeting has been postponed until the beginning of 2013 when Ireland will assume the presidency.

1. How does the Commission view Turkey's unflinching attitude towards an EU Member State and Europe as a whole?

2. Does the Commission believe that this behaviour is in breach of the protocol annexed to the Ankara Agreement which calls for normalising relations with the Republic of Cyprus?

Answer given by Mr Füle on behalf of the Commission
(21 January 2013)

The Commission would like to refer the Honourable Member to the Negotiating Framework, which was unanimously adopted by the Member States in October 2005. It underlines that progress in the negotiations is measured against a number of requirements, including the 'normalisation of bilateral relations between Turkey and all EU Member States, including the Republic of Cyprus' and 'the fulfilment of its obligations under the Association Agreement and its Additional Protocol extending the Association Agreement to all new EU Member States.'

Turkey's lack of progress regarding this issue has led to the December 2006 Council decision not to open 'chapters covering policy areas relevant to Turkey's restrictions as regards the Republic of Cyprus until the Commission verifies that Turkey has fulfilled its commitments related to the Additional Protocol.'

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010373/12
do Komisji
Filip Kaczmarek (PPE)
(13 listopada 2012 r.)

Przedmiot: Sytuacja w Syrii

Nowy przewodniczący Międzynarodowego Komitetu Czerwonego Krzyża (MKCK) oświadczył w czwartek 8 listopada 2012 r., że sytuacja humanitarna w Syrii jest tak zła, że agencja walczy obecnie o przetrwanie, pomimo zwiększającego się zakresu działalności. Przewodniczący stwierdził, że MKCK, jako organizacja działająca na rzecz udzielania pomocy we współpracy z tamtejszym Czerwonym Półksiężycem, nie był w stanie dotrzeć do niektórych części Syrii. Jako przykład podał miasto Aleppo, które w ostatnich miesiącach poważnie ucierpiało z powodu przemocy. Powiedział, że, jeśli chodzi o potrzeby obywateli, występuje wiele tzw. białych plam oraz że konflikt powoduje coraz większe straty w ludziach i utrudnia MKCK dostęp do ofiar.

Według danych syryjskiego Centrum Monitorowania Praw Człowieka ponad 37 000 osób poniosło śmierć od wybuchu konfliktu w marcu 2011 r., natomiast Organizacja Narodów Zjednoczonych oszacowała, że około 1,2 miliona osób potrzebuje pomocy.

Sytuacja w Syrii jest najwyraźniej bardzo niestabilna i wymaga nieustannej uwagi. Czy Komisja planuje zwiększyć pomoc humanitarną w odpowiedzi na sytuację panującą w tym kraju, bądź złożyć propozycje lub oświadczenia dotyczące możliwości poprawy sytuacji?

Odpowiedź udzielona przez komisarz Kristalinę Georgijewą w imieniu Komisji
(5 lutego 2013 r.)

Unia Europejska odgrywa wiodącą rolę w światowych działaniach humanitarnych związanych z obecną sytuacją kryzysową. W dniu 10 grudnia 2012 r. ponownie zwiększyła o 30 mln EUR swój wkład w ramach pozycji w budżecie dotyczącej pomocy humanitarnej. UE jest obecnie głównym darczyńcą tej pomocy, przeznaczając na nią całkowite środki w wysokości 362,8 mln EUR (213,5 mln EUR od państw członkowskich oraz 149,3 mln EUR z budżetu UE). Z powyższej kwoty przekazano dotychczas 99,3 mln EUR, ponadto z budżetu na pomoc humanitarną UE przydzielana jest właśnie dodatkowa kwota w wysokości 30 mln EUR, która zostanie przeznaczona na udzielenie pomocy doraźnej w Syrii.

Mimo pogarszającego się stanu bezpieczeństwa w Syrii transport pomocy humanitarnej wciąż trwa. Docieranie z pomocą jest trudne, ale nie niemożliwe. Partnerzy UE (Czerwony Krzyż i Czerwony Półksiężyc, organizacje należące do „rodziny ONZ" oraz międzynarodowe organizacje pozarządowe) w dalszym ciągu zapewniają doraźną pomoc ratunkową, między innymi pomoc medyczną i żywnościową oraz pomoc związaną z zapewnieniem schronienia i przygotowaniem do zimy.

Ponadto UE skoncentrowała się na zapewnieniu skoordynowanego działania międzynarodowego w zakresie pomocy humanitarnej, które będzie niezależne od decyzji politycznych i oparte na zasadach humanitarnych. Jest to konieczne, aby nic nie stało na przeszkodzie niesieniu pomocy humanitarnej i aby uniknąć dalszego pogorszenia się bezpieczeństwa bieżących operacji w tym zakresie.

UE wzywa również wszystkie strony konfliktu do natychmiastowego zaprzestania ataków na ludność cywilną i przestrzegania międzynarodowego prawa humanitarnego. Ma to na celu zagwarantowanie, by pomoc humanitarna była dostarczana w sposób bezpieczny, neutralny i niedyskryminujący oraz by docierała ona do tych osób, które jej najbardziej potrzebują.

(English version)

Question for written answer E-010373/12
to the Commission
Filip Kaczmarek (PPE)
(13 November 2012)

Subject: Situation in Syria

The new president of the International Committee of the Red Cross (ICRC) said on Thursday, 8 November 2012, that the humanitarian situation in Syria is so bad that the agency is struggling to cope, despite the scope of the operation increasing. He stated that the ICRC, which is the organisation that is working in collaboration with the Syrian Arab Red Crescent to deliver aid to the country, has not been able to get to certain parts of Syria., He gave as an example the city of Aleppo, which has been badly hit by violence in recent months. He said that there are 'a lot of blank spots' with regard to people's needs and that the conflict is causing more casualties and making it difficult for the ICRC to reach victims.

There have been over 37 000 victims of the conflict since it erupted in March 2011, according to the Syrian Observatory for Human Rights, while the United Nations has estimated the number of people in need at around 1.2 million.

The situation in Syria is obviously extremely volatile and in need of constant attention. Does the Commission have any plans to step up its humanitarian response with regard to the country or to make any suggestions or statements as regards improving the situation?

Answer given by Ms Georgieva on behalf of the Commission
(5 February 2013)

The European Union has been at the forefront of the global humanitarian efforts for this crisis and, on 10 December, has further increased its contribution from its humanitarian budget line by EUR 30 million. With a total collective humanitarian contribution of EUR 362.8 million (EUR 213.5 million from Member States plus EUR 149.3 million from the EU budget), the EU is, at the moment, the main humanitarian donor for this crisis. Out of this amount, EUR 99.3 million have already been allocated and an additional EUR 30 are in the process of being allocated from the EU humanitarian budget to relief operations in Syria

Humanitarian aid deliveries are ongoing in the country, amidst a deteriorating security situation. Access remains difficult, but not impossible. EU partners (the Red Cross/Red Crescent movement, the United Nations family and International Non-governmental organisations (INGOs)) continue to provide life-saving emergency relief, *inter alia*, medical and food assistance, shelter and winterization.

Additionally, the EU has focused on ensuring a coordinated international humanitarian response, separate from the political track and based on humanitarian principles. This is of paramount importance in order not to jeopardise access and further worsen the security of ongoing humanitarian operations.

The EU also keeps calling on all parties to the conflict to immediately stop attacks against civilians and abide by International Humanitarian Law (IHL). This is to ensure that humanitarian assistance is delivered in a safe, neutral and non-discriminatory fashion, to those most in need.

(English version)

Question for written answer E-010374/12
to the Commission
Ashley Fox (ECR)
(13 November 2012)

Subject: The use of EU funds for aid projects

A number of constituents have raised their concerns about the use of EU funds for aid projects around the world. There is widespread unease that aid funding does not go directly to the recipients, instead being siphoned off through large expenses to consultants or lost in corruption.

At a time when EU Member States are making difficult decisions to cut their budget deficits, it seems incongruous to be sending large sums to countries such as India and China, which spend considerable amounts on space and defence programmes. Such countries should be encouraged to re-direct their resources to alleviate poverty among their own populations first.

Could the Commission therefore advise me of the following information:

1. How much of the EU's budget is spent on aid projects?

2. Of that figure, how much of it goes to NGOs and charities, and how much goes to foreign governments?

3. How much aid is given to Brazil, Russia, India, China and South Africa, respectively?

4. Does the European Court of Auditors' recently published estimated error rate of 3.9% for the EU's 2011 accounts include errors in the spending of EU funds on aid?

Answer given by Mr Piebalgs on behalf of the Commission
(8 January 2013)

The Commission would refer the Honourable Member to the Annual Report 2012 on External Assistance Policies ([1]), which includes the main data on commitments and disbursements of EU aid, broken down by geographical and thematic implementation ([2]). Furthermore, the Commission would like to point out that in 2011, and using the Development Assistance Committee (DAC) channel of delivery definition, the total disbursements for Official Development Assistance (ODA) projects funded by the EU budget and European Development Fund (EDF) amount to EUR 1.345 billion for the implementation of programmes provided to Civil Society Organisations (CSO) and to EUR 4.108 billion to foreign governments.

The Commission would also like to draw the attention of the Honourable Member to the communication on the Agenda for Change ([3]), endorsed by the Council ([4]), which sets out a more strategic and effective approach to poverty reduction by focusing EU aid on the poorest countries and fragile states which most need it.

The overall most likely error estimated by the European Court of Auditors in its report on the implementation of the budget for payments as a whole was indeed 3.9% for 2011, of which the error rate for EU external aid expenditure financed by the EU budget was 1.1%. In addition, the Annual Report on the activities funded by the 8th, 9th and 10th EDFs stated an error rate of 5.1% for 2011. Considering that development aid represents one of the highest risk areas of the Commission's expenditure, working with the poorest and most fragile countries on the planet, the Commission notes that this is still relatively low rate of error. Nevertheless, the Commission is constantly striving to improve its audit and control architecture in order to avoid errors as much as possible.

([1]) 'Annual Report 2012 on the European Union's Development and External Assistance Policies and their Implementation in 2011': http://ec.europa.eu/europeaid/multimedia/publications/publications/annual-reports/2012_en.htm

([2]) Chapter 5 Financial Annex, page 169.

([3]) 'Increasing the impact of EU development policy: An Agenda for Change': http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0637:FIN:EN:PDF.

([4]) Council Conclusions of 14 May 2012: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/130243.pdf

(English version)

Question for written answer E-010375/12
to the Commission
Ashley Fox (ECR)
(13 November 2012)

Subject: ECJ ruling on the use of gender as a risk factor when calculating insurance

In March 2011, the European Court of Justice (ECJ) ruled that insurance benefits and premiums must be gender-neutral (Case 236/09 'Test Achats'). As a result, gender cannot be used as a risk factor from 21 December 2012. Women will now see their car insurance premiums rise and men will see their pension incomes fall. This is despite the fact that statistically women have fewer car accidents than men, and men have a shorter life expectancy than women.

Article 5(2) of EU Directive 2004/113/EC permits 'proportionate differences in individuals' premiums and benefits where the use of sex is a determining factor in the assessment of risk based on relevant and accurate actuarial and statistical data'. Given that data do exist to back up the use of gender as a risk factor in insurance benefits and premiums, does the Commission consider that the ruling by the ECJ was contrary to EC laws on discrimination?

Answer given by Mrs Reding on behalf of the Commission
(7 January 2013)

It is the exclusive competence of the Court of Justice of the European Union to authoritatively interpret EC law in order to ensure its uniform interpretation and application in all the Member States. The Commission is, after the Court ruling in the Test-Achats case, under the obligation to ensure that EC law, as interpreted by the Court, is properly implemented.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010376/12
a la Comisión
Willy Meyer (GUE/NGL)
(13 de noviembre de 2012)

Asunto: Impulso de la Agricultura Ecológica con la reforma de la PAC

En la reforma de la PAC la Comisión europea está promocionando supuestamente medidas para impulsar la sostenibilidad ecológica en todas las fincas agrícolas de Europa, como el condicionamiento de los pagos directos al cumplimiento de las medidas de «greening» de la actividad agrícola. Aunque insuficiente, esta iniciativa resulta importante al suponer una apuesta firme por introducir la sostenibilidad como concepto necesario en la actividad de todos los agricultores europeos.

No obstante, los agricultores ecológicos, que son los que cumplen normativas ambientales más estrictas, aún continúan enfrentando numerosos problemas. Dentro del proceso de reforma de la PAC se da la posibilidad de llevar a cabo reformas que puedan garantizar la viabilidad de las explotaciones agrícolas ecológicas. Estas explotaciones siguen afrontando un gran número de dificultades relacionadas sobre todo con la escasa estructura de distribución y comercialización en muchos Estados miembros.

Frente a una agricultura convencional que garantiza el «libertinaje» del uso de agroquímicos con un escaso control de su uso, existen agricultores ecológicos que han tomado la iniciativa en defensa de las condiciones ambientales de sus explotaciones pero que necesitan garantizar la rentabilidad de su actividad para poder ejercer un efecto llamada hacia la agricultura ecológica, apostando así por este tipo de agricultura que cumple los más altos estándares en sostenibilidad agrícola.

Además, este efecto llamada hacia la agricultura ecológica sería un paso muy importante ante la subida de los precios de los fertilizantes químicos, así como de los combustibles, sobre todo teniendo en cuenta que los agricultores ecológicos son un capital humano de incalculable valor para hacer frente a la amenaza de la crisis alimentaria.

Teniendo en cuenta que, en el marco de la supuesta apuesta por la sostenibilidad de la agricultura europea en la reforma de la política agraria, es muy necesario garantizar que la agricultura ecológica resulte rentable para poder atraer a un mayor número de agricultores a practicarla:

¿Cuáles son las medidas que la Comisión está considerando para la mejora de la rentabilidad de las explotaciones de agricultura ecológica? ¿Considera la Comisión prioritaria la agricultura ecológica en el marco de la nueva PAC? ¿Qué medidas específicas propone la Comisión para la expansión y promoción de de este tipo de agricultura?

Respuesta del Sr.Cioloş en nombre de la Comisión
(21 de enero de 2013)

El programa de trabajo de la Comisión Europea para 2013 incluye la revisión del marco político y jurídico de la producción ecológica. La preparación de las propuestas correspondientes prevé la realización de una evaluación de impacto que permita a la Comisión formular hipótesis en relación con el marco futuro y evaluar sus efectos. La evaluación de impacto se puso en marcha en julio de 2012 y tendrá una duración de un año. Las propuestas finales de la Comisión están previstas para finales de 2013. La hoja de ruta de este ejercicio ha sido publicada por la Comisión ([1]).

Se transmitió al Parlamento Europeo un informe de la Comisión al Parlamento Europeo y al Consejo sobre la aplicación de la legislación actual, adoptado en mayo de 2012 ([2]). Las conclusiones del debate interinstitucional sobre este informe se integrarán en el proceso de revisión.

La Comisión considera que las propuestas actuales de reforma de la PAC son muy beneficiosas para el desarrollo del sector de la agricultura ecológica, principalmente la ecologización y el desarrollo rural. No obstante, no garantizan una atención suficiente a las necesidades específicas de este tipo de agricultura, razón por la cual la Comisión está preparando la revisión del marco jurídico de la producción ecológica.

([1]) http://ec.europa.eu/governance/impact/planned_ia/roadmaps_2013_en.htm#AGRI.
([2]) COM(2012) 212 final (Informe de la Comisión al Parlamento Europeo y al Consejo acerca de la aplicación del Reglamento (CE) n° 834/2007 del Consejo, sobre producción y etiquetado de los productos ecológicos).

Por otra parte, Su Señoría es sabedora de que la única nueva iniciativa de la Comisión Europea en su programa de trabajo para 2013 en el ámbito de la agricultura y el desarrollo rural se refiere a la producción ecológica. Este hecho pone de manifiesto la importancia que la Comisión Europea otorga a este sector de la producción agrícola en el marco de la PAC.

(English version)

Question for written answer E-010376/12
to the Commission
Willy Meyer (GUE/NGL)
(13 November 2012)

Subject: Boost to organic farming through reform of the CAP

In the context of reform of the CAP, the European Commission is supposedly promoting measures to boost ecological sustainability in all European agricultural areas, such as making direct payments conditional on compliance with greening measures in farming. Though inadequate, this initiative is important, inasmuch as it implies committing firmly to the introduction of sustainability as a necessary concept in the way all European farmers operate.

Nevertheless, organic farmers, the farmers that meet the strictest environmental rules, still face many problems. It is possible, within the CAP reform process, for reforms to be carried out that can ensure the viability of organic farms. These farms still face many problems linked above all to the inadequate distribution and marketing structure in many Member States.

Faced with a conventional farming system that guarantees profligacy in the use of agrochemicals with little control of their use, some organic farmers have taken the initiative in defending the environmental conditions of their farms, but need to make sure their business is profitable if they are to have a pull effect on organic farming, and thereby promote the type of farming that meets the highest standards of agricultural sustainability.

In addition, such a pull effect towards organic farming would be a very important step vis-à-vis the rising prices of chemical fertilisers and fuels, especially bearing in mind that organic farmers constitute human capital of incalculable value for meeting the threat of food crisis.

Bearing in mind that, in the context of the supposed commitment to the sustainability of European farming in the reform of agricultural policy, it is very important to ensure that organic farming is profitable in order to be able to attract more farmers to take it up:

What measures is the Commission contemplating to improve the profitability of organic farms? Does the Commission consider organic farming a priority in the new CAP? What specific measures does the Commission propose to expand and promote this kind of farming?

Answer given by Mr Cioloş on behalf of the Commission
(21 January 2013)

The European Commission's 2013 work programme includes the review of the political and legal framework for organic production. The preparation of the corresponding proposals involves an impact assessment to enable the Commission to elaborate scenarios for the future framework and evaluate their impacts. The impact assessment was launched in July 2012 and will last one year. The final Commission proposals are planned for the end of 2013. The roadmap for this exercise has been published by the Commission ([1]).

A report from the Commission to the European Parliament and to the Council on the application of the current legislation adopted in May 2012 was transmitted to the European Parliament ([2]). The conclusions of the interinstitutional debate on the report will feed the review process.

The Commission considers that the current proposals for CAP reform are very beneficial for the development of the organic agricultural sector, namely greening and rural development. They are however insufficient to provide the necessary focus on the specific needs of this type of faming, that's why the Commission is preparing the review of the legal framework concerning organic production.

([1]) http://ec.europa.eu/governance/impact/planned_ia/roadmaps_2013_en.htm#AGRI.
([2]) COM(2012) 212 final Report from the Commission to the European Parliament and to the Council on the application of Council Regulation (EC) N) 834/2007 on organic production and labelling of organic products.

Moreover, the Honourable Member is aware that the only new initiative of the European Commission in the field of agriculture and rural development in its 2013 work programme is the one related to organic production. This underlines the importance that the European Commission is giving to this sector of agricultural production in the framework of the CAP.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010377/12
an die Kommission
Holger Krahmer (ALDE) und Herbert Reul (PPE)
(13. November 2012)

Betrifft: Zuteilung von kostenlosen Berechtigungen zur Emission von Treibhausgasen im Sinne des EU-Systems für den Handel mit Treibhausgasemissionsberechtigungen

Das Gesetz über den Handel mit Berechtigungen zur Emission von Treibhausgasen (Treibhausgas-Emissionshandelsgesetz — TEHG) der Bundesrepublik Deutschland vom 28.7.2011 sieht in Artikel 9 Absatz 5 eine Härtefallregelung vor. Nach dieser Regelung können Anlagenbetreibern in Ausnahmefällen zusätzliche Berechtigungen (Emissionszertifikate) zugeteilt werden, wenn ansonsten durch das ETS eine unzumutbare Härte für den Anlagenbetreiber entstehen würde.

Gemäß dieser Härtefallregelung hat die zuständige Deutsche Emissionshandelsstelle zusätzliche Berechtigungen für eine geringe Anzahl von Anlagen erteilt, um existenzbedrohende Härten für solche Anlagenbetreiber zu vermeiden, die aus ihren wirtschaftlichen Erträgen nur einen Bruchteil der jährlich anfallenden Mehrkosten durch den Emissionshandel tragen können.

Diese Härtefallregelung ist durch den im deutschen Grundgesetz wie auch im Europarecht verankerten Grundsatz der Verhältnismäßigkeit geboten. Die Einführung handelbarer Emissionsrechte für Treibhausgase ist danach nur eine geeignete und erforderliche Maßnahme sowie insgesamt angemessen im Verhältnis zum angestrebten Ziel des Klimaschutzes, wenn sie Ausnahmeregelungen für solche Unternehmen vorsieht, deren wirtschaftliche Existenz durch die Mehrkosten des Emissionshandels aufgrund atypischer Umstände ohne eine Ausnahmeregelung vernichtet werden würde.

Die Unterzeichner haben zu dieser Härtefallregelung folgende Fragen an die Kommission:

1. Beabsichtigt die Kommission, die im Zuge der deutschen Härtefallregelung nach § 9 Absatz 5 TEHG vorläufig erteilte Zuteilung von zusätzlichen Emissionszertifikaten gemäß der Liste der Deutschen Emissionshandelsstelle vom 7.5.2012 nicht zu genehmigen?

2. Hält die Kommission ein Emissionshandelssystem, welches dazu führt, dass die wirtschaftliche Existenz von betroffenen Unternehmen unwiederbringlich zerstört wird, für im Einklang mit dem europarechtlich geltenden Grundsatz der Verhältnismäßigkeit stehend?

3. Beabsichtigt die Kommission, es im Namen des Klimaschutzes in Kauf zu nehmen, dass aufgrund des geltenden Emissionshandelssystems in der Europäischen Union die wirtschaftliche Existenz von europäischen Unternehmen vernichtet wird, bei denen es sich nachweislich um Härtefälle handelt, weil sie aufgrund atypischer Umstände durch die Mehrkosten des Emissionshandels wirtschaftlich „erdrosselt“ werden und ihre Geschäftstätigkeit aufgeben müssen?

Antwort von Frau Hedegaard im Namen der Kommission
(9. Januar 2013)

Mit dem Beschluss 2011/278/EU der Kommission vom 27. April 2011 zur Festlegung EU-weiter Übergangsvorschriften zur Harmonisierung der kostenlosen Zuteilung von Emissionszertifikaten gemäß Artikel 10a der Richtlinie 2003/87/EG des Europäischen Parlaments und des Rates wurden objektive und transparente Regeln für die kostenlose Zuteilung von Emissionszertifikaten in der am 1. Januar 2013 beginnenden Phase 3 des Emissionshandelssystems der EU (ETS) festgelegt. Eine große Mehrheit der Mitgliedstaaten, einschließlich Deutschland, hat diesem Beschluss zugestimmt.

Der Beschluss 2011/278/EU ermöglicht auf der Grundlage verschiedener Faktoren eine kostenlose Zuteilung; er sieht jedoch keine zusätzliche Zuteilung von Emissionszertifikaten für vermeintliche Härtefälle vor. Ohne rechtliche Grundlage kann die Kommission keine zusätzlichen Zuteilungen, die von Deutschland für derartige Fälle vorgeschlagen werden, genehmigen. Die Kommission ist vielmehr dazu verpflichtet, die einheitliche Anwendung der Harmonisierungsregelung gemäß dem Beschluss 2011/278/EU sowie die Gleichbehandlung von Anlagen in allen Mitgliedstaaten sicherzustellen. Die Kommission hat noch keine förmliche Entscheidung über die Notifizierung Deutschlands getroffen. Sie hat die zuständigen deutschen Behörden jedoch darüber informiert, dass für derartige zusätzliche Zuteilungen keine rechtliche Grundlage besteht.

Die Kommission möchte darauf hinweisen, dass das Emissionshandelssystem mit dem Verursacherprinzip einen weiteren im Vertrag genannten Grundsatz umsetzt. Wenn die wirtschaftliche Grundlage und Leistungsfähigkeit eines Unternehmens allein aus umweltschädlichen Produktionsprozessen bestehen und das Unternehmen nicht für die Kosten aufkommen kann, die der Gesellschaft durch die Umweltbelastung entstehen, ist dies auch ein Problem und in einer Welt, in der die CO_2-Emissionen immer stärker begrenzt werden müssen, nicht tragbar.

(English version)

Question for written answer E-010377/12
to the Commission
Holger Krahmer (ALDE) and Herbert Reul (PPE)
(13 November 2012)

Subject: Allocation of greenhouse gas emission allowances free of charge under the EU greenhouse gas emission allowance trading scheme

Article 9(5) of the German law on the trade in greenhouse gas emission allowances (Greenhouse Gas Emissions Trading Act — TEHG) of 28 July 2011 includes a hardship clause. This clause makes it possible for additional allowances (emissions certificates) to be allocated to installation operators in exceptional cases where the ETS would otherwise result in unacceptable hardship for the operators concerned.

In accordance with this hardship clause, the competent German emissions trading body issued additional allowances for a small number of installations to prevent hardship that might jeopardise the survival of operators whose economic yield can cover only a fraction of the annual additional costs arising from emissions trading.

This hardship clause is justified by the principle of proportionality enshrined both in the German Constitution and in European law. The introduction of tradable emission allowances for greenhouse gases should thus be seen as an appropriate and necessary measure that stands in proportion to the objective of climate protection only if exceptional provisions are included for undertakings which, owing to atypical circumstances, would be so badly affected by the additional costs of emissions trading that their economic survival might otherwise be made impossible.

1. Does the Commission intend not to approve the provisional allocation of additional emissions certificates in line with the list produced by the German emissions trading body on 7 May 2012, in accordance with the German hardship clause contained in Article 9(5) TEHG?

2. Does the Commission take the view that an emissions trading scheme that results in the irreparable destruction of the economic foundations of undertakings complies with the principle of proportionality enshrined in European law?

3. Does the Commission intend, in the name of climate protection, to take the risk that the emissions trading scheme in force in the European Union may destroy the economic foundations of European undertakings, where the undertakings concerned can prove that they should be treated as cases of hardship because atypical circumstances mean that they are being economically 'strangled' by the additional costs of emissions trading, with the result that they will be forced to cease trading altogether?

Answer given by Ms Hedegaard on behalf of the Commission
(9 January 2013)

The Commission Decision 2011/278/EU of 27 April 2011 determining transitional union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC set up objective and transparent rules for the allocation of emission allowances free of charge in phase 3 of the EU Emission Trading Scheme (ETS) starting on 1 January 2013. This decision was agreed by a large majority of Member States, including Germany.

Decision 2011/278/EU provides for free allocation based on a number of different factors, but it does not foresee any additional allocation of emission allowances for cases of alleged hardship. In the absence of any legal base, the Commission is not in the position to accept any additional allocation that may have been proposed by Germany for such cases. On the contrary, the Commission has the duty to ensure a uniform application of the harmonised rules as set out by Decision 2011/278/EU and equal treatment of installations in all EU Member States. The Commission has not yet taken a formal decision on the German notification, but it has informed the German Competent Authority that it sees no legal base to approve such additional allocations.

The Commission would like to underline that the ETS implements another principle enshrined in the Treaty, namely the polluter pays principle. If an undertaking's economic foundation and viability rests entirely on polluting production processes and cannot bear paying the cost of that pollution to society at large, this is also a problem and unsustainable in an increasingly carbon-constrained world.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010378/12
lill-Kummissjoni
Joseph Cuschieri (S&D)
(13 ta' Novembru 2012)

Suġġett: Finanzjament Ewropew għall-iżvilupp tal-komunitajiet lokali

L-Unjoni Ewropea, permezz tal-Fond Ewropew għall-Iżvilupp Reġjonali (FEŻR), ikkontribwiet għall-finanzjament ta' varjetà wiesgħa ta' proġetti madwar l-Ewropa, minn xogħlijiet pubbliċi fuq skala kbira għal inizjattivi lokali żgħar. Il-proġetti kollha huma mfassla biex jibbenefikaw lill-ekonomiji reġjonali jew lokali.

L-FEŻR jagħti attenzjoni partikolari wkoll lill-karatteristiċi territorjali speċifiċi, u huwa mfassal biex inaqqas il-problemi ekonomiċi, ambjentali u soċjali fil-bliet, speċjalment f'żoni żvantaġġati.

Il-finalizzazzjoni f'waqtha tal-proġetti ffinanzjati mill-UE hija imperattiva għall-iżvilupp ta' komunitajiet benefiċjarji.

Il-Kummissjoni tista' titfa' dawl fuq l-azzjonijiet li qed jittieħdu fir-rigward ta' dewmien eċċessiv fil-proġett ta' rijabiliazzjoni tal-Baċir Nru 1 f'Bormla, liema proġett jinsab fin-nofsinhar ta' Malta (gżira prinċipali)?

Il-Kummissjoni kif bihsiebha twieġeb għal din il-problema, li qed tolqot serjament lir-residenti tal-komunitajiet benefiċjarji, meta jitqies li r-riġenerazzjoni tal-Baċir Nru 1 kienet is-suġġett ta' ħafna wegħdiet ta' żvilupp mill-ġdid matul il-ħafna snin li għaddew, bi pjanijiet imfassal li sfaw imwarrba u mfassla mill-ġdid?

Tweġiba mogħtija minn Mr Hahn f'isem il-Kummissjoni
(21 ta' Jannar 2013)

Il-proġett tal-Baċir Nru 1 huwa wieħed mill-ħames subproġetti tal-proġett *"Stronger Cottonera Communities — The citizens right to accessibility and mobility"* kofinanzjati mill-Fond Ewropew għall-Iżvilupp Reġjonali (FEŻR) taħt il-prijorità nru. 6 (Riġenerazzjoni urbana u titjib tal-kwalità tal-ħajja) tal-programm Malti tal-2007-2013 "Investiment fil-Kompetittività għal Kwalità ta" Ħajja Aħjar'. L-għan tal-proġett huwa li tiġi rinovata u riġenerata iż-żona ta' Bormla.

Skont ir-regoli tal-UE, il-proġetti kofinanzjati mill-FEŻR jeħtieġ jintemmu u jibdew joperaw fi żmien sentejn mit-tmiem tal-perjodu ta' programmazzjoni, jiġifieri l-31 ta' Diċembru 2015. Skont il-prinċipju ta' ġestjoni konġunti użati għall-implimentazzjoni tal-Fondi Strutturali, l-Istati Membri huma, sa dik id-data, responsabbli għall-implimentazzjoni u l-monitoraġġ tal-progress tal-proġetti individwali. Ibbażat fuq l-informazzjoni disponibbli għall-Kummissjoni, l-implimentazzjoni tal-proġett tal-Baċir Nru. 1 ittardja primarjament minħabba l-prestazzjoni mhux sodisfaċenti tal-kuntrattur responsabbli għax-xogħlijiet fuq is-sit. Dan wassal għat-terminazzjoni tal-kuntratt f'Marzu 2012 u tat-tnedija sussegwenti ta' sejħiet għall-offerti ġodda li għandhom jingħataw fit-tielet kwart tal-2013. L-erba' subproġetti tal-proġett li fadal jew intemmu jew waslu biex jintemmu.

Għal aktar informazzjoni, il-Kummissjoni tissuġġerixxi li l-Onorevoli Membru jikkuntattja direttament lill-awtorità maniġerjali:

Id-Diviżjoni għall-Kordinazzjoni tal-Ippjanar u l-Prijoritajiet
Uffiċju tal-Prim Ministru
Triq il-Kukkanja, Santa Venera
SVR 1411, Malta
Tel: (356) 2200 1142/3
Faks:(356) 2200 1141 356) 2200 1141

www.ppcd.gov.mt

(English version)

Question for written answer E-010378/12
to the Commission
Joseph Cuschieri (S&D)
(13 November 2012)

Subject: European funding for local community development

The European Union, via the European Regional Development Fund (ERDF), has contributed to the financing of a wide variety of projects across Europe, from large-scale public works to small local initiatives. All projects are designed to benefit regional or local economies.

The ERDF also pays particular attention to specific territorial characteristics, and is designed to reduce economic, environmental and social problems in towns and cities, especially in disadvantaged areas.

Timely completion of EU-funded projects is imperative for the development of beneficiary communities.

Can the Commission shed light on the actions that are being taken in relation to the excessive delays in the project to rehabilitate the Dock One area in Cospicua, situated in the southern part of Malta (main island)?

How will the Commission respond to this problem, which is seriously affecting the residents of the beneficiary communities, given that the regeneration of Dock One has been the subject of several promises for redevelopment going over many years, with plans having been drawn up only to be scrapped and drawn up again?

Answer given by Mr Hahn on behalf of the Commission
(21 January 2013)

The Dock One project is one of five sub-projects of the 'Stronger Cottonera Communities — The citizens' right to accessibility and mobility' project, co-financed by the European Regional Development Fund (ERDF) under priority 6 (Urban regeneration and improving the quality of life) of the Maltese 2007-2013 programme 'Investing in Competitiveness for a Better Quality of Life'. The aim of the project is to renovate and regenerate the Cospicua area.

According to EU regulations, projects co-financed by the ERDF need to be completed and become operational within two years of the end of the programming period, that is 31 December 2015. In line with the principle of shared management used for the implementation of Structural Funds, the Member States are, until that date, responsible for the implementation and monitoring of progress of the individual projects. Based on the information available to the Commission, the implementation of the Dock One project was delayed primarily as a result of the unsatisfactory performance of the contractor responsible for the works on the site. This resulted in the termination of the contract in March 2012 and subsequent launch of new tenders which should be awarded in the third quarter of 2013. The remaining four sub-projects of the project have been either completed or are close to completion.

For further information, the Commission suggests that the Honourable Member contact directly the managing authority:

Planning and Priorities Coordination Division
Office of the Prime Minister
Triq il-Kukkanja, Santa Venera
SVR 1411, Malta
Tel: (356) 2200 1142/3
Fax:(356) 2200 1141

www.ppcd.gov.mt

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010379/12
lill-Kummissjoni
Joseph Cuschieri (S&D)
(13 ta' Novembru 2012)

Suġġett: Il-finanzjament tal-programm Erasmus

Il-proposta tal-Kummissjoni għall-baġit globali tal-UE għall-programm Erasmus għall-2012 ammonta għal EUR 132.7 biljun. Madankollu, il-baġit finali, li sar qbil dwaru mill-Istati Membri u mill-Parlament Ewropew, kien ta' EUR 129.1 biljun.

Id-diskrepanza ta' aktar minn EUR 3.5 biljuni tissuġġerixxi li ħafna skambji tal-istudenti ffinanzjati minn Erasmus huma mhedda.

Minħabba livelli insuffiċjenti ta' pagamenti fil-baġit tal-UE, il-Kummissjoni mhux se tkun kapaċi tħallas il-fatturi li tirċievi.

Peress li l-Kummissjoni stess irrikonoxxiet id-diffikultajiet li jirriżultaw minn nuqqas ta' qbil dwar il-baġit tal-UE fost l-Istati Membri, tista' l-Kummissjoni tagħti informazzjoni dwar liema pjan ta' kontinġenza se tipproponi fid-dawl ta' dak li ntqal hawn fuq?

Tweġiba mogħtija mis-Sur Lewandowskion f'isem il-Kummissjoni
(24 ta' Jannar 2013)

Il-Kummissjoni tirreferi lill-Onorevoli Membru għat-tweġiba tagħha għall-mistoqsija bil-miktub E-009716/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010379/12
to the Commission
Joseph Cuschieri (S&D)
(13 November 2012)

Subject: Funding of Erasmus programme

The Commission's proposal for the overall EU budget for the Erasmus programme for 2012 amounted to EUR 132.7 billion. However, the final budget, agreed by Member States and the European Parliament, was EUR 129.1 billion.

The discrepancy of over EUR 3.5 billion suggests that many student exchanges funded by Erasmus are under threat.

Due to insufficient levels of payments in the EU budget, the Commission will be unable to pay the invoices it receives.

Given that the Commission itself has acknowledge the difficulties arising from lack of agreement on the EU budget amongst Member States, can it shed light on what contingency plan it will propose in view of the above

Answer given by Mr Lewandowski on behalf of the Commission
(24 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-009716/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versão portuguesa)

Pergunta com pedido de resposta escrita P-010380/12
à Comissão
José Manuel Fernandes (PPE)
(13 de novembro de 2012)

Assunto: Venda de substâncias psicoativas

Na UE, estão a ser vendidas substâncias psicoativas, nas denominadas «smartshops», sob a forma de pílulas, ervas, incensos, sais de banho, e até fertilizantes.

O consumo destas substâncias tem provocado efeitos nefastos na saúde e mesmo a morte em muitos cidadãos europeus.

Assim, questiona-se a Comissão:

1. A Comissão pensa legislar à escala europeia a venda de substâncias psicoativas?

2. Como pensa a Comissão intervir, de forma a evitar os efeitos nefastos na saúde dos consumidores de substâncias psicoativas?

Resposta dada por Viviane Reding em nome da Comissão
(11 de dezembro de 2012)

A rápida emergência de novas substâncias psicoativas constitui um desafio cada vez mais sério para as autoridades de saúde pública dos Estados-Membros. O nível de toxicidade e os riscos a longo prazo para saúde dessas substâncias são muitas vezes desconhecidos, sendo algumas delas inclusivamente propositadamente mal rotuladas de forma a contornar a legislação sobre produtos alimentares ou de controlo da droga. Tais substâncias são vendidas em muitos Estados-Membros em lojas especializadas denominadas «*smart shops*» ou «*head shops*». Estas lojas têm de cumprir o disposto na legislação nacional e da UE, e nomeadamente em matéria de proteção do consumidor e de rotulagem de produtos. As autoridades locais de alguns Estados-Membros já estabeleceram regras específicas para este tipo de lojas, realizando também inspeções frequentes.

A Comissão está atualmente a desenvolver novas propostas legislativas neste domínio procedendo à revisão, da Decisão 2005/387/JAI ([1]). As novas propostas, que serão apresentadas no decurso de 2013, deverão permitir uma ação mais rápida e eficaz em matéria de novas substâncias psicoativas ao nível da UE. O objetivo das propostas é melhorar o intercâmbio de informações sobre as novas substâncias psicoativas e a avaliação dos seus riscos, permitindo que aquelas que apresentam riscos para a saúde, riscos sociais e riscos de segurança possam ser rapidamente retiradas do mercado.

Para além disso, a Comissão financia, através do programa de informação e prevenção em matéria de droga, alguns projetos inovadores destinados a desenvolver melhores práticas em matéria de novas substâncias psicoativas.

([1]) Decisão 2005/387/JAI do Conselho, de 10 de maio de 2005, relativa ao intercâmbio de informações, avaliação de riscos e controlo de novas substâncias psicoativas, JO L 127 de 20.5.2005, pp.32-37.

(English version)

Question for written answer P-010380/12
to the Commission
José Manuel Fernandes (PPE)
(13 November 2012)

Subject: Sale of psychoactive substances

Psychoactive substances are being sold in the EU by so-called 'smart shops', in the form of pills, plants, incense, bath salts and even fertiliser.

Consumption of these substances has adversely affected the health of many European citizens, and even lead to their deaths.

1. Does the Commission intend to introduce legislation at European level to control the sale of psychoactive substances?

2. How does the Commission intend to intervene to prevent psychoactive substances having a negative impact on the health of European consumers?

Answer given by Mrs Reding on behalf of the Commission
(11 December 2012)

The rapid emergence of new psychoactive substances poses a growing challenge to public health authorities in the Member States. The acute and longer term health risks of these substances are often unknown and certain substances are mislabelled to circumvent food or drug control legislation. Such substances are sold in specialised shops, called 'smart shops' or 'head shops', in a considerable number of Member States. Such shops should comply with EU and national legislation on consumer protection and labelling, for instance. In certain Member States, but not in all, local authorities have established additional rules for such shops and carry out inspections frequently.

The Commission is currently developing new legislative proposals on new psychoactive substances, revising Council Decision 2005/387/JHA ([1]). The new proposals, which will be presented in the course of 2013, should enable swifter and more effective action on new psychoactive substances at the EU level. The aim of the proposals will be to improve the exchange of information on new psychoactive substances, the assessment of their risks, and to enable the rapid withdrawal from the market of those substances that pose health, social and safety risks.

Furthermore, the Commission is financing, through the Drug Prevention and Information Programme, innovative projects to develop best-practices to address new psychoactive substances.

([1]) Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances, OJ L 127, 20.5.2005, pp 32-37.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010381/12
προς την Επιτροπή
Rodi Kratsa-Tsagaropoulou (PPE)
(13 Νοεμβρίου 2012)

Θέμα: Αξιολόγηση δεδομένων και εργαλείων για το σχεδιασμό των εθνικών δημοσιονομικών πολιτικών

Το Διεθνές Νομισματικό Ταμείο στην πρόσφατη έκθεσή ([1]) του «World Economic Outlook», του Οκτωβρίου 2012, παρουσιάζει τα συμπεράσματά του, σύμφωνα με τα οποία υπήρξε υποεκτίμηση των βραχυπρόθεσμων δημοσιονομικών πολλαπλασιαστών (fiscal multipliers) και, κατά συνέπεια, του δημοσιονομικού αντίκτυπου των μέτρων που ελήφθησαν σε χώρες με προγράμματα δημοσιονομικής προσαρμογής. Παράλληλα, στην οικονομική μελέτη ([2]) για την Ευρωπαϊκή Επιτροπή όσον αφορά τους αυτόματους δημοσιονομικούς σταθεροποιητές (automatic stabilizers), οι συγγραφείς τονίζουν την έλλειψη σαφήνειας όσον αφορά την αξιολόγηση της αποτελεσματικότητάς τους, ενώ σε σχετικό τους άρθρο ([3]) οι κ.κ. Dolls, Clemens Fuest, Andreas Peichl αναφέρουν πως η ασφάλιση των ανέργων στην ΕΕ διαδραματίζει ενεργό ρόλο στη σταθεροποίηση του διαθέσιμου εισοδήματος και επισημαίνουν την ετερογένεια των σταθεροποιητών στην ΕΕ αλλά και το χαμηλό επίπεδό τους στις χώρες της νοτιοανατολικής Ευρώπης. Δεδομένων των αποκλίσεων στην επίτευξη δημοσιονομικών στόχων σε αρκετά κράτη-μέλη και της συχνής αναθεώρησης των δημοσιονομικών προβλέψεων, των αστοχιών που παρατηρήθηκαν σε επίπεδο υπολογισμού των πολλαπλασιαστών, της αυξανόμενης ανεργίας κυρίως στα κράτη-μέλη του ευρωπαϊκού νότου, ερωτάται η Επιτροπή:

1. Έχει αξιολογήσει τα ευρήματα της έκθεσης του ΔΝΤ;

2. Διαθέτει δικές της μελέτες και συμπεράσματα για το ρόλο και το βαθμό αποτελεσματικότητας των σταθεροποιητών στην εξέλιξη των δημοσιονομικών προγραμμάτων των οικονομιών των κρατών-μελών που δοκιμάζονται;

3. Αν ναι, ποια είναι αυτά; Θεωρεί πως έχει αποδειχθεί η σωστή τους αξιολόγηση σε επίπεδο δημοσιονομικής εποπτείας και σχεδιασμού κυριότερα στην περίπτωση της Ελλάδας;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(16 Ιανουαρίου 2013)

Είναι δύσκολο να μετρηθούν οι δημοσιονομικοί πολλαπλασιαστές, δεδομένου ότι είναι ειδικοί για κάθε χώρα και εξαρτώνται από την οικονομική κατάσταση. Η μελέτη που διενεργήθηκε στο πλαίσιο του «World Economic Outlook» αποτελεί συμβολή για τη συζήτηση, και όχι την απάντηση: τα πορίσματά της δεν μπορούν να θεωρούνται άρτια διότι εξαρτώνται σε μεγάλο βαθμό από την επιλογή των χωρών και του έτους. Πράγματι, στο τετραγωνίδιο I.5 των Ευρωπαϊκών Οικονομικών Προβλέψεών της για το 2012 ([4]), η Ευρωπαϊκή Επιτροπή επισημαίνει τις αδυναμίες της μεθοδολογίας που χρησιμοποιείται στην έκθεση «World Economic Outlook». Επιπλέον, στην έκθεση για τα δημόσια οικονομικά του 2012 ([5]), η Επιτροπή διερεύνησε εάν οι προσπάθειες δημοσιονομικής εξυγίανσης μπορούν να προκαλέσουν αύξηση του χρέους, δείχνοντας ότι αυτού του είδους αποτελέσματα σε γενικές γραμμές θα είναι πρόσκαιρα.

Η Ελλάδα έχασε την πρόσβαση στις αγορές το 2010. Παρά τη σημαντική προσπάθεια που έχει καταβληθεί μέχρι σήμερα, η Ελλάδα εξακολουθεί να είναι υποχρεωμένη να εξασφαλίσει τη βιωσιμότητα του δημόσιου χρέους και να ανακτήσει την ανταγωνιστικότητα. Αν και τα μέτρα που θέσπισαν πρόσφατα οι χώρες της ζώνης του ευρώ βοηθούν στο θέμα αυτό, η Ελλάδα χρειάζεται να συνεχίσει τη στρατηγική εξυγίανσής της προκειμένου να βελτιώσει το δημοσιονομικό ισοζύγιό της και να καταστήσει το δημόσιο τομέα πιο αποτελεσματικό, στηρίζοντας παράλληλα την ανάπτυξη μέσω ουσιαστικών μεταρρυθμίσεων και εξασφαλίζοντας τη δίκαιη κατανομή του βάρους της προσαρμογής σε ολόκληρη την κοινωνία. Η ελληνική κυβέρνηση έχει πλήρη επίγνωση της αναγκαιότητας αυτής της στρατηγικής και έχει δεσμευθεί για την εφαρμογή της, ενώ στην υλοποίησή της υποστηρίζεται από τους διεθνείς εταίρους της ([6]).

([1]) http://www.imf.org/external/pubs/ft/weo/2012/02/pdf/text.pdf
([2]) http://ec.europa.eu/economy_finance/publications/economic_paper/2012/pdf/ecp452_en.pdf
([3]) http://www.voxeu.org/article/automatic-stabilisers-and-global-crisis.
([4]) http://ec.europa.eu/economy_finance/eu/forecasts/2012_autumn_forecast_en.htm
([5]) http://ec.europa.eu/economy_finance/publications/european_economy/2012/pdf/ee-2012-4_en.pdf
([6]) http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ecofin/133857.pdf
http://eurozone.europa.eu/media/864723/eg_statement_greece_13_12_12.pdf

(English version)

Question for written answer E-010381/12
to the Commission
Rodi Kratsa-Tsagaropoulou (PPE)
(13 November 2012)

Subject: Evaluation of data and tools for planning national fiscal policies

In its recent 'World Economic Outlook' ([1]) of October 2012, the IMF has presented its findings that there has been an underestimation of the short-term fiscal multipliers and, as a result, of the budgetary impact of the measures taken in countries with fiscal adjustment programmes. Moreover, the authors of an economic study, drawn up on behalf of the Commission ([2]) regarding automatic fiscal stabilisers, emphasise the lack of clarity regarding the development of their effectiveness, while an article ([3]) by Mathias Dolls, Clemens Fuest, and Andreas Peichl argues that the social insurance of the unemployed in the EU plays an active role in the stabilisation of disposable income and point to the heterogeneity of stabilisers in the EU and the low level of these in the countries of south-eastern Europe. Given the gaps in achieving fiscal targets in a number of Member States and the frequent revision of financial forecasts, the failures observed in calculating multipliers and rising unemployment, especially in the Member States of southern Europe, will the Commission say:

1. Has it reviewed the findings of the IMF report?

2. Does it have its own studies and conclusions about the role and the degree of effectiveness of the stabilisers in the evolution of the financial programmes of the economies of Member States in difficulties?

3. If so, what are they? Does it consider that the assessment thereof in respect of financial supervision and planning has proved correct, in particular in the case of Greece?

Answer given by Mr Rehn on behalf of the Commission
(16 January 2013)

Fiscal multipliers are difficult to measure, in that they are country-specific and depend on the economic situation. The study conducted in the WEO is one input to the debate, not the answer: its findings cannot be considered robust because they heavily depend on the choice of countries and year. Indeed, in its Box I.5 of its European Economic Forecast 2012 ([4]), the European Commission pointed out the weaknesses of the methodology used in the WEO. Moreover, in its Public Finance Report 2012 ([5]), the Commission studied if fiscal consolidations may induce an increase in debt, showing that such effects would in general be short-lived.

Greece has lost market access in 2010. In spite of the significant effort so far, Greece has still to ensure the sustainability of its public debt and to regain competitiveness. While the recent measures adopted by the euro area countries help in this respect, Greece needs to continue its consolidation strategy to improve its budget balance and make its public sector more efficient while supporting growth through essential reforms and securing a fair distribution of the burden of the adjustment across the society. The Greek Government is fully aware of the necessity of this strategy and committed to it and is supported in its implementation by its international partners ([6]).

([1]) http://www.imf.org/external/pubs/ft/weo/2012/02/pdf/text.pdf
([2]) http://ec.europa.eu/economy_finance/publications/economic_paper/2012/pdf/ecp452_en.pdf
([3]) http://www.voxeu.org/article/automatic-stabilisers-and-global-crisis.
([4]) http://ec.europa.eu/economy_finance/eu/forecasts/2012_autumn_forecast_en.htm
([5]) http://ec.europa.eu/economy_finance/publications/european_economy/2012/pdf/ee-2012-4_en.pdf
([6]) http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ecofin/133857.pdf and http://eurozone.europa.eu/media/864723/eg_statement_greece_13_12_12.pdf

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010383/12
alla Commissione
Matteo Salvini (EFD)
(13 novembre 2012)

Oggetto: Programma Erasmus Mundus

Il programma Erasmus Mundus è necessario per consentire ai nostri giovani di conoscere altri paesi europei, e non vi è alcuna ragione per cui i nostri studenti universitari (il futuro dell'Europa) debbano essere vittime della crisi contro cui stiamo tutti lottando.

Divenire studente Erasmus dovrebbe essere un diritto oltre che un privilegio; di conseguenza sarebbe opportuno migliorare i criteri di ammissione per garantire che soltanto i migliori studenti di ciascuna università possano accedere al programma. Ciò consentirebbe di motivare gli studenti, stimolandoli a ottenere migliori risultati nelle proprie università di origine, e di conseguenza migliorerebbe il sistema di istruzione. Alla luce di quanto sopra,

1. può la Commissione confermare che il programma Erasmus Mundus sarà ancora attivo nei prossimi anni, nell'ambito dell'ottavo programma quadro?

2. nel caso in cui il programma fosse eliminato, dispone la Commissione di soluzioni alternative per consentire agli studenti universitari europei di studiare all'estero?

Risposta di Androulla Vassiliou a nome della Commissione
(16 gennaio 2013)

Il 23 novembre 2011 la Commissione ha presentato la proposta relativa al nuovo programma per l'istruzione, la formazione, la gioventù, la cultura e lo sport «Erasmus per tutti», della durata di sette anni. La proposta prevede la semplificazione e razionalizzazione dell'attuale mosaico di programmi in questi settori attorno a tre azioni chiave: 1) mobilità individuale a fini di apprendimento, 2) cooperazione per l'innovazione e le buone pratiche, 3) sostegno alle riforme politiche. Ulteriori informazioni sono disponibili all'indirizzo web: http://ec.europa.eu/education/erasmus-for-all/index_en.htm.

Secondo tale proposta Erasmus per tutti finanzierà i master congiunti, attualmente finanziati dal programma Erasmus Mundus, oltre all'attuale la mobilità per crediti degli studenti Erasmus.

Il finanziamento dei programmi dell'UE, compreso il programma Erasmus, è stato recentemente messo a rischio dall'insufficienza degli stanziamenti di pagamento accordati nel bilancio 2012 dall'autorità di bilancio e dalle incertezze sull'adozione del bilancio 2013. Il recente accordo con l'autorità di bilancio su queste due questioni ha per il momento risolto il problema nell'immediato. La Commissione continua a sollecitare l'autorità di bilancio a sostenere la proposta di un aumento significativo degli investimenti nei settori dell'istruzione e della formazione nel quadro finanziario pluriennale 2014-2020.

(English version)

Question for written answer E-010383/12
to the Commission
Matteo Salvini (EFD)
(13 November 2012)

Subject: Erasmus Mundus programme

The Erasmus programme is a necessity to enable our young people to get to know other European countries, and there is no reason why our university students (the future of Europe) should become the victims of the crisis with which we are all contending.

Becoming an Erasmus student should be a right as well as a privilege, and consequently the eligibility criteria should be improved to ensure that only the best students of each university benefit from this programme. This would motivate and enhance the performance of students at their respective universities of origin and thereby improve the education system. In view of the foregoing,.

1. Can the Commission confirm that the Erasmus Mundus programme will still be running in coming years under the Eighth Framework Programme?

2. If the programme is cancelled, does the Commission have any alternative solutions to enable European University students to study abroad?

Answer given by Ms Vassiliou on behalf of the Commission
(16 January 2013)

On 23 November 2011 the European Commission presented its new programme proposal in the field of education, training, youth, culture and sport for the next seven years: 'Erasmus for All'. It is proposed to simplify and rationalise the existing patchwork of programmes in the field around three Key Actions: 1) Learning mobility of individuals, 2) Cooperation for innovation and good practices, 3) Support for policy reform. More information can be found at: http://ec.europa.eu/education/erasmus-for-all/index_en.htm.

The proposal envisages that the Joint Masters Courses currently supported under Erasmus Mundus should in future be funded through 'Erasmus for All', alongside the current Erasmus mobility credit for students.

The recent threat to the funding of EU programmes, including the Erasmus programme, stems from the shortage of payment credits awarded by the Budgetary Authority in the 2012 budget and the uncertainties over the adoption of the 2013 budget. With the recent agreement by the Budgetary Authority on these two issues, the immediate threats have been averted. The Commission continues to urge the Budgetary Authority to support its proposals for a significant increase in investment in the areas of education and training in the 2014-2020 Multiannual Financial Framework.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010385/12
alla Commissione
Francesco Enrico Speroni (EFD)
(13 novembre 2012)

Oggetto: Servizio clienti Alitalia e linee telefoniche a tariffa maggiorata

La compagnia aerea Alitalia utilizza per il servizio clienti e per tutti i servizi post vendita relativi al territorio italiano un numero telefonico (892010) a tariffa maggiorata rispetto alle tariffe urbane e interurbane nazionali. In tal guisa, le spese relative ai contatti per la segnalazione e la risoluzione di qualsivoglia disservizio o di qualsivoglia problematica insorta anche per cause esclusivamente dipendenti dalla compagnia aerea, vengono poste a carico esclusivo del consumatore europeo che necessiti di supporto in territorio italiano. Lo stesso consumatore viene così penalizzato nel follow up della propria problematica, disincentivato ad attuarlo ed allontanato dal proprio diritto alla qualità della controprestazione per cui ha evidentemente già proceduto all'esborso del corrispettivo. Tale pratica di tariffazione maggiorata viene implementata da altre compagnie aeree, come Ryanair, mentre altre compagnie europee forniscono al consumatore un servizio clienti con numeri verdi o con linee a tariffazione non maggiorata.

Ritiene la Commissione che l'implementazione di servizi clienti a tariffa maggiorata rispetti le normative europee vigenti e la piena protezione del consumatore, quale prevista dalle norme dell'UE?

Reputa di dover intervenire affinché una tale pratica venga rimossa?

Ritiene inoltre di dover intervenire in via normativa affinché si possa armonizzare a livello europeo la gestione di servizi strettamente connessi alla continuità territoriale dell'Unione e alla libera circolazione dei cittadini dell'UE?

Risposta di Siim Kallas a nome della Commissione
(16 gennaio 2013)

1. Il diritto dell'Unione non prevede attualmente l'obbligo per i vettori aerei di fornire assistenza ai passeggeri mediante linee telefoniche ordinarie. Alcuni Stati membri hanno adottato misure che impediscono alle compagnie di imporre un prezzo superiore a quello di una normale chiamata per accedere ai servizi clienti. A norma del regolamento 1107/2006 ([1]), le persone con disabilità e a mobilità ridotta hanno diritto all'assistenza senza oneri aggiuntivi e la prenotifica del viaggio deve essere gratuita ([2]).

2. In base alla nuova direttiva 2011/83 ([3]) sui diritti dei consumatori, le cui disposizioni saranno applicabili a decorrere dal 13 giugno 2014, il consumatore non è tenuto a pagare più della tariffa di base per le linee telefoniche utilizzate dagli operatori commerciali per contattarlo in merito al contratto stipulato. Tali disposizioni si applicano anche ai vettori aerei.

3. In vista di un eventuale riesame del regolamento 261/2004 che istituisce regole comuni in materia di compensazione e assistenza ai passeggeri in caso di negato imbarco, di cancellazione del volo o di ritardo prolungato, la Commissione sta valutando al momento alcune misure intese a semplificare i mezzi di ricorso dei passeggeri, anche migliorando l'accesso ai servizi clienti dei vettori aerei mediante posta elettronica, Internet o telefono.

([1]) Regolamento (CE) n. 1107/2006 del Parlamento europeo e del Consiglio, del 5 luglio 2006, relativo ai diritti delle persone con disabilità e delle persone a mobilità ridotta nel trasporto aereo (GU L 204 del 26.7.2006, pag. 1).

([2]) Cfr. gli orientamenti interpretativi per l'applicazione del regolamento (CE) n. 1107/2006 del Parlamento europeo e del Consiglio, del 5 luglio 2006, relativo ai diritti delle persone con disabilità e delle persone a mobilità ridotta nel trasporto aereo, in particolare il punto D7, quinto comma. (SWD(2012)171 definitivo).

([3]) Direttiva 2011/83/UE del Parlamento europeo e del Consiglio, del 25 ottobre 2011, sui diritti dei consumatori, recante modifica della direttiva 93/13/CEE del Consiglio e della direttiva 1999/44/CE del Parlamento europeo e del Consiglio e che abroga la direttiva 85/577/CEE del Consiglio e la direttiva 97/7/CE del Parlamento europeo e del Consiglio. GU L 304 del 22.11.2011, pag. 64. (Cfr. articolo 21).

(English version)

Question for written answer E-010385/12
to the Commission
Francesco Enrico Speroni (EFD)
(13 November 2012)

Subject: Alitalia customer services and premium rate telephone lines

For its customer services and for all its after-sales services in Italy, Alitalia uses a premium rate telephone number (892010) which is more expensive than the rates for local and national calls. As a result, all the costs incurred in contacting the company to report and resolve any failings or problems which have arisen, even if these are caused entirely by employees of the airline, are charged exclusively to European consumers requiring assistance in Italy . Consumers are thus penalised when following-up their complaints, discouraged from taking action and deprived of their right to the quality of service for which they have obviously already paid. This practice of using premium rates is implemented by other airlines, such as Ryanair, while other European airlines provide consumers with a free or non-premium customer services number.

Does the Commission believe that the use of premium-rate customer services respects current European laws and ensures full consumer protection, as stipulated in EU regulations?

Does it believe that it should intervene to suppress this practice?

Furthermore, does the Commission believe it should intervene with legislation to harmonise, at European level, the management of services strictly connected with the territorial continuity of the Union and the free movement of EU citizens?

Answer given by Mr Kallas on behalf of the Commission
(16 January 2013)

1. Under EC law, there is currently no obligation for air carriers to provide assistance to passengers by normal phone lines. Some Member States have adopted measures which prevent companies to charge a price higher than a normal telephone call for access to customer services. Under Regulation 1107/2006 ([1]) disabled persons and persons with reduced mobility are entitled to assistance at no additional cost and pre-notification of travel must be free of charge ([2]).

2. According to the new Directive 2011/83 on Consumer Rights ([3]), the provisions of which are applicable from 13 June 2014, the consumer is not bound to pay more than the basic rate for telephone lines operated by traders for the purpose of contacting him in relation to the contract concluded. This also applies to air carriers.

3. In view of a possible revision of Regulation 261/2004 on air passenger rights, the Commission is currently assessing measures to simplify air passengers' means of redress, including easier access to air carriers' customer services, by e-mail, Internet or telephone.

([1]) Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, OJ L 204, 26.7.2006, p. 1.

([2]) See interpretative Guidelines on the application Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, in particular under Q7 fifth subparagraph thereof (SWD(2012)171 final).

([3]) Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council, OJ L304, 22.11.2011, p. 64 (see Article 21).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010386/12
alla Commissione
Francesco Enrico Speroni (EFD)
(13 novembre 2012)

Oggetto: Mercati asiatici: ineguale possibilità di accesso all'attività d'impresa

Un cittadino UE può accedere a determinate attività d'impresa e d'investimento in taluni mercati asiatici solo congiuntamente ad un socio di nazionalità locale che per legge deve detenere la quota di maggioranza.

Thailandia, Indonesia e Filippine sono tra gli Stati che impongono tale vincolo d'accesso ai propri mercati. Tuttavia, i cittadini di tali Stati asiatici hanno un accesso libero e senza vincoli agli investimenti e all'attività d'impresa nel territorio dell'Unione europea. Per di più, in alcuni Stati asiatici, quali la Thailandia, i cittadini americani sono esentati da tale vincolo in virtù della ratifica di un trattato bilaterale.

A causa di tale situazione i cittadini e le imprese UE risultano doppiamente danneggiati e discriminati nell'accesso all'attività d'impresa e di investimento in tali mercati, in primo luogo perché la mancata applicazione della condizione di reciprocità li sfavorisce a vantaggio dei cittadini di tali Stati e in secondo luogo perché una tale reciprocità è stata perseguita e concessa ai concorrenti di cittadinanza USA che vi possono intraprendere e concludere affari più facilmente dei cittadini UE.

Ritiene la Commissione che l'attuale situazione economica le imponga di perseguire e sottoscrivere coi predetti Stati asiatici e con quanti altri adottano politiche simili trattati bilaterali più equi e vantaggiosi e maggiormente improntati alla reciprocità delle condizioni di accesso ai rispettivi mercati? Ritiene essa di doversi attivare affinché in Thailandia ai cittadini UE vengano applicate le medesime condizioni di accesso all'impresa riconosciute ai cittadini USA?

Risposta di Karel De Gucht a nome della Commissione
(21 dicembre 2012)

Le restrizioni ai servizi e agli investimenti basate sulla condizione di proprietà figurano in diverse economie asiatiche. L'UE invoca costantemente l'eliminazione di tali limitazioni discriminatorie e la concessione di condizioni eque per i cittadini e le imprese dell'UE.

Sebbene l'UE in generale disponga di un regime liberale degli scambi e degli investimenti, l'accesso al mercato dell'UE è anch'esso soggetto a certe restrizioni e condizioni per i cittadini e le imprese stranieri. Questo è il motivo per cui sia l'UE che i paesi partner hanno interesse a negoziare accordi commerciali bilaterali al di là dei loro impegni multilaterali.

L'avvio di negoziati con le economie dell'Asia sudorientale aventi per oggetto ambiziosi accordi bilaterali di libero scambio (ALS) basati sulla reciprocità costituisce per la Commissione una priorità sin dal 2007. Questi accordi riguardano anche l'accesso al mercato per i cittadini e le imprese dell'UE nell'ambito dei servizi e degli investimenti. La Commissione sta negoziando attualmente ALS con Singapore, la Malaysia e il Vietnam e esplora la possibilità di ALS con altri paesi dell'ASEAN. Questi ALS mirano a una progressiva e reciproca liberalizzazione in tutta un'ampia gamma di settori economici e degli investimenti per offrire il massimo di opportunità d'accesso al mercato. In particolare essi si prefiggeranno di assicurare che le imprese dell'UE non siano trattate in modo meno favorevole delle imprese domestiche sul mercato del paese partner.

Per quanto concerne la Tailandia, il primo ministro tailandese e il presidente Barroso hanno appena annunciato l'intento di avviare negoziati per un ALS bilaterale all'inizio del 2013. Nell'ambito di tale accordo l'UE chiederà che ai cittadini unionali siano garantite le stesse condizioni di accesso che sono attualmente concesse agli USA. L'UE intrattiene anche discussioni tecniche informali con le Filippine e l'Indonesia in relazione a un ALS potenziale per il futuro.

(English version)

Question for written answer E-010386/12
to the Commission
Francesco Enrico Speroni (EFD)
(13 November 2012)

Subject: Asian markets provide unequal access to business activity

EU citizens can only access certain business and investment activities in a number of Asian markets in conjunction with a partner who is a national of the country concerned, who by law must hold the majority share.

Thailand, Indonesia and the Philippines are some of the countries that impose this requirement for access to their markets. However, the citizens of those Asian countries have free and unfettered access to investment and business activities in the territory of the EU. Furthermore, in some Asian countries such as Thailand, US citizens are exempt from this requirement thanks to the ratification of a bilateral treaty.

This situation means that EU citizens and businesses are doubly damaged and discriminated against in terms of access to business and investment activities in these markets; firstly because the non-application of the principle of reciprocity penalises them in favour of the citizens of those countries, and secondly because this reciprocity has been granted to competing US citizens, who are able to conduct and conclude business more easily than EU citizens.

In view of the current economic situation, does the Commission consider that it must pursue and sign — with the abovementioned Asian countries and any others that adopt similar policies — fairer and more advantageous bilateral treaties featuring greater reciprocity in terms of the conditions of access to the respective markets?

Does it believe it should take action to ensure that Thailand grants EU citizens the same conditions of access to business as those granted to US citizens?

Answer given by Mr De Gucht on behalf of the Commission
(21 December 2012)

Restrictions to services and investment based on ownership are a feature of many Asian economies. The EU consistently calls for eliminating these discriminatory limitations and providing a level-playing field for EU citizens and businesses.

While the EU generally has a liberal trade and investment regime, access to the EU market is also subject to certain restrictions and conditions for foreign citizens and businesses. This is why both the EU and partner countries have an interest in negotiating bilateral trade agreements on top of their multilateral commitments.

Launching negotiations with South East Asian economies on ambitious bilateral free trade agreements (FTAs) based on reciprocity has been a Commission priority since 2007. These agreements also cover market access for EU citizens and businesses in the areas of services and investment. The Commission is currently negotiating FTAs with Singapore, Malaysia and Vietnam and exploring the possibility of FTAs with other ASEAN countries. These FTAs aim for progressive and reciprocal liberalisation across a broad range of economic sectors and investments to provide the highest possible level of market access opportunities. In particular, they will also seek to ensure that EU businesses are not treated less favourably than domestic businesses on the partner country's market.

As regards Thailand, the Thai Prime Minister and President Barroso have just recently announced the aim to launch negotiations on a bilateral FTA in early 2013. Under such an agreement, the EU will demand that EU citizens be granted the same conditions of access as those currently granted to the US. The EU is also in informal technical talks with the Philippines and Indonesia concerning a potential FTA in the future.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010387/12
aan de Commissie
Laurence J. A. J. Stassen (NI)
(13 november 2012)

Betreft: CO2-taks voor luchtvaart voorlopig van de baan

Eurocommissaris Hedegaard heeft een moratorium voorgesteld voor ETS, waarmee de invoering van de CO_2-taks voor de luchtvaart voorlopig van de baan lijkt te zijn. De PVV waarschuwt al meer dan een jaar dat ETS voor de luchtvaart moet worden gestaakt.

1. Kan de Commissie bevestigen dat de invoering van ETS voor de luchtvaart op de lange baan wordt geschoven?

2. Kan de Commissie uiteenzetten wat heeft bijgedragen tot deze 180 graden draai van de EU?

3. Is de Commissie het met de PVV eens dat het geweldig nieuws is voor de burger en de Europese luchtvaartsector dat ETS op de lange baan wordt geschoven? Zo neen, waarom niet?

4. Is de Commissie met de PVV van mening dat dit een uitstekend moment is om in het geheel af te zien van ETS voor de luchtvaart en zelfs ETS in het algemeen? Zo neen, waarom niet?

5. Is de Commissie het met de PVV eens dat dit het gelijk aantoont van de PVV, dat al een jaar zegt dat ETS van meet af aan gedoemd was om te falen en moet worden stopgezet? Zo neen, waarom niet?

Antwoord van mevrouw Hedegaard namens de Commissie
(9 januari 2013)

1. Neen.

2. Als antwoord op de positieve ontwikkelingen binnen de ICAO heeft de Europese Commissie voorgesteld dat de EU „de klok stilzet" om welwillendheid te tonen ten aanzien van de succesvolle afsluiting van de ontwikkelingen in de ICAO. De Groep op hoog niveau heeft al een eerste bespreking achter de rug en toonde daarbij voor het eerst sedert jaren de bereidheid om naar een internationale overeenkomst te streven.

3. Neen, aangezien dit niet is wat er gebeurt.

4. Neen, de Commissie deelt deze mening niet. De Commissie verwijst het geachte Parlementslid naar haar antwoord op schriftelijke vraag E-008053/2012.[1]

5. Neen, de Commissie is het daarmee niet eens. Zie het antwoord op vraag 2 hierboven.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fTEXT%2bWQ%2bE-2012-008053%2b0%2bDOC%2bXML%2bV0%2f%2fEN&language=EN.

(English version)

Question for written answer E-010387/12
to the Commission
Laurence J.A.J. Stassen (NI)
(13 November 2012)

Subject: Non-introduction of CO_2 tax on flights in the foreseeable future

Commissioner Hedegaard has proposed a moratorium for the ETS, so that it seems unlikely that the CO_2 tax on flights will be introduced in the foreseeable future. The PVV has been warning for more than a year that the ETS should not apply to flights.

1. Can the Commission confirm that the application of the ETS to flights is being postponed indefinitely?

2. Can the Commission explain what helped to bring about this U-turn by the EU?

3. Does the Commission agree with the PVV that it is excellent news for the public and for the European aviation sector that the ETS is being postponed indefinitely? If not, why not?

4. Does the Commission agree with the PVV that this would be the ideal time at which to altogether abandon the ETS in the case of aviation and even the ETS in its entirety? If not, why not?

5. Does the Commission agree with the PVV that this demonstrates that the PVV was right to have been pointing out for the past year that the ETS was doomed to failure from the outset and must be halted? If not, why not?

Answer given by Ms Hedegaard on behalf of the Commission
(9 January 2013)

1. No.

2. In response to the positive developments within the ICAO, the European Commission has proposed that the EU 'stops the clock' in order to demonstrate goodwill towards the successful conclusion of the ICAO processes. The High Level Group has already had its first meeting demonstrating the will now for the first time in years to try to agree internationally.

3. No, because this is not what happens.

4. No, the Commission does not agree. The Commission would refer the Honourable Member to its answer to Written Question E-008053/2012 ([1]).

5. No, the Commission does not agree. Please see reply to point 2 above.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fTEXT%2bWQ%2bE-2012-008053%2b0%2bDOC%2bXML%2bV0%2f%2fEN&language=EN.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010388/12
aan de Commissie
Ivo Belet (PPE)
(13 november 2012)

Betreft: Aanpak van grenscriminaliteit — Politieoptreden over de grens

Bij criminaliteit in grensregio's blijft het achtervolgen van verdachten over de grens nog steeds een heikel punt. Vooral het feit dat er geen arrestaties kunnen worden uitgevoerd creëert voor bendes die rond de grensstreek opereren een gevoel van straffeloosheid.

Recentelijk is de groepscriminaliteit in de West-Vlaamse grensstreek weer erg toegenomen. De Belgische politiediensten dringen aan op meer bevoegdheden over de grens om het probleem te kunnen aanpakken. Maar om op Frans grondgebied arrestaties te kunnen verrichten is een wijziging van de Franse grondwet nodig. België heeft hier al meermaals op aangedrongen bij de Franse regering.

De indruk bestaat dat grensoverschrijdende samenwerking afhankelijk blijft van de goodwill van de betreffende lidstaten.

Op welke manier kan de Commissie interveniëren om de doelstelling van een ruimte van vrijheid, veiligheid en rechtvaardigheid waar te maken?

Overweegt de Commissie dit probleem op Europees niveau aan te pakken?

Welke afdwingbare instrumenten kunnen ingeroepen worden opdat de lidstaten hun toezeggingen met betrekking tot de aanpak van grensoverschrijdende criminaliteit nakomen?

Antwoord van mevrouw Malmström namens de Commissie
(24 januari 2013)

Het Schengengebied kent geen controles aan de binnengrenzen maar er bestaan wel maatregelen om een hoog beveiligingsniveau te handhaven, waaronder doeltreffende politiële en justitiële samenwerking tussen de lidstaten.

In de Schengenovereenkomst zijn bepalingen over samenwerking op het vlak van rechtshandhaving vastgesteld, ook voor grensoverschrijdende operaties in de EU. Politiële samenwerking betreft in het bijzonder wederzijdse hulp voor het voorkomen en opsporen van strafbare feiten, grensoverschrijdende observatie en grensoverschrijdende achtervolging. Voor dat laatste moet vanuit de aard der zaak geen toestemming vooraf worden gevraagd, maar het is wel onderworpen aan zeer strikte voorwaarden en gedetailleerde regelingen. Sommige van die voorwaarden en regelingen gelden in het algemeen, andere zijn specifiek voor elk land en zijn vastgelegd in unilaterale verklaringen. Volgens de Schengenovereenkomst mag elk land kiezen welke strafbare feiten aanleiding geven tot een achtervolging en mag het de bevoegdheden van de achtervolgende agenten aan banden leggen, bijvoorbeeld wat betreft de bevoegdheid om verdachten aan te houden en te ondervragen, de draagwijdte en de duur van de achtervolging.

De Commissie wil net als het geachte Parlementslid de politiële samenwerking verder versterken en onderzoekt de huidige problemen, behoeften en mogelijkheden voor verbetering, overeenkomstig het programma van Stockholm ([1]), waarin de Commissie wordt verzocht om „te onderzoeken hoe de operationele politiesamenwerking kan worden uitgebreid … en waar nodig operationele conclusies te trekken".

([1]) Het programma van Stockholm — Een open en veilig Europa ten dienste en ter bescherming van de burger (PB C 115/01 van 4.5.2010). Zie ook de mededeling van de Commissie „Een ruimte van vrijheid, veiligheid en recht voor de burgers van Europa. Actieplan ter uitvoering van het programma van Stockholm", COM(2010) 171 definitief.

(English version)

Question for written answer E-010388/12
to the Commission
Ivo Belet (PPE)
(13 November 2012)

Subject: Tackling cross-border crime: police operations across borders

In dealing with crime in border regions, pursuing suspects across borders still remains a delicate issue. In particular, the fact that suspects cannot be arrested gives gangs operating in such regions a sense of impunity.

Recently, crime committed by gangs has again increased greatly in the Western Flemish border area. The Belgian police are calling for more powers to enable them to tackle the problem across the border. But in order for them to be able to arrest suspects on French territory, an amendment to France's Constitution is needed. Belgium has repeatedly urged the French Government to introduce the requisite amendment.

There is an impression that cross-border cooperation remains dependent on the good will of the Member States concerned.

What can the Commission do to make a reality of the objective of creating an area of freedom, security and justice?

Will the Commission consider tackling this problem at European level?

What enforceable instruments can be used to ensure that Member States honour their undertakings to tackle cross-border crime?

Answer given by Ms Malmström on behalf of the Commission
(24 January 2013)

The Schengen area without internal border control is flanked by accompanying measures to maintain a high level of security, including effective police and judicial cooperation between Member States.

The Schengen Convention lays down provisions on law enforcement cooperation, including cross-border operations in the EU. Police cooperation covers in particular mutual assistance for preventing and detecting criminal offences, cross-border surveillance and cross-border pursuit. The last of these, which due to its very nature does not require prior authorisation, is subject to very strict conditions and precise arrangements. Some are of a general nature; others are specific to each country, laid down in unilateral declarations. According to the Schengen Convention, each State is free to choose between options concerning the offences which may give rise to pursuit and is free to restrict the powers of the pursuing officers, for example whether or not they have the power to stop and question suspects, or the scope and duration of the pursuit.

The Commission shares the Honourable Member's concern to further improve police cooperation and is assessing current problems, needs and potential for improvement, in line with the Stockholm Programme ([1]) which invited the Commission to 'examine how operational police cooperation could be stepped up… and, where necessary, draw operational conclusions to that end'.

([1]) The Stockholm Programme — An Open and Secure Europe Serving and Protecting Citizens (OJ 2010/C 115/01). See further the Commission's Communication Delivering an area of freedom, security and justice for Europe's citizens. Action Plan Implementing the Stockholm Programme, COM(2010) 171 final.

(English version)

Question for written answer E-010390/12
to the Commission
Ian Hudghton (Verts/ALE)
(13 November 2012)

Subject: Top-level Internet domains and effects on non-domestic businesses in EU

Has the Commission analysed the effects of obtaining a top-level Internet domain on non-domestic companies in the EU which conduct business in an online marketplace and, without easier access to top-level domains, may struggle to compete on a level playing field with domestic companies?

Answer given by Ms Kroes on behalf of the Commission
(18 December 2012)

The assignment of top-level Internet domains is handled by the Internet Corporation for Assigned Names and Numbers (ICANN) via its new gTLD programme. The European Commission, together with EU Member States and third countries, sits in the Governmental Advisory Committee (GAC) of ICANN and as such has signalled repeatedly the need to ensure a level-playing field for all applicants of new top-level domains. The European Commission is not aware of significant differences among domestic or non-domestic companies in the process of assigning new top-level domains in the new gTLD programme of ICANN.

(English version)

Question for written answer E-010391/12
to the Commission
Ian Hudghton (Verts/ALE)
(13 November 2012)

Subject: Review of the Professional Qualifications Directive

Does the Commission have any plans to review the Professional Qualifications Directive with a view to expanding it to include private bodies that assess professional qualifications and issue professional certificates, given that the authorities in certain countries do not issue the professional certificates required for a person to work and it is necessary for professional qualifications to be recognised in a new country when a person moves from one EU country to another?

Answer given by Mr Barnier on behalf of the Commission
(15 January 2013)

Recognition of professional qualifications in the European Union is organised by Directive 2005/36/EC ([1]). The implementation of the directive in the Member States is ensured by the national competent authorities as appointed by each Member State. Article 3(1)(d) of the directive defines the concept of competent authority as being 'any authority or body empowered by a Member State specifically to issue or receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this directive'. A competent authority can therefore be a public authority, a professional body, an educational establishment or a private body provided the Member State has entrusted this body with the relevant function and has conferred to it the necessary powers.

The European Commission adopted on 19 December 2011 a legislative proposal ([2]) amending the Professional Qualifications Directive. This proposal does not change the definition and the concept of competent authority. Certificates issued by private bodies which might play a role as described by the Honourable Member of the European Parliament but who are not appointed as competent authorities by the relevant Member State could be taken into consideration by other Member States' competent authorities as an element of a professional's relevant qualifications and experience.

([1]) Directive 2005/36/EC on the recognition of professional qualifications, OJ L 255, 30.9.2005, p. 22.
([2]) COM(2011) 883 final.

(English version)

Question for written answer E-010392/12
to the Commission
Ian Hudghton (Verts/ALE)
(13 November 2012)

Subject: Reasons for the EU's shrinking public deficit

According to the European Commission's Spring forecast, published in May 2012, the EU's public deficit is expected to shrink from a deficit-to-GDP ratio of 3.6% in 2012 to 3.3% in 2013. Is the Commission aware of the causes of this fall, and are there common trends among the Member States that have led to a decrease of this nature?

Answer given by Mr Rehn on behalf of the Commission
(11 February 2013)

Since spring 2012, the projected EU aggregate general government deficit in 2013 has been revised from 3.3% of GDP to 3.2% in the Commission's Autumn Forecast:
http://ec.europa.eu/economy_finance/publications/european_economy/2012/pdf/ee-2012-7_en.pdf

The forecast improvement in the general government deficit broadly reflects the consolidation efforts by the majority of Member States. Currently, 20 Member States are subject to the excessive deficit procedure under Article 126 of the Treaty, and have received recommendations by the Council to bring their deficits below the 3% of GDP reference value in a sustainable manner by a deadline respectively ranging from 2012 to 2016. Measures taken in compliance with these recommendations are the main reason for the projected decrease in the general government deficit.

Between 2012 and 2013, the Commission projects revenue to remain broadly stable at 45.5% of GDP, as increasing real tax revenues are expected to be counterbalanced by lower social contribution payments relative to GDP. Expenditure is expected to fall from 49.1 to 48.8% of GDP, as discretionary expenditure cuts and lower interest payments more than offset mild increases in social transfers.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010393/12
a la Comisión
Ramon Tremosa i Balcells (ALDE) y Debora Serracchiani (S&D)
(13 de noviembre de 2012)

Asunto: Apertura de los mercados ferroviarios nacionales en Europa y la necesidad de un regulador europeo para garantizar la uniformidad y la homogeneidad en la aplicación de las directivas europeas

En un artículo publicado el 6 de noviembre de 2012 en el periódico *Sole 24 Ore* ([1]) en el que se analizan las conclusiones de un estudio realizado por The European House — Ambrosetti ([2]), se afirma que:

«[…] La comparación de los diferentes modelos nacionales europeos que han sido sometidos a estudio favorece una mejor comprensión de la dirección que se debe tomar, pero también del riesgo al que se exponen países como Alemania, Francia y España, si abren sus mercados ferroviarios internos. "Europa debe encaminarse hacia una normativa única que podrá alcanzarse, en primer lugar, llevando a cabo una inspección de las autoridades nacionales actuales y, posteriormente, estableciendo una autoridad europea verdadera. No estoy seguro de cuántos países podrán adoptar esta postura a favor de la consolidación de una normativa europea, pero no podemos tolerar más asimetrías con respecto a otros países, como, por ejemplo, Francia o Alemania, que se pronuncian sobre el problema de la movilidad en Europa y presentan comportamientos nacionalistas que promueven un cierre total del mercado."

[…] España y Francia no han intentado siquiera formalmente abrir sus mercados: el monopolio español Renfe controla el 95 % del mercado e, igualmente, la SNCF cuenta con el 92 % del transporte de pasajeros y un 80 % del transporte ferroviario de mercancías. Por el contrario, Alemania "representa el ejemplo de un mercado en el que la apertura selectiva a los competidores se caracteriza por el mantenimiento de una fuerte ventaja competitiva de la Deutsche Bahn, que va unida al alto nivel de financiación que recibe el operador". La Deutsche Bahn posee una cuota del mercado del 80 %, mientras que la otra decena de empresas que operan en la red, entre las que se encuentran las empresas extranjeras Netinera, Veolia, Keolis y NedRailways, han entrado en el mercado igualmente gracias a concursos que no permiten casi nunca la entrada a importantes segmentos del mercado.»

1. ¿Está la Comisión al corriente del presente estudio? ¿Podría confirmar que la información facilitada es correcta, en particular, en lo que respecta a los segmentos del mercado de los operadores dominantes en los diferentes países de la UE?

2. Habida cuenta de que España y Francia poseen un sistema ferroviario en el que en teoría operan varias empresas pero, en realidad, el operador dominante controla más del 90 % del mercado de transporte de pasajeros, ¿no considera la Comisión que el establecimiento de un regulador europeo podría ayudar de manera decisiva a la aplicación uniforme y homogénea de las directivas europeas por parte de todos los Estados miembros?

3. A tal efecto, ¿cómo piensa reaccionar la Comisión frente a los problemas surgidos en relación al Cuarto Paquete Ferroviario?

Respuesta del Sr. Kallas en nombre de la Comisión
(21 de enero de 2013)

1. Al evaluar los posibles efectos de sus futuras iniciativas, la Comisión debe tener presente la perspectiva general de la UE de lograr un sistema ferroviario paneuropeo seguro y eficiente, aprovechando para ello todos los estudios disponibles.

2. La separación de actividades únicamente puede repercutir en la competencia cuando los mercados están oficialmente abiertos, de lo contrario ningún competidor puede solicitar un surco ferroviario. A falta de esa apertura, ni siquiera un regulador europeo supondrá una diferencia. Cuando se abren los mercados, es importante separar las actividades para evitar que los operadores integrados bloqueen el acceso a los competidores. Por ejemplo, en Italia, NTV, nueva empresa participante que actualmente arroja unos resultados satisfactorios, tuvo que superar primero diversos obstáculos para acceder a las infraestructuras.

([1]) http://www.ilsole24ore.com/art/commenti-e-idee/2012-11-06/ferrovie-bluff-berlino-parigi-064020.shtml?uuid=AblK4Q0G.
([2]) http://www.ambrosetti.eu/it/download/ricerche-e-presentazioni/2012/il-contributo-del-trasporto-ferroviario.

Ni España ni Francia han abierto a la competencia sus mercados nacionales de transporte de viajeros, por lo que la separación de actividades solo puede tener repercusiones en el transporte de mercancías. Con todo, la cuota de mercado de las nuevas empresas que participan en el transporte de mercancías ha evolucionado bien en estos países: en Francia alcanza actualmente el 30 %, mientras que en Alemania e Italia sigue siendo algo inferior, a pesar de haber iniciado la liberalización antes que aquella. En España se ha producido un rápido aumento (hasta el 17 %) en tan solo los tres últimos años. Este país ha anunciado la total liberalización del transporte de viajeros para 2013.

En lo tocante al regulador europeo, la refundición prevé que la Comisión presente un informe para diciembre de 2014 en función del cual propondrá nuevas medidas, en su caso.

3. En su cuarto paquete, la Comisión tiene la intención de proponer la apertura de los servicios nacionales de transporte de viajeros y la licitación competitiva para los servicios públicos de transporte de viajeros, así como una mayor separación, que es una condición previa para lograr que la apertura del mercado de transporte de viajeros sea un éxito.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010393/12
alla Commissione
Ramon Tremosa i Balcells (ALDE) e Debora Serracchiani (S&D)
(13 novembre 2012)

Oggetto: Apertura dei mercati ferroviari europei, necessità di un regolatore europeo per assicurare uniformità e omogeneità nell'implementazione delle direttive europee

In un articolo pubblicato il 6 novembre 2012 sul giornale Il Sole 24ore ([1]) analizzando le conclusioni di uno studio Ambrosetti ([2]) si afferma che:

«….. Il confronto dei modelli nazionali europei posti alla base dello studio aiuta a capire meglio la direzione in cui andare, ma anche il bluff di paesi come Germania, Francia e Spagna nell'apertura dei loro mercati ferroviari interni. "L'Europa deve convergere verso una forma di regolazione unica, che può avvenire prima con una syndacation delle attuali Autorità nazionali, poi con una vera Autorità europea. Non so quanti paesi possano aderire a questa posizione di effettivo rafforzamento della regolazione europea, ma quello che non possiamo più tollerare sono le asimmetrie rispetto ad altri paesi, come Francia e Germania, che pontificano sul problema della mobilità in Europa e hanno comportamenti nazionalistici di totale chiusura del mercato". ….. Spagna e Francia non ci provano neanche formalmente ad aprire il loro mercato: il monopolista spagnolo Renfe controlla il 95 % del mercato, mentre Sncf si attesta sul 92 % del trasporto passeggeri e sull'80 % del trasporto ferroviario merci. La Germania, invece, "rappresenta l'esempio di un mercato in cui l'apertura selettiva alla concorrenza si contraddistingue per il mantenimento di un forte vantaggio competitivo di Deutsche Bahn, anche collegato all'alto livello di finanziamenti ricevuti dall'operatore". DB possiede una quota dell'80 % del mercato, ma la decina di altri soggetti che operano sulla rete — tra cui stranieri come Netinera, Veolia, Keolis e NedRailways — è entrata anche grazie a gare che quasi mai consentono l'accesso a fette ricche del mercato.»

1. La Commissione è al corrente di questo studio? Può confermare i dati forniti, in particolare per quanto riguarda le parti di mercato degli operatori dominanti nei vari paesi dell'UE?

2. Poiché in Spagna e Francia il sistema ferroviario è sulla carta perfettamente separato ma l'operatore dominante controlla più del 90 % del mercato passeggeri, non considera la Commissione che la creazione di un regolatore europeo possa aiutare in modo decisivo all'applicazione uniforme e omogenea delle direttive europee da parte di tutti gli Stati membri?

3. A tal fine, in che modo pensa la Commissione di rispondere, nel quarto pacchetto ferroviario, ai problemi sollevati nel rapporto?

Risposta di Siim Kallas a nome della Commissione
(21 gennaio 2013)

1. Nel valutare l'impatto potenziale delle proprie iniziative future, la Commissione deve tener conto della prospettiva UE più ampia di un sistema ferroviario paneuropeo solido ed efficiente, basandosi su tutti gli studi a disposizione.

2. La separazione può ripercuotersi sulla concorrenza solo laddove i mercati siano ufficialmente aperti, altrimenti nessun concorrente può chiedere una traccia ferroviaria. Senza l'apertura del mercato neppure un regolatore europeo potrebbe venire a capo dei problemi. Se i mercati sono aperti, la separazione serve a evitare che gli operatori storici integrati blocchino l'accesso ai concorrenti. In Italia, ad esempio, il nuovo operatore NTV, ora decisamente affermato, ha dovuto superare una serie di ostacoli per accedere all'infrastruttura.

Né in Spagna, né in Francia è stato aperto il mercato del trasporto nazionale di passeggeri, quindi la separazione può avere effetto solo sul trasporto di merci. Tuttavia la quota di mercato dei nuovi operatori nel settore merci si è sviluppata bene in questi paesi: in Francia si attesta ora al 30 % mentre in Germania e in Italia è ancora bassa malgrado la liberalizzazione sia avvenuta prima. In Spagna si è registrato un rapido aumento, fino al 17 % solo negli ultimi tre anni. La Spagna ha anche annunciato la completa liberalizzazione del trasporto passeggeri per il 2013.

Per quanto riguarda il regolatore europeo, secondo la rifusione della normativa entro il dicembre 2014 la Commissione presenterà una relazione in base alla quale proporrà le eventuali misure del caso.

([1]) http://www.ilsole24ore.com/art/commenti-e-idee/2012-11-06/ferrovie-bluff-berlino-parigi-064020.shtml?uuid=AblK4Q0G.
([2]) http://www.ambrosetti.eu/it/download/ricerche-e-presentazioni/2012/il-contributo-del-trasporto-ferroviario.

3. Nel quarto pacchetto la Commissione intende proporre l'apertura dei servizi nazionali di trasporto di passeggeri e gare d'appalto per i servizi di trasporto pubblico di passeggeri, oltre a un'ulteriore separazione, prerequisito per riuscire ad aprire pienamente il mercato di questo settore alla concorrenza.

(English version)

Question for written answer E-010393/12
to the Commission
Ramon Tremosa i Balcells (ALDE) and Debora Serracchiani (S&D)
(13 November 2012)

Subject: Opening up of the European rail markets, need for a European regulator to ensure that European directives are implemented uniformly and consistently

An article published on 6 November 2012 in Il Sole 24 Ore ([1]), which analysed the conclusions of a study by Ambrosetti, ([2]) states that:

'…Comparing the European national models which form the basis of the study provides a better understanding of which direction to follow, but also reveals the game of bluff played by countries such as Germany, France and Spain when opening up their internal rail markets. "Europe needs to move towards a single form of regulation, which could initially take the form of a syndication of existing national authorities and eventually lead to a real European authority. There may be countries that will not accept this strengthening of European regulations, but one thing we can no longer tolerate is the asymmetry in respect of other countries, such as France and Germany, which pontificate about the problems of mobility in Europe while exhibiting nationalistic behaviour which results in a totally closed market". ….. Spain and France are not even making a formal effort to open up their markets: the Spanish monopoly, Renfe, controls 95% of the market, while SNCF is responsible for 92% of passenger transport and 80% of rail freight transport. Germany, however, "is an example of a market in which a selective opening up to competition provides a strong competitive advantage for Deutsche Bahn, which is also a result of the high level of financing received by the operator". DB has an 80% share of the market, but the dozen or so other players now operating on the network — including foreign companies such as Netinera, Veolia, Keolis and NedRailways — have managed to enter the market thanks to calls for tender which almost never allow access to rich parts of the market.'

1. Is the Commission aware of this study? Can it confirm the data provided, in particular that concerning the market shares of the dominant operators in various EU countries?

2. Since in Spain and France the railway system is perfectly separate on paper, but the dominant operator controls over 90% of the passenger market, does the Commission not consider that the creation of a European regulator may provide decisive assistance towards a uniform and consistent application of the European directives by all the Members States?

3. To this end, how does the Commission intend to respond, in the fourth railway package, to the problems highlighted in the report?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

1. When assessing the potential impact of its forthcoming initiatives, the Commission needs to take in account the broader EU perspective of a sound and efficient pan-europan railway system, building on all available studies.

2. Unbundling can only have an impact on competition where markets are formally opened, if not, no competitor can apply for a train path. In the absence of such opening even a European regulator would make no difference. Where markets are open, unbundling is important to prevent integrated incumbents from blocking access of competitors. E.g. in Italy, the new entrant NTV, now very successful, had first to overcome a number of obstacles of access to infrastructure.

Neither in Spain nor in France have national passenger markets been opened to competition, therefore unbundling may only have an effect on freight. However the market share of new entrants in freight has developed well in these countries: In France it now stands at 30%, while in Germany and Italy it is still lower despite an earlier liberalisation date. In Spain there was a rapid increase to 17% only in the last three years. Spain also announced full passenger liberalisation for 2013.

On the European Regulator, the Recast foresees that the Commission will submit a report by December 2014 in the light of which it shall propose measures, if appropriate.

([1]) http://www.ilsole24ore.com/art/commenti-e-idee/2012-11-06/ferrovie-bluff-berlino-parigi-064020.shtml?uuid=AblK4Q0G.
([2]) http://www.ambrosetti.eu/it/download/ricerche-e-presentazioni/2012/il-contributo-del-trasporto-ferroviario.

3. In its Fourth Package the Commission intends to propose the opening of domestic passenger services and competitive tendering for public passenger services, and in addition further separation, which is a precondition for the full success of the passenger market opening.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris P-010394/12
adresată Comisiei
Daciana Octavia Sârbu (S&D)
(13 noiembrie 2012)

Subiect: Liberalizarea pieței funciare în România

Conform Tratatului de aderare la Uniunea Europeană, România va liberaliza de la 1 ianuarie 2014 piața funciară, ceea ce înseamnă că de atunci orice persoană fizică din străinătate poate achiziționa suprafețe de teren în țara noastră.

Având în vedere faptul că puterea de cumpărare a românilor este net inferioară în raport cu a cetățenilor din vestul Europei și faptul că ne-am confrunta cu un fenomen asemănător cu „land grabbing" întâlnit în statele în curs de dezvoltare,

Ar tolera totuși Comisia o limitare a cumpărărilor de teren de către străini, la o anumită suprafață, pentru a garanta accesul prioritar al românilor la pământ?

Răspuns dat de Dl Barnier în numele Comisiei
(19 decembrie 2012)

După cum indică distinsa Membră a Parlamentului, perioada de tranziție privind achiziția de terenuri agricole acordată României prin Tratatul de aderare expiră la data de 1 ianuarie 2014. Începând de la această dată, Tratatul privind funcționarea Uniunii Europene (TFUE) se aplică integral, iar legislația românească privind achiziția de terenuri agricole trebuie să fie conformă cu dreptul UE, în special cu dispozițiile referitoare la libera circulație a capitalurilor și cu jurisprudența relevantă a Curții de Justiție a UE. Libera circulație a capitalurilor poate fi limitată de norme naționale justificate de motivele invocate la articolul 65 alineatul (1) din TFUE și „nu trebuie să constituie un mijloc de discriminare arbitrară", în conformitate cu articolul 65 alineatul (3). În plus, Curtea a stabilit că libera circulație a capitalurilor poate fi limitată prin măsuri justificate de cerințe prioritare de interes general, cu condiția ca legislația națională în cauză să nu fie discriminatorie. În ambele cazuri, măsurile naționale de restricționare a mișcărilor de capital trebuie să fie adecvate pentru îndeplinirea obiectivului urmărit și nu trebuie să depășească ceea ce este necesar pentru atingerea acestuia.

Comisia nu are competența de a lua măsuri de tipul celor sugerate în prezenta întrebare.

(English version)

Question for written answer P-010394/12
to the Commission
Daciana Octavia Sârbu (S&D)
(13 November 2012)

Subject: Liberalisation of the real estate market in Romania

Under the Treaty concerning the Accession of Romania to the European Union, Romania is to liberalise its real estate market on 1 January 2014. This means that any foreign national will be able to purchase land in Romania as from that date.

Romanians' purchasing power is very much lower than that of Western Europeans, and we are facing a phenomenon comparable with the 'land-grabbing' experienced in developing countries.

Would the Commission therefore consider limiting land purchases by foreign nationals to a certain surface area, so as to guarantee Romanians priority access to real estate?

Answer given by Mr Barnier on behalf of the Commission
(19 December 2012)

As the Honourable Member indicates the transition period on the acquisition of agricultural real estate granted to Romania by the Accession Treaty expires on 1 January 2014. As from that date the Treaty on the Functioning of European Union (TFEU) fully applies and Romanian legislation on the acquisition of agricultural real estate has to comply with EC law, in particular with the provisions on free movement of capital and the relevant jurisprudence of the Court of Justice of the EU. The free movement of capital may be restricted by national rules which are justified by reasons referred to in Article 65(1) of the TFEU and 'shall not constitute a means of arbitrary discrimination' in accordance with Article 65(3). Additionally, the Court has held that free movement of capital may be restricted by measures justified by overriding requirements of the general interest, provided that the national legislation in question is non-discriminatory. In both cases national measures restricting capital movements must be suitable for securing the objective which they pursue and must not go beyond what is necessary in order to attain it.

The Commission has no competence to take measures of the kind suggested in the present question.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris P-010395/12
adresată Comisiei
Minodora Cliveti (S&D)
(14 noiembrie 2012)

Subiect: Situația cadrelor medicale din România

În ultimii ani România a pierdut circa un sfert dintre medicii și cadrele medicale medii, care, folosind dreptul la libera circulație în spațiul european, au preferat să muncească în țări din vestul Europei și în afara Uniunii Europene, acolo unde sunt mult mai bine plătiți. De asemenea, acest fenomen s-a constatat și în cazul altor state membre UE.

În plus, plecarea lor este încurajată de diverse agenții care recrutează aceste categorii profesionale indiferent de vârstă, ba chiar preferându-i pe cei mai în vârstă, deci experimentați.

Formarea acestor cadre se face în instituții publice, finanțate de stat, cu mari eforturi naționale. Pacienții români sunt obligați să apeleze la tot mai puțini medici (ceea ce poate încuraja corupția) mai puțin calificați sau la medici tot mai ocupați, îngrijirea sănătății în spitale sau ambulatoriu devenind practic prohibitivă pentru mulți români.

Deși în acest domeniu politica națională a fiecărui stat membru este suverană, fiind vorba totuși de un stat membru UE, nu crede Comisia că ar trebui făcută o analiză la nivel european și găsite soluții europene pentru compensarea statelor membre care-și pierd personalul calificat în domeniul medical și asigurarea egalității de șanse pentru toți cetățenii săi în domeniul îngrijirii sănătății?

Răspuns dat de dl Borg în numele Comisiei
(9 ianuarie 2013)

În conformitate cu articolul 168 din Tratatul privind funcționarea Uniunii Europene, organizarea și furnizarea serviciilor de sănătate și de asistență medicală sunt în principal o responsabilitate a statelor membre.

În domeniul gestionării forței de muncă din domeniul sănătății, rolul Uniunii este de a sprijini acțiunile statelor membre. În acest context, Comunicarea „Către o redresare generatoare de locuri de muncă” ([1]) a recunoscut faptul că menținerea unui nivel adecvat al ofertei și calității serviciilor de sănătate în contextul unor constrângeri bugetare crescute reprezintă o provocare atât pe plan social, cât și pe planul ocupării forței de muncă. În acest sens sunt prevăzute o serie de măsuri care să ajute statele membre să abordeze un deficit de forță de muncă în domeniul sănătății. Astfel de măsuri includ colaborarea între statele membre, organizații internaționale și organizații profesionale din domeniul sănătății pentru a îmbunătăți planificarea forței de muncă în UE; o mai bună definire și anticiparea aptitudinilor și competențelor de care va avea nevoie forța de muncă din domeniul sanitar; și schimbul de cele mai bune practici între statele membre cu privire la strategiile de recrutare și de reținere cu succes a forței de muncă ([2]).

([1]) COM(2012) 173 final.
([2]) Plan de acțiune cu privire la personalul sanitar din UE, anexat la COM (2012) 173 și Documentul de lucru al serviciilor Comisiei privind un plan de acțiune pentru personalul sanitar din UE care însoțește documentul Comunicare a Comisiei către Parlamentul European, Consiliu, Comitetul Economic și Social European și Comitetul Regiunilor „Către o redresare generatoare de locuri de muncă” SEC(2012)93.

(English version)

Question for written answer P-010395/12
to the Commission
Minodora Cliveti (S&D)
(14 November 2012)

Subject: Situation concerning Romanian medical personnel

In recent years, Romania has lost around a quarter of its doctors and general medical personnel who, availing themselves of the right of freedom of movement within the EU, have opted to work in Western European countries and outside the EU, where they are far better paid. The same thing has also happened in other EU Member States.

What is more, these professionals are being encouraged to leave by a range of agencies who recruit them regardless of their age — sometimes preferring personnel who are older and hence more experienced.

These personnel are trained in state-financed public institutions, with Romania pouring huge efforts into that training. If one falls ill in Romania, there are a shrinking number of doctors one can call (which can foster corruption) who are now less-well qualified and increasingly busy, making in-patient and out-patient care almost prohibitive for many Romanians.

Although policy in this field is the sovereign preserve of each Member State, and Romania is an EU Member State, does the Commission not believe that a pan-European assessment should be conducted to find EU-level solutions which compensate Member States that lose their qualified medical personnel, and that equal healthcare possibilities should be guaranteed for all EU citizens?

Answer given by Mr Borg on behalf of the Commission
(9 January 2013)

According to Article 168 of the Treaty on the Functioning of the European Union, the organisation and the delivery of health services and medical care are primarily a responsibility of the Member States.

In the field of management of the health workforce, the role of the Union is to support Member States' action. In this context, the communication towards a job-rich recovery ([1]) acknowledged that maintaining an adequate supply and quality of health services under increased budget constraints is both a social and employment challenge. A series of measures to help Member States tackle shortages of health workforce are foreseen in this regard. Such measures include collaboration between Member States, international organisations and health professional organisations to improve workforce planning in the EU; better definition and anticipation of the skills and competences which the health workforce will require; and exchange of best practices between Member States on successful recruitment and retention strategies ([2]).

([1]) COM(2012) 173 final.
([2]) Action plan on the EU health workforce annexed to COM(2012) 173 and Commission Staff Working Document on an Action Plan for the EU Health Workforce Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Towards a job-rich recovery SEC(2012)93.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010396/12
a la Comisión
Maria Badia i Cutchet (S&D) y Raimon Obiols (S&D)
(14 de noviembre de 2012)

Asunto: Proyecto de Ley de creación de la Comisión Nacional de Mercados y Competencia (CNMC)

El Gobierno español acaba de presentar en el Parlamento español un proyecto de ley para fusionar en un solo organismo las autoridades reguladoras de industrias de red junto con la autoridad nacional de competencia. El proyecto propone, entre otras cosas, la transferencia de una buena parte de las competencias actualmente ejercidas por la CMT en materia de comunicaciones electrónicas al Ministerio de Industria, Energía y Turismo.

Se trata de un proceso de recentralización inédito en Europa, planteado bajo el argumento de que se trata de funciones realizadas por la CMT pero que exceden las directrices marcadas por las Directivas europeas y no guardan relación con la misión y objetivos de aquélla, siendo meramente tareas de carácter administrativo.

Sin embargo, lo cierto es que el espectro de competencias necesarias para que un regulador independiente cumpla adecuadamente los objetivos establecidos por el marco regulador es bastante más extenso, como lo demuestra la realidad europea, caracterizada por reguladores independientes con amplios poderes.

Por otra parte, la armonización de las políticas regulatorias, básica para la consecución de un auténtico mercado interior, requiere que los reguladores independientes de todos los Estados miembros cuenten con un número mínimo común de competencias que facilite la colaboración a través de BEREC.

Además de obstaculizar la participación en BEREC, la separación de la facultad regulatoria básica en dos entidades producirá inseguridad jurídica al afectar a la predictibilidad de la intervención pública y una pérdida de eficiencia administrativa al ser las competencias traspasadas parte de la actividad regulatoria básica de los mercados.

Por lo tanto, teniendo en cuenta que la CMT es actualmente el regulador de la UE con menos competencias en el sector de las telecomunicaciones, que dichas competencias se han ido reduciendo desde su creación en 1998, y que este proyecto de ley viene a reducir todavía más dicha asignación,

1. ¿Qué actuaciones plantea emprender la Comisión para defender adecuadamente los objetivos de las Directivas con respecto a la decisión del Gobierno español?

2. ¿Qué actuaciones plantea emprender la Comisión para asegurar que los reguladores independientes tienen un ámbito de competencias suficiente para cumplir con dichos objetivos?

3. ¿Qué actuaciones plantea emprender la Comisión para asegurar que la nueva transferencia de competencias al Ministerio no reduzca aún más la independencia y la eficacia regulatoria de la futura CNMC?

4. Dado que el proyecto de ley prevé que Madrid será la sede de la nueva CNMC, ¿qué actuaciones plantea emprender la Comisión para asegurar que no se repetirá el parón regulatorio producido en 2005-2006 por el traslado de la CMT a Barcelona, tal y como manifestó la propia Comisión Europea en su 11° informe de implementación?

Respuesta de la Sra. Kroes en nombre de la Comisión
(15 de enero de 2013)

Como se indica en la respuesta a la pregunta escrita E-10181/2012, la Comisión está al corriente de las novedades legislativas españolas en relación con la adopción de la ley por la que se crea la Comisión Nacional de Mercados y Competencia (CNMC). Tras su adopción por el Consejo de Ministros, se ha presentado un proyecto de ley al Parlamento para su aprobación.

La independencia de las autoridades nacionales de reglamentación es un principio fundamental de la normativa de la UE y es crucial para el correcto funcionamiento del mercado único. Los Estados miembros tiene un nivel considerable de autonomía para establecer sus organismos reguladores. El Derecho de la UE establece requisitos específicos sobre la independencia de las autoridades de reglamentación en el sector de las telecomunicaciones, incluida la prohibición de recibir instrucciones de otros organismos, el ejercicio eficaz de sus tareas, recursos adecuados y las competencias y funciones que se les atribuyan. La Comisión concede gran importancia a los requisitos relativos al ajuste de las tareas realizadas por las autoridades de reglamentación a los objetivos políticos y a los principios reglamentarios que figuran en el marco de la UE, así como a la cooperación eficaz de esas autoridades con el ORECE.

La Comisión se mantiene en contacto con las autoridades españolas para garantizar la independencia de la nueva autoridad y comprobar que dispone de los poderes suficientes para desempeñar sus funciones con arreglo al Derecho de la UE. La Comisión analizará la conformidad de la legislación final con el Derecho de la UE y podrá incoar procedimientos de infracción en caso necesario.

(English version)

Question for written answer E-010396/12
to the Commission
Maria Badia i Cutchet (S&D) and Raimon Obiols (S&D)
(14 November 2012)

Subject: Draft law to set up the National Commission for Markets and Competition (CNMC)

The Spanish Government has recently submitted to the Spanish Parliament a bill to merge the national competition authority and the regulatory authorities for network industries. Under the terms of the bill, many of the powers currently exercised by the Telecommunications Market Commission (CMT) in the field of electronic communications would be transferred to the Ministry of Industry, Energy and Tourism.

The bill proposes a recentralisation of administrative power which is unprecedented in Europe, on the grounds that the tasks carried out by the CMT go beyond those laid down in European directives and fall outside its actual remit, which is purely administrative.

However, the fact is that the range of powers required by independent regulators if they are to meet the objectives set by the regulatory framework is considerably more extensive, as demonstrated by the wide powers enjoyed by the relevant bodies in other Member States.

Furthermore, the harmonisation of regulatory policies, which is fundamental to achieving a genuine internal market, requires independent regulators in all Member States to have a common set of powers in order to facilitate cooperation in BEREC.

In addition to hindering participation in BEREC, dividing basic regulatory powers between two bodies would undermine legal certainty, by making public intervention more difficult to predict, and reduce administrative efficiency, as the powers transferred form part of basic market regulation.

Given that the CMT is currently the regulator in the EU with the fewest powers in the telecommunications sector, that its powers have been gradually reduced since its establishment in 1998 and that the bill plans to limit its powers even further:

Answer given by Ms Kroes on behalf of the Commission
(15 January 2013)

As indicated in the reply to Written Question E-10181/2012, the Commission is aware of the legislative developments in Spain regarding the adoption of the law creating the National Commission for Markets and Competition (CNMC). Following its adoption by the Council of Ministers, the draft law has been submitted to the Parliament for adoption.

Independence of national regulators is a fundamental principle of the EU regulatory framework and is crucial for the effective functioning of the single market. Member States have a considerable degree of autonomy in deciding how to set up their regulatory bodies. EC law contains specific requirements about the independence of regulatory authorities in the telecommunications sector, including the prohibition to receive instructions from other bodies, the effective exercise of their tasks, adequate resources and the competences and functions to be attributed to them. The Commission attaches great importance to the requirements regarding the alignment of the tasks carried out by the regulatory authorities with the policy objectives and regulatory principles contained in the EU framework and the effective cooperation of national regulatory authorities with BEREC.

The Commission is in contact with the Spanish authorities regarding this draft law to ensure the independence of the new authority and to ascertain that it has sufficient powers to fulfil its functions under EC law. The Commission will analyse the compliance of the final law with EU legislation and may take infringement actions if necessary.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010397/12
an die Kommission
Mathieu Grosch (PPE)
(14. November 2012)

Betrifft: EU-USA Luftverkehrsabkommen

Auf der Grundlage des Open-Sky-Abkommens zwischen der EU und den Vereinigten Staaten von Amerika haben abgesehen von wenigen Mitgliedstaaten die meisten beschlossen, keine Kabotageflüge von US-Fluggesellschaften mehr zu erlauben. Die US-Fluggesellschaften halten sich jedoch nicht an diese Regelungen und führen nachweislich im europäischen Luftraum Kabotageoperationen aus. Im Luftraum der USA sind für europäische Fluggesellschaften Kabotageoperationen verboten, und dies wird auch effizient von den amerikanischen Behörden überprüft. Die Tatsache, dass US-Fluggesellschaften Kabotageoperationen ausführen, obwohl ihnen dies nicht erlaubt ist, führt zu Wettbewerbsverzerrungen zum Nachteil von europäischen Fluggesellschaften.

1. Welche dringend erforderlichen Maßnahmen gedenkt die EU-Kommission gegen diese bestehende Marktverzerrung zu unternehmen?

2. Flugpiloten aus Drittländern, wie beispielsweise den USA, halten sich für eine längere Zeit (1 Jahr) in der EU auf und arbeiten von dort aus, ohne den europäischen sozialen und betriebsrechtlichen Regeln unterworfen zu sein. Was unternimmt die Kommission dagegen?

Antwort von Herrn Kallas im Namen der Kommission
(21. Januar 2013)

1. Nach Artikel 3 Absatz 6 des Luftverkehrsabkommens zwischen der EU und den USA ist den Luftfahrtunternehmen der EU und der USA die Kabotage gleichermaßen untersagt. Der europäische Luftraum wird von den zuständigen Behörden der Mitgliedstaaten verwaltet, die die Nutzung der Verkehrsrechte effizient kontrollieren. Der Kommission liegen keine Meldungen von Mitgliedstaaten über Kabotageoperationen amerikanischer Luftfahrtunternehmen in ihrem Hoheitsgebiet vor.

Nach Artikel 3 des genannten Abkommens erhalten Nurfracht-Fluggesellschaften aus den USA uneingeschränkte Rechte der fünften Freiheit. Artikel 3 Absatz 5 schließt einen mehrfachen Luftfahrzeugwechsel ein. Somit können amerikanische Nurfracht-Fluggesellschaften Fracht aus einem Mitgliedstaat aufnehmen und diese an jedem beliebigen Bestimmungsort (auch innerhalb der EU) absetzen, soweit der betreffende Flug eine Anbindung an einen internationalen Flug aus den USA hat.

Flüge amerikanischer Nurfracht-Fluggesellschaften ohne Anbindung an einen Flug aus den USA fallen unter die siebte Freiheit. Rechte der siebten Freiheit gelten für Nurfracht-Fluggesellschaften aus den USA nur zwischen einem der in Anhang 1 Abschnitt 3 des Abkommens aufgeführten 8 Mitgliedstaaten und einem Ort in einem anderen dieser 8 Mitgliedstaaten oder einem Ort in einem Drittstaat, in dem die USA ebenfalls über Rechte der siebten Freiheit verfügen.

2. Lässt sich ein Pilot aus einem Drittstaat für längere Zeit (ein Jahr) in der EU nieder und arbeitet von einem EU-Flughafen aus, so werden die für ihn geltenden Rechtsvorschriften zur sozialen Sicherheit für die in der EU ausgeübten Tätigkeiten in Einklang mit der Verordnung (EG) Nr. 883/2004 ([1]) bestimmt.

Die neue Verordnung (EU) Nr. 465/2012 vom 22. Mai 2012 zur Änderung der Verordnung (EG) Nr. 883/2004 enthält eine besondere Vorschrift, wonach das Konzept der „Heimatbasis“ das entscheidende Kriterium für die Bestimmung der anwendbaren Rechtsvorschriften für Mitglieder von Flug- und Kabinenbesatzungen wird.

Es ist Sache des Mitgliedstaats, in dem sich die Heimatbasis der betreffenden Person befindet, die Faktenlage zu bewerten und die anwendbaren Vorschriften zur sozialen Sicherheit zu bestimmen.

([1]) Siehe auch Verordnung (EU) Nr. 1231/2010 des Europäischen Parlaments und des Rates vom 24. November 2010 zur Ausdehnung der Verordnung (EG) Nr. 883/2004 und der Verordnung (EG) Nr. 987/2009 auf Drittstaatsangehörige, die ausschließlich aufgrund ihrer Staatsangehörigkeit nicht bereits unter diese Verordnungen fallen, ABl. L 344 vom 29.12.2010.

(English version)

Question for written answer E-010397/12
to the Commission
Mathieu Grosch (PPE)
(14 November 2012)

Subject: EU-US air transport agreement

On the basis of the 'open skies' agreement between the EU and the US, most Member States have decided — there are a few exceptions — no longer to allow US air carriers to carry out cabotage operations. US carriers are not abiding by these rules, however, and are demonstrably carrying out cabotage operations in European airspace. Cabotage by European carriers in US airspace is prohibited, and this is efficiently verified by the US authorities. The fact that US carriers carry out cabotage operations despite not being allowed to do so results in distortions of competition which disadvantage European carriers.

1. What urgent action is the Commission proposing to take to combat this market distortion?

2. Pilots from third countries such as the US, for example, remain in the EU for a lengthy period (one year) and work out of there without being subject to European social security and employment rules. What is the Commission doing to combat this?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

1. Article 3(6) of the US-EU Air Transport Agreement (US-EU ATA) prohibits cabotage both for EU and US airlines. The European airspace is administrated by respective Member States`authorities which efficiently verify the use of traffic rights. No Member State has alerted the Commission about US airlines cabotage operations in its national territory.

Article 3 of the US-EU ATA grants US all-cargo services unlimited 5th freedom rights. Article 3(5) includes multiple change of gauge. Thus US all-cargo services may uplift cargo that originates in a Member State and discharge that cargo at any point of destination (including intra-EU) subject to condition that such flight has a link to an international flight coming from the US.

US all-cargo service without a link to a flight coming from the US is a 7th freedom flight. US all-cargo services may exercise 7th freedom rights only between one of 8 Member States listed in Annex 1 Section 3 of the US-EU ATA and a point in another one of those 8 Member State, or a point in a third country with which the US has also obtained the relevant 7th freedom rights.

2. If a pilot from a third country settles down in the EU for a lengthy period (one year) and works from an EU airport, his/her applicable social security legislation for the activity pursued in the EU shall be determined in accordance with Regulation (EC) No 883/2004 ([1]).

The new Regulation (EU) No 465/2012 of 22 May 2012 amended Regulation (EC) No 883/2004 has created a special rule whereby the concept of 'home base' becomes the criterion for determining the applicable legislation for flight crew and cabin crew members.

It is for the Member State where his/her EU home base is located to assess the factual situation and determine the applicable social security legislation.

([1]) See in this regard also Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these regulations solely on the ground of their nationality, OJ L 344, 29.12.2010.

(English version)

Question for written answer E-010398/12
to the Commission
Julie Girling (ECR)
(14 November 2012)

Subject: Pig welfare

Council Directive 2008/120/EC will improve the welfare of pigs across the EU. In a press release on 26 April 2012 ([1]), the Commission stated 'Three Member States (UK, Sweden and Luxembourg) have so far indicated that they already comply with the impending ban, while data provided by the Member States to the Commission shows that 16 of them should have complied by the time it comes into force.'

1. Can the Commission provide an update on the implementation of Council Directive 2008/120/EC?

2. How many Member States are now in a position to implement the ban by 1 January 2013?

3. What action will the Commission take if Member States fail to meet the deadline?

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

The Press Release referred to re-iterates that Articles 3(4) and (9) of Council Directive 2008/120/EC ([2]) require that as of 1 January 2013, Member States should ensure that in all pig holdings with 10 sows or more sows and gilts are kept in groups during a period starting from four weeks after the service to one week before the expected time of farrowing.

According to the information available to the Commission to date, most Member States have taken relevant steps in order to comply with Articles 3(4) and (9) of the directive. To date, four Member States (Estonia, Luxembourg, Sweden and the United Kingdom) confirm that they already fully comply with the group housing of sows. More than half of the Member States estimate that they will fully comply with group housing of sows by 1 January 2013. To provide further indications on the state of compliance of particular Member States would at this time not be reliable because the situation is still in progress.

The Commission will not hesitate to initiate infringement proceedings against those Member States which will not be in compliance after the legal deadline.

([1]) http://europa.eu/rapid/press-release_IP-12-404_en.htm?locale=en.
([2]) OJ L 47, 18.2.2009, p.5.

(English version)

Question for written answer E-010399/12
to the Commission
Julie Girling (ECR)
(14 November 2012)

Subject: Funding of poppy cultivation under the common agricultural policy

In recent years, efforts have been made to curb poppy cultivation in Afghanistan, with the aim of encouraging farmers to grow other crops.

Concerns have been raised that poppies are being grown in the UK for medicinal purposes.

Can the Commission comment on the extent to which the production of poppies in the UK is being subsidised under the common agricultural policy?

Answer given by Mr Cioloş on behalf of the Commission
(18 December 2012)

With the aim to foster market orientation of agricultural sector, the 2003 reform of the common agricultural policy has introduced the single payment scheme (SPS). The SPS payments are decoupled from agricultural production, meaning that farmers are free to produce whatever is more profitable for them while still benefitting from income support. In general, if agricultural areas are not used for production of agricultural products, they need to be maintained in good agricultural and environmental condition in order to be eligible. Therefore, areas complying with the eligibility conditions, for example the definitions of agricultural activity and agricultural products set out in Articles 2(c) and 2(f) of Council Regulation (EC) No 73/2009 ([1]), regardless of whether they are cultivated with poppy or other crops, are eligible for SPS.

([1]) OJ L 30, 31.1.2009, p. 16-99.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-010400/12
προς την Επιτροπή
Kriton Arsenis (S&D)
(14 Νοεμβρίου 2012)

Θέμα: Σεισμικές έρευνες κατά παρέκκλιση της ευρωπαϊκής περιβαλλοντικής νομοθεσίας

Ξεκίνησαν χθες οι σεισμικές έρευνες για τη διερεύνηση ύπαρξης πετρελαίου και φυσικού αερίου στις θαλάσσιες περιοχές της Κρήτης και των νησιών του Ιονίου.

Οι έρευνες αυτές θα είναι συνεχείς και θα διεξάγονται καθόλη τη διάρκεια του εικοσιτετραώρου για ένα τρίμηνο. Πριν την έναρξη των ερευνών δεν πραγματοποιήθηκε μελέτη περιβαλλοντικών επιπτώσεων ούτε περιβαλλοντική αδειοδότηση, καθώς δεν προβλέπεται σχετική υποχρέωση από την ελληνική νομοθεσία. Δεδομένου ότι τα μέτρα περιβαλλοντικής προστασίας που έχουν προβλεφθεί για τη διεξαγωγή των σεισμικών ερευνών αποκλίνουν σημαντικά από τα οριζόμενα στο πρωτόκολλο ACCOBAMS τα οποία αποτελούν διεθνές σημείο αναφοράς (π.χ. ένας οπτικός και ένας ακουστικός συνολικά παρατηρητές αντί για δύο οπτικούς και έναν ακουστικό ανά βάρδια, δηλαδή συνολικά επτά παρατηρητές), ερωτάται η Επιτροπή:

1. Είναι σύμφωνα τα μέτρα που έχουν ληφθεί με το άρθρο 6 παρ. 2 της οδηγίας 92/43/ΕΟΚ σχετικά με την υποχρέωση των κρατών μελών να λαμβάνουν τα κατάλληλα μέτρα για την αποφυγή υποβάθμισης των περιοχών NATURA από δραστηριότητες που μπορεί να έχουν τέτοιες επιπτώσεις;

2. Είναι σύμφωνα τα μέτρα που έχουν ληφθεί με το άρθρο 12 παρ. 1 β της οδηγίας 92/43/ΕΟΚ σχετικά με την υποχρέωση των κρατών μελών να λαμβάνουν τα αναγκαία μέτρα για την προστασία των ειδών των παραρτημάτων ΙΙ και IV της οδηγίας δεδομένου ότι στις περιοχές των σεισμικών ερευνών ενδημούν 8 είδη που περιλαμβάνονται στα συγκεκριμένα παραρτήματα;

3. Σε περίπτωση μη συμμόρφωσης με την οδηγία 92/43/ΕΟΚ, θεωρεί ότι πρέπει να ανασταλούν οι σεισμικές έρευνες;

Απάντηση του κ. Potočnik εξ ονόματος της Επιτροπής
(13 Δεκεμβρίου 2012)

Η υποθαλάσσια ηχορρύπανση από ορισμένες δραστηριότητες, συμπεριλαμβανομένων των σεισμικών ερευνών για υδρογονάνθρακες, ενδέχεται να ασκεί σημαντική πίεση στο θαλάσσιο περιβάλλον, και συγκεκριμένα στα κητοειδή. Κατά συνέπεια ανάλογες δραστηριότητες επιβάλλεται να ρυθμίζονται σύμφωνα με τις διατάξεις του άρθρου 6 παράγραφοι 2 και 3 της οδηγίας για τους οικοτόπους (ενδιαιτήματα) ([1]), εφόσον αναμένεται να επηρεάσουν προστατευόμενα χαρακτηριστικά τόπου του δικτύου Natura 2000. Επιπλέον, τα κητοειδή αποτελούν αντικείμενο αυστηρής προστασίας σύμφωνα με την εν λόγω οδηγία, της οποίας το άρθρο 12 παράγραφος 1 στοιχείο β) απαγορεύει την εκ προθέσεως παρενόχληση των εν λόγω ειδών, ιδίως κατά τις περιόδους αναπαραγωγής, ανατροφής νεογνών, χειμερίας νάρκης και μετανάστευσης. Η υποθαλάσσια ηχορρύπανση συγκαταλέγεται μεταξύ των φυσικών παρενοχλήσεων που πρέπει να λαμβάνονται υπόψη από τα κράτη μέλη κατά την αρχική εκτίμηση και την εν συνεχεία αξιολόγηση της περιβαλλοντικής κατάστασης των θαλάσσιων υδάτων, σύμφωνα με την οδηγία-πλαίσιο για τη θαλάσσια στρατηγική ([2]).

Η Επιτροπή δεν έχει υπόψη τυχόν μέτρα των ελληνικών αρχών για την εφαρμογή των διατάξεων των άρθρων 6 και 12 της οδηγίας για τους οικοτόπους στην περίπτωση των σεισμικών ερευνών που αναφέρει το Αξιότιμο Μέλος του Κοινοβουλίου, και, ως εκ τούτου, αδυνατεί να αποφανθεί για το κατά πόσον συμβιβάζονται με τις εν λόγω διατάξεις. Θα ζητήσει πληροφορίες για το ως άνω θέμα από τις ελληνικές αρχές. Σε περίπτωση μη συμμόρφωσης, η Επιτροπή θα λάβει τα δέοντα μέτρα, σύμφωνα με τη συνθήκη της ΕΕ.

([1]) Οδηγία 92/43/ΕΟΚ του Συμβουλίου της 21ης Μαΐου 1992 για τη διατήρηση των φυσικών οικοτόπων καθώς και της άγριας πανίδας και χλωρίδας. ΕΕ L 206 της 22.7.1992.

([2]) Οδηγία 2008/56/ΕΚ, της 17ης Ιουνίου 2008, περί πλαισίου κοινοτικής δράσης στο πεδίο της πολιτικής για το θαλάσσιο περιβάλλον (οδηγία-πλαίσιο για τη θαλάσσια στρατηγική). ΕΕ L 164 της 25.6.2008.

(English version)

Question for written answer P-010400/12
to the Commission
Kriton Arsenis (S&D)
(14 November 2012)

Subject: Seismic surveys in derogation of EU environmental legislation

Yesterday seismic surveys started as part of prospection work for oil and natural gas in the sea areas of Crete and the Ionian islands.

This prospection work is ongoing and will take place around the clock for a period of three months. No environmental impact assessment or environmental authorisation was issued prior to the start of the prospection work, since there is no obligation to do so under Greek law. Since the environmental protection measures which are envisaged for conducting seismic surveys differ significantly from those specified in the ACCOBAMS protocol, the international point of reference, (e.g. one visual and one acoustic observer altogether, instead of two visual and one acoustic observer per shift, a total of seven observers), will the Commission say:

1. Are the measures taken compatible with Article 6, paragraph 2, of Directive 92/43/EEC on the obligation of Member States to take appropriate steps to avoid the deterioration of NATURA areas from activities that may have such an impact?

2. Are the measures taken compatible with Article 12, paragraph 1 (b), of Directive 92/43/EEC on the obligation of Member States to take the necessary measures for the protection of the species listed in Annexes II and IV of the directive, given that eight species listed in the annexes in question are endemic to the areas in which the seismic surveys are taking place?

3. In case of non-compliance with Directive 92/43/EEC, does it consider that the seismic surveys should be suspended?

Answer given by Mr Potočnik on behalf of the Commission
(13 December 2012)

Undersea noise pollution from a number of activities, including seismic surveys for hydrocarbons, may represent a significant pressure on the marine environment, namely on cetaceans. Such activities need therefore to be regulated in accordance with the provisions of Article 6.2 and 6.3 of the Habitats Directive ([1]) if they are likely to affect protected features in a Natura 2000 site. Furthermore, cetaceans benefit from strict protection pursuant to the directive which, under its Article 12(1)b, prohibits deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration. Underwater noise is a physical disturbance which must be taken into account by Member States in the initial assessment and for the evaluation of the environmental status of their marine waters, according to the Marine Strategy Framework Directive ([2]).

The Commission is not aware of the measures taken by Greek authorities in order to implement applicable provisions under Art. 6 and 12 of the Habitats Directive in the case of the seismic surveys referred to by the Honourable Member, and cannot therefore say if they are compatible with those provisions. In that regard it will seek relevant information from the Greek authorities. In case of non-compliance the Commission will take appropriate measures in accordance with the EU Treaty.

([1]) Council Directive 92/43/EEC, of 21 May 1992, on the protection of natural habitats and wild fauna and flora. OJ L 206 of 22.07.1992.
([2]) Directive 2008/56/EC of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) OJ L164 of 25.06.2008.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010401/12
alla Commissione
Roberta Angelilli (PPE)
(14 novembre 2012)

Oggetto: Informazioni circa le misure volte a contrastare la disoccupazione giovanile

Lo scorso 30 gennaio, durante il vertice informale del Consiglio europeo, la Commissione ha istituito otto «Action teams» da inviare negli otto paesi europei ad alto tasso di disoccupazione giovanile (Italia, Spagna, Grecia, Slovacchia, Lituania, Portogallo, Lettonia e Irlanda) annunciando l'impiego di 82 miliardi di euro di fondi europei non assegnati da riprogrammare su iniziative per la disoccupazione giovanile, di cui 8 miliardi di fondi per l'Italia. Il Presidente Barroso ha presentato il 23 maggio i primi risultati conseguiti dagli «action teams» secondo cui l'Italia avrebbe impiegato 3,6 miliardi di euro degli 8 assegnati.

Con la risposta all'interrogazione P-005743/2012, la Commissione sottolineava la richiesta formulata alle autorità italiane di revisione dei programmi operativi per affrontare le problematiche giovanili.

Può la Commissione far sapere:

1. se sono disponibili testi e dati più precisi e puntuali sui progetti finanziati e su quelli in corso di approvazione in Italia, compresi quelli relativi ad eventuali revisioni dei programmi operativi;

2. in che modo, su quali progetti e con quale tempistica sono stati utilizzati o verranno utilizzati i restanti 4,4 miliardi di euro di fondi assegnati all'Italia;

3. se è stata elaborata un'analisi delle buone pratiche ed una strategia d'azione a lungo termine per l'occupazione giovanile in Italia;

4. se e quando sono state coinvolte e consultate le organizzazioni giovanili, come richiesto nella Comunicazione della Commissione europea «Un'opportunità per i giovani» e nella risoluzione del Parlamento europeo del 24 maggio 2012 «Opportunità per i giovani», poiché non risultano ad oggi azioni intraprese in tal senso;

5. quando verranno proposte e quali saranno le misure annunciate dal Presidente Barroso durante il discorso sullo stato dell'Unione in cui si menzionava, tra le altre cose, il lancio di uno «Youth Package» mirante a creare uno schema di garanzia per i giovani (youth guarantee scheme) e un quadro per facilitare l'apprendimento (quality framework to facilitate vocational training);

6. se sono disponibili i risultati della consultazione «un quadro qualitativo per i tirocini»;

7. se è disponibile un quadro sui progressi realizzati e le misure intraprese relativamente alla «Youth Opportunities Initiative»?

Risposta di Laszlo Andor a nome della Commissione
(11 gennaio 2013)

1, 2, 3. Il piano d'azione Coesione per l'Italia, adottato nel dicembre 2011 al fine di accelerare l'attuazione dei Fondi strutturali nel Meridione, è stato attuato in due fasi (la seconda nel giugno 2012) ed è andato a vantaggio di più di 150.000 giovani. È in corso di discussione un'eventuale estensione del piano d'azione.

La riforma del mercato del lavoro del 2012 comprende disposizioni sugli abbandoni scolastici, i cosiddetti NEET ([1]) e su un insieme minimo di prestazioni che i servizi per l'occupazione devono assicurare (ad es. formazione professionale).

Per attuare la riforma dei tirocini il Ministro del lavoro ha posto in atto il programma AMVA ([2]).

Il programma FIXO ([3]) intende agevolare la transizione dalla scuola al mondo del lavoro (politiche attive del mercato del lavoro), mentre il programma di apprendimento permanente è usato per supportare i tirocini all'estero dei giovani nell'ambito dell'istruzione professionale e dei giovani attivi.

([1]) Young Not in Employment, Education nor Training (giovani disoccupati e al di fuori di ogni ciclo di istruzione e formazione).
([2]) Apprendistato e Mestieri a Vocazione Artigianale.
([3]) Formazione e Innovazione per l'Occupazione.

L'Italia ha inoltre adottato una misura volta a promuovere l'imprenditorialità: le persone di meno di 35 anni hanno bisogno soltanto di un capitale di 1 euro per avviare una società a responsabilità limitata.

4. Il Forum europeo della gioventù è stato pienamente coinvolto nella preparazione dell'iniziativa Opportunità per i giovani e anche successivamente alla sua adozione. Altre organizzazioni giovanili, comprese quelle a livello nazionale, sono state coinvolte, in particolare durante la consultazione relativa a un quadro di qualità per i tirocini e nei preparativi del pacchetto per l'occupazione giovanile.

5. Il pacchetto per l'occupazione giovanile, adottato il 5 dicembre, comprende una consultazione di secondo livello delle parti sociali in merito a un quadro per i tirocini, a una proposta di raccomandazione del Consiglio sulle garanzie per i giovani nonché azioni in tema di tirocini e mobilità. Esso contiene inoltre informazioni aggiornate sull'attuazione dell'iniziativa Opportunità per i giovani.

6. I risultati della consultazione sul «Quadro qualitativo per i tirocini» sono disponibili online ([4]).

([4]) http://ec.europa.eu/employment_social/consultation/traineeships/Traineeships_Replies_IPM.pdf

(English version)

Question for written answer E-010401/12
to the Commission
Roberta Angelilli (PPE)
(14 November 2012)

Subject: Information on measures to curb youth unemployment

On 30 January 2012, at the informal European Council meeting, the Commission established eight 'action teams' to be sent to eight European countries with a high rate of youth unemployment (Italy, Spain, Greece, Slovakia, Lithuania, Portugal, Latvia and Ireland), announcing that it would use, for youth unemployment initiatives, EUR 82 billion of European funds which had not yet been assigned. Italy was to receive EUR 8 billion. On 23 May President Barroso presented the first results achieved by the action teams, according to whom Italy had used up EUR 3.6 billion of the 8 billion assigned.

In its answer to Written Question P-005743/2012, the Commission said that it had asked the Italian authorities to revise their operational programmes in order to tackle the youth issue.

Can the Commission say:

1. whether there are any more precise and specific texts and information relating to the projects financed in Italy and those for which approval is pending, including those relating to any operational programme revision;

2. how, on what projects and in what time-frame have the remaining EUR 4.4 billion of funds allocated to Italy been used, or will they be used;

3. whether an analysis of good practices and a long-term action strategy has been developed for youth employment in Italy;

4. if and when youth organisations have been involved and consulted, as called for in the Commission Communication 'Youth Opportunities Initiative' and in the European Parliament resolution of 24 May 2012 on the 'Youth opportunities initiative', since no such action appears yet to have been taken;

5. when will the measures announced by President Barroso during his State of the Union speech be proposed, and what will they be, given that he mentioned, amongst other things, the launch of a 'Youth Package' aimed at establishing a youth guarantee scheme and a quality framework to facilitate vocational training;

6. whether the results of the consultation 'A Quality Framework for Traineeships' are available;

7. whether it has a picture of the progress made and the measures taken under the 'Youth Opportunities Initiative'?

Answer given by Mr Andor on behalf of the Commission
(11 January 2013)

1, 2, 3. Italy's Cohesion Action Plan, adopted in December 2011, to speed up Structural Funds implementation in the South was implemented in two phases (second one in June 2012) and benefited more than 150 000 young people. A possible extension of the action plan is under discussion.

The 2012 Labour Market Reform includes provisions on early-school leaving, NEET ([1])s and on a minimum set of services employment services must provide (e.g. vocational training).

For implementing the apprenticeships reform, the Labour Ministry has put in place the AMVA ([2]) programme.

The FIXO ([3]) programme aims to facilitate school-to-work transition (active labour policies), while the Lifelong Learning Programme is used to support traineeships abroad for young people in vocational education and active young people.

([1]) Young Not in Employment, Education nor Training.
([2]) Apprendistato e Mestieri a Vocazione Artigianale.
([3]) Formazione e Innovazione per l'Occupazione.

Italy also adopted a measure to promote entrepreneurship: people under 35 only need EUR 1 to start a limited liability company.

4. The European Youth Forum was thoroughly involved during the preparation of the Youth Opportunities Initiative and after its adoption. Other youth organisations, including at national level, were involved, in particular during the consultation on a Quality Framework for Traineeships and in the run-up to the Youth Employment Package.

5. The Youth Employment Package, adopted on 5 December, includes a second stage consultation of EU social partners on a framework for traineeships, a proposal for a Council Recommendation on Youth Guarantees as well as actions on apprenticeships and mobility. Up-to-date information on the Youth Opportunities Initiative implementation is also presented with it.

6. The results of the consultation on the 'Quality Framework for Traineeships' are available online ([4]).

([4]) http://ec.europa.eu/employment_social/consultation/traineeships/Traineeships_Replies_IPM.pdf

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010402/12
til Kommissionen
Christel Schaldemose (S&D)
(14. november 2012)

Om: Opstramning af reglerne for medicinsk udstyr

I forbindelse med det uformelle sundhedsministermøde i Horsens den 23.-24. april 2012 besluttede EU's 27 sundhedsministre, at Kommissionens Udvalg for Sundhedssikkerhed (Health Security Committee) skal mødes i sager, der involverer livstruende eller andre alvorlige risici i forbindelse med medicinsk udstyr.

Med Daily Telegraphs afsløring for nylig af store huller i systemet for certificering af medicinsk udstyr i frisk erindring vil det være oplagt for dette udvalg at mødes.

Mit spørgsmål til Kommissionen er derfor:

Har Kommissionen planer om at beramme et møde i Udvalget for Sundhedssikkerhed for at sikre, at der strammes op, indtil den nye forordning er på plads og taget i brug?

Svar afgivet på Kommissionens vegne af Tonio Borg
(17. januar 2013)

*Daily Telegraph*s forlydender blev drøftet ugen efter deres offentliggørelse på et møde i ekspertgruppen vedrørende medicinsk udstyr, og der blev givet en statusmelding til Udvalget for Sundhedssikkerheds plenarforsamling den 22. november 2012. Selv om der ikke i dag er noget bevis for, at udstyr, der er certificeret af de bemyndigede organer i Tjekkiet og Slovakiet, er usikre, følger Kommissionen denne sag med den allerstørste opmærksomhed og har advaret alle medlemsstater.

For at styrke anvendelsen af de eksisterende regler blev en plan for omgående handling vedtaget på sundhedsministrenes uformelle rådsmøde i Danmark i april 2012 som nævnt i det ærede medlems spørgsmål. Planen fokuserer på fire hovedområder: de bemyndigede organers funktionsmåde, markedsovervågning, årvågenhed og opfølgning på alvorlige hændelser samt gennemsigtighed. For yderligere oplysninger om gennemførelsen af denne plan skal Kommissionen henvise det ærede medlem til sit svar på skriftlig forespørgsel E-009797/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010402/12
to the Commission
Christel Schaldemose (S&D)
(14 November 2012)

Subject: Tightening of rules on medical devices

At the informal meeting of health ministers in Horsens (Denmark) on 23-24 April 2012, the EU's 27 health ministers decided that the Commission's Health Safety Committee should meet to discuss cases involving life-threatening or other serious risks in connection with medical devices.

In the light of the recent discovery by the *Daily Telegraph* of major gaps in the system for the certification of medical devices, it would be appropriate for the committee to meet.

I should therefore like to ask:

Does the Commission have any plans to call a meeting of the Health and Safety Committee to ensure that the rules are tightened until the new regulation is in place and in use?

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

The reports of the *Daily Telegraph* were discussed the week after their publication in a meeting of the Medical devices expert group and an update was provided in the plenary of meeting of the Health Security Committee 22 November 2012. Even if there is today no evidence that devices certified by the Notified Bodies established in Czech Republic and Slovakia are unsafe, the Commission is following this case with the utmost attention and has alerted all Member States.

To reinforce the application of the existing rules, a plan of immediate actions was agreed at the Informal Health Council in Denmark in April 2012 referred to in the question. The plan focuses on four main areas: the functioning of notified bodies; market surveillance; vigilance and follow up on serious incidents and transparency. For further information on the implementation of this plan the Commission would refer the Honourable Member to its reply to Written Question E-009797/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html .

(English version)

Question for written answer E-010403/12
to the Commission
Chris Davies (ALDE)
(14 November 2012)

Subject: Seals and fish stocks

What scientific assessments have been undertaken by the Commission into the effect of seal populations on fish stocks in European waters?

What consideration is the Commission giving to undertaking future scientific assessments of this kind?

Answer given by Ms Damanaki on behalf of the Commission
(11 January 2013)

There have been a large number of scientific assessments on the effect of seal populations on fish stocks funded directly by the Commission, under the EU's Framework Programme for Research and Technological Development (FP5, FP6 and FP7) and under the LIFE and Interreg programmes. The majority of these studies have looked at the effects of seal populations on specific fisheries (e.g. Irish and Baltic salmon fisheries). The interactions of seals with fisheries have also been used as case studies as part of bigger projects looking at the ecosystem impacts of fisheries. These include the BECAUSE ([1]) project, funded under FP6 which looked at the likely impacts of seals on fisheries in the North Sea and the MOFI ([2]) project, funded under LIFE, that has looked at the interactions of Mediterranean monk seals with fisheries around Greece.

In addition to this dedicated research, the Commission also requests advice from ICES annually regarding the impact of fisheries on other components of the ecosystem, including marine mammals. This advice includes specific reference to the impacts of fisheries on seals.

The Commission will continue to seek advice from ICES and other scientific bodies as well as funding research into ways to mitigate incidental catches and reduce seal predation in fisheries. Current FP7 projects such as MYFISH ([3]), FACTS ([4]) and ECOSEAL ([5]) projects all consider this issue.

Additionally the current European Fisheries Fund (EFF) provides possibilities for support for development and experiments with new techniques for seal protection and new alternative fishing methods that can substitute methods that are especially vulnerable to seal depredation. It is proposed to continue such funding under the European Maritime and Fisheries Fund (EMFF).

([1]) http://cordis.europa.eu/projects/rcn/73839_en.html
([2]) http://ec.europa.eu/environment/life/project/Projects/index.cfm?fuseaction=search.dspPage&n_proj_id=2936.
([3]) http://www.myfishproject.eu/index.php?option=com_content&view=article&id=222&Itemid=697.
([4]) http://www.facts-project.eu/Why%20do%20this.aspx.
([5]) http://ecosealproject.eu/.

(English version)

Question for written answer E-010404/12
to the Commission
Phil Bennion (ALDE)
(14 November 2012)

Subject: Sound barriers alongside motorways in Poland

It has been brought to my attention that multiple sound barriers have been built alongside recently constructed or almost completed motorways in Poland, particularly between Warsaw and Łódź, and also in areas where the density of the population living near the motorway seems particularly low.

In light of this, can the Commission answer the following:

1. Were these sound barrier projects co-funded by the European Union? If so, has the Commission verified that these projects comply with the directives on environmental impact assessments?

2. The EU legislation requires Member States to take action to reduce noise levels on 'major roads' that are defined according to their volume of traffic; however what is the link that the Commission has established between the density of the population living near these major roads and the volume of traffic?

Answer given by Mr Hahn on behalf of the Commission
(29 January 2013)

1. EU co-funding was not involved in the construction of the main motorway connection Stryków-Konotopa between Warsaw and Łódź. However, in the 2000-2006 period, the Emilia-Stryków section of the A2 motorway, located further, benefited from EU co-financing. Currently, the Commission is also co-financing the extention of the A2 in the Warsaw area: the construction of the expressway S2 in Warsaw, 'Konotopa' junction-'Puławska' junction with the section 'Lotnisko-Marynarska' (S79).

The major projects of total costs above EUR 50 million are submitted to the Commission and are checked as regards their compliance with EC law, inlcuding the Environmental Impact Assessment (EIA) Directive on the basis of the documentation provided by the Members States. Under the shared management principle used in administering cohesion policy, the national authorities are responsible for the selection and implementation of non-major projects, which must comply with the EC law, including the EIA Directive.

When an EIA is carried out, it must assess the main effects on environment and propose measures to avoid or mitigate the negative effects. During an EIA for a motorway project, the effects of noise are normally assessed. If excessive noise levels are expected, the competent national authorities may require mitigation measures, such as noise barriers. The allowable noise levels are not specified in the EU environmental directives, but can be regulated by the national laws.

2. The European Environmental Noise Directive 2002/49/EC ([1]) requires Member States to adopt action plans for roads where traffic amounts to more than 3 million vehicles per year. Local residents must be consulted on these action plans every five years or whenever major development occurs.

([1]) Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise — Declaration by the Commission in the Conciliation Committee on the directive relating to the assessment and management of environmental noise, OJ L 189, 18.7.2002.

(English version)

Question for written answer E-010406/12
to the Commission
John Stuart Agnew (EFD)
(14 November 2012)

Subject: No claims bonuses and the single market

Does the Commission feel that the 'non-transferability' of motorists' no claims bonuses from one Member State to another is compatible with a genuine single market?

Answer given by of Mr Barnier on behalf of the Commission
(15 January 2013)

The EU Motor Insurance Directive 2009/103/EC entitles policy-holders to request a claims statement involving their vehicle during the five years preceding the contract. The insurer must provide this statement within 15 days. This is to enable policy-holders to switch more easily from one insurer to the other.

However, EC law does not oblige motor insurers to take into account the policyholder's claims statement for the calculation of premiums. This may, however, be regulated at the national level. The situation may be less problematic in Member States with a compulsory bonus malus system, since those systems may not discriminate against claims statements issued by similar systems in other Member States.

The Commission is very much aware of the issue raised by the Honourable Member, which is of great importance to citizens who want to move to another Member State and need to take out a new motor insurance policy or who would like to take out an insurance policy with an insurer in another Member State.

The Commission Services have asked the European Insurance and Occupational Pensions Authority (EIOPA) to examine the causes of the current non-portability of claim statements across the EU and to identify practical solutions for the problems encountered during its examination. The Commission may want to consider taking up this important issue at a later stage.

(Version française)

Question avec demande de réponse écrite E-010407/12
à la Commission
Rachida Dati (PPE)
(14 novembre 2012)

Objet: Accord-cadre UE-États-Unis sur la protection des données

Au Parlement européen, nous gardons tous en mémoire les difficultés que nous avons connues au moment de l'approbation des accords dits «SWIFT» et «PNR».

Ces difficultés nous ont rappelé les différences qui existent entre les traditions juridiques européenne et américaine, notamment en ce qui concerne la protection de la vie privée.

Elles nous ont surtout montré toute la nécessité d'adopter un accord-cadre sur la protection des données pour tout futur accord dans le domaine de la lutte contre le terrorisme ou la criminalité.

L'adoption d'accords aussi déterminants pour la sécurité de tous ne peut plus être entravée par des divisions sur les questions de protection des données personnelles.

Mais pour y parvenir, on a considéré qu'il fallait au préalable une position européenne bien définie. La proposition sur le cadre général de protection des données présentée en janvier 2012 doit aussi servir cet objectif.

Mais alors que les débats sur cette proposition progressent au Parlement européen, on peut regretter que celui-ci n'ait pas été informé depuis juin de l'avancement des négociations avec les États-Unis sur l'accord-cadre.

Il semble contre-productif de traiter ces deux textes de façon isolée. Dans un souci de cohérence, il est nécessaire que le Parlement soit, dans la mesure du possible, mieux associé aux négociations et mieux informé de leur avancement. Prenons garde à ne pas répéter les erreurs du passé.

Dans cet esprit, quelles sont les orientations que la Commission envisage d'adopter dans les négociations à venir avec les États-Unis, et quelles propositions compte-t-elle avancer pour surmonter les divergences qui nous séparent encore d'un accord?

Réponse donnée par Mme Reding au nom de la Commission
(24 janvier 2013)

La Commission européenne réitère sa détermination à tenir le Parlement européen et le Conseil régulièrement informés de l'état d'avancement des négociations relatives à un accord entre l'Union européenne et les États-Unis d'Amérique sur la protection des données à caractère personnel lors de leur transfert et de leur traitement aux fins de prévenir les infractions pénales, d'enquêter en la matière, de les détecter ou de les poursuivre dans le cadre de la coopération policière et de la coopération judiciaire en matière pénale. Lors de la réunion de juin des ministres de la justice et des affaires intérieures de l'UE et des États-Unis, M. Holder, procureur général des États-Unis, et Mme Reding, vice-présidente de la Commission européenne, ont convenu de veiller à ce que les négociations continuent de progresser rapidement. Depuis le mois de juin, et malgré tous les efforts déployés par la Commission, il n'a toutefois pas été possible d'organiser une nouvelle réunion de négociation.

Depuis le début des négociations en mars 2011, les travaux se sont déroulés à un rythme régulier, et des progrès ont été accomplis en ce qui concerne un certain nombre de dispositions. Parmi celles-ci figurent des principes fondamentaux tels que la sécurité des données, la transparence en matière de traitement ou d'utilisation des données, la responsabilité, le maintien de la qualité et de l'intégrité des informations et la création d'autorités performantes chargées de contrôler la protection des données. Les travaux en cours concernent plusieurs éléments dont notamment la limitation de la finalité, la conservation des données à caractère personnel et le droit de recours administratif et judiciaire effectif, qui sont des préoccupations majeures de l'UE.

La Commission tiendra le Parlement européen et le Conseil informés de l'évolution de la situation, le cas échéant.

(English version)

Question for written answer E-010407/12
to the Commission
Rachida Dati (PPE)
(14 November 2012)

Subject: EU-US framework agreement on data protection

Everyone at the European Parliament remembers the difficulties we had in reaching a decision to approve the SWIFT and PNR agreements.

Those difficulties are a reminder of the differences between the European and US legal traditions, in particular as regards the protection of privacy.

Above all, those difficulties have shown us how important the adoption of a framework agreement on data protection will be for any future agreement on combating terrorism or crime.

The adoption of agreements which are so vital to everyone's security must no longer be hindered by differences of opinion on personal data protection issues.

It has long been thought that a well-defined European position was a prerequisite for any agreement. The proposal for a general data protection framework presented in January 2012 will have to serve this purpose as well.

Although the discussions on this proposal are progressing in Parliament, it is regrettable that it should not have been informed since June of the progress made in the negotiations with the US on the framework agreement.

It seems counterproductive to deal with these two texts separately. In the interests of consistency, Parliament needs to be more involved in the negotiations, where possible, and to be kept better informed of their progress. We must be careful not to repeat the mistakes of the past.

On that basis, what standpoint does the Commission intend to adopt in the forthcoming negotiations with the United States, and what proposals will it put forward in order to overcome the differences of opinion which still stand in the way of an agreement?

Answer given by Mrs Reding on behalf of the Commission
(24 January 2013)

The European Commission reiterates its commitment to regularly update both the European Parliament and the Council on the state of play of the negotiations on an agreement between the European Union and the United States of America on protection of personal data when transferred and processed for the purpose of preventing, investigating, detecting or prosecuting criminal offences in the framework of police cooperation and judicial cooperation in criminal matters. During the EU-U.S. Justice and Home Affairs Ministerial meeting in June, Attorney-General Holder and Vice-President Reding agreed to ensure the continued rapid advancement of the negotiations. However, since June, there was no possibility to hold a further negotiation session despite the Commission's best efforts.

Since the beginning of the negotiations in March 2011, work has been following a steady pace and progress has been achieved on a number of provisions. These include important principles such as data security, transparency of data processing or use, accountability, maintaining the quality and integrity of information and the existence of effective authorities ensuring data protection oversight. The work is ongoing on a number of issues such as purpose limitation, retention of personal data, and effective administrative and judicial redress, which are all key EU concerns.

The European Commission will share information as appropriate with the European Parliament and the Council on further developments.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010408/12
alla Commissione
Roberta Angelilli (PPE)
(14 novembre 2012)

Oggetto: Possibili finanziamenti per l'alluvione in Toscana e deroga del patto di stabilità

In questi giorni il maltempo ha colpito varie zone d'Italia, tra cui la Regione Toscana, creando gravi esondazioni e crolli che solo nella zona di Massa e Carrara hanno costretto all'evacuazione di circa 200 persone. Le inondazioni sono state causate dai 230 millimetri di pioggia caduti in appena quattro ore e dall'esondazione dei torrenti Ricortola, nel comune di Massa, e Parmignola, nel comune di Carrara; fenomeni che hanno richiesto l'intervento della Protezione civile. Le autorità locali e nazionali dovranno fare il bilancio dei danni subiti, anche se sono evidenti le ripercussioni in termini economici a discapito dell'economia della regione, rinomata per le coltivazioni di vino e oliveti.

Il governo italiano ha già ipotizzato una richiesta all'Unione europea di una maggiore flessibilità del patto di stabilità per liberare risorse pubbliche per la prevenzione ambientale.

Premesso che i danni generati dal maltempo saranno sicuramente causa di un'ulteriore recessione economica, può la Commissione far sapere:

1. Se è possibile chiedere uno stanziamento dei finanziamenti dal Fondo di solidarietà dell'Unione europea nato proprio con l'intento di aiutare concretamente le regioni europee colpite da calamità naturali?

2. Se è possibile avere una maggiore flessibilità del patto di stabilità affinché sia messo in atto un piano di investimenti volto a prevenire le emergenze nei territori a elevato rischio idrogeologico?

3. Se è possibile chiedere uno stanziamento dei fondi nell'ambito dello Strumento di Protezione Civile?

Risposta di Johannes Hahn a nome della Commissione
(20 dicembre 2012)

1. Il Fondo di solidarietà dell'UE è stato costituito per concedere un'assistenza finanziaria nel caso di gravi catastrofi naturali. Una grave catastrofe è definita quale una catastrofe che ha causato un danno diretto superiore a una soglia che, per l'Italia, è fissata attualmente a 3,6 miliardi di euro. Se il danno rimane al di sotto di tale soglia il Fondo di solidarietà può intervenire soltanto in casi eccezionali.

Per sapere se sono soddisfatte le condizioni per la mobilitazione del Fondo di solidarietà le autorità nazionali competenti devono presentare domanda alla Commissione entro dieci settimane dall'inizio della catastrofe. A tutt'oggi nessuna domanda è pervenuta dall'Italia. La Commissione non può attivare il Fondo di propria iniziativa.

2. Conformemente al Patto di stabilità e crescita (PSC), nella relazione della Commissione si tiene conto degli investimenti pubblici prima di adottare la decisione di attivare nei confronti di uno Stato membro una procedura per i disavanzi eccessivi (PDE). Uno Stato membro è collocato in una PDE se il debito supera il 60 % del PIL e il deficit supera il 3 % del PIL, a meno che il superamento non sia di lieve entità e temporaneo. Come indicato nel suo Piano per un'unione economica e monetaria autentica e approfondita, la Commissione esaminerà il modo per inserire gli investimenti nel capitolo «Prevenzione» del PCS.

3. I fondi dello strumento di protezione civile sono stanziati sulla base di inviti a presentare proposte o di bandi di gara. Certe attività di prevenzione e di predisposizione operativa possono essere finanziate per il tramite di questi bandi pubblicati con cadenza annuale. Un supporto finanziario diretto dopo una catastrofe non è possibile sulla base dell'attuale quadro giuridico.

(English version)

Question for written answer E-010408/12
to the Commission
Roberta Angelilli (PPE)
(14 November 2012)

Subject: Possible financial aid for the flooding in Tuscany and waiver to the Stability and Growth Pact

Various areas of Italy have been hit by bad weather recently, including Tuscany, resulting in serious flooding and structural damage. In the Massa-Carrara area alone, this has forced the evacuation of around 200 people. The floods were caused by 230 millimetres of rainfall in just 4 hours and by the Ricortola in Massa and the Parmignola in Carrara bursting their banks, which required civil protection agencies to intervene. Local and national authorities are counting the cost of the damage suffered, but the repercussions are already clear in terms of damage to the economy of the region, which is renowned for its wine and olive growing.

The Italian Government has already discussed the possibility of asking the EU for greater flexibility in the Stability Pact in order to release public funds for environmental protection.

The damage caused by this bad weather will surely deepen the economic recession.

Can the Commission answer the following questions:

1. Is it possible to request an allocation of funds from the EU Solidarity Fund, which was created precisely to provide concrete aid to European regions hit by natural disasters?

2. Is it possible to have greater flexibility in the Stability Pact so that an investment plan can be implemented to prevent emergencies in areas of high hydrogeological risk?

3. Is it possible to request an allocation of funds from the Civil Protection Mechanism?

Answer given by Mr Hahn on behalf of the Commission
(20 December 2012)

1. The EU Solidarity Fund was created to grant financial assistance in the event of major natural disasters. A major disaster is defined as having caused direct damage exceeding a threshold which for Italy is currently set at EUR 3.6 billion. If the damage remains below the threshold, the Solidarity Fund can only intervene very exceptionally.

Whether the conditions for mobilising the Solidarity Fund are met can only be assessed on the basis of an application to be presented to the Commission by the competent national authorities within 10 weeks of the start of the disaster. At the moment of writing, no application has been received from Italy. The Commission may not activate the Fund upon its own initiative.

2. According to the Stability and Growth Pact (SGP) public investments are taken into account in the Commission's report before a decision is taken to place a Member State in Excessive Deficit Procedure (EDP). A Member State will be placed in EDP if debt breaches 60% of GDP and deficit breaches 3% of GDP, unless the breach is small and temporary. As set out in its blueprint for a deep and genuine economic and monetary union, the Commission will explore ways to accommodate investments within the preventive arm of the SGP.

3. Funds from the Civil Protection Mechanism are allocated via calls for proposals or calls for tenders. Certain prevention and preparedness activities can be financed through these annually published calls. Direct financial support after a disaster is not possible under the current legal basis.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010409/12
alla Commissione
Mario Borghezio (EFD)
(14 novembre 2012)

Oggetto: La Commissione tuteli gli acquisti di e-book telematici

Si sono verificati alcuni casi in cui consumatori che avevano acquistato testi on-line, ovvero i cosiddetti e-book, per i loro lettori elettronici, hanno visto svanire i loro contenuti elettronici, cancellati elettronicamente da parte di siti specializzati nella vendita di libri elettronici quali Kindle e Amazon.

In pratica, come se un libraio si fosse introdotto in casa loro per riprendersi i libri acquistati.

Questo crea una situazione di incertezza nelle transazioni che va a discapito della tutela del consumatore.

Ha la Commissione regolamentato i diritti dei consumatori in tale settore?

È la Commissione a conoscenza di irregolarità e di cancellazioni arbitrarie di acquisti telematici da parte delle aziende di e-commerce specializzate negli e-book?

Come intende la Commissione tutelare i consumatori europei dalla minaccia di un controllo a distanza dei propri beni di consumo?

Risposta di Viviane Reding a nome della Commissione
(24 gennaio 2013)

La Commissione è a conoscenza di casi in cui i venditori di libri elettronici hanno cancellato alcuni contenuti dai dispositivi di lettura dei propri clienti. Effettivamente esiste una normativa UE sui consumatori che potrebbe essere applicata a queste pratiche.

La direttiva 93/13/CEE, concernente le clausole abusive nei contratti stipulati con i consumatori, vieta l'uso di clausole contrattuali standard che determinano un significativo squilibrio dei diritti e degli obblighi delle parti a danno del consumatore. L'allegato della direttiva contiene un elenco di clausole che sono in genere considerate abusive, come ad esempio «*autorizzare il professionista a modificare unilateralmente, senza valido motivo, alcune caratteristiche del prodotto o del servizio da fornire*» ([1]). Di conseguenza, i contratti di fornitura di contenuti digitali, come i libri elettronici, che contengono clausole standard che consentono al venditore di modificare unilateralmente il contenuto, ad esempio riducendone le funzionalità o addirittura eliminando il contenuto stesso, *senza valido motivo*, potrebbero essere considerati abusivi ai sensi della direttiva. Tuttavia, spetta esclusivamente alle autorità e agli organi giudiziari degli Stati membri giudicare se una clausola contrattuale è abusiva ai sensi della direttiva.

Inoltre, la nuova direttiva sui diritti dei consumatori 2011/83/UE prevede esplicitamente l'obbligo di fornire informazioni in merito alla funzionalità e all'interoperabilità del contenuto digitale. Ciò dovrebbe includere informazioni su eventuali modifiche o aggiornamenti al contenuto che il venditore si riserva il diritto di effettuare.

L'onorevole parlamentare dovrebbe inoltre essere a conoscenza del fatto che la comunicazione della Commissione su un'agenda europea dei consumatori comprende l'obiettivo di «adattare il diritto dei consumatori all'era digitale», il che significa che verrà presa in considerazione una serie di misure per affrontare i principali problemi incontrati dagli utenti on-line e per garantire che essi siano adeguatamente tutelati in caso di utilizzo e acquisto di contenuti digitali.

([1]) Lettera k) dell'allegato della direttiva 93/13/CEE.

(English version)

Question for written answer E-010409/12
to the Commission
Mario Borghezio (EFD)
(14 November 2012)

Subject: The Commission must protect purchasers of downloaded e-books

There have been a number of cases in which consumers who had bought e-books online for their electronic readers have seen their entire contents disappear, deleted electronically by websites specialising in the sale of e-books, such as Kindle and Amazon.

In effect, this is like the bookseller going into their homes to take back the books they have bought.

This creates a situation of uncertainty in the transactions, which is detrimental to consumer protection.

Has the Commission regulated the rights of consumers in this sector?

Is the Commission aware of irregularities and arbitrary deletions of downloaded purchases by e-commerce companies specialising in e-books?

How does the Commission intend to protect consumers from the threat of remote control over their consumer goods?

Answer given by Mrs Reding on behalf of the Commission
(24 January 2013)

The Commission is aware of cases where e-book sellers have deleted content on the reading devices of their customers. There is indeed EU consumer legislation which could apply to such practices.

Directive 93/13/EEC on unfair terms in consumer contracts prohibits the use of standard contract terms, which cause a significant imbalance in the parties' rights and obligations to the detriment of consumer. The annex to the directive lists a number of terms that are typically considered unfair, e.g. *'enabling the seller or supplier to alter unilaterally without a valid reason any characteristics of the product or service to be provided'*. ([1]) As a result, contracts for the supply of digital content, such as e-books, which contain standard terms allowing the seller to unilaterally alter the content, for instance by reducing its functionalities or even removing the content, *without a valid reason*, could be considered unfair in the sense of the directive. However, the Member States authorities and courts are solely responsible for judging whether a contract term is unfair under the directive.

Moreover, the new Consumer Rights Directive 2011/83/EU specifically requires information about the functionality and interoperability of digital content. This should include information about any modifications or updates to the content that the seller reserves the right to carry out.

The Honourable Member should also be aware that the communication of the Commission on a European Consumer Agenda includes the objective of 'adapting consumer law to the digital age', meaning that a set of measures will be considered to tackle key problems faced by online users and make sure they are adequately protected when using and buying digital content.

([1]) Point (k) in the annex to Directive 1993/13/EEC.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010410/12
alla Commissione
Mario Borghezio (EFD)
(14 novembre 2012)

Oggetto: La Commissione indaghi sul vaccino esavalente Glaxo

Una partita di vaccino esavalente — ovvero attivo contro sei malattie: difterite, tetano, epatite B, poliomielite, pertosse e haemophilus B — prodotto dalla Glaxo è risultato infettato dal «bacillus cereus»; il vaccino in questione, l'Infanrix Hexa, è somministrato ogni giorno in Europa a centinaia di bambini. In seguito alla scoperta della contaminazione, il vaccino è stato ritirato da ben 11 paesi europei, ma non dall'Italia.

Ha la Commissione seguito la vicenda in modo approfondito, monitorando le azioni intraprese dalla Glaxo per verificare i lotti contagiati?

Intende la Commissione indagare sulla distribuzione del vaccino e sulla tutela intrapresa da ogni Stato membro per controllare i vaccini non ritirati?

Risposta di Tonio Borg a nome della Commissione
(21 dicembre 2012)

Per quanto concerne il primo quesito la Commissione rinvia l'onorevole deputato alla propria risposta all'interrogazione scritta E-010235/2012 ([1]).

Per quanto concerne il secondo quesito, la Commissione desidera far presente che informazioni esaustive sono state già trasmesse agli Stati membri applicando le procedure istituite a tal fine. La società farmaceutica richiama le partite potenzialmente difettose. Il richiamo avviene soltanto negli Stati membri in cui tali partite sono state distribuite. L'Italia, ad esempio, non ne ha ricevuta nessuna.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010410/12
to the Commission
Mario Borghezio (EFD)
(14 November 2012)

Subject: The Commission must investigate the Glaxo hexavalent vaccine

A batch of hexavalent vaccine produced by Glaxo, which protects against six diseases (diphtheria, tetanus, hepatitis B, polio, whooping cough and haemophilus B) has been found to be infected with Bacillus cereus. The vaccine in question, Infanrix Hexa, is given to hundreds of babies in Europe every day. Following the discovery of the contamination, the vaccine has been withdrawn in 11 European countries, but not in Italy.

Has the Commission been following this matter closely, monitoring the actions taken by Glaxo to check the infected batches?

Does the Commission intend to investigate the distribution of the vaccine and the precautions taken by each Member State to control any vaccines that have not been withdrawn?

Answer given by Mr Borg on behalf of the Commission
(21 December 2012)

Concerning the first question, the Commission would refer the Honourable Member to its answer to Written Question E-010235/2012 ([1]).

Concerning the second question, the Commission would like to point out that exhaustive information has already been circulated to the Member States through the established procedures. The pharmaceutical company is recalling the batches which are potentially affected. The recall is taking place only in the Member States where these batches have been distributed. For example, Italy has received none of them.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010411/12
alla Commissione
Mario Borghezio (EFD)
(14 novembre 2012)

Oggetto: Traffici d'oro fra la Turchia e l'Iran: necessaria indagine della Commissione

A seguito delle sanzioni commissionate all'Iran che impediscono l'accesso ai dollari, si è creato un mercato parallelo per compensare le difficoltà che l'Iran affronta a vendere il petrolio contro valuta americana. Ci sono infatti corrieri che trasportano milioni di dollari in lingotti d'oro nei loro bagagli a mano e volano da Istanbul a Dubai, dove l'oro viene inviato verso l'Iran, e le somme in gioco sono enormi: le esportazioni d'oro dalla Turchia verso l'Iran sono arrivate a 1,8 miliardi di dollari, lo scorso luglio, pari a oltre un quinto di tutto il deficit commerciale della Turchia in quel mese.

I dati ufficiali del commercio turco dicono che quasi due miliardi di dollari USA in oro sono già stati inviati a Dubai per conto di compratori iraniani, nel solo mese di agosto di questo anno. Le spedizioni aiutano Teheran a gestire le sue finanze che devono fronteggiare le sanzioni finanziarie dell'Occidente, costituendo di fatto un escamotage per aggirare il blocco sancito dagli USA.

Questo metodo costituisce un sistema perfettamente funzionante tra due parti che effettuano una transazione senza lasciare nessuna traccia alle loro spalle e, cosa ancora più importante, è il modello del futuro, per cui sempre più paesi potranno eludere l'assoggettamento al regime dei petrodollari, a favore di paesi che non dispongono di dollari.

Può la Commissione rispondere a quanto segue:

1. Ha raccolto dati su queste transazioni?

2. Non ritiene che tale comportamento da parte della Turchia costituisca de facto una violazione dei principi di legalità dell'UE?

3. Come intende agire per bloccare tali flussi?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(30 gennaio 2013)

1. Le transazioni effettuate tra l'Iran e la Turchia non sono soggette al diritto dell'UE. Le misure restrittive che l'Unione ha adottato nei confronti dell'Iran sanciscono, tra l'altro, che:

«[s]ono vietati la vendita, l'acquisto, il trasporto o l'intermediazione — diretti o indiretti — di oro e metalli preziosi nonché di diamanti a, da o per conto del governo dell'Iran, dei suoi enti, imprese e agenzie pubblici, della Banca centrale dell'Iran, nonché a, da o per conto di persone e entità che agiscono per loro conto o sotto la loro direzione, ovvero di entità da essi possedute o controllate».

Il divieto vale solo per persone e operatori dell'Unione europea e, anche nel loro caso, riguarda unicamente il commercio di oro con il governo iraniano e i suoi rappresentanti e non il paese per intero. Tranne nel caso di prove specifiche secondo cui persone e operatori dell'Unione utilizzano questo commercio per eludere le misure restrittive dell'UE, non vi è alcuna ragione per fare indagini in merito.

2. La legalità del commercio tra la Turchia e gli Emirati arabi uniti per conto dell'Iran è una questione che va valutata alla luce della legislazione turca, a prescindere dalla sua conformità con i principi della legislazione dell'UE.

3. L'UE cerca di incoraggiare i paesi terzi a dare seguito alle sue misure restrittive, portando avanti una politica di sensibilizzazione in tal senso con tutti i paesi coinvolti, compresa la Turchia.

(English version)

Question for written answer E-010411/12
to the Commission
Mario Borghezio (EFD)
(14 November 2012)

Subject: Gold trafficking between Turkey and Iran: Commission investigation needed

As a result of the sanctions imposed on Iran, which prevent access to dollars, a parallel market has been created to offset the difficulties faced by that country in selling oil for US currency. Couriers carry millions of dollars in gold bars in their hand luggage and fly from Istanbul to Dubai, from where the gold is forwarded to Iran. The sums involved are enormous: in July of this year, gold exports from Turkey to Iran amounted to USD 1.8 billion, equivalent to one fifth of Turkey's entire trade deficit in that month.

According to official Turkish trading data, almost USD 2 billion in gold was sent to Dubai on behalf of Iranian buyers in August of this year alone. These dispatches help Tehran manage its finances, which have to cope with the economic sanctions imposed by the West. They are, in fact, a sleight of hand to get around the financial blockade ordered by the USA.

This is a perfectly efficient system operating between two parties who carry out a transaction without leaving any trail behind them. More importantly, it is a model for the future, whereby increasing numbers of countries will be able to sidestep the petrodollar system to the benefit of countries that do not have dollars.

Can the Commission answer the following questions:

1. Has it gathered any data on these transactions?

2. Does it not consider that this behaviour by Turkey is a de facto violation of the EU's principles of legality?

3. What does it intend to do to stop this traffic?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(30 January 2013)

1. Transactions between Iran and Turkey are not subject to EC law. EU restrictive measures against Iran *inter alia* prohibit:

'the direct or indirect sale, purchase, transportation or brokering of gold and precious metals, as well as of diamonds, to, from or for the Government of Iran, its public bodies, corporations and agencies, the Central Bank of Iran, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them shall be prohibited.'

This prohibition only binds EU persons and operators. It is also noteworthy that even for EU persons and operators the prohibition is directed at the trade in gold with the Government of Iran and its representatives, and not against Iran as a whole. Unless there are specific allegations that EU persons or operators are using this trade to circumvent EU restrictive measures, there are no reasons to investigate this trade.

2. The legality of trade between Turkey and the United Arab Emirates on behalf of Iran will be a matter of Turkish law whether or not this aligns with principles of EC law.

3. The EU seeks through outreach to encourage third states to follow its restrictive measures. The EU is actively pursuing such outreach with all relevant third countries, including Turkey.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010412/12
à Comissão
Nuno Teixeira (PPE)
(14 de novembro de 2012)

Assunto: Banco de Fomento em Portugal

Considerando que:

— Portugal está a aplicar um austero programa de políticas económicas e financeiras, que implica uma redução do défice e da dívida pública, nos prazos estipulados pelo memorando e respetivas revisões da «troika»;

— Os fundos estruturais, o fundo de coesão e os vários instrumentos financeiros que a União disponibiliza aos Estados-Membros, nomeadamente em colaboração com o Banco Europeu de Investimento (BEI), revestem-se da maior importância, num período em que são necessárias políticas concretas de apoio ao crescimento e ao emprego;

— Vários meios de comunicação social portugueses têm publicado notícias ([1]) sobre a criação um Banco de Fomento, supostamente financiado pelos fundos estruturais da União e com financiamento do BEI;

Pergunta-se à Comissão:

1. Tem conhecimento desta intenção do governo português de criar um Banco de Fomento para o financiamento da economia portuguesa? Caso a resposta seja afirmativa, considera positiva a criação do mesmo?

2. Tem conhecimento da existência de Bancos de Fomento nos países da União? Quais as vantagens dos mesmos para as economias dos países em causa?

Resposta dada por Olli Rehn em nome da Comissão
(30 de janeiro de 2013)

Aquando da sexta revisão do programa de ajustamento económico e financeiro para Portugal ([2]), as autoridades portuguesas informaram os funcionários da Comissão, do FMI e do BCE de que estão a analisar a possibilidade de criar um mecanismo, a fim de potenciar os fundos estruturais da UE. A Comissão presume que a análise das autoridades portuguesas está ainda numa fase incipiente. A Comissão não teve conhecimento de qualquer proposta específica de criação de um «banco de fomento».

No espírito dos objetivos do programa de ajustamento para Portugal, é importante assegurar o financiamento suficiente dos segmentos mais produtivos e inovadores da economia, nomeadamente as PME, a fim de apoiar o processo de recuperação económica. Estamos cientes de que, para esse efeito, o Ministério das Finanças, em conjunto com o Banco de Portugal e outras partes interessadas, estão a elaborar e aplicar um conjunto de medidas que visam facilitar a concessão de crédito a empresas produtivas, fomentar a diversificação das alternativas de financiamento das empresas e promover a eficácia do financiamento. A Comissão e os seus parceiros internacionais, associados ao programa, regozijaram-se com estas iniciativas, que assentam nas estruturas administrativas existentes.

Alguns Estados-Membros da União Europeia possuem instituições cuja principal missão consiste em facilitar o acesso das PME ao financiamento através da oferta de serviços e conhecimentos especializados no domínio financeiro. Algumas destas instituições têm uma licença bancária, enquanto outras se limitam a agir em complemento e em cooperação com o sistema bancário nacional através do cofinanciamento e/ou de mecanismos de partilha de riscos e oferecem conhecimentos especializados e aconselhamento aos beneficiários finais desses regimes. Portugal dispõe de um certo número de instituições que desempenham tarefas similares, mas nenhuma delas possui uma licença bancária.

([1]) http://www.rtp.pt/noticias/index.php?article=601091&tm=6&layout=121&visual=49.
([2]) Realizada entre 12 e 19 de novembro de 2012.

(English version)

Question for written answer E-010412/12
to the Commission
Nuno Teixeira (PPE)
(14 November 2012)

Subject: Development Bank in Portugal

Given that:

— Portugal is implementing an economic and financial austerity programme, thus reducing the deficit and national debt, within the timeframe stipulated by the memorandum and the respective revisions by the troika;

— The Structural Funds, the Cohesion Fund and the various financial instruments that the EU has made available to the Member States, notably in collaboration with the European Investment Bank (EIB), are of utmost importance, at a time when specific policies are needed to support growth and employment;

— Several sections of the Portuguese media ([1]) have reported the creation of a Development Bank, allegedly financed using EU structural funds and EIB funding;

I ask the Commission:

1. Is it aware of the Portuguese Government's intention to create a Development Bank to finance the Portuguese economy? If so, does it welcome this creation?

2. Is it aware of other Development Banks in the EU countries? What are the economic benefits of these banks for the countries concerned?

Answer given by Mr Rehn on behalf of the Commission
(30 January 2013)

During the sixth review of the Economic and Financial Adjustment Programme for Portugal ([2]), the Commission, the IMF and the ECB staff were informed by the Portuguese authorities that they are exploring the creation of a revolving mechanism to leverage EU structural funds. The Commission understands that the analysis being carried out by the Portuguese authorities is at a very preliminary stage. The Commission has not received any specific proposal regarding the creation of a 'Development Bank'.

In line with the goals of the adjustment programme for Portugal, it is important that the most productive and innovative segments of the economy, notably SMEs, are sufficiently funded so as to support the economic recovery process. We are aware that, to this end, the Ministry of Finance together with Banco de Portugal and other stakeholders are developing and implementing a range of measures that seek to facilitate credit to productive firms, foster the diversification of firms' financing alternatives and promote more efficient financing allocation. These initiatives, which build on existing government structures, have been welcomed by the Commission and its international programme partners.

Some EU Member States have institutions with a primary mission to facilitate the access to finance for SMEs by offering them financial services and expertise. Some of these institutions have a banking license while others simply act as a complement to and in cooperation with the national banking system through co-financing and /or risk-sharing schemes and provide expertise and advice to final beneficiaries of such schemes. Portugal is endowed with a number of institutions which perform similar roles but none of them has a banking license.

([1]) http://www.rtp.pt/noticias/index.php?article=601091&tm=6&layout=121&visual=49.
([2]) held between 12 and 19 November 2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010413/12
à Comissão
Nuno Teixeira (PPE)
(14 de novembro de 2012)

Assunto: O Fundo Europeu de Desenvolvimento

Considerando que:

— O Fundo Europeu de Desenvolvimento (FED) surgiu no Tratado de Roma, de 1957, para apoiar financeira e tecnicamente os países africanos, que na altura eram colónias de alguns dos Estados-Membros fundadores e com os quais estes mantinham laços histórico-culturais;

— Apesar das propostas da CE para a sua inclusão em anteriores QFP, este é considerado por alguns Estados-Membros uma duplicação de fundos e instrumentos já existentes, como o ICD;

— O FED continua a ser financiado pelos Estados-Membros, sendo gerido de acordo com as regras fixadas pelo Acordo de Cotonu;

— A inclusão deste Fundo no orçamento da União já foi várias vezes proposta pela Comissão Europeia (CE), o que permitiria aumentar a transparência e eficácia e adaptá-lo às realidades no terreno;

Pergunta-se à Comissão:

1. Contrariando o que sucedeu nos anteriores Quadros Financeiros Plurianuais, quais são as razões para a não inclusão do FED na proposta da CE sobre as Perspetivas Financeiras 2014-2020?

2. Se pode indicar os Estados-Membros que se opõem à inclusão do FED no orçamento plurianual da UE e quais as suas justificações?

3. Quais as vantagens da inclusão do FED no orçamento da União?

Resposta dada por Andris Piebalgs em nome da Comissão
(24 de janeiro de 2013)

Tradicionalmente, o financiamento do Fundo Europeu de Desenvolvimento (FED) tem permanecido à margem do orçamento geral da UE, tendo em conta a parceria especial entre a UE e os seus Estados-Membros e os Estados de África, das Caraíbas e do Pacífico (ACP). Contudo, a Comissão continua convencida das vantagens de adotar uma política de desenvolvimento única e coerente para toda a UE, a fim de garantir uma maior responsabilização política e controlo democrático na cooperação entre a UE e os países ACP e reforçar a eficiência dos vários instrumentos de financiamento da UE, pelo que está a favor da integração do FED no orçamento da UE em 2020. A Comissão considera que o período entre 2014 e 2020 deverá ser utilizado para preparar a integração da cooperação com os países ACP no orçamento, para o período posterior ao abrangido pelo Acordo de Cotonou.

Alguns Estados-Membros consideram que o FED deve permanecer fora do orçamento da UE, baseando-se, por exemplo, na sua própria contribuição para o orçamento ou no possível impacto negativo da integração sobre a percentagem do orçamento da UE consagrado à ação externa. Quaisquer questões sobre as posições específicas de cada um dos Estados-Membros deverão ser dirigidas ao Conselho ou aos Estados-Membros em questão.

A fim de preparar a integração do FED no orçamento da UE, a Comissão propôs a harmonização das chaves de repartição das contribuições dos Estados-Membros para o 11.° FED com as chaves do rendimento nacional bruto (RNB) utilizadas para o cálculo do orçamento da UE. A Comissão propõe também que as disposições do 11.° FED sejam harmonizadas, tanto quanto possível, com os instrumentos de financiamento do orçamento pertinentes, nomeadamente o Instrumento de Cooperação para o Desenvolvimento e as normas comuns de execução, bem como o regulamento financeiro aplicável ao orçamento da UE, respeitando simultaneamente os princípios de parceria consagrados no Acordo de Cotonu.

(English version)

Question for written answer E-010413/12
to the Commission
Nuno Teixeira (PPE)
(14 November 2012)

Subject: The European Development Fund

Given that:

— The European Development Fund (EDF) was created in 1957 by the Treaty of Rome, to grant technical and financial assistance to African countries that at that time were colonies of some founding Member States, and with which they maintained historical and cultural ties;

— Despite the Commission's proposals for its inclusion in previous multiannual financial frameworks, some Member States believe it to be a duplication of existing funds and instruments such as the Development Cooperation Instrument;

— The EDF continues to be funded by the Member States and is managed in accordance with the rules laid down in the Cotonou Agreement;

— The Commission has repeatedly called for this fund to be included in the EU budget, which would increase its transparency and effectiveness and adapt it to realities on the ground;

I ask the Commission:

1. In contrast to previous multiannual financial frameworks, why is the EDF not included in the Commission proposal for the 2014-2010 Multiannual Financial Framework?

2. Can it indicate which Member States oppose the EDF's inclusion in the EU's multiannual budget and their justifications for doing so?

3. What are the advantages of including the EDF in the EU budget?

Answer given by Mr Piebalgs on behalf of the Commission
(24 January 2013)

The European Development Fund (EDF) has traditionally been financed outside the EU budget, considering the special partnership between the EU and its Member States and the African, Caribbean and Pacific (ACP) countries. The Commission, however, remains convinced of the advantages of developing a single, coherent EU development policy, to bring more political accountability and democratic scrutiny to EU cooperation with ACP countries and to enhance efficiency across EU financing instruments and is in favour of the EDF being incorporated into the EU budget in 2020. The Commission considers that the 2014-2020 periods should be used for preparing the integration of cooperation with the ACP countries into the budget for the post-Cotonou period.

Some Member States consider that the EDF should stay outside of the EU Budget, basing themselves for example on their contribution to the EU budget or on the possible negative impact on the share of the EU Budget devoted to EU external action. Any question on the position of individual Member States should be addressed to the Council or the Member States in question.

In order to prepare for the incorporation of the EDF into the EU budget, the Commission has proposed to further align the keys for Member States' contributions to the 11th EDF with the gross national income (GNI) keys used for the EU budget. Furthermore, the Commission proposes to align the provisions of the 11th EDF as far as possible with relevant financing instruments in the budget, including the Development Cooperation Instrument and the Common Implementing Rules and with the financial regulation of the EU budget, while respecting the partnership principles enshrined in the Cotonou Agreement.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010414/12
do Komisji
Elżbieta Katarzyna Łukacijewska (PPE)
(14 listopada 2012 r.)

Przedmiot: Kwalifikowalność udzielenia wsparcia ze środków EFRR na modernizację infrastruktury lotniskowej – lotnisko w Krośnie (Polska)

Proces negocjacji Regionalnego Programu Operacyjnego Województwa Podkarpackiego rozpoczął się w dniu 6 marca 2007 r. od formalnego przekazania Komisji Europejskiej projektu RPO WP.

W projekcie Programu Operacyjnego Województwa Podkarpackiego na lata 2007-2013 przekazanym Komisji Europejskiej dnia 13 lipca 2007 r. (uwzględniającym uwagi Komisji Europejskiej oraz te omawiane podczas spotkania negocjacyjnego w dniu 25 maja 2007 r.) w opisie osi priorytetowej 1 „Konkurencyjna i innowacyjna gospodarka" oraz w osi priorytetowej 2 „Infrastruktura techniczna" wprowadzono zasugerowane przez Komisję Europejską zmiany. Ze względu na fakt, iż Komisja Europejska nie zgłosiła żadnych uwag do zapisów, Regionalny Program Operacyjny Województwa Podkarpackiego na lata 2007-2013 został zatwierdzony na mocy decyzji Komisji Europejskiej z dnia 1 października 2007 r.

W związku z tą decyzją miasto Krosno powzięło wszelkie kroki, aby zebrać całą dokumentację techniczną i wszystkie wymagane pozwolenia (w tym pozwolenie na budowę) mające na celu rozpoczęcie inwestycji i w związku z tym poniosło ogromne koszty przygotowań. Niemniej jednak w piśmie z dnia 30 sierpnia 2012 r. – REGIO H.1/MM D (2012) 1183024 – Komisja Europejska wydała negatywną opinię w zakresie możliwości dofinansowania projektu miasta Krosna.

Województwo Podkarpackie przedstawiło szczegółowe uzasadnienie celowości dofinansowania powyższego projektu, a planowana inwestycja spełniła wymóg zgodności z planami rozwoju lotnisk w Polsce przygotowanymi przez Ministerstwo Transportu i została włączona do planu generalnego dla lotnisk w Polsce. W związku z powyższym zwracam się z pytaniem, dlaczego Komisja odrzuciła wniosek o możliwość finansowania projektu „Utworzenie ponadregionalnego Centrum Szkolenia Lotniczego w oparciu o zmodernizowaną infrastrukturę lotniska w Krośnie – I etap"?

W dniu 1 października 2007 r. Komisja Europejska zatwierdziła Program Operacyjny Województwa Podkarpackiego na lata 2007-2013, w którym zawarte były plany utworzenia Centrum Szkolenia Lotniczego w Krośnie. W związku z tym dlaczego w piśmie REGIO H.1/MM D (2012) 1183024 Komisja stwierdziła, iż z zasady nie powinno planować się wsparcia dla lotnisk w podregionach, np. dla celów turystycznych i szkoleniowych w ramach Regionalnych Programów Operacyjnych 2007-2013 w Polsce?

Proszę Komisję o przedstawienie szczegółowego uzasadnienia decyzji.

Odpowiedź udzielona przez komisarza Johannesa Hahna w imieniu Komisji
(21 stycznia 2013 r.)

Komisja uprzejmie prosi szanownego Pana Posła o zapoznanie się z odpowiedzią udzieloną na pytanie pisemne nr E-009668/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

Wynik negocjacji pomiędzy Komisją i władzami polskimi w sprawie programu województwa podkarpackiego na lata 2007-2013 potwierdził, że wspieranie infrastruktury lotniskowej jest ograniczone jedynie do portu lotniczego Rzeszów-Jasionka, co jest również uwzględnione w treści programu. Stanowisko Komisji jest konsekwentne i zostało przekazane władzom polskim w trakcie negocjacji. Komisja podtrzymuje swoją opinię wyrażoną w piśmie do instytucji zarządzającej Województwa Podkarpackiego z dnia 30 sierpnia 2012 r., tj. że dodatkowe szkolenia lotnicze przewidziane dla lotniska w Krośnie mogą się bez problemu odbywać w ramach rozszerzonej infrastruktury lotniska Rzeszów-Jasionka. Ponadto w odniesieniu do logiki interwencji programu, priorytet programu „innowacyjna i konkurencyjna gospodarka" nie obejmuje kategorii nr 29 „porty lotnicze" i w związku z tym proponowane działania, obejmujące infrastrukturę lotniska, tj. hangary, pasy startowe, drogi do kołowania, pomocnicze urządzenia nawigacyjne, płyty postojowe samolotu itd. nie mogą być uznane za kwalifikowalne do otrzymania pomocy w ramach tego priorytetu. Projekt wniosku, w swojej obecnej formie, zmierza do obejścia logiki interwencji programu oraz uzasadnionych ograniczeń wyznaczonych przez Komisję Europejską w kwestii rozwoju infrastruktury lotniskowej w regionie podkarpackim. Reasumując, z wszystkich wyżej wymienionych powodów, rozwój lotniska w Krośnie nie kwalifikuje się do współfinansowania w ramach niniejszego programu.

(English version)

Question for written answer E-010414/12
to the Commission
Elżbieta Katarzyna Łukacijewska (PPE)
(14 November 2012)

Subject: Eligibility of airport infrastructure modernisation project at Krosno airport (Poland) for ERDF financing

The negotiation process for the Podkarpackie Regional Operational Programme (ROP) was launched on 6 March 2007 with the formal submission of the draft ROP to the Commission.

In the draft ROP for 2007-2013 submitted on 13 July 2007 (including the Commission's comments and points discussed at the negotiation meeting of 25 May 2007), modifications suggested by the Commission were made to the descriptions of the first priority axis 'Competitive and Innovative Economy' and to the second priority axis 'Technical Infrastructure'. Given that the Commission raised no objections to the text, the Podkarpackie Regional Operational Programme for 2007-2013 was approved by the Commission's Decision of 1 October 2007.

Following this decision, the town of Krosno made every effort to gather all of the required technical documentation and permits, including the construction permit, in order to proceed with the investment project. In doing so, it incurred significant preliminary costs. However, in its letter (REGIO H.1/MM D (2012) 1183024) of 30 August 2012, the Commission issued a negative opinion on financing the project in Krosno.

Podkarpackie Province submitted a detailed explanation of the aims of funding the aforementioned investment project, and the project was in compliance with the airport development plans prepared by the Polish Ministry of Transport and was incorporated into Poland's general plan for airports. In this connection, why did the Commission reject the funding application for the project entitled '*Utworzenie ponadregionalnego Centrum Szkolenia Lotniczego w oparciu o zmodernizowaną infrastrukturę lotniska w Krośnie — I etap*' ('Establishing a Supraregional Aviation Training Centre based on Modernised Airport Infrastructure in Krosno — Stage I')?

On 1 October 2007, the Commission approved the Podkarpackie Regional Operational Programme for 2007-2013, which set out plans to establish an aviation training centre in Krosno. In this connection, why did the Commission — in letter REGIO H.1/MM D (2012) 1183024 — assert that the financing of airports for tourism or training purposes in subregions should not be planned under Regional Operational Programmes for 2007-2013 in Poland?

Could the Commission please provide a detailed explanation of its decision?

Answer given by Mr Hahn on behalf of the Commission
(21 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-009668/2012 ([1]).

The outcome of the negotiations on the 2007-2013 Podkarpackie programme between the Commission and the Polish authorities confirmed that support to airport infrastructure is limited to Rzeszów-Jasionka airport only, which is also included in the text of the programme. The Commission's position has been consistent and was duly communicated to the Polish authorities during the negotiation process. The Commission maintains its opinion expressed in its letter to the managing authority of Podkarpackie region of 30 August 2012 that the additional flight training functions envisaged for Krosno aerodrome could be easily handled by the extended airport infrastructure of Rzeszów-Jasionka airport. Furthermore, with regard to the intervention logic of the programme, the description of the 'Innovative and Competitive Economy' priority in the programme does not include intervention category no. 29 airports and for that reason the proposed development, consisting of airport-type infrastructure items such as: hangars, runway, taxiways, navigation aids, aircraft parking apron etc., cannot be considered as eligible for support under this priority. In its current form, the project proposal attempts to by-pass the intervention logic of the programme and the justified limits placed by the European Commission on the airport-type developments in the Podkarpackie region. To conclude, for all of the abovementioned reasons, the development of the Krosno aerodrome is not eligible for co-financing under this programme.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010415/12
to the Commission
Vicky Ford (ECR)
(14 November 2012)

Subject: Public procurement of food

Directive 2008/120/EC lays down minimum standards for the welfare of pigs. All Member States must be compliant with this legislation by 1 January 2013. Many retailers across Europe have assured me that they now only source legal products which are compliant with Directive 2008/120/EC.

What measures is the Commission taking to ensure that public authorities also only procure products which are compliant with Directive 2008/120/EC and with other European animal welfare legislation?

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

Member States are primarily responsible for the implementation of EU welfare legislation. In case of non-compliance, they have to take measures, and if necessary, sanctions against non-compliant operators so they correct the situation, as required by Articles 54 and 55 of Regulation (EC) No 882/2004 on official controls ([1]) regardless of whether this is in the context of public procurement or not.

Regarding Directive 2008/120/EC on the protection of pigs ([2]), and other EC law animal welfare requirements the Commission can always consider launching infringement procedures against Member States which do not ensure the respect of the relevant EU rules in their territories.

([1]) OJ L 191, 28.5.2004, p. 1.
([2]) OJ L 47, 18.2.2009.

(English version)

Question for written answer E-010416/12
to the Commission
Vicky Ford (ECR)
(14 November 2012)

Subject: NCA investigations into petrol price adjustment

I thank the Commission for responding to two previous Parliamentary Questions on the subject of petrol and diesel pricing (E-007046/2012 and E-007923/2012).

With regard to the response received to the latter question, the Commission mentions that some national competition authorities (NCAs) have investigated asymmetries in the speed with which pre-tax retail prices for petrol and diesel adjust to variations in international fuel prices.

1. What are the conclusions of those investigations?

The Commission's response appears to suggest that such asymmetries do exist, but states that the Commission has not specifically analysed the phenomenon.

2. Has the Commission given any consideration to what the potential causes of such asymmetries might be?

3. How can the Commission be confident that the asymmetries in question are not affected by anti-competitive or collusive behaviour?

4. What action would the Commission suggest might be taken in order to reduce such asymmetries?

Answer given by Mr Almunia on behalf of the Commission
(29 January 2013)

The Commission takes continuous interest in the investigations undertaken by the National Competition Authorities (NCAs) in the oil sector, including on fuel retail pricing. The issue of asymmetries in the speed at which pre-tax retail prices for petrol and diesel adjust to variations in international fuel prices was notably investigated by the Portuguese ([1]) and Spanish ([2]) NCAs.

The results of these investigations suggest indeed that average pre-tax retail prices tend to decrease slower when the reference prices of crude oil fall than they do to increase when crude oil prices rise. However, these asymmetries are usually a short term phenomenon, which disappears in the longer run. Further, their occurrence and their intensity (such as time lag and range of adjustment) depend on the Member State and type of fuel (for instance, generally asymmetries would appear to be stronger for petrol than for diesel).

It cannot be excluded that these asymmetries are the result of anti-competitive conduct but there can also be other explanations, such as the existence of an oligopolistic market structure, fuel refining delays combined with limited fuel stocks or, as indicated by some NCAs, insufficient price transparency for consumers. In any event, as noted by the Spanish NCA, these explanations are associated with markets where effective competition is weak, and where Member States should therefore intervene to remove certain elements that act as barriers for introducing competition in this sector.

To the knowledge of the Commission, no NCA has concluded until now that the observed asymmetries are the result of anti-competitive practices. The Commission does not see any indication of anti-competitive practices either.

([1]) Report of March 2009: http://www.concorrencia.pt/vEN/Estudos_e_Publicacoes/Estudos_Economicos/Energia_e_Combustiveis/Documents/Final_Report_on_Liquid_and_Gas_Fuels_March_2009_English_version.pdf

([2]) Report of June 2012: http://www.cncompetencia.es/Inicio/GestionDocumental/tabid/76/Default.aspx?EntryId=154118&Command=Core_Download&Method=attachment.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord P-010418/12
aan de Commissie
Frieda Brepoels (Verts/ALE)
(14 november 2012)

Betreft: Afschaffing Beneluxtrein

Vanaf 9 december zal de hogesnelheidsverbinding „Fyra" eindelijk Brussel verbinden met Amsterdam (via Antwerpen — Rotterdam — Schiphol). Het project heeft dan vijf jaar vertraging opgelopen. Tegelijkertijd wordt echter de zogeheten „Beneluxtrein" geschrapt. Het schrappen van deze Beneluxtrein zorgt zowel in Vlaanderen als Nederland voor heel wat bezorgdheid, vooral vanwege de volgende pijnpunten:

— de tarieven zouden voor een enkele reis met 34 % stijgen voor de langste afstand Brussel-Amsterdam, en tot 82 % voor de kortste afstand Antwerpen-Rotterdam;

— door het gebrek aan abonnementen zouden pendelaars voor iedere verplaatsing een los ticket moeten kopen. Op jaarbasis zou dit een verdubbeling van de reiskosten met zich meebrengen;

— de reserveringsplicht, met alle gevolgen van dien voor pendelaars die 's avonds hun trein niet halen vanwege uitgelopen vergaderingen en dergelijke. Als argument wordt telkens aangehaald dat men elke reiziger om redenen van veiligheid en comfort een zitplaats wil kunnen garanderen. Voor binnenlandse trajecten geldt de reserveringsplicht echter niet;

— de frequentie: de Fyra zal een stuk minder frequent rijden dan de Beneluxtrein;

— het gebrek aan degelijke alternatieven: de stoptrein die 1 keer per uur Antwerpen met Roosendaal verbindt (met 11 haltes) kan bezwaarlijk een alternatief worden genoemd.

Al deze punten lijken het grensoverschrijdend personenvervoer via het spoor tussen Vlaanderen en Nederland ernstig te bemoeilijken, hetgeen nefast is voor de reiziger, maar ook voor de economie.

In die context graag volgende vragen aan de Commissie:

1. Is de Commissie op de hoogte van deze situatie en wat is haar algemene evaluatie terzake?

2. Wat is het standpunt van de Commissie, in het bijzonder over de tarieven? Hoe beoordeelt de Commissie de verwachte prijsstijging in de context van het vrijgemaakte internationale personenvervoer waarvan wordt verwacht dat het een daling van de tarieven met zich mee zou brengen?

3. Is de Commissie van mening dat het uitsluitend vooraf verplicht reserveren een belemmering vormt voor grensoverschrijdend verkeer en dat door een beperktere keuzevrijheid de minder kapitaalkrachtigen als eersten benadeeld zullen worden?

4. Hoe beoordeelt de Commissie deze evolutie in de context van mededinging?

5. Is de Commissie bereid in deze zaak stappen te ondernemen? Zo ja welke en wanneer? Zo neen, waarom niet?

Antwoord van de heer Almunia namens de Commissie
(21 december 2012)

1. De Commissie is op de hoogte van de wijziging in het aanbod van de spoorwegdiensten voor reizigers tussen Brussel en Amsterdam sinds 9 december 2012. De Commissie begrijpt de bezorgdheid in Vlaanderen en Nederland over de beslissing van de NS en de NMBS om de Beneluxtrein te schrappen. Het ziet er echter naar uit dat die bezorgdheid grotendeels al is ondervangen in de overeenkomst van 3 december 2012 tussen de Nederlandse en de Belgische autoriteiten.

2. De Commissie verwacht dat de High Speed Alliance B. V., afgekort HSA, en de NMBS (die samen de hogesnelheidstrein Fyra beheren) tarieven zullen vaststellen waarmee zij voldoende consumenten kunnen aantrekken. De verwachte stijging van de tarieven tegenover die van de Beneluxtrein zou de betere kwaliteit van de dienstverlening moeten weergeven.

3. De Commissie is niet bevoegd om beperkingen te stellen aan de verplichte reservering van de trein, die is toegestaan volgens Verordening (EG) 1371/2007 betreffende de rechten en verplichtingen van reizigers in het treinverkeer. ([1])

4. De mededingingsregels van de EU verbieden mededingingsbeperkende overeenkomsten en misbruik van de machtspositie. Uit de informatie waarover wij momenteel beschikken, blijkt niet duidelijk dat deze regels werden geschonden.

5. De Commissie heeft onlangs een aantal brieven van consumenten ontvangen over deze kwestie en zal deze verder behandelen.

([1]) Verordening (EG) nr. 1371/2007 van het Europees Parlement en de Raad van 23 oktober 2007 betreffende de rechten en verplichtingen van reizigers in het treinverkeer, PB L 315, van 3.12.2007, blz. 14. Zie in het bijzonder artikel 3, lid 9, en artikel 9, lid 4 daarvan.

(English version)

Question for written answer P-010418/12
to the Commission
Frieda Brepoels (Verts/ALE)
(14 November 2012)

Subject: Axing of the Benelux Train

From 9 December 2012 the 'Fyra' high speed train link will finally — five years behind schedule — connect Brussels to Amsterdam (via Antwerp, Rotterdam and Schiphol). At the same time, however, the so-called 'Benelux Train' is being scrapped. The axing of this Benelux Train is causing considerable concern both in Flanders and in the Netherlands, particularly owing to the following issues:

— fares for a single journey are to rise by 34% for the longest trip (Brussels-Amsterdam) and by up to 82% for the shortest (Antwerp-Rotterdam);

— there are to be no season tickets, so commuters will have to buy a separate ticket for each journey. Over a year this would amount to a doubling of their travel costs;

— compulsory reservation, with all that this implies for commuters who miss their train in the evening because, for example, a meeting has overrun. The counter-argument used is the wish, for reasons of safety and comfort, to guarantee a seat for every passenger. However, for domestic journeys there is no reservation requirement;

— frequency: Fyra will run considerably less often than the Benelux Train;

— lack of suitable alternatives; the stopping train that links Antwerp and Rosendaal every hour (with 11 stops) can hardly be called an alternative.

All these factors seem likely to make cross-border rail passenger travel between Flanders and the Netherlands significantly more difficult, which is bad for travellers, but also for the economy.

In the light of the above, I should like to ask the following:

1. Is the Commission aware of this situation, and what is its overall assessment?

2. What does the Commission think in particular about the issue of fares? What is the Commission's view of the expected fare rise in the context of liberalised international passenger transport, which was expected to bring about a fall in fares?

3. Does the Commission consider that compulsory advance reservation constitutes an obstacle to cross-border transport, and that the least well-off will be the first to suffer from a more restricted freedom of choice?

4. What is the Commission's opinion of this development in the context of competition?

5. Is the Commission prepared to take action on this matter? If so, what action, and when? If not, why not?

Answer given by Mr Almunia on behalf of the Commission
(21 December 2012)

1. The Commission is aware of the change in the offer of rail passenger services between Brussels and Amsterdam as of 9 December 2012. The Commission understands the concerns in Flanders and the Netherlands about the decision by the NS and the NMBS to abolish the Benelux train. However, it appears that such concerns have been addressed to a large extent by the agreement of 3 December 2012 between the Dutch and Belgian authorities.

2. The Commission expects that the High Speed Alliance B.V. ('HSA') and the NMBS (joint operators of the Fyra high-speed train) will set fares at a level that attracts sufficient customers. The expected increase in fares compared to the Benelux train should reflect the better quality of service.

3. The Commission is not empowered to limit compulsory train reservation which is recognised by Regulation 1371/2007 on rail passenger' rights and obligations. ([1])

([1]) Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations, OJ L315, 3.12.2007, p.14. See in particular Articles 3(9) and 8(4) thereof.

4. EU competition rules prohibit anti-competitive agreements and abuses of dominant position. From the information currently at our disposal, it is not evident that these rules have been infringed.

5. Recently, the Commission has received a number of consumer letters on this matter, which it will follow-up.

(English version)

Question for written answer E-010419/12
to the Commission
Nicole Sinclaire (NI)
(14 November 2012)

Subject: Failure of EU institutions in Belgium to observe the public holiday on 11 November

Could the Commission advise me as to the official reason why the EU institutions in Belgium, including the European Schools, do not observe the public holiday on 11 November, given that other Belgian public holidays are observed?

Answer given by Mr Šefčovič on behalf of the Commission
(18 December 2012)

Most holidays of the European institutions are days which are celebrated in the large majority of, if not all, Member States. The reasons are either of a religious nature: Christmas, Easter — with flexibility for the Orthodox Easter, Ascension, All Saints, or other widely-observed days such as 1 May. This implies also that there is a common basis for the approach of the institutions. There is also a holiday on 9 May, the anniversary of the Schuman Declaration. By custom, staff also have a holiday on the national day of the Member State where they are assigned. The date of 11 November, by contrast, does not fall into one of these categories.

Contrary to a common practice in many Member States, the institutions do not grant substitute days off if a holiday falls on a non-working day. The holiday is simply not granted that year.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010421/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mario Borghezio (EFD)
(14 novembre 2012)

Oggetto: VP/HR — Fare chiarezza sugli aiuti UE all'Egitto

Un comunicato della presidenza egiziana, rilasciato al termine dell'incontro fra il Presidente Mohamed Morsi e l'Alto Rappresentante dell'Unione europea per gli affari esteri e la politica di sicurezza Catherine Ashton, evidenzia che «l'UE fornirà all'Egitto un pacchetto di aiuti "senza precedenti" pari a cinque miliardi di euro nei prossimi due anni. Due miliardi saranno forniti dalla BEI, altri due dalla BERS. Un miliardo sarà dato dagli Stati membri dell'UE».

Può l'Alto Rappresentante dell'Unione europea specificare meglio per quali scopi sono stati forniti questi finanziamenti?

Non ritiene che questa ingente somma di denaro avrebbe potuto essere meglio distribuita tra gli Stati membri dell'UE più colpiti dalla crisi finanziaria in atto?

Risposta congiunta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(25 gennaio 2013)

La *task force* riunitasi in Egitto a metà novembre intendeva fungere da catalizzatore del sostegno collettivo dell'UE per promuovere la transizione democratica, contribuire a ripristinare la fiducia delle imprese e degli investitori ed affrontare problemi di carattere socioeconomico. Essa mirava ad avvicinare il più possibile l'UE e l'Egitto attraverso la cooperazione in tutti i settori e a riunire i dirigenti d'impresa UE interessati a investire in Egitto. È servita inoltre a stilare un bilancio della transizione democratica e della situazione relativa ai diritti umani e alla società civile. Per quanto riguarda l'assistenza finanziaria dell'UE, la task force ha annunciato un importo totale di 5 miliardi di euro per il periodo 2012-2013: 1) la BEI e la BERS si sono impegnate a rendere disponibili nel periodo 2012-2013 prestiti per un importo fino a 4 miliardi di euro per finanziare lo sviluppo del settore privato e importanti progetti infrastrutturali; 2) previo accordo tra l'Egitto e il Fondo monetario internazionale (FMI) (ancora in discussione), l'UE fornirà 500 milioni di euro sotto forma di assistenza macrofinanziaria (450 milioni di euro in prestiti e 50 milioni di euro in sovvenzioni); 3) infine, l'UE si è impegnata a fornire un sostegno finanziario supplementare di 253 milioni di euro sotto forma di sovvenzioni (90 milioni di euro provenienti dal programma SPRING e 163 milioni di euro dal Fondo investimenti per la politica di vicinato). Il sostegno dell'Unione europea allo sviluppo economico e alla transizione democratica dell'Egitto è nell'interesse sia dell'UE che dell'Egitto; l'Unione europea ritiene che un Egitto economicamente solido e politicamente stabile sia di fondamentale importanza per la sicurezza di tutta la regione e per lo sviluppo delle sue relazioni economiche con il vicinato meridionale.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010531/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – 5 mld EUR w ramach unijnego pakietu pomocy dla Egiptu, podczas gdy Bracia Muzułmanie nazywają Izrael „syjonistycznym reżimem"

Według ostatnich oświadczeń UE udzieli Egiptowi pomocy w postaci pakietu w wysokości 5 mld EUR, aby pomóc w odbudowie gospodarki kraju, zgodnie z umową, jaką zawarli w Kairze prezydent Egiptu Mohammed Mursi i Wiceprzewodnicząca/Wysoka Przedstawiciel UE Catherine Ashton.

W następstwie izraelskiego ataku na wojskowego przywódcę Hamasu Ahmeda Al-Jabariego Bracia Muzułmanie opublikowali oświadczenie, w którym stwierdzili, że rząd Egiptu powinien zerwać wszelkie stosunki z syjonistycznym reżimem, ponieważ państwo egipskie powinno być dla Arabów i muzułmanów wzorem do naśladowania.

1. Jakie stanowisko zajmuje Wiceprzewodnicząca/Wysoka Przedstawiciel wobec zamiarów Braci Muzułmanów odnośnie do licznych newralgicznych spraw społeczno-politycznych w Egipcie?

2. Jakie jest stanowisko Wiceprzewodnicząca/Wysoka Przedstawiciel odnośnie do agresywnej postawy Braci Muzułmanów wobec naszego sojusznika, jakim jest Izrael?

3. Czy UE monitoruje poczynania rządu pod przewodnictwem Braci Muzułmanów, które wskazują, że zamierza on wprowadzić w kraju nietolerancyjną islamską politykę?

Wspólna odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton
w imieniu Komisji
(25 stycznia 2013 r.)

Grupa robocza, która odbyła posiedzenie w Egipcie w połowie listopada, miała za zadanie pełnić rolę katalizatora wsparcia ze strony UE, wspierać przemiany demokratyczne, udzielić pomocy w przywróceniu zaufania inwestorów do gospodarki oraz rozwiązać kwestie społeczno-gospodarcze. Celem grupy roboczej było również jak największe zbliżenie UE i Egiptu poprzez pobudzenie współpracy we wszystkich sektorach oraz skupienie dyrektorów generalnych przedsiębiorstw unijnych zainteresowanych inwestycjami w Egipcie. Grupa podsumowała także proces przemian demokratycznych oraz sytuację w zakresie przestrzegania praw człowieka i społeczeństwa obywatelskiego. W odniesieniu do pomocy finansowej UE grupa robocza ogłosiła, że w okresie 2012-2013 całkowita pomoc wyniesie 5 mld EUR: 1) EBI oraz EBOR zobowiązały się udostępnić pożyczki w wysokości do 4 mld EUR na okres 2012-2013 w celu sfinansowania rozwoju sektora prywatnego oraz kluczowych projektów infrastrukturalnych; 2) po zawarciu przez Egipt porozumienia z Międzynarodowym Funduszem Walutowym (MFW) (będącego nadal przedmiotem dyskusji) UE udostępni 500 mln EUR w formie pomocy makrofinansowej (450 mln EUR jako pożyczki oraz 50 mln EUR jako dotacje); 3) ponadto UE zobowiązała się udzielić dodatkowej pomocy finansowej w wysokości 253 mln EUR w formie dotacji (90 mln EUR w ramach programu SPRING oraz 163 mln EUR z sąsiedzkiego funduszu inwestycyjnego). Unijne wsparcie rozwoju gospodarczego i przemian demokratycznych w Egipcie leży zarówno w interesie UE, jak i Egiptu. UE jest zdania, że przywrócenie równowagi gospodarczej i stabilności politycznej w Egipcie jest kluczowe dla bezpieczeństwa całego regionu i rozwoju jej stosunków gospodarczych z krajami południowego sąsiedztwa.

(English version)

Question for written answer E-010421/12
to the Commission (Vice-President/High Representative)
Mario Borghezio (EFD)
(14 November 2012)

Subject: VP/HR — Call for clarity on EU aid to Egypt

A communiqué from the Egyptian Presidency, issued following the meeting between President Mohamed Morsi and Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy, states that 'the EU will give Egypt an "unprecedented" EUR 5 billion packet of aid over the next two years. EUR 2 billion will come from the European Investment Bank (EIB), another EUR 2 billion will come from the European Bank for Reconstruction and Development (EBRD) and the remaining EUR 1 billion will come from EU member countries'.

Can the High Representative be more specific about the purposes for which this funding has been provided?

Does she not believe that it would have been better to distribute this enormous sum of money among the EU Member States hardest hit by the current financial crisis?

Question for written answer E-010531/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: VP/HR — EUR 5 billion EU aid package to Egypt while Muslim Brotherhood calls Israel a 'Zionist entity'

According to a recent announcement, the EU will provide an aid package worth EUR 5 billion to Egypt to help rebuild the country's economy, in keeping with a deal finalised in Cairo between the Egyptian President, Mohamed Morsi, and the EU Vice-President/High Representative, Catherine Ashton.

Following Israel's military strike against Hamas commander Ahmed Al-Jabari, the Muslim Brotherhood issued a statement in which it stated that the Egyptian Government 'cannot stand less than cutting all relations with the Zionist entity, since the Egyptian state needs to stand as a role model to Arabs and Muslims'.

1. What is the VP/HR's position on the Muslim Brotherhood's intentions with regard to a number of sensitive social and political issues in Egypt?

2. What is the VP/HR's position on the Muslim Brotherhood's aggressive stance towards our ally Israel?

3. Is the EU monitoring the Muslim Brotherhood-led government in terms of signs that it plans to impose illiberal and Islamist policies on the country?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(25 January 2013)

The Task Force which took place in Egypt mid-November was meant to act as a catalyst for collective EU support, to encourage the democratic transition, to help restore economic and investor confidence and to address socioeconomic issues. The Task Force aimed at bringing the EU and Egypt as close together as possible through cooperation in all sectors and to gather EU Chief Executive Officers (CEOs) interested to invest in Egypt. It also took stock of the democratic transition and of the situation of human rights and civil society. Regarding EU financial assistance, the Task Force announced a total figure of EUR 5 billion for the period of 2012-2013: 1) EIB and EBRD committed to make available up to EUR 4 billion in loans for 2012-2013 to finance private sector development and key infrastructure projects; 2) upon Egypt's agreement with the International Monetary Fund (IMF) (still under discussion), the EU will provide EUR 500 million in the form of Macro-Financial Assistance (EUR 450 million in loan and EUR 50 million in grants); 3) finally, the EU committed to provide EUR 253 million additional financial support in the form of grants (EUR 90 million from the Spring programme and EUR 163 million from the Neighbourhood Investment Facility). EU support to the economic development and democratic transition of Egypt serves both EU and Egypt's interests; the EU considers that an economically sound and politically stable Egypt is key for the security of the whole region and for the development of its economic relations in its Southern Neighbourhood.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-010422/12
adresată Comisiei
Minodora Cliveti (S&D)
(14 noiembrie 2012)

Subiect: Situația lucrătorilor de tip „A2” în Regatul Unit

În legătură cu răspunsul Comisiei Europene din 13.11.2012 la întrebarea mea anterioară cu privire la situația liberei circulații a cetățenilor români în Marea Britanie, doresc să adresez o nouă întrebare Comisiei Europene.

Din conținutul răspunsului Comisiei rezultă că muncitorii din România sunt cuantificați drept lucrători „A2” și că aceștia nu beneficiază de tratamentul pe care Regatul Unit îl acordă altor cetățeni europeni. De asemenea, rezultă că Regatul Unit a promis că va modifica legislația pentru eliberarea documentelor de ședere ale acestui tip de lucrători, legislație care impune un tratament diferențiat pentru acești lucrători „A2”.

Având în vedere faptul că aceste acțiuni și afirmații ale Regatului Unit sunt anterioare datei la care am adresat întrebarea precedentă, înțeleg să revin și să întreb:

Care sunt măsurile concrete pe care Comisia înțelege să le întreprindă pentru a contribui la curmarea acestui tip de tratament diferențiat adoptat de un stat european pentru cetățenii europeni români?

Răspuns dat de dna Reding în numele Comisiei
(9 ianuarie 2013)

Astfel cum se precizează în răspunsul Comisiei la întrebarea scrisă P-009071/2012 ([1]), aceasta este în contact cu autoritățile din Regatul Unit în vederea rezolvării problemelor la care face referire distinsa membră a Parlamentului European.

În urma analizării răspunsului Regatului Unit la avizul motivat emis de Comisie privind permisul de ședere eliberat de autoritățile britanice lucrătorilor români și bulgari, la 5 noiembrie 2012, Comisia a invitat autoritățile din Regatul Unit să o informeze dacă vor reexamina felul în care au interpretat anterior legislația UE și să răspundă la o serie de întrebări legate de modul în care sunt tratate cererile de acordare a permisului de ședere depuse de lucrătorii bulgari și români.

Se preconizează că răspunsul autorităților britanice va fi primit în ianuarie 2013. Comisia va evalua acest răspuns la momentul respectiv și, în cazul în care va fi necesar, va utiliza competențele care îi revin în temeiul tratatului.

([1]) http://www.europarl.europa.eu/plenary/ro/parliamentary-questions.html

(English version)

Question for written answer E-010422/12
to the Commission
Minodora Cliveti (S&D)
(14 November 2012)

Subject: Situation of 'A2' category workers in the United Kingdom

I should like to put a further question to the Commission in connection with its answer of 13.11.2012 to my earlier question on the situation concerning the free movement of Romanian nationals in Great Britain.

According to the Commission's answer, workers from Romania are classified as 'A2' workers and as such do not enjoy the same treatment as the United Kingdom accords other EU citizens. The Commission also states that the United Kingdom promised that the legislation requiring that differentiated treatment be applied to the issuing of residence documents for 'A2' workers would be amended.

In view of the fact that those measures and statements by the United Kingdom predate my earlier question, I would like to ask what tangible measures the Commission intends to take to help end this kind of differentiated treatment of Romanian (EU) citizens by an EU Member State?

Answer given by Mrs Reding on behalf of the Commission
(9 January 2013)

As indicated in its answer to Written Question P-009071/2012 ([1]), the Commission is in contact with the United Kingdom authorities to resolve the problems to which the Honourable Member referred.

Having analysed the United Kingdom's reply to the Commission's Reasoned Opinion concerning the residence document the United Kingdom authorities issue to Romanian and Bulgarian workers, the Commission invited the United Kingdom authorities on 5 November 2012 to inform the Commission whether they will reassess their previous interpretation of EC law and to answer a number of questions related to the way in which residence applications of Bulgarian and Romanian workers are handled.

The UK authorities are expected to reply in January 2013. The Commission will then assess the reply and, when necessary, make use of its powers under the Treaty.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer P-010423/12
to the Commission
Liam Aylward (ALDE)
(14 November 2012)

Subject: Commission proposal to withdraw sulcotrione from Annex I of the Plant Protection Regulation (to be discussed at the meeting of the Standing Committee on the Food Chain and Animal Health on 19-20 November 2012)

The Commission is proposing to withdraw the off-patent herbicide sulcotrione from Annex I of the Plant Protection Regulation, with the consequence of removing all products containing this active substance from the market, since the main notifier has decided for commercial reasons not to submit the requested confirmatory data.

However, it is understood that the requested data have been generated by generic companies, are not related to human or environmental safety and have already been submitted, upon request, in support of a product registration to a Member State competent authority, which has evaluated the submission and confirmed that the data gap has been closed.

The data could therefore be submitted to the Commission by companies other than the Annex I notifier which are pursuing product authorisations.

I have the following questions:

1. Has the Commission examined all aspects of fair competition in relation to maintaining access to the market for off-patent products, thereby ensuring that farmers have sufficient access to cost-effective products with proven efficacy and a history of safe use, particularly in view of the fact that removing sulcotrione from the market would remove generic competition from this particular sector of the herbicide market?

2. Is the Commission aware that the same situation may arise again with other active substances and that the regulatory process and the current guidance document on confirmatory data bear the inherent possibility for notifiers to abuse and manipulate the legislative process?

3. Is the Commission planning to amend the guidance document on confirmatory data in order to remove the above possibility, and, if so, should this not be done before a decision is taken on sulcotrione in order to ensure that the same process applies to all off-patent substances?

Answer given by Mr Borg on behalf of the Commission
(12 December 2012)

1. The Commission has recently received detailed legal and technical analyses drafted by the authorisation holders, other than the notifier, which commercialise plant protection products containing the active substance sulcotrione. The Commission will now examine these submissions before taking a decision on sulcotrione.

At this stage, the Commission is not in a position to indicate a precise timeline for such decisions to be taken.

2. The Commission is aware that a similar situation could occur in future for a limited number of cases. Due to the fact that confirmatory data should be provided by the notifier/applicant, when it is known at an early stage that the notifier/applicant will not be in position to provide this data, it is possible for companies to agree on a change of notifier/applicant and ensure the submission of the requested confirmatory data within the regulatory deadlines.

3. The amendment of the pertinent Guidance document can always be envisaged but this must remain in the limit of the provisions of the legislation.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010424/12
til Kommissionen
Morten Løkkegaard (ALDE)
(14. november 2012)

Om: Den nye norske toldmur

De tre EFTA-medlemsstater Norge, Island og Liechtenstein har indgået en samarbejdsaftale med EU, den såkaldte EØS-aftale. EØS-aftalen betyder, at EU's bestemmelser om det indre marked også gælder i disse lande. EØS-aftalen omfatter dog ikke EU's toldunion samt fiskeri og landbrug.

I den norske finanslov for 2013 pålægges der imidlertid en told på en lang række danske og udenlandske produkter: 277 % på visse oste, 429 % på lammekød og 344 % på oksekød. I modsætning til toldsatsen på kød og ost, som først træder i kraft i 2013, er tolden på eksempelvis potteplanter allerede en realitet (hortensia, en dansk plantesort er eksempelvis pålagt en ny toldsats på 72 % for at beskytte norske gartnerier).

I EØS-aftalen fremgår det, at landene skal arbejde for en gradvis liberalisering af handlen med landbrugsprodukter.

Finder Kommissionen på denne baggrund, at Norge lever op til denne forpligtelse? Kan Kommissionen svare bekræftende på, at Norges nye toldsatser ikke er i overensstemmelse med den liberaliserende ånd i handelsaftalerne, men derimod er et udtryk for en handelsbarriere, som er skadelig for samhandelen inden for WTO- og EØS-regi?

Svar afgivet på Kommissionens vegne af Dacian Cioloş
(21. december 2012)

Som det ærede medlem fremfører, lægger artikel 19 i EØS-aftalen op til en gradvis liberalisering af handlen med landbrugsprodukter.

De foranstaltninger, som Norge har vedtaget for nylig med hensyn til ændringen af værditolden for visse landbrugsprodukter og omklassificeringen af visse typer hortensiaer, er i strid med intentionen med de pågældende bestemmelser i EØS-aftalen. Kommissionen har gjort kraftig indsigelse over for disse foranstaltninger.

(English version)

Question for written answer E-010424/12
to the Commission
Morten Løkkegaard (ALDE)
(14 November 2012)

Subject: The new Norwegian tariff barriers

There is a cooperation agreement between the three EFTA Member States Norway, Iceland and Liechtenstein and the EU: the EEA Agreement. This means that the EU's internal-market provisions also apply in those countries. The EEA Agreement does not encompass the EU Customs Union, fisheries or agriculture, however.

Norway's 2013 budget imposes tariffs on a large number of products from Denmark and other countries: 277% on particular cheeses, 429% on lamb and 344% on beef. Unlike the tariffs on meet and cheese, which do not come into effect until 2013, the tariff on potted plants, for instance, is already reality (with a new 72% tariff being imposed on hydrangeas, for example, in order to protect Norwegian market gardens).

The EEA Agreement requires countries to work towards gradual liberalisation of trade in agricultural products.

In view of this, does the Commission consider that Norway is complying with that obligation? Can the Commission confirm that Norway's new tariffs do not accord with the spirit of liberalisation in trade agreements, but, rather, constitute a trade barrier which is harmful to trade in a WTO and EEA context?

Answer given by Mr Cioloş on behalf of the Commission
(21 December 2012)

As indicated by the Honourable Member, the EEA Agreement under Art. 19 foresees progressive liberalisation of agricultural trade.

The measures recently adopted by Norway on the change to ad-valorem duties for some agricultural products and the reclassification of some hortensias are contrary to the spirit of the provisions of the EEA Agreement. The Commission has strongly opposed those measures.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010425/12
til Kommissionen
Morten Løkkegaard (ALDE)
(14. november 2012)

Om: EØS-aftalen med Norge

De tre EFTA-medlemsstater Norge, Island og Liechtenstein har indgået en samarbejdsaftale med EU, den såkaldte EØS-aftale. EØS-aftalen betyder at EU's bestemmelser om det indre marked også gælder i disse lande. EØS-aftalen omfatter dog ikke EU's toldunion samt fiskeri og landbrug.

En vigtig del sigtet med Det Europæiske Økonomiske Samarbejdsområde, som Norge har tilsluttet sig, er, at samhandlen mellem EU og Norge gradvist skal liberaliseres.

Siden EØS-aftalen blev indgået i 1994, er der kun lavet to nye aftaler om liberalisering. Kan Kommissionen give en indikation af, hvordan udsigterne er (eller om der er udsigter) til at indgå yderligere handelsliberaliserende aftaler mellem EU og Norge?

Svar afgivet på Kommissionens vegne af den højtstående repræsentant/næstformand Catherine Ashton
(18. januar 2013)

Det ærede medlem henviser til EØS-Rådets konklusioner fra mødet den 26. november 2012. Ved denne lejlighed bekræftede EØS-Rådet, at de kontraherende parter i overensstemmelse med artikel 19 i EØS-aftalen fortsat vil efterstræbe en gradvis liberalisering af handlen med landbrugsvarer. I tråd hermed fremhævede EØS-Rådet, at det så frem til den kommende revision i 2013/2014 af betingelserne for samhandel med landbrugsvarer mellem Norge og EU med henblik på at indlede forhandlinger inden for rammerne af artikel 19.

(English version)

Question for written answer E-010425/12
to the Commission
Morten Løkkegaard (ALDE)
(14 November 2012)

Subject: EEA Agreement with Norway

There is a cooperation agreement — the EEA Agreement — between the three EFTA Member States Norway, Iceland and Liechtenstein and the EU. This means that the EU's internal-market provisions also apply in those countries. The EEA Agreement does not encompass the EU Customs Union, fisheries or agriculture, however.

Gradual liberalisation of trade between the EU and Norway is an important aim of the European Economic Area, of which Norway is a member.

Since the EEA Agreement entered into force in 1994, there have been only two new agreements on liberalisation. Can the Commission say what the prospects are — or whether there are prospects — for further trade liberalisation agreements between the EU and Norway?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(18 January 2013)

The Honourable Member is referring to the conclusions of the recent Council of the European Economic Area of 26 November 2012. On that occasion, the European Economic Area (EEA) Council acknowledged that according to Article 19 of the EEA Agreement, the Contracting Parties have undertaken to continue their efforts with a view to achieving progressive liberalisation of agricultural trade. In this vein, the EEA Council highlighted that it looked forward to the forthcoming review in 2013/2014 of the conditions of trade in agricultural products between Norway and the EU with a view to opening negotiations within the framework of Article 19.

(Version française)

Question avec demande de réponse écrite E-010426/12
à la Commission
Patrick Le Hyaric (GUE/NGL)
(14 novembre 2012)

Objet: Solution européenne aux contournements des droits du travail nationaux par la directive relative au détachement de travailleurs

Une note confidentielle des services du ministère du travail français estime entre 220 000 et 300 000 le nombre de ressortissants de l'Union européenne exerçant une activité professionnelle en France sans toujours respecter les minimums légaux concernant les rémunérations et/ou les conditions de travail.

La directive 96/71/CE autorise le détachement de travailleurs dans les États membres de l'Union, mais à condition que leurs employeurs respectent des minimums légaux. L'application de cette directive a déjà posé de nombreux problèmes d'interprétation lorsque ces minimums sont fixés par conventions collectives ou bien que les minimums en pratique dans certains secteurs dépassent les minimums légaux. Les travailleurs des secteurs à forte intensité de main-d'œuvre, comme le bâtiment, se sont dès lors retrouvés dans une situation de dumping légal du fait du non-respect, par certains employeurs, des normes en vigueur, ou de dumping illégal lorsque celles-ci ne sont tout simplement pas respectées.

La proposition de directive COM(2012)0131 relative à l'exécution de la directive 96/71/CE démontre une prise de conscience partielle, par la Commission, des répercussions négatives de l'application de ce texte aux conditions réelles pratiquées dans certains secteurs.

Au vu des nouveaux chiffres officieux du ministère du travail français et de ceux, officiels, concernant le détachement des travailleurs, qui annoncent 110 000 détachements en 2010 contre 30 000 en 2006,

1. La Commission est-elle informée des répercussions de la directive sur la circulation des travailleurs, mais aussi du nombre conséquent d'infractions constatées aux réglementations du travail sous couvert de cette directive?

2. Les autorités nationales n'ayant pas toujours les moyens matériels et humains (corps des inspecteurs du travail réduit et déjà surchargé) de faire respecter le droit du travail, la Commission estime-t-elle pertinent d'aider les États à faire respecter ces obligations qui assurent un minimum de protection aux travailleurs nationaux et communautaires?

3. Les propositions de coordination suggérées par la Commission dans la proposition de directive COM(2012)0131 ayant un impact positif, mais limité; que pense-t-elle de la création d'un corps européen d'inspecteurs du travail qui permettrait d'apporter une solution européenne à un problème européen?

Réponse donnée par M. Andor au nom de la Commission
(21 janvier 2013)

1. La Commission a eu connaissance de plusieurs cas de recours abusif à l'emploi de travailleurs détachés. La proposition de directive d'exécution sur le détachement de travailleurs ([1]) vise à prévenir et à sanctionner ces abus, tout en améliorant la protection des travailleurs détachés dans l'Union européenne. Elle définit un train complet de mesures qui portent, notamment, sur l'amélioration de l'information des travailleurs détachés et des entreprises, les règles de coopération entre autorités nationales, la surveillance des conditions de travail en vigueur, les inspections et les mesures nationales de contrôle, un dispositif de recours pour les travailleurs détachés, l'instauration à l'échelle de l'Union européenne d'un mécanisme de responsabilité solidaire dans le secteur du bâtiment, les sanctions, ainsi que l'exécution transfrontalière des amendes et sanctions administratives.

2. Par l'intermédiaire des Fonds structurels et, en particulier, du FSE, la Commission a fourni une aide financière afin de développer la capacité administrative dans les États membres. Le suivi et l'application des directives de l'Union européenne relatives au droit du travail relèvent toutefois de la compétence des États membres.

([1]) COM(2012)131 final, 21 mars 2012.

3. Pour continuer à soutenir les États membres dans la lutte contre le travail non déclaré au niveau national et transfrontalier, le programme de travail de la Commission pour l'année 2013 prévoit la création d'une plate-forme européenne dont l'objectif est de renforcer, à l'échelle de l'Union européenne, la coopération et l'échange d'informations et de bonnes pratiques entre les différents organismes chargés de l'application de la législation, afin d'accroître l'efficacité et la cohérence de la lutte contre le travail non déclaré.

(English version)

Question for written answer E-010426/12
to the Commission
Patrick Le Hyaric (GUE/NGL)
(14 November 2012)

Subject: A European solution to the circumvention of national labour rights through the exploitation of the directive on the posting of workers

In a confidential note, the French Ministry of Employment has estimated that between 220 000 and 300 000 EU citizens are carrying out a professional activity in France on behalf of employers who sometimes fail to comply with the minimum legal requirements concerning pay and/or working conditions.

Directive 96/71/EC authorises the posting of workers to EU Member States provided that their employers comply with the relevant minimum legal requirements. Implementing this directive has already given rise to many problems of interpretation in cases where the minimum requirements are set by means of collective agreements or where the minimum standards in force in some sectors go beyond the minimum legal requirements. Workers in labour-intensive sectors, such as construction, then find themselves unwittingly involved either in what is effectively social dumping, when employers seek to circumvent some requirements in force, or in what is actually social dumping, when they simply disregard those requirements completely.

The proposal for a directive COM(2012)0131 on the enforcement of Directive 96/71/EC demonstrates that the Commission is at least partially aware of the negative impact that this act has had on actual working conditions in certain sectors.

In light of the new unofficial figures from the French Ministry of Employment and of the official statistics on the posting of workers, which show that 110 000 workers were posted in 2010, as compared to 30 000 in 2006:

1. Is the Commission aware of the consequences that this directive has had for the movement of workers and of the substantial number of infringements of labour rules which have arisen as a result of the exploitation of its provisions by employers?

2. Given that national authorities do not always have the material and human resources (labour inspectorates which have been reduced in size even though they were already overstretched) to ensure that employment law is complied with, does the Commission think that it would be appropriate to help Member States to enforce these requirements, which guarantee a minimum level of protection for both domestic workers and workers from other Member States?

3. Given that the Commission's coordination proposals set out in the proposal for a directive COM(2012)0131 will have a positive, albeit limited, impact, what does the Commission think of the idea of creating a European corps of labour inspectors to provide a European solution to a European problem?

Answer given by Mr Andor on behalf of the Commission
(21 January 2013)

1. The Commission has become aware of several situations of work-related abuses concerning posted workers. The proposal for an Enforcement Directive on posting ([1]) aims at preventing and sanctioning such abuses and improving the protection of posted workers in the EU. It sets out a comprehensive set of measures including better information for posted workers and companies, rules for cooperation between national authorities, monitoring of the applicable working conditions, inspections and national control measures, a complaint mechanism for posted workers, introduction at EU level of a mechanism for joint and several liability in the construction sector, penalties as well as the cross-border enforcement of administrative fines and penalties.

2. The Commission has made financial support available through the structural funds and the ESF in particular to enhance administrative capacity in the Member States. However, the monitoring and implementation of EU labour law directives is in the competence of the Member States.

([1]) COM(2012)131n final, 21.3.2012.

3. To support further Member States in the fight against undeclared work at national and cross-border level, the establishment of a European Platform for fight against undeclared work has been foreseen in the Commission Work Programme for 2013. The aim of the platform is to enhance cooperation and exchange information/best practices on EU level between different enforcement bodies to achieve a more effective and coherent approach to the fight against undeclared work.

(English version)

Question for written answer E-010427/12
to the Commission
Paul Murphy (GUE/NGL)
(14 November 2012)

Subject: 'TalktoEU.ie' campaign

Can the Commission confirm whether the cost of the 'TalktoEU.ie' campaign is paid for by the European Union? If not, what body covers the costs of this campaign?

Answer given by Mrs Reding on behalf of the Commission
(9 January 2013)

The Commission can inform the Honourable Member that the talktoeu.ie website and its related social media are funded from the EU budget ([1]).

The talktoeu.ie communication project aims to raise awareness of the EU among the 18 to 29 age group in Ireland. The Internet and social media are considered to be the best way to engage with this age group. Talktoeu.ie and its related social media channels provide clear information on studying and working in the Union and other benefits that EU membership brings to young Irish people.

([1]) 'Talk to EU.ie' is financed by DG COMM's budget line 16.030400 — Actions linked with the implementation of communication priorities (Communicating Europe in partnership).

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010428/12
do Komisji
Filip Kaczmarek (PPE)
(14 listopada 2012 r.)

Przedmiot: Działalność portali internetowych typu Redwatch promujących rasizm i nawołujących do przemocy

Od lat na terenie Unii Europejskiej dostępne są portale Redwatch, na stronach których zamieszczane są informacje propagujące rasizm oraz nawołujące do nienawiści wobec „zdrajców białej rasy", środowisk antyfaszystowskich, feministycznych, homoseksualnych oraz mniejszości narodowych i „kolorowych" imigrantów. Redwatch istnieje w Wielkiej Brytanii, Niemczech, Holandii i w Polsce.

Jedną z form działalności stron jest publikowanie wizerunków oraz danych osobowych i adresów osób, które według autorów portalu „zagrażają białej rasie" w tym dziennikarzy, euro-deputowanych i parlamentarzystów krajowych, a nawet wizerunki dzieci, które sprzątały cmentarz żydowski przed Świętem Wszystkich Świętych. Co jest bardzo niepokojące, na portalach można znaleźć ich dokładne adresy zamieszkania, numery telefonów do nich i członków ich rodzin. Obok wizerunków osób, często znajduje się informacja o ich zdolnościach do samoobrony przed atakiem (np. „niegroźny w starciu bezpośrednim"), co można interpretować jako zachętę do przemocy.

Docierają do mnie sygnały, że osoby, których wizerunki zostały opublikowane, żyją w poczuciu ciągłego zagrożenia życia. Jak do tej pory działania państw członkowskich nie przyniosły żadnych rezultatów.

1. Jakie działania podejmuje Komisja w sprawie skutecznej ochrony obywateli UE przed portalami typu Redwatch?

2. Czy Komisja widzi możliwość kompleksowego rozwiązania wobec tego typu stron?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(23 stycznia 2013 r.)

Komisja Europejska stanowczo potępia wszelkie przejawy rasizmu i ksenofobii oraz inne powiązane formy nietolerancji, w tym nawoływanie do przemocy i nienawiści wobec indywidualnych osób. Portale zawierające tak zwane czarne listy stanowią szczególnie poważną i odrażającą formę nietolerancji, która wymaga podejmowania szybkich i zdecydowanych kroków ze strony organów publicznych.

Decyzja ramowa Rady 2008/913/WSiSW ([1]) zobowiązuje państwa członkowskie do karania za umyślne nawoływanie do przemocy lub nienawiści z powodu rasy, koloru skóry, wyznawanej religii, pochodzenia albo przynależności narodowej lub etnicznej. Przestępstwa te mogą być także popełniane poprzez publiczne rozpowszechnianie lub rozprowadzanie tekstów, obrazów lub innych materiałów, także w Internecie. Decyzja ramowa stanowi również o odpowiedzialności osób prawnych. Przeprowadzanie dochodzenia w sprawie konkretnych przypadków rasizmu lub ksenofobii oraz ściganie sprawców takich przestępstw leży w gestii organów krajowych.

Dyrektywa 2000/31/WE (dyrektywa o handlu elektronicznym) nakłada na usługodawców „przechowujących" nielegalne treści, w tym treści rasistowskie i ksenofobiczne, obowiązek niezwłocznego usunięcia tych treści w momencie, kiedy dowiedzą się oni o ich nielegalnym charakterze. Jeśli usługodawca nie postąpi w ten sposób, będzie mógł zostać pociągnięty do odpowiedzialności za nielegalne treści.

([1]) Dodatkowe informacje dostępne są na stronie: http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/framework-decision/index_en.htm.

(English version)

Question for written answer E-010428/12
to the Commission
Filip Kaczmarek (PPE)
(14 November 2012)

Subject: Websites promoting racism and inciting violence such as 'Redwatch'

For many years now, Redwatch websites have been accessible in the EU. These sites contain material promoting racism and inciting hatred against 'traitors to the white race', anti-fascist, feminist and gay groups, ethnic minorities and 'coloured' immigrants. Redwatch sites exist in the United Kingdom, Germany, the Netherlands and Poland.

One of the websites' activities entails publishing the photographs and personal details of people who — according to the websites' authors — are a 'threat to the white race', including journalists, MEPs and national parliamentarians. They have even published photographs of children who cleaned a Jewish cemetery before All Saints' Day. Extremely worryingly, these websites also contain the full addresses and telephone numbers of such people and of their family members. Alongside the photographs, there is often information about the person's ability to defend him or herself when attacked (e.g. 'not dangerous in a direct confrontation'). This can be interpreted as incitement to violence.

I have been receiving reports stating that people whose photographs have been published on Redwatch are living in constant fear for their lives. Given that Member States' actions have so far failed to achieve any results:

1. What steps is the Commission taking to protect EU residents effectively against websites such as Redwatch?

2. Does the Commission see a way of comprehensively tackling the issue of such websites?

Answer given by Mrs Reding on behalf of the Commission
(23 January 2013)

The European Commission strongly condemns all manifestations of racism and xenophobia and related forms of intolerance, including the incitement to violence or hatred against individuals. The websites containing so called hit lists are a particularly serious and repugnant form of intolerance and require prompt and decisive actions on the part of public authorities.

Council Framework Decision 2008/913/JHA ([1]) obliges all Member States to penalise the intentional public incitement to violence or hatred on the basis of race, colour, religion, descent or national or ethnic origin. These offences can be committed also through the public dissemination or distribution of tracts, pictures or other material, including on the Internet. The framework Decision provides also for the liability of legal persons. It is for national authorities, including the courts, to investigate concrete situations of racism or xenophobia and to prosecute the perpetrators of such offences.

Directive 2000/31/EC (E-commerce Directive) requires that companies that 'host' illegal content, including racist and xenophobic content, act expeditiously to remove this content, once they become aware of its illegal nature. If the hosting provider does not act in such manner, it can be held liable for the illegal content.

([1]) For further information, please see http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/framework-decision/index_en.htm

(English version)

Question for written answer E-010429/12
to the Commission
Derek Vaughan (S&D)
(14 November 2012)

Subject: Harbour porpoises

The EU Habitats Directive (92/43/EEC) states that countries should designate special areas of conservation (SACs) for animal species which are under threat. A recent report by the WWF has used EU methodology to suggest sites in the UK that could be established for the protection of the harbour porpoise.

Would the Commission be able to provide an update on any developments in relation to SACs for harbour porpoises and explain what it is doing to ensure that the UK is meeting its international obligations to protect this species?

Answer given by Mr Potočnik on behalf of the Commission
(22 January 2013)

The Commission is aware of the report mentioned by the Honourable Member and has recently requested the UK's position on the question of designating sites for this species under Article 4 of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ([1]), taking into account the importance of the UK population of harbour porpoise for the EU as a whole and in the light of equal treatment of Member States.

([1]) OJ L 206, 22.7.1992.

(English version)

Question for written answer E-010430/12
to the Commission
Nicole Sinclaire (NI)
(14 November 2012)

Subject: Cooperation with the United Nations on natural disasters

Bearing in mind the last meeting of the Euro-Latin American Parliamentary Assembly, where a joint motion for a resolution was adopted on the prevention of natural disasters in Europe and Latin America, could the Commission state what action has been taken so far in cooperation with the UN to tackle natural disasters in Latin America and how much money this has involved on the EU side?

Answer given by Mr Piebalgs on behalf of the Commission
(25 January 2013)

The Commission and the UN have been working together to reinforce disaster management capacities and reduce vulnerabilities for more than 10 years in Latin America. The Commission contributes to the Safe Hospitals initiative supporting the Pan American Health Organisation (PAHO) on the Hospital Safety Index and on advocacy to integrate this into national legislation Several Unicef ([1])-EU funded projects support the Safe Schools initiative and promote education in emergencies. The Commission works closely with UNISDR ([2]) to promote the resilient cities campaign and align all EU funded initiatives with the Hyogo Framework of Action. It supports UNISDR as leader of coordination in the region.

A new project with UNISDR (EU contribution of EUR 7 million) will aim at building capacities to account for disaster losses, develop disaster risk assessment and inform national plans, integrating Climate Change adaptation and Disaster Risk Reduction (DRR). Although this is a global project ([3]), a number of countries in Latin America will also be targeted. In Colombia, EU and UNDP are supporting a project (EUR 1.1 million) whose aim is to strengthen institutional capacities to incorporate DRR into national plans and strategies as a mean to adapt to climate change. There are currently no EU-UN regional programmes in Latin America ([4]).

Working with the UN is key to achieve a higher degree of advocacy at national and regional level. An example is the international protocol for Early Warning System for tsunamis in South-Eastern Pacific developed by 4 countries with the support of the Commission, Unesco ([5]) and the Southern Pacific Permanent Commission. During 1999-2012, a total of EUR 61 million was allocated to UN agencies for disaster management in Central and South America.

([1]) United Nations Children's Fund.
([2]) United Nations Office for Disaster Risk Reduction.
([3]) Around 40 countries will be targeted.
([4]) The Implementation Plan of the EU Strategy for DRR sets the promotion of DRR at regional level as one of its four priority areas. As of now action in the ACP region has been prioritized.
([5]) United Nations Educational, Scientific and Cultural Organisation.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-010431/12
komissiolle
Riikka Manner (ALDE)
(14. marraskuuta 2012)

Aihe: Hajautettu innovaatiomalli Euroopan sisämarkkinoiden tehostamiseksi

Euroopan unioni on kehittänyt sisämarkkinoitaan varsin tehokkaasti muun muassa purkamalla hallinnollisia ja byrokraattisia esteitä sekä helpottamalla ihmisten, tavaroiden ja palvelujen liikkumista. Näillä toimilla ei ole kuitenkaan onnistuttu integroimaan eurooppalaisia maaseutu- ja pk-yrityksiä sisämarkkinoihin. Tarvitsemmekin nyt toimia, joilla helpotetaan näiden toimijoiden pääsyä koko unionin kattaville markkinoille. Näin edistäisimme yhtä EU:n keskeisimmistä kokonaistavoitteista, ja Euroopan sisämarkkinoiden nykyistä paremmalla toimivuudella vahvistaisimme myös taloudellista kasvua ja vakautta. Toimivat sisämarkkinat tuovat itselleen uutta kysyntää ja myös lisäävät käyttäjälähtöistä tuotekehitys- ja innovaatiotoimintaa.

Innovaatiotoiminnan tukeminen on vuosien mittaan keskittynyt. Seuraava askel sisämarkkinoiden kehittämiseksi olisikin hajautettu innovaatiomalli. Tähän liittyen esimerkiksi korkeakoulusektorin kansainvälistä toimintaa voisi suunnata niin, että se tarjoaisi pk-yrityksille suoraviivaisen väylän löytää kumppaneita ja tilaa Euroopan sisämarkkinoilla. Tämän lisäksi hajautetun innovaatiojärjestelmän käynnistämiseksi pitäisi perustaa eri puolille Eurooppaa osastoja, joissa esiteltäisiin tulevaisuuden tuotteita ja palveluja, kerättäisiin käyttäjäpalautetta sekä etsittäisiin yhteistyökumppaneita.

Onko EU-tasolla kokemusta hajautetun innovaatiomallin soveltamisesta sisämarkkinoiden kehittämiseksi, ja millaisin EU-toimin hajautettua innovaatiomallia voitaisiin tukea?

Antonio Tajanin komission puolesta antama vastaus
(22. helmikuuta 2013)

Innovaatiotoimintaa tuetaan EU:ssa pääasiassa aluetasolla tai kansallisesti. Komissio antaa rahoitustukea hajautetuille innovointijärjestelmille rakennerahastoista. Komissio edistää aktiivisesti sisämarkkinoiden toimintaa parantavia toimenpiteitä perustamalla alueellisten innovaatiotukijärjestelmien välille valtioiden rajat ylittäviä verkostoja, kuten klustereita tai hankintaviranomaisten verkkoja, innovatiivisten ratkaisujen kehittämiseksi.

Eurooppa 2020 -strategian lippulaivahankkeen ”Innovaatiounioni” ([1]) perusteella komissio sisällytti Euroopan aluekehitysrahastoa kaudella 2014-2020 koskevaan ehdotukseensa yhtenä ennakkoehtona älykkääseen erikoistumiseen tähtäävän kansallisen tai alueellisen tutkimus- ja innovointistrategian olemassaolon. Se edellyttää prosessia, jossa laaditaan visio, määritetään kilpailuedut, vahvistetaan strategiset prioriteetit ja hyödynnetään älykästä politiikkaa itse kunkin alueen – olipa se vahva tai heikko, korkeaa tai matalaa teknologiaa hyödyntävä – osaamisperustaisten kehitysmahdollisuuksien maksimoimiseksi. Komissio on perustanut älykästä erikoistumista tukevaa tutkimus- ja innovointistrategiaa koskevan foorumin ja julkaissut asiasta oppaan, joiden tarkoituksena on tukea prosessiin osallistuvia kansallisen ja aluetason poliittisia päättäjiä. ([2])

([1]) KOM(2010)0546, 6.10.2010.
([2]) http://s3platform.jrc.ec.europa.eu/s3pguide.

(English version)

Question for written answer E-010431/12
to the Commission
Riikka Manner (ALDE)
(14 November 2012)

Subject: Decentralised innovation model for improving the efficiency of the European internal market

The European Union has developed its internal market very efficiently partly by breaking down administrative and bureaucratic obstacles and facilitating the movement of people, goods and services. However, it has not been possible to integrate these actions into the European internal market in rural areas and in SMEs. We need new actions to make it easier for operators in these areas to access a market covering the whole of the Union. In this way we would promote a the EU's single most central overall objective, and with better effectiveness of the European internal market we would also strengthen economic growth and stability. An effective single market will create new demand for itself and will also increase product development and innovation activities closer to the consumer.

Support for innovation has been centralised for years. The next step in the development of the internal market would be a decentralised innovation model. In this connection, for example, the international operation of the higher education sector could be targeted so as to offer SMEs a direct channel to find partners and niches in the European internal market. In addition, to launch the decentralised innovation scheme, departments could be set up all over Europe to demonstrate the products and services of the future, collect user feedback and seek for cooperation partners.

Is there any experience at EU level of applying a decentralised innovation model to the development of the internal market, and by what EU actions could a decentralised innovation model be supported?

Answer given by Mr Tajani on behalf of the Commission
(22 February 2013)

Support for innovation in the EU is mainly done on regional or national level. The Commission gives financial support to decentralised innovation schemes in the Structural Funds. The Commission actively promotes measures to improve the efficiency of the internal market by establishing cross-border networks between regional innovation support schemes, for example in the area of clusters or networks of public procurers for innovative solutions.

Further to the Europe 2020 Flagship Initiative Innovation Union ([1]), the Commission proposals for the 2014-2020 period of European Regional Development Fund include, among the *ex-ante* conditionalities, the existence of a national or regional research and innovation strategy for smart specialisation. It involves a process of developing a vision, identifying competitive advantages, setting strategic priorities and making use of smart policies to maximise the knowledge-based development potential of any region, strong or weak, high tech or low-tech. The Commission set up a platform and published a guide on a research and innovation strategy for smart specialisation with a view to providing assistance to the national and regional policy-makers involved in this process ([2]).

([1]) COM(2010) 546, 6.10.2010.
([2]) http://s3platform.jrc.ec.europa.eu/s3pguide.

(English version)

Question for written answer E-010432/12
to the Commission
Nessa Childers (S&D)
(14 November 2012)

Subject: Contraband and counterfeit cigarettes

To address the problem of contraband and counterfeit cigarettes, OLAF has signed legally binding and enforceable agreements with the world's four largest tobacco manufacturers, under which they have agreed to pay a collective total of USD 2.15 billion to the EU and countries participating in the agreement and to support action to prevent their products from falling into the hands of criminals.

1. Does the Commission not believe this extensive financial relationship creates a potential conflict of interest between OLAF as the EU's anti-fraud office, the Commission as the regulator, and the tobacco industry?

2. What safeguards does the Commission have in place to prevent a conflict of interest in this case?

Answer given by Mr Šemeta on behalf of the Commission
(24 January 2013)

The Commission would point out that the agreements to which the Honourable Member refers are between the tobacco manufacturers on the one hand and the EU and the participating Member States on the other. The Commission would also like to point out that the funds received by the EU in accordance with the agreements amount to just under 10% of the total and are paid directly into the general budget of the EU in line with the principle of universality; there is no earmarking of the funds. The remaining funds received are transferred to the participating Member States.

There is no financial relationship and no conflict of interest between OLAF and the tobacco manufacturers.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010434/12
an die Kommission
Franz Obermayr (NI)
(14. November 2012)

Betrifft: Qualvolle Tiertransporte zwischen Bulgarien und der Türkei

Dem Verein „Animals' Angels" zufolge gibt es in der EU immer wieder Tiertransporte, die nicht den gesetzlichen Vorgaben entsprechen, wobei die Leiden der Tiere selbst bei ordnungsgemäßem Transport oft unvorstellbar sind. Im Zeitraum von April 2011 bis April 2012 wurde die bulgarische Lebensmittelbehörde durch den Verein „Animals' Angels" auf illegale Tiertransporte hingewiesen. Die Behörde versprach diesbezügliche Gegenmaßnahmen. Trotzdem wurden am 8. Oktober 2012 erneut sieben irreguläre und qualvolle Schaf- und Lammtransporte beobachtet. Diese Transporte waren bereits von bulgarischen Behörden am Herkunftsort in Bulgarien genehmigt worden und hatten zudem die EU-Veterinärkontrollen an der bulgarischen Grenze passiert.

1. Sind der Kommission diese Fälle der Nichteinhaltung von Tiertransportvorschriften bekannt? Wenn ja: Was gedenkt die Kommission dagegen zu tun?

2. Wie steht die Kommission zu den offenbar unzureichenden Kontrollen an der bulgarisch-türkischen Grenze?

3. Wird die Kommission Bulgarien auffordern, strengere Kontrollen durchzuführen?

4. Wird die Kommission die Türkei auffordern, strengere Kontrollen durchzuführen? Gibt es im Bereich Tierschutz Kriterien, die die Türkei im Rahmen der Beitrittskapitel erfüllen muss?

5. Gedenkt die Kommission Langstrecken-Tiertransporte innerhalb der EU Länder abzuschaffen? Wenn ja, in welchem Ausmaß (z. B. 8 Stunden)?

Antwort von Herrn Borg im Namen der Kommission
(15. Januar 2013)

1. Die Kommission führt kein Verzeichnis der Verstöße einzelner Unternehmer gegen die EU-Vorschriften. Die tägliche Durchführung der EU-Vorschriften über Tiertransporte fällt in erster Linie in die Zuständigkeit der Mitgliedstaaten. Das Lebensmittel- und Veterinäramt (FVO) der Generaldirektion Gesundheit und Verbraucher der Kommission überprüft die Arbeit der zuständigen Behörden der Mitgliedstaaten.

2. und 3. Die Kommission verweist auf die Schlussfolgerungen und Empfehlungen des Berichts über das Audit, das vom FVO im Juni 2012 in Bulgarien durchgeführt wurde ([1]).

4. Die Beitrittsverhandlungen mit der Türkei werden auch EU-Vorschriften über Tierschutz, u. a. beim Transport, umfassen. Die Türkei ist jedoch noch kein Mitgliedstaat der EU und ist zum jetzigen Zeitpunkt nicht verpflichtet, solche Vorschriften einzuhalten.

5. Die Kommission plant nicht, ein Verbot von Langstreckentransporten mit Tieren innerhalb der EU vorzuschlagen.

([1]) Endgültiger Bericht über ein Audit in Bulgarien, 5.-13. Juni 2012, Bewertung der Durchführung von Tierschutzkontrollen in landwirtschaftlichen Betrieben und beim Transport (DG(SANCO) 2012-6454 — MR FINAL). Link: http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2952.

(English version)

Question for written answer E-010434/12
to the Commission
Franz Obermayr (NI)
(14 November 2012)

Subject: Animals suffering during transport between Bulgaria and Turkey

The association Animals Angels reports that animals are still being transported in the EU in conditions that do not comply with legal requirements. Even when animals are transported properly, they often undergo incredible suffering. Between April 2011 and April 2012 Animals Angels reported to the Bulgarian Food Authority cases of animals being transported illegally. The Authority promised to take appropriate action. However, on 8 October 2012, seven more vehicles were observed transporting sheep and lambs suffering in harrowing conditions. Transport of these animals had already been approved in their place of origin in Bulgaria by the Bulgarian authorities and, what is more, had passed the EU's veterinary inspection at the Bulgarian border.

1. Is the Commission aware of these cases of non-compliance with the rules on the transport of animals? If so, what action is the Commission planning to take?

2. What is the Commission's opinion of the clearly inadequate inspections at the Bulgarian-Turkish border?

3. Will the Commission ask Bulgaria to make inspections more stringent?

4. Will the Commission ask Turkey to make inspections more stringent? Are there animal protection criteria which Turkey must comply with in the negotiating chapters for accession?

5. Is the Commission proposing to abolish long-distance transport of animals within the EU? If so, what would the limit be (e.g. eight hours)?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

1. The Commission does not keep a record of non-compliances by individual operators to EU legislation. The Member States are primarily responsible for the daily implementation of the Union legislation on animal transport. The Food and Veterinary Office (FVO) of the Commission's Health and Consumers Directorate General supervises the work of the competent authorities of the Member States.

2 & 3. The Commission would refer to the conclusions and recommendations of the report from the FVO audit to Bulgaria taking place in June 2012 ([1]).

4. Accession negotiations with Turkey will include EU legislative provisions on animal welfare including during transport. However Turkey is not yet a member of the European Union and is under no obligation to comply with such legislation at this moment.

5. The Commission is not planning to propose a ban of long-distance transport of animals within the EU.

([1]) Final report of an audit carried out in Bulgaria from 05 to 13 June 2012 in order to evaluated the implementation of controls for animal welfare on farms and during transport (DG(SANCO) 2012-6454 — MR FINAL). Link: http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2952.

(Magyar változat)

Írásbeli választ igénylő kérdés E-010435/12
a Bizottság számára
Erik Bánki (PPE)
(2012. november 14.)

Tárgy: A dohai klímatárgyaláson képviselendő uniós álláspont érvényessége

Az ENSZ Éghajlat-változási Keretegyezménye (UNFCCC) keretében 1997-ben létrehozott Kiotói Jegyzőkönyv 2012-ben lejár, ezért Dohában a résztvevő országok ismét kísérletet tesznek arra, hogy megállapodjanak egy újabb CO_2-kibocsátáscsökkentési időszakról.

Köztudott, hogy nagy mennyiségű, értékesíthető kiotói kibocsátási egységekkel (az ún. AAU-egységekkel) főként azok a közép-kelet-európai tagállamok rendelkeznek, amelyek korábban a Kiotói Jegyzőkönyvben vállaltaknak megfelelően visszafogták az üvegházhatású gázok kibocsátását, így a nemzetközi szerződés alapján lehetőségük van arra, hogy a megtakarított kvótáikat a 2012 utáni kötelezettségvállalási időszakra átvihessék. A kvótatöbblet-átvitel lehetőségét azonban az AAU-többlettel nem rendelkező régi tagállamok hevesen ellenzik, javaslataik ezen a kvóták teljes mértékű törlésére, illetve szigorú felhasználási korlátozására irányulnak.

Az évek óta húzódó vitában ezidáig nem született olyan megoldás, amely mind a 27 uniós tagállam érdekét egyaránt figyelembe vette volna. Sajnálatos módon az októberi Környezetvédelmi Tanácsülésen sem sikerült e téren kompromisszumra jutniuk a tagállamoknak, továbbra sincs egységes uniós álláspont a kvótaátvitel kérdésében.

Tekintettel arra, hogy Dohában az Unió nemzetközi szerződéskötésre irányuló tárgyalásokon fog részt venni, milyen eljárási szabályok vonatkoznak az Unió által képviselendő álláspont érvényességére?

Az AAU-többlet átvitelére vonatkozó uniós kompromisszum hiányában milyen kötőereje lesz a tagállamokra nézve egy, az AAU-többlet kérdését szabályozó nemzetközi szerződésnek, ha abban az Unió is aláíró félként fog szerepelni?

Connie Hedegaard válasza a Bizottság nevében
(2013. január 22.)

Az ENSZ 2012 decemberében Dohában tartott éghajlat-változási konferenciáján az EU-nak sikerült álláspontot kialakítania az értékesíthető kibocsátási egységeknek (az ún. AAU-egységeknek) az első kibocsátáscsökkentési időszakról a másodikra való átviteléről. Az EU álláspontja a Kiotói Jegyzőkönyv második kötelezettségvállalási időszakáról szóló megállapodásban rögzített megközelítés alapját képezte. Az EU megállapodott a második kötelezettségvállalási időszak 2013. január 1-jével történő „azonnali alkalmazásáról", így ezen időponttól kezdődően – az energiaügyi és éghajlat-változási csomaggal összhangban – alkalmazni fogja azt.

Az Unió kompromisszumos álláspontjával valamennyi tagállam egyetértett. Ennek központi eleme az első kibocsátáscsökkentési időszakról átvitt AAU-egységek megvásárlásának és felhasználásának szabályozása. Az álláspont értelmében a hazai kibocsátásra vonatkozó kötelezettségvállalások teljesítése céljából a kibocsátási egységek teljes mértékben átvihetők és korlátlanul felhasználhatók, amennyiben egy adott fél számára a második kibocsátáscsökkentési időszakra kiosztott egységek nem elegendőek, azonban az átvitt kibocsátási egységek megvásárlása tekintetében 2 %-os korlát került rögzítésre. E kompromisszum lehetővé tette az EU és tagállamai számára, hogy írásbeli hozzájárulásukat adják a Kiotói Jegyzőkönyv jogilag kötelező erejű második kötelezettségvállalási időszakában való részvételhez. Fontos továbbá megjegyezni, hogy a 2013-2020 közötti időszakra vonatkozó kibocsátáscsökkentési célkitűzések megvalósítását célzó, a társjogalkotók által 2008-ban elfogadott energiaügyi és éghajlat-változási csomaghoz tartozó uniós jogszabályok nem teszik lehetővé az első kibocsátáscsökkentési időszakról átvitt AAU-egységek e célkitűzések teljesítése céljából való felhasználását. Dohában az EU erről politikai nyilatkozatot is tett, amely nyilatkozatot a Környezetvédelmi Tanács konszenzussal fogadta el. Dohában sok más fél szintén politikai nyilatkozatban fejezte ki, hogy nem szándékozik átvitt AAU-egységet vásárolni vagy felhasználni.

(English version)

Question for written answer E-010435/12
to the Commission
Erik Bánki (PPE)
(14 November 2012)

Subject: Validity of the EU's position at the Doha climate talks

The Kyoto Protocol, which came into existence at the United Nations Framework Convention on Climate Change (UNFCCC) in 1997, expires in 2012, so the participating countries at Doha are again attempting to agree on a new period for CO_2 emissions reductions.

It is a well-known fact that large quantities of tradable Kyoto emission allowances (assigned accounting units, or AAUs) are held mainly by those Member States in central and eastern Europe which in the past kept their greenhouse gas emissions in check in accordance with their undertakings under the Kyoto Protocol, and are thus entitled under this international agreement to transfer their saved quotas to the post-2012 commitment period. However, the old Member States which do not have an AAU surplus strongly oppose the right to transfer quota surpluses, and their proposals tend towards wiping out these quotas in their entirety, or strictly limiting their use.

This dispute has been going on for years, and still no solution has been found which would take into account the interests of all 27 Member States alike. Unfortunately the Member States were unable to reach a compromise on this matter at the October Environment Council, so that there remains no common EU position regarding quota transfer.

In view of the fact that the EU will take part in talks on drawing up an international agreement at Doha, what procedural rules are applicable to the validity of the EU's position?

Given the lack of an EU compromise on the transfer of surplus AAUs, what binding force will there be on the Member States in an international agreement on surplus AAUs if the EU is also a signatory?

Answer given by Ms Hedegaard on behalf of the Commission
(22 January 2013)

The EU reached a position on the carry-over of surplus Assigned Amount Units (AAUs) from the first to the second commitment period at the UN climate conference in Doha in December 2012. The EU's position provided the basis for the approach set out in the agreement on a 2nd commitment period under the Kyoto Protocol. The EU has agreed on the 'immediate application' of the second commitment period from 1 January 2013 and will apply it from that date onward, in line with the EU's climate and energy package.

The EU's compromise was agreed by all Member States. It essentially consists of regulating the acquisition and use of AAUs carried over from the first commitment period. While allowing for full carry over and unlimited use for domestic compliance, to the extent that a Party's assigned amount for the second commitment period is insufficient, a limit of 2% on the purchase of AAUs carried over has been agreed. This compromise allowed the EU and all its Member States to give their written consent to their inclusion in a legally binding second commitment period under the Kyoto Protocol. It is furthermore important to note that EU legislation on the Climate-Energy Package for the implementation of its emission reduction objectives for the period 2013-2020, agreed by co-legislators in 2008, does not allow for the use of surplus AAUs carried over from the first commitment period to meet these objectives. The EU also stated this in a political declaration in Doha, which was agreed by consensus in the Environment Council. A number of other Parties also made political declarations in Doha on their intention not to purchase or use carried over AAUs.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010436/12
à Comissão
Nuno Teixeira (PPE)
(14 de novembro de 2012)

Assunto: Inclusão da lei de meios na reprogramação estratégica do QREN

Tendo em conta que:

— A Lei Orgânica n.° 2/2010, de 16 de junho, que fixou os meios que asseguram o financiamento das iniciativas de apoio e reconstrução na Região Autónoma da Madeira na sequência da intempérie de fevereiro de 2010, prevê, no seu artigo 5.°, o reforço das verbas previstas no Fundo de Coesão destinadas à Madeira no montante de 265 milhões de euros, através de reprogramação dos programas operacionais;

— Recentemente, numa resposta a um requerimento apresentado por um deputado à Assembleia da República, o Ministro da Economia do Governo de Portugal afirmou que a Comissão Europeia tem dúvidas «sobre a efetiva capacidade» da Madeira em executar as «intervenções previstas» no âmbito dos projetos de reconstrução apresentados para financiamento do Fundo de Coesão;

— Na resposta à pergunta que formulei sobre o assunto (E-005277/2012), o Comissário Europeu da Política Regional referiu que «essa possibilidade foi, de facto, debatida informalmente no âmbito do exercício de reprogramação do Quadro de Referência Estratégico Nacional (QREN) de 2011 e a Comissão emitiu um parecer negativo a este respeito»;

— O Ministro da Economia e do Emprego afirmou, a 7 de novembro de 2012, que a reprogramação estratégica do QREN foi aprovada pela Comissão Europeia;

Pergunta-se à Comissão:

1. Os 265 milhões de euros do Fundo de Coesão prometidos por Portugal à Região Autónoma da Madeira foram incluídos na reprogramação estratégica do QREN?

2. Em caso afirmativo, qual o valor exato destinado à Madeira e qual o período de execução do projeto?

3. Em caso negativo, quais os motivos que levaram à não inclusão ou ao chumbo da lei de meios na reprogramação estratégica do QREN?

Resposta dada por Johannes Hahn em nome da Comissão
(3 de janeiro de 2013)

Na sequência do atual exercício de reprogramação do Quadro de Referência Estratégico Nacional de Portugal (QREN), a região da Madeira receberá uma alocação total do Fundo de Coesão no valor de 235 milhões de euros para o período de 2007-2013 (contrariamente aos 100 milhões de euros inicialmente previstos). Este valor corresponde ao montante solicitado pelas autoridades portuguesas e aceite pela Comissão.

A «lei de meios» que o Senhor Deputado menciona é da competência exclusiva das autoridades portuguesas e, como tal, não se encontra abrangida pelo exercício de reprogramação do QREN.

(English version)

Question for written answer E-010436/12
to the Commission
Nuno Teixeira (PPE)
(14 November 2012)

Subject: Inclusion of the law of resources in the strategic reprogramming of the National Strategic Reference Framework (NSRF)

Given that:

— Article 5 of Organic Law No 2/2010 of 16 June 2010, establishing the resources that ensure funding for initiatives supporting the reconstruction of Madeira following the February 2010 storms, lays down that Cohesion Fund monies allocated to Madeira are increased by EUR 265 million through the reorganisation of operational programmes;

— Recently, in answer to a request by a member of the Portuguese Parliament, the Portuguese Minister of Economy stated that the Commission had doubts about Madeira's 'effective ability' to implement the planned measures involved in reconstruction projects using Cohesion Fund monies;

— In answer to my Written Question (E-005277/2012) on the matter, the Commissioner for Regional Policy said that 'such a possibility was indeed informally discussed within the scope of the National Strategic Reference Framework (NSRF) 2011 reprogramming exercise, and the Commission expressed a negative opinion on this';

— On 7 November 2012, the Minister of Economy and Employment confirmed that the Commission had approved the strategic reprogramming of the NSRF;

I ask the Commission:

1. Was the EUR 265 million from the Cohesion Fund pledged by Portugal to Madeira included in the strategic reprogramming of the NSRF?

2. If so, what is the exact amount allocated to Madeira and what is the project's duration?

3. If not, why was the Law of Resources rejected and excluded from the strategic reprogramming of the NSRF?

Answer given by Mr Hahn on behalf of the Commission
(3 January 2013)

The region of Madeira, following the current strategic reprogramming of the Portuguese National Strategic Reference Framework (NSRF), will be allocated a total of EUR 235 million from the Cohesion Fund for the 2007-2013 period (whereas it had initially been allocated EUR 100 million). This corresponds to the amount requested by the Portuguese authorities and accepted by the Commission.

The '*lei de meios*' mentioned by the Honourable Member is exclusively a competence of the Portuguese authorities and is not related to the strategic reprogramming of the NSRF.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010437/12
à Comissão
Nuno Teixeira (PPE)
(14 de novembro de 2012)

Assunto: Reprogramação estratégica do QREN — I

Tendo em conta que:

— No atual período de programação de verbas comunitárias, Portugal recebeu 21,4 mil milhões de euros, que está a investir no relançamento económico e na criação de emprego;

— O Boletim Informativo número 17 do QREN, com informação referente a setembro de 2012, refere que a taxa de compromisso é de 84,3 % e a taxa de execução de 50,6 %, existindo uma grande disparidade entre projetos aprovados e executados;

— Portugal apresentou a reprogramação estratégica do QREN, que, segundo o Ministro da Economia e do Emprego, foi agora aprovada pela Comissão Europeia;

— O comissário europeu da política regional, Johannes Hahn, confirmou que a reformulação do QREN foi aprovada pela Comissão Europeia e propõe um maior combate ao desemprego, devendo ser oficializada nas próximas semanas;

— Durante a visita à empresa «Vision Box», em Oeiras (Portugal), Joahnnes Hahn afirmou: «É verdade, concordámos com a reformulação, mas temos ainda de fazer um levantamento para administrar os procedimentos e, em poucas semanas, estará tudo oficializado, mas, na substância, está certo, nós negociámos e concordámos com a reaplicação do dinheiro, que vai contribuir para mitigar o elevado desemprego e deve ajudar a mitigar essa situação o mais depressa possível»;

Pergunta-se à Comissão:

1. Qual o valor de fundos comunitários que foram alvo da reprogramação estratégica do QREN?

2. Quais as principais transferências realizadas entre as diversas tipologias de fundos estruturais, nomeadamente entre programas regionais e programas nacionais ou programas temáticos?

3. Existiu alguma modificação de fundos estruturais que beneficiam a Região Autónoma da Madeira?

Pergunta com pedido de resposta escrita E-010438/12
à Comissão
Nuno Teixeira (PPE)
(14 de novembro de 2012)

Assunto: Reprogramação estratégica do QREN — II

Tendo em conta que:

— No atual período de programação de verbas comunitárias, Portugal recebeu 21,4 mil milhões de euros, que está a investir no relançamento económico e na criação de emprego;

— O Boletim Informativo número 17 do QREN, com informação referente a setembro de 2012, refere que a taxa de compromisso é de 84,3 % e a taxa de execução de 50,6 %, existindo uma grande disparidade entre projetos aprovados e executados;

— Portugal apresentou a reprogramação estratégica do QREN, que, segundo o Ministro da Economia e do Emprego, foi agora aprovada pela Comissão Europeia;

— O comissário europeu da política regional, Johannes Hahn, confirmou que a reformulação do QREN foi aprovada pela Comissão Europeia e propõe um maior combate ao desemprego, devendo estar oficializada nas próximas semanas;

— Durante a visita à empresa «Vision Box», em Oeiras (Portugal), Joahnnes Hahn afirmou: «É verdade, concordámos com a reformulação, mas temos ainda de fazer um levantamento para administrar os procedimentos e, em poucas semanas, estará tudo oficializado, mas, na substância, está certo, nós negociámos e concordámos com a reaplicação do dinheiro, que vai contribuir para mitigar o elevado desemprego e deve ajudar a mitigar essa situação o mais depressa possível»;

Pergunta-se à Comissão:

1. Quais as principais alterações implementadas na reformulação estratégica do QREN e quais poderão ser os principais beneficiários desta nova aplicação de fundos estruturais?

2. Quais as novas dotações financeiras atribuídas à área do crescimento e do emprego?

3. Quais as novas dotações financeiras atribuídas à área da juventude e educação?

Resposta conjunta dada por Johannes Hahn em nome da Comissão
(15 de janeiro de 2013)

A reprogramação dos programas dos Fundos Estruturais em Portugal foi adotada no final de 2012. Inclui as seguintes correções programáticas e financeiras:

— alterações dos programas para apoiar as medidas tomadas pelo Governo português destinadas a combater o desemprego dos jovens e a prestar apoio complementar às PME («Impulso Jovem»);

— reafetação de algumas categorias de projetos de três programas (Norte, Centro e Alentejo) ao programa de Valorização do Território, sem qualquer transferência de fundos entre esses programas;

— reafetação de 70 milhões de euros provenientes do financiamento do Fundo Europeu de Desenvolvimento Regional (FEDER) e certas categorias de projetos de três programas no âmbito das regiões de convergência (Norte, Centro e Alentejo) ao programa Compete (que abrange as mesmas regiões), no intuito de reforçar os recursos atribuídos à I&D e os mecanismos de engenharia financeira;

— no que diz respeito à região da Madeira, a Comissão remete o Senhor Deputado para a sua resposta à pergunta escrita E-10436/12. Além disso, está prevista a reafetação, na Madeira, de 10 milhões de euros provenientes do programa regional financiado pelo FEDER ao programa financiado pelo Fundo Social Europeu, no intuito de apoiar medidas incluídas no plano de ação contra o desemprego juvenil.

Algumas áreas importantes foram hierarquizadas neste exercício: i) medidas para combater o desemprego dos jovens: 345 milhões de euros (FEDER + FSE) para beneficiar cerca de 89 000 jovens, ii) apoio às PME: 1 000 milhões de euros e iii) financiamento adicional para as infraestruturas educativas: 254 milhões de euros, o que eleva o total para 2 292 milhões de euros.

(English version)

Question for written answer E-010437/12
to the Commission
Nuno Teixeira (PPE)
(14 November 2012)

Subject: Strategic reprogramming of the National Strategic Reference Framework (NSRF) — I

Given that:

— In the current EU funds programming period, Portugal received EUR 21.4 billion which is being invested in economic recovery and job creation;

— The NSRF Bulletin No 17, containing information on September 2012, states that the commitment fee is 84.3% and the implementation rate is 50.6%, with a large disparity between approved and implemented projects;

— According to the Minister of Economy and Employment, the Commission has now approved the strategic reprogramming of the NSRF tabled by Portugal;

— The Commissioner for Regional Policy, Johannes Hahn, confirmed that the Commission had approved the NSRF reformulation and proposes a greater fight against unemployment, which should be made official in the coming weeks;

— During a visit to the company Vision Box, in Oeiras (Portugal), Johannes Hahn said that the Commission agreed with the reformulation, but that it still had to carry out a survey to administer the procedures. He added that, in a few weeks, everything will be made official and that, in essence, the Commission negotiated and agreed with the reallocation of this money, which will help to mitigate high unemployment and should help to mitigate it as quickly as possible;

I ask the Commission:

1. What amount of EU funds was targeted by the strategic reprogramming of the NSRF?

2. What major transfers were made between the various types of structural funds, in particular between regional programmes and national programmes and thematic programmes?

3. Have there been any changes to the structural funds benefiting Madeira?

Question for written answer E-010438/12
to the Commission
Nuno Teixeira (PPE)
(14 November 2012)

Subject: Strategic reprogramming of the National Strategic Reference Framework (NSRF) — II

Given that:

— In the current EU funds programming period, Portugal received EUR 21.4 billion which is being invested in economic recovery and job creation;

— The NSRF Bulletin No 17, containing information on September 2012, states that the commitment fee is 84.3% and the implementation rate is 50.6%, with a large disparity between approved and implemented projects;

— According to the Minister of Economy and Employment, the Commission has now approved the strategic reprogramming of the NSRF tabled by Portugal;

— The Commissioner for Regional Policy, Johannes Hahn, confirmed that the Commission had approved the NSRF reformulation and proposes a greater fight against unemployment, which should be made official in the coming weeks;

— During a visit to the company Vision Box, in Oeiras (Portugal), Johannes Hahn said that the Commission agreed with the reformulation, but that it still had to carry out a survey to administer the procedures. He added that, in a few weeks, everything will be made official and that, in essence, the Commission negotiated and agreed with the reallocation of this money, which will help to mitigate high unemployment and should help to mitigate it as quickly as possible;

I ask the Commission:

1. What are the main changes implemented in the strategic reformulation of the NSRF and who might benefit most from this new allocation of structural funds?

2. What new financial resources have been allocated to the area of growth and employment?

3. What new financial resources have been allocated to the area of youth and education?

Joint answer given by Mr Hahn on behalf of the Commission
(15 January 2013)

The re-programming of the Portuguese Structural Funds programmes, which was adopted at the end of 2012, includes the following programmatic and financial adjustments:

— changes in the programmes to support measures launched by the Portuguese Government to fight youth unemployment and provide additional support to SMEs ('Impulso Jovem');

— a transfer of some categories of projects from three programmes (Norte, Centro, Alentejo) to the Valorização do Território programme, without any transfer of funding between these programmes;

— a transfer of EUR 70 million of European Regional Development Fund (ERDF) funding and certain categories of projects from three programmes for convergence regions (Norte, Centro and Alentejo) to the Compete programme (covering the same regions) in order to re-enforce resources allocated to R&D and financial engineering mechanisms;

— In relation to Madeira, the Commission would refer the Honourable Member to its answer to Written Question E-10436/12 ([1]). In addition, a transfer for Madeira of EUR 10 million from the regional ERDF-funded programme to the European Social Fund-funded programme in order to support measures included in the Youth unemployment action plan.

Some important areas have been prioritised in this exercise: i) measures to fight youth unemployment: EUR 345 million (ERDF+ESF) with 89 000 young people likely to benefit from them, ii) support to SMEs: EUR 1 billion, iii) additional funding for educational infrastructure: EUR 254 million, bringing the total to EUR 2 292 million.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010439/12
à Comissão
Maria do Céu Patrão Neves (PPE)
(14 de novembro de 2012)

Assunto: A produção de beterraba após 2015

A reforma da OCM para o setor do açúcar, de 2006, foi feita com base em pressupostos que não se concretizaram. A anunciada liberalização do mercado apontava para uma forte diminuição do preço do açúcar nos mercados mundiais e também nos mercados internos, o que incentivou os produtores de beterraba a abandonarem a atividade e conduziu ao desmantelamento da respetiva indústria. Desta reforma resultou o desaparecimento de 149 000 produtores e perderam-se 22 500 postos de trabalho direto na UE.

No caso de Portugal, em que a produtividade no setor da beterraba era muita elevada (11 toneladas/ha), havia um grupo de produtores que não queria abandonar a atividade, mas que se viu forçado a isso, devido à reconversão da única fábrica de processamento da beterraba. Esta invocava que, com as previsões da CE de abaixamento do preço do açúcar, não tinha condições para continuar a laborar. Desapareceram, assim, 650 produtores e 1 550 postos de trabalho diretos e indiretos.

Entretanto, os preços do açúcar no mercado mundial não desceram como se previa, a produção interna europeia diminuiu e a necessidade de importações aumentou. Acresce que atualmente, no âmbito da reforma da PAC e, em particular, da revisão da OCM, existe um amplo consenso sobre o prolongamento das quotas que terminariam em 2015, o que significa o adiamento da liberalização do setor. Os produtores de beterraba sentem-se enganados e prejudicados.

A confirmar-se o prolongamento das quotas, existem países, como Portugal, que estão fortemente interessados em retomar a produção da beterraba em 2015. Aliás, importa sublinhar que, no contexto do futuro «greening» da PAC, a beterraba constitui uma cultura importante para a diversificação, não só pela já apontada elevada produtividade em Portugal, mas também por ser uma sementeira outonal. A beterraba é uma cultura que, nos países do sul, permite economizar água, sendo um excelente revestimento do solo contra a erosão e a redução dos nitratos em profundidade.

Sabe-se que o retomar da produção de beterraba nos países que a abandonaram só poderá dar-se em 2015. Porém, até lá, e antecipadamente, urge obter a atribuição de uma quota para que a capacidade de processamento se reinstale e a retoma da produção se efetue em 2015. No caso de Portugal, a quota razoável em termos de rentabilidade do setor seria de 100 000 toneladas.

Neste contexto, pergunta-se à Comissão:

1. Está ciente da necessidade de atribuição de quota aos países hoje sem produção e interessados em retomá-la?

2. Quando é que prevê proceder à apreciação desta atribuição de quota, o que deverá ser feito em tempo útil para permitir a instalação atempada da capacidade de processamento?

Resposta dada por Dacian Cioloş em nome da Comissão
(20 de dezembro de 2012)

A Comissão tem conhecimento das propostas apresentadas ao Conselho e ao Parlamento Europeu para atribuição de quotas aos Estados-Membros que a elas renunciaram e receberam compensações.

No entanto, não seria lógico atribuir quotas nos casos em que houve renúncia em troca do pagamento de fundos públicos. De qualquer modo, a Comissão não considera necessário atribuir novas quotas, dada a extinção do regime em 2015, tal como previsto na legislação da UE.

Como a Senhora Deputada refere, há pareceres favoráveis à prorrogação do regime de quotas, mas a decisão final está nas mãos do Conselho e do Parlamento.

(English version)

Question for written answer E-010439/12
to the Commission
Maria do Céu Patrão Neves (PPE)
(14 November 2012)

Subject: Beet production after 2015

The 2006 reform of the common organisation of the market (CMO) in sugar was based on unfounded assumptions. The announced market liberalisation pointed to a strong decrease in the price of sugar in world markets and also in domestic markets, which encouraged beet producers to abandon the activity and led to the dismantling of the respective industry. This reform resulted in the disappearance of 149 000 producers and the loss of 22 500 direct jobs in the EU.

A group of producers in Portugal, where productivity in the beet industry was very high (11 tonnes/ha), did not want to abandon the activity, but were forced to do so due to the conversion of the only beet processing plant. The Commission's forecasts of a drop in sugar prices meant that they were unable to continue working. Some 650 producers therefore disappeared, along with 1 550 direct and indirect jobs.

However, sugar prices on the world market did not fall as expected. European domestic production decreased and the need for imports increased. Moreover, as part of the common agricultural policy (CAP) reform and in particular the CMO reform, there is broad consensus on extending the quotas, which would expire in 2015. This means postponing the liberalisation of the sector. Beet producers feel cheated and wronged.

If these quotas are extended, countries such as Portugal have a keen interest in resuming beet production in 2015. Furthermore, in terms of the future 'greening' of the CAP, beets are important crops for diversification, not only due to their high productivity in Portugal, but also because they are autumnal seeds. Beet crops help to save water in southern countries, as they provide an excellent soil coating which prevents erosion and reduces nitrates at depth.

Countries that abandoned beet production may only resume this activity in 2015. Until then, however, there is an urgent need to allocate quotas to reinstall processing capacity and to resume production in 2015. A reasonable quota for Portugal in terms of the sector's profitability would be 100 000 tonnes.

I ask the Commission:

1. Is it aware of the need to allocate quotas to countries not currently producing beets but interested in resuming this production?

2. When will it allocate these quotas, which should be done early enough to allow for the timely installation of processing capacity?

Answer given by Mr Cioloş on behalf of the Commission
(20 December 2012)

The Commission is aware that in the Council and the European Parliament a number of proposals have been made to allocate quotas for Member States that have renounced quotas and received compensation.

However, it would not be logic to allocate quotas where they were renounced in return for payment of public funds. In any case, the Commission does not think it is necessary to allocate new quotas given the end of the quota system in 2015, as currently provided in the EU legislation.

As the Honourable Member mentions, there are opinions in favour of an extension of the quota system but the final decision is in the hands of the Council and the European Parliament.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010440/12
alla Commissione
Roberta Angelilli (PPE)
(15 novembre 2012)

Oggetto: Servizi finanziari: disciplina UE e riforme future

Il settore dei servizi rappresenta più del 65 % del PIL e dell'occupazione nell'UE. La direttiva sui servizi disciplina una varietà di servizi che rappresentano oltre il 45 % del PIL dell'UE.

I servizi finanziari, che rappresentano circa il 6 % del PIL dell'UE, non rientrano nel campo di applicazione della direttiva Servizi, in quanto destinatari di una legislazione settoriale specifica che dovrebbe migliorare la stabilità finanziaria e al tempo stesso proteggere i consumatori.

Alla luce della crisi finanziaria iniziata nel 2008, può la Commissione:

1. fornire un quadro sullo stato di avanzamento, le eventuali modalità di applicazione e i possibili benefici in termini economici della proposta relativa alla tassa sulle transazioni finanziarie (TTF) e alla tassa sulle attività finanziarie (TAF);

2. indicare quale seguito è stato dato e quali misure sono state adottate rispetto alla comunicazione del 2010 «Regolamentare i servizi finanziari per garantire una crescita sostenibile» che, tra le altre cose, mirava a rafforzare la trasparenza dei mercati finanziari e la stabilità nonché a rafforzare le responsabilità degli operatori finanziari e la tutela dei consumatori;

3. fornire un quadro sul processo di revisione di Solvency II e sui negoziati relativi a Omnibus II, relativamente al pacchetto «long term guarantees» e agli strumenti prudenziali volti a limitare gli effetti della volatilità dei mercati?

Risposta di Michel Barnier a nome della Commissione
(7 gennaio 2013)

1. La Commissione rimanda l'onorevole parlamentare al sito web in cui è possibile trovare informazioni complete sia sulla TTF che sulla TAF ([1]).

2. Le iniziative elencate nella comunicazione del 2010 sono state presentate dalla Commissione e in alcuni casi adottate dal Parlamento. Si tratta di: modifiche del regolamento relativo alle agenzie di rating del credito; un regolamento che rafforza i requisiti in materia di derivati OTC. Le iniziative ancora in fase di negoziato sono: la direttiva e il regolamento sui requisiti patrimoniali; una direttiva e un regolamento sugli abusi di mercato; una direttiva che istituisce un quadro di risanamento e di risoluzione delle crisi degli enti creditizi e delle imprese di investimento; le direttive sulla trasparenza e sulla contabilità; una direttiva sui prodotti di investimento al dettaglio preassemblati e la revisione della direttiva relativa ai mercati degli strumenti finanziari, della direttiva relativa ai sistemi di garanzia dei depositi, della direttiva relativa ai sistemi d'indennizzo degli investitori, della direttiva sull'intermediazione assicurativa, della direttiva sugli organismi d'investimento collettivo in valori mobiliari.

3. Nel luglio 2012 le parti del trilogo hanno deciso di effettuare una valutazione tecnica del pacchetto sulle garanzie a lungo termine. Tale valutazione sarà completata prima di concludere i negoziati sulla direttiva Omnibus II.

I termini di riferimento per la valutazione tecnica sono attualmente in fase di negoziazione con i colegislatori. Non appena saranno definiti, l'EIOPA ([2]) avvierà la valutazione tecnica, che dovrebbe durare circa sette mesi.

La valutazione tecnica verificherà vari scenari relativi alle misure che fanno parte del pacchetto sulle garanzie a lungo termine. I risultati dell'esercizio forniranno una base affidabile per una decisione consapevole quando riprenderanno i negoziati del trilogo sulla Omnibus II nel 2013.

([1]) http://ec.europa.eu/taxation_customs/taxation/other_taxes/financial_sector/index_en.htm
([2]) Autorità europea delle assicurazioni e delle pensioni aziendali e professionali.

(English version)

Question for written answer E-010440/12
to the Commission
Roberta Angelilli (PPE)
(15 November 2012)

Subject: Financial services: EU regulation and future reforms

The services sector accounts for over 65% of the EU's GDP and employment. The Services Directive regulates a range of services, representing over 45% of the EU's GDP.

Financial services, which account for approximately 6% of the EU's GDP, do not fall within the scope of the Services Directive, since there is sector-specific legislation which is intended to improve financial stability and at the same time protect consumers.

In view of the financial crisis that began in 2008:

1. Can the Commission provide a picture of the state of progress, any methods of application and possible economic benefits of the proposal on a financial transaction tax (FTT) and a financial activities tax (FAT)?

2. Can it state what action has been taken and what measures have been adopted in relation to the 2010 Communication entitled 'Regulating financial services for sustainable growth', the aims of which included strengthening the transparency of financial markets and strengthening the responsibility of financial operators and consumer protection?

3. Can it provide a picture of the process of revising Solvency II and the negotiations on Omnibus II, concerning the long-term guarantees package and the prudential tools designed to limit the effects of market volatility?

Answer given by Mr Barnier on behalf of the Commission
(7 January 2013)

1. The Commission refers the Honorable Member to the website where comprehensive information can be found on both the FTT and the FAT ([1]).

2. The initiatives enumerated in the 2010 Communication have been presented by the Commission, and in some cases adopted by the Parliament. These are: amendments to the regulation on Credit Rating Agencies; a regulation strengthening the requirements on OTC derivatives. Still under negotiation are: the Capital Requirements Directive and Regulation; a directive and a regulation on Market Abuse; a directive establishing a framework for the recovery and resolution of credit institutions and investment firms; the Transparency and Accounting Directives; a directive on Packaged Retail Investment Products and the revisions of: the directive for Markets in Financial Instruments; the Deposit Guarantee Schemes Directive, the Investor Compensation Schemes, of the Insurance Mediation Directive, of the directive on Undertakings for Collective Investment in Transferable Securities.

3. Trilogue parties agreed in July 2012 to carry out a technical assessment of the long-term guarantee package. This assessment will be completed before concluding negotiations on the Omnibus II Directive.

The Terms of Reference for the technical assessment are currently being negotiated with the co-legislators. As soon as the Terms of Reference are agreed, the EIOPA ([2]) will launch the technical assessment, which is expected to take about seven months.

The technical assessment will test various scenarios relating to the measures that form part of the long-term guarantee package. The results of the exercise will provide a reliable basis for an informed decision when the Omnibus II trilogue negotiations resume in 2013.

([1]) http://ec.europa.eu/taxation_customs/taxation/other_taxes/financial_sector/index_en.htm

([2]) European Insurance and Occupational Pensions Authority.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010441/12
alla Commissione
Roberta Angelilli (PPE)
(15 novembre 2012)

Oggetto: Informazioni circa la trasparenza e il ruolo delle rappresentanze di interessi

In un saggio recentemente apparso dal titolo «Il più grande crimine» vengono messi in rilievo i meccanismi e l'influenza di cui godrebbero le lobby a livello europeo, in particolar modo nell'influire sulla stesura e sull'attività normativa delle differenti istituzioni dell'Unione, in particolare della Commissione europea.

Vengono citate associazioni come Business Europe e European Round Table of Industrialists e vengono citati alcuni esempi di come documenti, dichiarazioni e studi di tali associazioni siano stati ripresi in testi e proposte ufficiali della Commissione europea.

Premesso che l'indipendenza delle istituzioni dell'Unione da qualsiasi forma di ingerenza e pressione è uno dei principi su cui si basano i trattati istitutivi, e che a tal fine la stessa Commissione ha lanciato, nel giugno 2012, il nuovo portale «Trasparenza», con l'obiettivo di facilitare ai cittadini l'accesso ai documenti e alle informazioni sui gruppi di esperti e comitati consultivi, sulle lobby e sulle rappresentanze di interessi, può la Commissione:

1. dire se è conoscenza del citato saggio;

2. fornire un quadro aggiornato delle misure volte a garantire e promuovere la trasparenza e correttezza dei lavori delle istituzioni dell'Unione;

3. fornire un quadro generale della situazione?

Risposta di Maroš Šefčovič a nome della Commissione
(22 gennaio 2013)

1.e2. La Commissione non si esprime su singole pubblicazioni e non ha pertanto analizzato in dettaglio il documento in questione, né ne ha verificata direttamente la pertinenza. Tuttavia, è opportuno sottolineare che, conformemente alle disposizioni del trattato in materia di democrazia partecipativa (articolo 11 del TUE), la Commissione procede ad ampie consultazioni delle parti interessate, in particolare nell'elaborare le iniziative legislative e regolamentari. Nell'ambito di tale esercizio la Commissione riceve numerosi contributi utili alle sue analisi e provenienti da varie fonti, come emerge in particolare dal registro per la trasparenza. I documenti ricevuti vengono pubblicati direttamente o trattati in base agli obblighi di divulgazione derivanti dal diritto di cui godono i cittadini, previsto dal trattato, di accedere ai documenti interni delle istituzioni. La Commissione assume in tutti i casi la piena responsabilità del contenuto delle sue decisioni e proposte.

3. Per conoscere gli strumenti messi in atto dalla Commissione per la trasparenza o ottenere informazioni dettagliate al riguardo, si invita l'onorevole parlamentare a consultare il sito internet sulla trasparenza ([1]), creato nel 2012 proprio per facilitare, grazie allo sportello unico per i cittadini, l'accesso di tutti a tali strumenti e al loro contenuto, compresi i documenti ricevuti nel quadro delle consultazioni.

([1]) http://ec.europa.eu/transparency/index_it.htm

(English version)

Question for written answer E-010441/12
to the Commission
Roberta Angelilli (PPE)
(15 November 2012)

Subject: Information on the transparency and role of special interest lobby groups

A paper which appeared recently, entitled 'The greatest crime', highlights the mechanisms and influence apparently enjoyed by European lobby groups, particularly in influencing the documents and legislative activity of the various EU institutions, especially the Commission.

The paper refers to associations such as Business Europe and the European Round Table of Industrialists, and gives some examples of how documents, statements and studies by these associations have been included in official Commission texts and proposals.

The independence of the EU's institutions from any form of interference or pressure is one of the principles on which the founding treaties are based, and to this end, in June 2012, the Commission launched the new 'Transparency' portal, with the aim of facilitating access by citizens to documents and information on groups of experts and consultative committees, lobby groups and special interest lobby groups. In view of this:

1. Can the Commission say whether it is aware of the abovementioned paper?

2. Could it provide an updated picture of the measures designed to guarantee and promote the transparency and propriety of work by EU institutions?

3. Could it provide a general overview of the situation?

(Version française)

Réponse donnée par M. Šefčovič au nom de la Commission
(22 janvier 2013)

1 et 2. La Commission ne commente pas des publications individuelles et n'a pas dès lors examiné en détail le document en question ni vérifié elle-même la pertinence. Il y a toutefois lieu de souligner qu'en conformité avec les prescriptions du Traité en matière de démocratie participative (article 11 TUE), la Commission est tenue de consulter très largement les parties prenantes ce qu'elle effectue notamment lorsqu'elle prépare ses initiatives législatives et réglementaires. C'est dans ce contexte qu'elle reçoit, de multiples contributions utiles à sa réflexion, de toute origine comme il ressort notamment du registre de transparence. Les documents qu'elle reçoit sont soient publiés directement soit soumis aux obligations de divulgation découlant de l'usage par les citoyens de leur droit d'accès aux documents internes des institutions découlant du traité. La Commission assume chaque fois pleinement la responsabilité du contenu de ses décisions et propositions.

3. Afin de prendre connaissance, et connaître en détail, l'ensemble des outils mis en œuvre par la Commission au titre de la transparence, l'Honorable Parlementaire est invité à consulter le site portail de la transparence ([1]), ouvert en 2012 précisément dans le but de faciliter, par l'existence d'un guichet unique pour les citoyens, l'accès à tous ces dispositifs ainsi qu'à tout leur contenu y compris les documents reçus dans le cadre des consultations effectuées.

([1]) http://ec.europa.eu/transparency/index_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010442/12
an die Kommission
Franz Obermayr (NI)
(15. November 2012)

Betrifft: EU-Förderungen Palästina

Die weltweit viel diskutierten Hoffnungen der Palästinenser auf Frieden sowie die dringend notwendige soziale und infrastrukturelle Entwicklung in Palästina geben Anlass zu folgenden Fragen an die Kommission:

1. Palästinensische Vertreter kritisierten im Gespräch mit einer freiheitlichen Delegation in Palästina Anfang November 2012 die ungerechte Verteilung der jährlichen EU-Fördermittel in Höhe von über 2 Milliarden EUR, die nicht beim palästinensischen Volk ankommen, so wie sie sollten. Nach welchen Kriterien werden die EU-Fördermittel vergeben, und wie werden in Palästina EU-Projekte ausgewählt? Wie steht die Kommission zu dieser Kritik?

2. Welche durch die EU geförderten Projekte gibt es in Palästina im Konkreten? Wie sieht die Evaluierung dieser Projekte aus?

3. Schlechte Infrastruktur, menschenunwürdige Verhältnisse im Gesundheits- und Sozialbereich (kaum Medikamente, kaum eine Spitalsversorgung), Defizite im Bildungs- und Schulbereich, Probleme bei der Wasserversorgung, Arbeitslosigkeit und eine dramatisch steigende Armut machen eine Unterstützung durch die Staatengemeinschaft unentbehrlich. Wie will sich die EU um eine bessere Versorgung der Palästinenser kümmern, und wie gedenkt die Kommission die EU-Mittel in Zukunft optimal einzusetzen?

Antwort von Herrn Füle im Namen der Kommission
(16. Januar 2013)

1. Die EU-Finanzmittel für das besetzte palästinensische Gebiet, die sich in den letzten Jahren im Durchschnitt auf 300 Mio. EUR jährlich beliefen, werden größtenteils über das Europäische Nachbarschafts- und Partnerschaftsinstrument (ENPI) bereitgestellt. Die Zuweisung der Gelder erfolgt auf der Grundlage einer jährlichen Programmierung und wird auf den „Nationalen Entwicklungsplan" der Palästinensischen Behörde abgestimmt. Der Kommission ist über die vom Herrn Abgeordneten erwähnten Gespräche und Gesprächsteilnehmer nichts bekannt. Sie ist daher nicht in der Lage, dazu Stellung zu nehmen.

2. Die Palästinensische Behörde erhält über den Mechanismus PEGASE (auf den über die Hälfte der Mittel aus dem ENPI entfällt) direkte finanzielle Unterstützung für die Zahlung von Gehältern und Ruhegehältern an ihre Beschäftigten, die Dienstleistungen für die palästinensische Bevölkerung erbringen, sowie für Sozialleistungen zugunsten bedürftiger palästinensischer Familien. Ein weiteres Viertel der Gesamtmittel wird für das UNRWA ([1]) bereitgestellt, das für die Gesundheit, die Bildung und das Wohlergehen der Palästina-Flüchtlinge nicht nur im Westjordanland und im Gazastreifen, sondern auch in Jordanien, Syrien und Libanon zuständig ist. Die verbleibenden Mittel fließen in Projekte in den Schwerpunktbereichen Rechtsstaatlichkeit und Sicherheit, Abwassersysteme sowie Privatwirtschaft und Entwicklung des Handels. Die EU-finanzierten Projekte werden regelmäßig überwacht und bewertet. Insgesamt werden diese Maßnahmen als außerordentlich positiv beurteilt.

3. Die EU steht in regelmäßigem Kontakt zur Palästinensischen Behörde und zu anderen Gebern, wie vor allem den EU-Mitgliedstaaten, um die Komplementarität der Geberfinanzierung sicherzustellen, Synergien zu maximieren und im Einklang mit der Strategie der Palästinensischen Behörde zu handeln. Darüber hinaus finanziert die EU humanitäre Programme (2012 mit einer Mittelausstattung von 45 Mio. EUR) zugunsten besonders bedürftiger Palästinenser.

([1]) Hilfswerk der Vereinten Nationen für Palästina-Flüchtlinge im Nahen Osten.

(English version)

Question for written answer E-010442/12
to the Commission
Franz Obermayr (NI)
(15 November 2012)

Subject: EU assistance for Palestine

The Palestinians' hopes for peace — much discussed around the world — and urgently needed social and infrastructure-related development in Palestine prompt the following questions to the Commission:

1. In discussions with an Austrian Freedom Party delegation in early November 2012, Palestinian representatives criticised the unfair allocation of the more than 2 billion euros of annual EU funding, which does not reach the Palestinian people in the way that it should. On the basis of what criteria is EU funding allocated, and how are EU projects in Palestine selected? What is the Commission's position on this criticism?

2. What specific EU-assisted projects are there in Palestine? What is the assessment of those projects?

3. Because of poor infrastructure, inhumane healthcare and welfare conditions (virtually no drugs; virtually no supplies for hospitals), deficiencies in education and schools, water supply problems, unemployment and dramatically increasing poverty, the international community's support is essential. How does the EU intend to ensure that the Palestinians are better provided for, and how does the Commission propose to make the best possible use of EU funds in future?

Answer given by Mr Füle on behalf of the Commission
(16 January 2013)

1. EU funding to the occupied Palestinian territory comes principally from the European Neighbourhood and Partnership Instrument (ENPI) and in recent years, this has averaged around EUR 300 million per annum. The funds are allocated in alignment with the Palestinian Authority's 'National Development Plan', on the basis of annual programming. The Commission is not aware of the discussions the Honourable Member refers to, nor of the interlocutors involved. It is therefore not in a position to comment on them.

2. Direct financial support to the Palestinian Authority (PA) for the payment of salaries and pensions of PA employees engaged in providing essential public services to the Palestinian people together with social allowances to vulnerable Palestinian families is provided through the PEGASE mechanism (accounting for over half of total funds from the ENPI). A further quarter of the total is allocated to UNRWA ([1]), which is responsible for the health, education and welfare of Palestine refugees, not only in the West Bank and Gaza Strip, but also in Jordan, Syria and Lebanon. The remaining funds are allocated to projects in the focal sectors of rule of law and security; waste-water infrastructure and private sector and trade development. EU-funded projects are evaluated and monitored on a regular basis; the overall assessment of its actions is highly positive.

3. The Commission maintains regular contact with the PA and other donors, particularly EU Member States, in order to ensure the complementarity of donor funding, maximise synergies and act in accordance with the PA's strategy. In addition, the EU funds humanitarian programmes (2012 budget was EUR 45 million) for the benefit of the most vulnerable Palestinians.

([1]) United Nations Relief and Works Agency.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010443/12
an die Kommission
Renate Sommer (PPE)
(15. November 2012)

Betrifft: Empfehlung des britischen Gesundheitsministeriums zur Kennzeichnung von Lebensmitteln mit dem Hybridmodell

Das britische Gesundheitsministerium hat für das kommende Jahr ein eigenes Hybrid-Kennzeichnungsmodell aus Ampelkennzeichnung, GDA-Modell und den Textaussagen „hoch", „mittel", „niedrig" für Lebensmittel angekündigt. Die in England vertretenen Lebensmittel-Einzelhandelsketten wurden seitens des Ministeriums massiv unter Druck gesetzt, diese nationale Kennzeichnung künftig zu verwenden. Artikel 35 Absatz 2 der Verordnung (EG) Nr. 1169/2011 gestattet den Mitgliedstaaten zwar, zusätzliche Formen der Darstellung der Nährwertdeklaration zu empfehlen, jedoch nur, wenn diese die in Artikel 35 Absatz 1 festgelegten Voraussetzungen erfüllen und auch im Allgemeinen mit der Verordnung im Einklang stehen.

Vor diesem Hintergrund bitte ich die Kommission um die Beantwortung der Frage, ob sie meine Auffassung in folgenden Punkten teilt:

1. Durch die Verordnung (EG) Nr. 1169/2011 wurde die Kommission — ohne Zeitlimit — beauftragt, Portionsgrößen zu definieren. Solange diese Definitionen nicht existieren, dürfen keine entsprechenden GDA-Angaben gemacht werden.

2. Zum Ampelmodell: Die Verordnung (EG) Nr. 1924/2006 erlaubt allein die Verwendung der Farbe Grün in Verbindung mit dem Attribut „niedrig" (Antwort der Kommission auf meine Anfrage zur schriftlichen Beantwortung E-5938/2009). Zusätzlich erfüllt die Ampelkennzeichnung nicht die Anforderungen nach Artikel 35 Absatz 1 Buchstaben a (wissenschaftlicher Hintergrund) und f (Objektivität) der Verordnung (EG) Nr. 1169/2011. Die Farbe Rot wird darüber hinaus als Warnung vor dem Verzehr des Lebensmittels verstanden und ist daher gemäß Artikel 35 Absatz 1 Buchstabe f der Verordnung (EG) Nr. 1169/2011 diskriminierend.

3. Die Entwicklung des Hybridmodells durch die BFA steht nicht im Einklang mit Artikel 35 Absatz 1 Buchstabe b der Verordnung (EG) Nr. 1169/2011.

4. Die Tatsache, dass das britische Ministerium die Einzelhandelsunternehmen massiv unter Druck gesetzt hat, lässt den Schluss zu, dass de facto eine verbindliche nationale Kennzeichnung eingeführt werden soll. Dies widerspricht Artikel 35 Absatz 1 Buchstabe g der Verordnung (EG) Nr. 1169/2011 sowie dieser Verordnung insgesamt.

5. Sollte die britische Regierung, wie angekündigt, im kommenden Jahr das beschriebene nationale Kennzeichnungsmodell einführen, muss die Kommission ein Vertragsverletzungsverfahren einleiten.

Antwort von Herrn Borg im Namen der Kommission
(17. Januar 2013)

1. Gemäß Artikel 33 Absätze 1 bis 4 der Verordnung (EU) Nr. 1169/2011 ([1]) ist die Nährwertangabe auf der Grundlage der Portionsgröße zulässig. Bei wiederholter Nährwertangabe können die Nährstoffmengen oder der Prozentsatz der Referenzmengen auch ausschließlich je Portion angegeben werden. Diese Möglichkeit ist jedoch für bestimmte Lebensmittelkategorien nicht Gegenstand des Erlasses von EU-Vorschriften über die Angabe je Portion.

2. Die Verordnung (EG) Nr. 1924/2006 ([2]) gilt nur für positive nährwertbezogene Angaben. Sie regelt nicht die Verwendung negativer nährwertbezogener Angaben, wie die gelbe oder rote Ampel.

3. Gemäß Artikel 35 Absatz 2 der Verordnung (EU) Nr. 1169/2011 müssen die Mitgliedstaaten der Kommission die Einzelheiten der empfohlenen zusätzlichen Formen der Nährstoffangabe mitteilen, die den in Artikel 35 Absatz 1 aufgeführten Kriterien entsprechen müssen. Das Vereinigte Königreich hat der Kommission keine Informationen über Einzelheiten der Kennzeichnung mitgeteilt. Daher kann die Kommission sich nicht dazu äußern, ob die in der Verordnung festgelegten Kriterien erfüllt werden.

([1]) ABl. L 304 vom 22.11.2011, S. 18.
([2]) ABl. L 404 vom 30.12.2006, S. 9.

4. Gemäß Artikel 35 Absatz 2 der Verordnung (EU) Nr. 1169/2011 dürfen die Mitgliedstaaten die Verwendung solcher Angaben lediglich empfehlen.

5. Vertragsverletzungsverfahren können bei einem Verstoß gegen die eingeschlägigen EU-Vorschriften eingeleitet werden.

(English version)

Question for written answer E-010443/12
to the Commission
Renate Sommer (PPE)
(15 November 2012)

Subject: Recommendation from the Department of Health of the United Kingdom on using the hybrid system for the labelling of foods

The Department of Health of the United Kingdom has announced the introduction next year of its own system for the labelling of foods, consisting of a hybrid labelling system with traffic-light indications, guideline daily amounts and a text using the terms 'high', 'medium' or 'low'. The Department has put immense pressure on food retail chains with outlets in the United Kingdom to use this form of indication in future. According to Article 35(2) of Regulation (EU) No 1169/2011, Member States may recommend the use of additional forms of presentation of the nutrition declaration but only where such additional forms fulfil the requirements laid down in Article 35(1) and where they are in general compliance with the regulation.

Considering this background, does the Commission share my views outlined in the following points?

1. Regulation (EU) No 1169/2011, without stipulating a time limit, empowers the Commission to define the sizes of portions. Until such definitions exist, there must be no corresponding expressions of guideline daily amounts.

2. As regards the traffic-light system: Regulation (EC) No 1924/2006 allows the use of only the green colour with the qualifier 'low' (answer given by the Commission to my Question for written answer E-5938/2009). In addition, the traffic-light indication does not fulfil the requirements under Article 35(1)(a) (scientific background) and Article 35(1)(f) (objectivity) of Regulation (EU) No 1169/2011. Furthermore, the colour red will be understood as a warning against the consumption of food and is therefore discriminatory on the basis of Article 35 (1)(f) of Regulation (EU) No 1169/2011.

3. The United Kingdom Food Standards Agency's development of the hybrid system does not comply with Article 35(1)(b) of Regulation (EU) No 1169/2011.

4. From the fact that the United Kingdom Department of Health has exerted immense pressure on retail companies, it can be concluded that, de facto, a binding national labelling system is to be introduced. This is inconsistent with Article 35(1)(g) of Regulation (EU) No 1169/2001 and indeed with the regulation as a whole.

5. Should the United Kingdom Government introduce, as announced, the national labelling system described, the Commission must initiate infringement proceedings.

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

1. Article 33(1) to (4) of Regulation (EU) No 1169/2011 ([1]) allows for the nutrition declaration on a per portion basis. In case of repetition of the nutrient declaration, the amount of the nutrient or the percentage of the reference intakes may be expressed on a per portion basis alone. However, this possibility is not subject to the adoption of Union rules on the expression per portion for specific categories of foods.

2. Regulation (EC) No 1924/2006 ([2]) only covers beneficial nutrition claims. This regulation does not regulate the use of non-beneficial nutrition claims, like the amber or the red traffic light.

([1]) OJ L 304, 22.11.2011, p. 18.
([2]) OJ L 404, 30.12.2006, p. 9.

3. Article 35(2) of Regulation (EU) No 1169/2011 requests Member States to provide the Commission with the details of such recommended additional forms of expression, which should comply with the criteria listed in Article 35(1). The Commission has not received any information on the details of the labelling scheme recommended by the United Kingdom. Therefore, the Commission cannot pronounce itself on its compliance with the criteria laid down in the regulation.

4. Article 35(2) of Regulation (EU) No 1169/2011 clarifies that Member States may only recommend the use of such label system.

5. Infringement proceedings can be initiated in case of non-compliance with the relevant Union rules.

(English version)

Question for written answer E-010444/12
to the Commission
Chris Davies (ALDE)
(15 November 2012)

Subject: Financial arrangements for resigning Commissioners

Will the Commission detail and quantify the total package of payments and benefits that are liable to be paid to any Commissioner who chooses to resign from his or her position with immediate effect?

Answer given by Mr Šefčovič on behalf of the Commission
(7 January 2013)

The Commission draws the Honourable Member's attention to the fact that Under Article 243 of the Treaty on the Functioning of the European Union (TFEU) the emoluments of the Members of the Commission, the President of the European Council and the High Representative of the Union for Foreign Affairs and Security Policy are determined by the Council.

For detailed and quantified information on the package of payments and benefits for Commissioners leaving the office the Commission refers the Honourable Member to text of the regulation No 422/67/EEC, 5/67/Euratom of 25 July 1967 determining the emoluments of the President and Members of the Commission and of the President, Judges, Advocates-General and Registrar of the Court of Justice (modified several times), and in particular to Articles 5 and 7 to 15 therein.

This regulation is accessible via the *Official Journal of the European Union* and online in the EUR-lex database which provides free access to European Union law and other documents considered to be public ([1]).

([1]) http://eur-lex.europa.eu/de/index.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-010445/12
a la Comisión
Emine Bozkurt (S&D), Astrid Lulling (PPE), Inés Ayala Sender (S&D), Pilar Ayuso (PPE), Christa Klaß (PPE) y Pablo Zalba Bidegain (PPE)
(15 de noviembre de 2012)

Asunto: Apertura de una delegación permanente de la UE en Panamá

Panamá es uno de los países más dinámicos de América Central, como demuestran sus tasas de crecimiento, que son de las más altas de Latinoamérica desde hace diez años. Además, es uno de los principales socios comerciales de la Unión Europea en la región, así como un país que atrae grandes inversiones de dinero y enormes expectativas de invertir en la Unión.

Por lo tanto, se trata de un país dispuesto a reforzar sus lazos con la UE, como demuestra su participación en el Acuerdo de Asociación. En vista de todo lo expuesto:

1.Atendiendo a las peticiones del Gobierno panameño y ante los datos que muestran un país deseoso de acercarse a Europa, ¿ha estudiado la Comisión la posibilidad de abrir una delegación permanente de la Unión Europea en Panamá?

2. Ante las perspectivas de futuro de este país centroamericano y tras el refuerzo de nuestros lazos con la región, ¿no considera conveniente la Comisión la apertura de dicha delegación en breve plazo?

Respuesta de la Alta Representante/Vicepresidenta Ashton en nombre de la Comisión
(31 de enero de 2013)

La Alta Representante/Vicepresidenta coincide en opinar que Panamá es una economía sólida de la región, además de una democracia. Efectivamente, se halla en plena expansión de sus capacidades logísticas y económicas (canal, aeropuerto, puertos marítimos) y se está convirtiendo en un polo económico de la región. Por ese motivo, la UE respaldó su adhesión a las negociaciones que desembocaron en la conclusión de un Acuerdo de Asociación entre la UE y América Central en 2010, al considerar que la participación de Panamá redundaría en interés tanto de la Unión Europea como de América Central. La República de Panamá y la Unión Europea disfrutan de una ya larga relación que toca una amplia gama de temas y se plasma en diálogo político, comercio e inversión y proyectos de cooperación al desarrollo.

En el proceso de establecimiento del Servicio Europeo de Acción Exterior a partir de las Delegaciones de la UE existentes, la AR/VP está examinando las posibilidades de refuerzo de la red en todo el mundo, habida cuenta de las prioridades políticas y las restricciones presupuestarias. La planificación actual no incluye por el momento la apertura de una Delegación en Panamá. No obstante, las decisiones de planificación de la red de delegaciones de la UE son objeto de una revisión periódica.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010445/12
an die Kommission
Emine Bozkurt (S&D), Astrid Lulling (PPE), Inés Ayala Sender (S&D), Pilar Ayuso (PPE), Christa Klaß (PPE) und Pablo Zalba Bidegain (PPE)
(15. November 2012)

Betrifft: Einrichtung einer ständigen Delegation der EU in Panama

Panama ist eines der dynamischsten Länder in Zentralamerika, wie es seine Wachstumsraten, die seit zehn Jahren zu den höchsten in ganz Lateinamerika zählen, belegen. Darüber hinaus gehört das Land zu den wichtigsten Handelspartnern der Europäischen Union in der Region, ist ein attraktiver Standort für bedeutende Finanzinvestitionen und erweckt im Hinblick auf Investitionen in der EU hohe Erwartungen.

Folglich handelt es sich um ein Land, das bereit ist, seine Beziehungen zur EU auszubauen; das wird auch durch seine Teilnahme am Assoziierungsabkommen bestätigt.

1. Hat die Kommission im Hinblick auf das Ersuchen der Regierung in Panama sowie auf die Daten, die belegen, dass sich das Land an Europa annähern möchte, die Möglichkeit erwogen, eine ständige Delegation der Europäischen Union in Panama zu einzurichten?

2. Ist die Kommission in Anbetracht der Zukunftsperspektiven dieses zentralamerikanischen Landes und nach dem Ausbau unserer Beziehungen zu dieser Region nicht der Auffassung, dass die baldige Einrichtung der besagten Delegation wünschenswert wäre?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(31. Januar 2013)

Auch die Hohe Vertreterin/Vizepräsidentin ist der Meinung, dass es sich bei Panama nicht nur um ein demokratisches, sondern auch um ein wirtschaftlich starkes Land in dieser Region handelt. Panama baut seine logistischen und wirtschaftlichen Kapazitäten (d. h. Kanal, Flughafen, Seehäfen) weiter aus und wird damit zu einer wirtschaftlichen Drehscheibe in der Region. Aus diesem Grund unterstützte die EU die Beteiligung Panamas an den 2010 abgeschlossenen Verhandlungen über ein Assoziierungsabkommen zwischen der EU und Zentralamerika. Sie war nämlich der Meinung, dass die Mitwirkung Panamas im beiderseitigen Interesse der EU und Zentralamerikas lag. Die Republik Panama und die Europäische Union verbinden langjährige Beziehungen, die sich auf eine Vielzahl von Themen in den Bereichen politischer Dialog, Handel und Investitionen und auf die Durchführung von Entwicklungsprojekte erstrecken.

Beim weiteren Aufbau des Europäischen Auswärtigen Diensts auf der Grundlage des bestehenden Netzwerks der EU-Delegationen prüft die Hohe Vertreterin/Vizepräsidentin Möglichkeiten zur Stärkung dieses weltweiten Netzwerks unter Berücksichtigung politischer Prioritäten und haushaltspolitischer Zwänge. Gegenwärtig ist die Eröffnung einer Delegation in Panama nicht geplant. Die Planungen in Bezug auf das EU-Delegationsnetzwerk werden jedoch regelmäßig überprüft.

(Version française)

Question avec demande de réponse écrite E-010445/12
à la Commission
Emine Bozkurt (S&D), Astrid Lulling (PPE), Inés Ayala Sender (S&D), Pilar Ayuso (PPE), Christa Klaß (PPE) et Pablo Zalba Bidegain (PPE)
(15 novembre 2012)

Objet: Établissement d'une délégation permanente de l'Union européenne au Panama

Le Panama est l'un des pays les plus dynamiques d'Amérique centrale, comme le démontre son taux de croissance, l'un des plus élevés d'Amérique latine depuis dix ans. De plus, le Panama est l'un des principaux partenaires commerciaux de l'Union européenne dans la région, attire de grands investissements financiers et suscite d'énormes attentes quant aux investissements potentiels dans l'Union.

Il s'agit donc d'un pays disposé à renforcer ses liens avec l'Union, comme le démontre sa participation à l'accord d'association.

Par conséquent, la Commission est invitée à répondre aux questions suivantes:

1. En réponse aux demandes du gouvernement du Panama et face aux données qui montrent que ce pays souhaite se rapprocher de l'Europe, la Commission envisage-t-elle d'établir une délégation permanente de l'Union européenne au Panama?

2. Face aux perspectives d'avenir de ce pays d'Amérique centrale et après le renforcement de nos liens avec cette région, la Commission n'estime-t-elle pas opportun l'établissement à court terme d'une telle délégation?

Réponse donnée par Mme Ashton, Vice-présidente/Haute Représentante au nom de la Commission
(31 janvier 2013)

La Vice-présidente/Haute Représentante reconnaît que le Panama est une économie forte de la région ainsi qu'une démocratie. En effet, ce pays est en train de développer ses capacités économiques et logistiques (canal, aéroport, ports maritimes) et de devenir un pôle économique régional. C'est la raison pour laquelle l'Union européenne a soutenu sa participation aux négociations relatives à la conclusion d'un accord d'association entre l'UE et l'Amérique centrale, menées à bien en 2010, ces deux parties estimant qu'il était de leur intérêt mutuel d'associer le Panama. Des relations existent depuis longtemps entre la République du Panama et l'Union européenne dans un large éventail de domaines tels que le dialogue politique, le commerce et les investissements ainsi que les projets de coopération au développement.

Dans le cadre de la mise en place du service européen pour l'action extérieure, la haute représentante/vice-présidente examine les possibilités de renforcer le réseau de délégations de l'UE à travers le monde en s'appuyant sur celles qui existent et en tenant compte des priorités politiques et des contraintes budgétaires. À l'heure actuelle, il n'est pas prévu d'ouvrir une délégation au Panama. Toutefois, les décisions de planification relatives à ce réseau de délégations sont revues périodiquement.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010445/12
aan de Commissie
Emine Bozkurt (S&D), Astrid Lulling (PPE), Inés Ayala Sender (S&D), Pilar Ayuso (PPE), Christa Klaß (PPE) en Pablo Zalba Bidegain (PPE)
(15 november 2012)

Betreft: Opening van een permanente delegatie van de EU in Panama

Panama is een van de meest dynamische landen van Midden-Amerika. Dat blijkt uit zijn groeicijfer, dat sinds tien jaar tot de hoogste van Latijns-Amerika behoort. Bovendien is het een van de voornaamste handelspartners van de EU in de regio, trekt het grote financiële investeringen aan en wekt het enorme verwachtingen qua investeringen in de EU.

Het land is dan ook klaar om nauwere betrekkingen met de EU aan te gaan, zoals blijkt uit zijn deelname aan de associatieovereenkomst. Gezien het bovenstaande wordt de Commissie verzocht de volgende vragen te beantwoorden:

1. Heeft de Commissie, gezien de verzoeken van de Panamese regering en aangezien blijkt dat het land.d. banden met Europa wenst aan te halen, de mogelijkheid overwogen om een permanente delegatie van de EU in Panama te openen?

2. Acht de Commissie het, gezien de toekomstperspectieven van dit land en nu wij de banden met de regio hebben aangehaald, niet wenselijk deze delegatie op korte termijn te openen?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(31 januari 2013)

De hoge vertegenwoordiger/vicevoorzitter is het ermee eens dat Panama een sterke economie in de regio en een democratie is. Panama breidt inderdaad zijn logistieke en economische capaciteiten uit (d.w.z. kanaal, luchthaven, zeehavens) en wordt een economisch centrum in de regio. Panama werd betrokken bij de onderhandelingen over de associatieovereenkomst tussen de EU en Midden-Amerika die in 2010 werd gesloten. De EU steunde die betrokkenheid, aangezien de deelname van Panama zowel in het belang van de EU als van Midden-Amerika geacht werd. De Republiek Panama en de Europese Unie hebben sinds lange tijd een partnerschap dat een hele reeks onderwerpen omvat met betrekking tot de politieke dialoog, handel en investeringen en projecten voor ontwikkelingssamenwerking.

Bij de oprichting van de Europese Dienst voor extern optreden, die voortbouwt op de bestaande EU-delegaties, bekijkt de hoge vertegenwoordiger/vicevoorzitter mogelijke manieren om het netwerk in de wereld te versterken. Daarbij wordt rekening gehouden met de politieke prioriteiten en de begrotingsbeperkingen. Op dit ogenblik staat de opening van een delegatie in Panama niet op de planning voor het netwerk van EU-delegaties. Deze planning wordt echter regelmatig herzien.

(English version)

Question for written answer E-010445/12
to the Commission
Emine Bozkurt (S&D), Astrid Lulling (PPE), Inés Ayala Sender (S&D), Pilar Ayuso (PPE), Christa Klaß (PPE) and Pablo Zalba Bidegain (PPE)
(15 November 2012)

Subject: Opening of a permanent EU delegation in Panama

Panama is one of the most dynamic countries in Central America, as demonstrated by its growth rates, which have been among the highest in Latin America for the last 10 years. Furthermore, Panama is one of the EU's main trading partners in the region, as well as a country that attracts large investments of money and high expectations of investment in the Union.

It is therefore a country which is prepared to strengthen its relations with the EU, as demonstrated by its participation in the Association Agreement. In the light of the above:

1. In response to the requests by the government of Panama and given the data which show a country keen to move closer to Europe, has the Commission considered the possibility of opening a permanent EU delegation in Panama?

2. Given the future prospects of this Central American country, and subsequent to the strengthening of our relations with the region, does the Commission not consider it appropriate to open such a delegation in the near term?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(31 January 2013)

The HR/VP agrees that Panama is a strong economy in the region as well as a democracy. It is indeed expanding its logistic and economic capacities (i.e. canal, airport, sea ports) and becoming an economic hub in the region. This is the reason why the EU supported Panama joining the negotiations for an Association Agreement between the EU and Central America concluded in 2010, as it was deemed that it was of mutual interest of both the European Union and Central America in having Panama on board. The Republic of Panama and the European Union enjoy a longstanding relationship covering a wide array of themes in terms of political dialogue, trade and investment, as well as development cooperation projects.

In setting up the European External Action Service, building on the existing EU Delegations, the HR/VP is looking at possible reinforcements of the network around the world, taking into consideration political priorities and budget constraints. The current planning does not include opening a Delegation in Panama, at the moment. However, planning decisions on the EU delegations network are regularly reviewed.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010446/12
alla Commissione
Sergio Gaetano Cofferati (S&D)
(15 novembre 2012)

Oggetto: Il fenomeno dell'estremismo e l'aumento delle violenze nell'Unione europea

Nell'Europa della recessione e della crisi si sono tragicamente moltiplicati gli episodi di violenza commessi da parte di singoli o di gruppi estremisti organizzati ai danni di immigrati e di minoranze etniche.

A caratterizzare tali azioni non sono solamente i sentimenti xenofobi e razzisti che influenzano in maniera crescente alcune fasce dell'opinione pubblica europea, ma anche una chiara opposizione agli organismi dell'Unione, considerati spesso come i principali responsabili della crisi che attraversa il vecchio continente.

Un po' in tutta Europa si sta infatti dolorosamente assistendo alla nascita o alla rievocazione di gruppi parafascisti organizzati, i quali accomunano spinte populiste e xenofobe a programmi anti Europa ed anti euro. Solo a titolo esemplificativo, meritano un cenno gli ultimi atti di violenza compiuti dai militanti di «Alba Dorata» in Grecia, i quali, con il coinvolgimento di due loro rappresentanti parlamentari, nel settembre scorso hanno attaccato e distrutto alcune attività commerciali gestite da lavoratori immigrati in un mercatino multietnico, con successiva pubblicazione del video a dimostrazione dell'accaduto.

Ma episodi di questo tipo stanno avvenendo con frequenza crescente in tutti i paesi del vecchio continente. Il 21 agosto di quest'anno, a Cicagna, un piccolo centro in provincia di Genova, un cittadino marocchino veniva violentemente aggredito da un gruppo di tre persone che, agendo in maniera premeditata, gli cagionava gravi lesioni su tutto il corpo per poi abbandonarlo inerme sul ciglio della strada. La vittima veniva accusata di aver compiuto alcuni furti nelle abitazioni del piccolo paese, accusa che peraltro non ha mai trovato conferma in alcuna risultanza probatoria e che sembra costituire, in realtà, un chiaro pretesto per quello che è stata una vera e propria spedizione punitiva motivata dall'odio razziale.

Sulla scorta di quanto affermato, in considerazione anche dell'art 21 della Carta dei diritti fondamentali dell'UE, può la Commissione far sapere:

— Quali siano le azioni intraprese per contrastare i recenti episodi di razzismo e xenofobia avvenuti in molti Stati membri, anche sulla base delle analisi e del lavoro svolto dall'*European Agency for fundamental rights?*

— Lo stato di reale applicazione e recepimento della decisione quadro 2008/913/GAI, che prevede che razzismo e xenofobia vengano sanzionati penalmente, e della direttiva 2000/43/CE del Consiglio, che attua il principio della parità di trattamento fra le persone, indipendentemente dalla razza e dall'origine etnica?

Risposta di Viviane Reding a nome della Commissione
(21 gennaio 2013)

La Commissione condanna fermamente ogni forma e manifestazione di razzismo e xenofobia, compresa la violenza nei confronti degli immigrati e delle minoranze etniche, ed è impegnata a combattere tali episodi avvalendosi di tutti i mezzi disponibili a norma dei trattati. Per quanto concerne le attività in corso, la Commissione invita l'onorevole parlamentare a consultare la risposta fornita all'interrogazione scritta E-003079/2012 ([1]).

La decisione quadro del Consiglio 2008/913/GAI sulla lotta contro talune forme ed espressioni di razzismo e xenofobia mediante il diritto penale rappresenta uno strumento estremamente importante nella lotta contro il razzismo e la xenofobia, purché effettivamente attuata dagli Stati membri. Il termine per il recepimento della decisione quadro nelle legislazioni nazionali era fissato al 28 novembre 2010. La Commissione sta esaminando le misure di attuazione nazionali e nel corso del 2013 presenterà in una relazione la propria valutazione al riguardo.

([1]) Ulteriori informazioni sono disponibili anche sul sito della direzione generale della Giustizia della Commissione europea: http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_en.htm

La direttiva del Consiglio 2000/43/CE che attua il principio della parità di trattamento fra le persone indipendentemente dalla razza e dall'origine etnica è stata recepita da tutti gli Stati membri nei rispettivi ordinamenti interni e la Commissione ha provveduto a controllare rigorosamente la conformità delle relative normative nazionali con la direttiva.

(English version)

Question for written answer E-010446/12
to the Commission
Sergio Gaetano Cofferati (S&D)
(15 November 2012)

Subject: The extremism phenomenon and the rise of violence within the European Union

Tragically, in a Europe struck by recession and the crisis, there has been an increase in instances of violence committed by individuals or organised extremist groups against immigrants and ethnic minorities.

These acts are characterised not only by the xenophobic and racist sentiments which are having a growing influence on some sectors of European public opinion, but also by a clear opposition to EU institutions, often considered to have the greatest responsibility for the crisis which is sweeping across Europe.

In fact, across Europe we are sadly witnessing the birth or recreation of organised para-fascist groups, which combine populist and xenophobic influences with anti-Europe and anti-euro agendas. Just by way of example, it is worth mentioning the latest acts of violence committed by 'Golden Dawn' militants in Greece, who, in September 2012, with the participation of two of their parliamentary representatives, attacked and destroyed several stalls run by immigrant workers in a multi-ethnic street market, before subsequently publishing a video showing the event.

However, episodes like this are occurring with increasing frequency in all European countries. On 21 August 2012, in Cicagna, a small town in the province of Genoa, a Moroccan national was subjected to a violent and premeditated attack by a group of three people who caused serious injuries to his whole body and then left him helpless at the roadside. The victim was accused of having carried out several burglaries in houses in this small town, but there has never been any evidence to prove this accusation which, in reality, seems to be a clear pretext for what was nothing less than a punishment beating motivated by racial hatred.

On the basis of the above and also in light of Article 21 of the EU Charter of Fundamental Rights, can the Commission state:

— What measures have been taken to tackle the episodes of racism and xenophobia which have occurred recently in many Member States, based also on the analysis and work carried out by the European Union Agency for Fundamental Rights?

— What is the situation with regard to implementing and transposing Framework Decision 2008/913/JHA, which stipulates that racism and xenophobia shall be subject to criminal punishment, and of Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin?

Answer given by Mrs Reding on behalf of the Commission
(21 January 2013)

The Commission strongly condemns all forms and manifestations of racism and xenophobia, including violence against immigrants and ethnic minorities, and is committed to fighting against these phenomena with all means available under the Treaties. As for ongoing activities, the Commission would like to refer the Honourable Member to its reply to Written Question E-003079/2012 ([1]).

Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law is an important instrument in the fight against racism and xenophobia provided that it is effectively implemented by the Member States. The transposition into national legislation of this framework Decision was due on 28 November 2010. The Commission is analysing the national implementing measures and will present its assessment of the transposition in a report in 2013.

Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin has been transposed by all Member States into their national law and the Commission has strictly monitored the conformity of these national laws with the directive.

([1]) Further information is also available at the website of the European Commission Directorate-General Justice at: http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_en.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010447/12
alla Commissione
Sergio Berlato (PPE)
(15 novembre 2012)

Oggetto: Concorrenza sleale cinese nel settore fotovoltaico

A seguito di una denuncia presentata da un gruppo di produttori europei, Eu Prosun, la Commissione europea si è vista costretta ad aprire un'inchiesta sui sussidi cinesi ai produttori di pannelli solari. La denuncia ha messo in luce il fatto che i produttori cinesi godono di ingenti risorse economiche messe a disposizione dal governo di Pechino.

Si tratta, purtroppo, dell'ennesimo caso di dumping che si inserisce all'interno di una pratica di concorrenza commerciale sleale portata avanti dalla Cina a discapito delle imprese europee. Tale concorrenza sleale provoca gravi ripercussioni in termini di depauperamento del tessuto industriale europeo e conseguente perdita d'occupazione.

Vista l'importanza strategica di definire un corretto rapporto di interscambio commerciale tra l'UE e la Cina, in maniera tale da tutelare nel migliore dei modi il comparto produttivo europeo, si interroga la Commissione per sapere quanto segue:

1. Intende la Commissione proporre un'iniziativa specifica nel settore del fotovoltaico per ristabilire con tempestività e incisività una parità di condizioni competitive tra produttori europei e cinesi?

2. È la Commissione intenzionata ad applicare un meccanismo di dazi compensativi al fine di proteggere i produttori europei in tutte quelle situazioni in cui sono vittime della concorrenza sleale cinese?

3. Intende la Commissione proporre iniziative ad hoc al fine di far sentire con autorevolezza la voce dell'Unione in seno all'Organizzazione mondiale del commercio (OMC), con l'intento di negoziare un accordo commerciale UE — Cina che vincoli quest'ultima a un maggiore rispetto degli impegni assunti e delle regole del libero mercato? In caso affermativo, può la Commissione indicare le linee guida di una sua azione in questa direzione e i tempi per la sua realizzazione?

Risposta di K. De Gucht a nome della Commissione
(18 dicembre 2012)

I procedimenti antidumping e antisovvenzioni relativi alle importazioni di moduli fotovoltaici in silicio cristallino e relative componenti chiave originari della Repubblica popolare cinese (avviati, rispettivamente, il 6 settembre 2012 e l'8 novembre 2012) sono entrambi in corso e riguardano lo stesso prodotto e lo stesso periodo dell'inchiesta (1° luglio 2011-30 giugno 2012).

Le conclusioni provvisorie dovranno essere pubblicate entro giugno 2013 per quanto riguarda il procedimento antidumping ed entro agosto 2013 per quanto riguarda il procedimento antisovvenzioni. Le conclusioni definitive dovranno essere comunicate entro dicembre 2013. Poiché i procedimenti sono appena iniziati, non è ancora possibile prevedere se saranno adottate misure e quale sarà la loro entità.

La Commissione continua a monitorare il rispetto, da parte della Cina, degli impegni assunti nell'ambito dell'Organizzazione mondiale del commercio (OMC) e continuerà ad affrontare le perturbazioni degli scambi a livello bilaterale e nell'ambito dell'OMC, facendo anche ricorso, se del caso, ai procedimenti di risoluzione delle controversie dell'OMC.

(English version)

Question for written answer E-010447/12
to the Commission
Sergio Berlato (PPE)
(15 November 2012)

Subject: Unfair Chinese competition in the photovoltaic sector

Following a complaint made by a group of European producers, EU ProSun, the Commission has been forced to open an investigation into Chinese subsidies to solar panel producers. The complaint highlighted the fact that Chinese producers benefit from huge economic resources provided by the government in Beijing.

Unfortunately, this is yet another case of dumping which is part of a practice of unfair competition pursued by China to the detriment of European companies. This unfair competition has serious repercussions in terms of the impoverishment of the industrial fabric of Europe and resulting job losses.

Considering the strategic importance of establishing a fair trade relationship between the EU and China, in order to safeguard as best we can the European production sector:

1. Does the Commission intend to propose a specific initiative for the photovoltaic sector to swiftly and forcefully re-establish equal competitive conditions between European and Chinese producers?

2. Does it intend to implement a mechanism of countervailing duties in order to protect European producers in all situations in which they are victims of unfair Chinese competition?

3. Does it intend to propose ad hoc initiatives so that the Union may express itself with authority within the World Trade Organisation (WTO), with the intention of negotiating an EU-China trade agreement which requires the Chinese to adhere more strictly to the commitments they have made and the rules of the free market? If so, can the Commission indicate the guidelines of any measures to be taken in this regard and the time required for their implementation?

Answer given by Mr De Gucht on behalf of the Commission
(18 December 2012)

The anti-dumping proceeding and the anti-subsidy proceeding concerning imports of crystalline silicon photovoltaic modules and key components originating in the People's Republic of China (initiated on 6 September 2012 and 8 November 2012 respectively) are running in parallel and concern the same product and the same investigation period (1 July 2011- 30 June 2012).

Provisional findings will have to be issued by June 2013 on the anti-dumping proceeding and by August 2013 on the anti-subsidy proceeding. The definitive findings are due in early December 2013. Given that this proceeding has just been initiated, it is premature to foresee whether there will be any measures and what would be their level.

The Commission continues to monitor China's compliance with its World Trade Organisation (WTO) commitments and will continue to raise trade irritants bilaterally and in the WTO context including, where appropriate, through recourse to WTO dispute settlement proceedings.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010448/12
alla Commissione
Sergio Berlato (PPE)
(15 novembre 2012)

Oggetto: Ripercussioni delle alluvioni sui territori dell'Unione

Durante il mese di novembre alcuni territori facenti parte dell'Unione europea sono stati colpiti duramente da eventi atmosferici avversi che hanno provocato alluvioni ed esondazioni di diverse intensità e consistenza. Queste inondazioni, che ciclicamente si ripresentano con l'avanzare della stagione autunnale, hanno una pesante ricaduta in termini di danni arrecati al patrimonio pubblico e ai cittadini privati.

L'Italia non è immune dai pericoli derivanti dalle forti precipitazioni; anche quest'anno la città di Vicenza, a soli due anni dalla terribile esondazione che vide buona parte del suo territorio letteralmente ricoperto dall'acqua, è stata oggetto di alluvioni mettendo in evidenza la necessità di adeguate opere di bonifica e salvaguardia del territorio circostante.

Pertanto si ravvisa come impellente, oltre che avveduto, il reperimento delle risorse pubbliche da destinare alla messa in sicurezza dei territori.

Premesso ciò, può la Commissione far sapere:

1. Se sia possibile interpretare i vincoli del Patto di bilancio europeo (Fiscal compact) in modo elastico col fine di favorire gli investimenti pubblici nella messa in sicurezza del territorio destinati alla costruzione delle infrastrutture pubbliche adeguate per evitare il ripetersi delle esondazioni?

2. Quale aiuto concreto l'Unione europea può offrire alle vittime delle alluvioni?

3. Se ritiene che sia necessario dotarsi di un piano europeo strutturato per la messa in sicurezza del territorio dell'Unione e dei paesi confinanti?

Risposta di Johannes Hahn a nome della Commissione
(21 gennaio 2013)

1. La Commissione rinvia l'onorevole parlamentare alla propria risposta all'interrogazione scritta E-010408/12 dell'onorevole Angelilli ([1]).

2. Il Fondo di solidarietà dell'UE può concedere un'assistenza finanziaria nel caso di grandi catastrofi naturali. Per attivare il Fondo però occorre una domanda delle autorità nazionali dei paesi colpiti. Le domande devono essere presentate alla Commissione entro dieci settimane dal verificarsi della catastrofe. La Commissione non può mobilitare il Fondo di propria iniziativa.

3. La Commissione concorda quanto all'importanza della pianificazione strategica della gestione dei rischi di catastrofi nell'UE. Questo è l'approccio seguito nella direttiva Alluvioni in forza della quale si devono sviluppare piani su scala di distretto idrografico tenendo conto delle condizioni locali.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010448/12
to the Commission
Sergio Berlato (PPE)
(15 November 2012)

Subject: Impact of flooding in the EU

During November, several areas of the European Union have been hit hard by adverse weather that has caused flooding of varying intensity and extent. This flooding, which recurs on a cyclical basis as autumn progresses, has caused extensive damage to public and private property.

Italy is not immune to the dangers caused by heavy rains; this year alone, the city of Vicenza was subject to flooding just two years on from the terrible floods that left most of the area literally underwater, demonstrating the need for appropriate reclamation and protection works in the surrounding area.

It is therefore prudent to raise public funds, as a matter of urgency, to secure the area.

1. Can the Commission say whether it is possible to stretch the interpretation of the constraints of the Fiscal Compact in order to promote public investments in securing the area for the construction of public infrastructure to prevent further flooding?

2. What practical support can the European Union offer to the victims of the flooding?

3. Does it believe it is necessary to have a structured EU-level plan to ensure the safety of the European Union and its neighbouring countries?

Answer given by Mr Hahn on behalf of the Commission
(21 January 2013)

1. The Commission would refer the Honourable Member to its answer to Written Question E-010408/12 of Ms Angelilli ([1]).

2. The EU Solidarity Fund may grant financial assistance in the event of major natural disasters. Whether the conditions for activating the Fund are met could only be assessed on the basis of an application from the national authorities of the countries affected. Applications have to be submitted to the Commission within 10 weeks of the start of the disasters. The Commission may not mobilise the Fund upon its own initiative.

3. The Commission agrees on the importance of strategic planning for disaster risk management in the EU. This is the approach set out in the Floods Directive under which plans need to be developed at the River Basin District scale, taking local conditions into account.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versión española)

Pregunta con solicitud de respuesta escrita P-010450/12
a la Comisión
Iratxe García Pérez (S&D)
(15 de noviembre de 2012)

Asunto: Proyecto de planta de almacenamiento de CO_2 en Hontomina (Burgos)

En 2010 se inició la construcción de una planta de almacenamiento de CO_2 en Hontomina (Burgos) según un proyecto aprobado por la UE. En la actualidad, dicho proyecto sigue sin concluirse.

¿Podría confirmar la Comisión cuál es la financiación total asignada al proyecto? ¿Qué porcentaje de fondos de la parte de la cofinanciación se han desembolsado?

¿Podría exponer la Comisión en qué fase de ejecución se encuentra el proyecto?

Respuesta del Sr. Oettinger en nombre de la Comisión
(14 de diciembre de 2012)

El Centro de Desarrollo de Tecnologías de Almacenamiento de CO_2, situado en Hontomín (Burgos), está siendo desarrollado por Ciuden y es uno de los elementos de la «Fase I — Desarrollo de Tecnologías» del Proyecto Compostilla OXYCFB300 de Captura y Almacenamiento de Carbono (CAC). Endesa Generation y Foster Wheeler Energía son los otros socios del proyecto.

La Fase I se inició en 2009 y se espera que se complete satisfactoriamente en octubre de 2013, con un retraso aproximado de nueve meses. El presupuesto total de la Fase I del proyecto es de 236 000 000 de euros. La Fase I es cofinanciada por el Programa Energético Europeo para la Recuperación (PEER) con 180 000 000 de euros (el 76 % de los costes totales subvencionables estimados). Hasta ahora se ha abonado a los beneficiarios un 65 % aproximadamente de la contribución del PEER. Se espera que la Fase I del proyecto proporcione un legado muy útil de instalaciones de ensayo pertinentes para todos los aspectos de la CAC.

(English version)

Question for written answer P-010450/12
to the Commission
Iratxe García Pérez (S&D)
(15 November 2012)

Subject: Project for a CO_2 storage plant in Hontomín (Burgos)

In 2010, construction of a CO_2 storage plant in Hontomín (Burgos) began under a project approved by the EU. This project currently remains unfinished.

Could the Commission confirm the total funding allocated to this project? What percentage of the funds which were co-financed has been disbursed?

Could the Commission specify what stage the project has reached?

Answer given by Mr Oettinger on behalf of the Commission
(14 December 2012)

The CO_2 Storage Technological Development Plant located in Hontomín (Burgos) is developed by CIUDEN as one of the elements of 'Phase I — Technology Development' of the Compostilla OXYCFB300 Carbon Capture and Storage (CCS) project. The other partners in the project are ENDESA GENERATION and FOSTER WHEELER ENERGIA.

Phase I started in 2009 and should be successfully completed in October 2013 with a delay of approximately 9 months. The total budget of Phase I of the project is EUR 236 000 000. Phase I is co-financed by the European Energy Programme for Recovery (EEPR) with EUR 180 000 000 (76% of the estimated total eligible costs). So far around 65% of the EEPR grant has been paid to the beneficiaries. Phase I of the project is expected to provide a very useful legacy of test facilities relevant to all aspects of CCS.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-010451/12
til Kommissionen
Dan Jørgensen (S&D)
(15. november 2012)

Om: Beskyttelse af dyr på aflivningstidspunktet

Den 1. januar 2013 skal Rådets forordning (EF) nr. 1099/2009 af 24. september 2009 om beskyttelse af dyr på aflivningstidspunktet være gennemført i alle EU-medlemsstater.

På en konference i Bruxelles den 24. oktober fremgik det af data forelagt af Kommissionen, at der for de fleste medlemsstaters vedkommende var tale om et meget lavt forberedelsesniveau. Ifølge de disponible tal vil kun fire lande være tæt på fuld gennemførelse (Danmark, Tyskland, Sverige og Det Forenede Kongerige), hvilket betyder, at 23 lande ikke vil være klar til at anvende den nye lovgivning, selv ikke på så vigtige punkter som kurser for embedsmænd, standardprocedurer og kontrolprocedurer.

Kan Kommissionen oplyse, hvilke foranstaltninger den agter at træffe for at fremskynde processen hen imod fuld gennemførelse i medlemsstater med et mangelfuldt forberedelsesniveau?

Vil Kommissionen afgive tilsagn om at forbedre håndhævelsen af dyrevelfærdslovgivningen?

Svar afgivet på Kommissionens vegne af Tonio Borg
(17. januar 2013)

På den internationale konference om beskyttelse af dyr på slagterier ([1]) den 24. oktober 2012 fremlagde Kommissionen data indsamlet fra medlemsstaterne fra juni til september 2011.

Da forordning (EF) nr. 1099/2009 om beskyttelse af dyr på aflivningstidspunktet ([2]) finder anvendelse fra den 1. januar 2013, er det for tidligt at vurdere, at de fleste medlemsstater ikke var rede til at gennemføre den nye lovgivning. En nøje analyse af de foreliggende data viser, at de har arbejde med emnet, og visse gennemførelsesforanstaltninger er stadig i gang.

Kommissionen har været med til at lette medlemsstaterne forpligtelser ved at iværksætte en undersøgelse af deres beredskab og ved sammen med Rådets formandskab at organisere denne konference, som fik bred deltagelse.

Kommissionen vil fremover fortsat arbejde med både at støtte forståelsen af den nye forordning og at overvåge situationen, navnlig gennem kontrolbesøg af eksperter fra Kommissionens kontroltjeneste under Generaldirektoratet for Sundhed og Forbrugere, GD SANCO (FVO — Levnedsmiddel- og Veterinærkontoret) for at sikre, at medlemsstaterne overholder reglerne.

([1]) http://ec.europa.eu/food/animal/welfare/seminars/index_en.htm
([2]) EUT L 303 af 18.11.2009, s. 1.

(English version)

Question for written answer E-010451/12
to the Commission
Dan Jørgensen (S&D)
(15 November 2012)

Subject: Protection of animals at the time of killing

Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing must be implemented in all EU Member States by 1 January 2013.

Data presented by the Commission at a conference in Brussels on 24 October 2012 show a very low level of preparedness in most Member States. According to the available figures, only 4 countries will be close to full compliance (Denmark, Germany, Sweden and the UK), meaning that 23 countries will not be ready to implement the new legislation, even on essential points such as the training of officials, standard operating procedures and monitoring procedures.

Could the Commission describe what measures it intends to take to speed up the process towards full compliance in deficient Member States?

Is the Commission committed to improving the enforcement of animal welfare legislation?

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

At the 24 October 2012 international conference on the protection of animals in slaughterhouses ([1]), the Commission presented data collected from the Member States from June to September 2011.

Since Regulation (EC) No 1099/2009 on the protection of animals at the time of killing ([2]) applies since 1 January 2013, it is premature at this stage to consider that most Member States were not ready to implement the new legislation. A close analysis of the data shows that they have been working on the subject and some implementation measures are still ongoing.

The Commission has contributed to facilitate the duties of Member States by launching an investigation on their level of preparedness and by organising with the Council Presidency this conference which was widely attended.

The Commission will continue to work in the future both in supporting the understanding of the new regulation and in monitoring the situation in particular through audits of its experts from the Commission inspection service of the Health and Consumers Directorate General, DG SANCO, (FVO — Food and Veterinary Office) to ensure that Member States abide by the rules.

([1]) http://ec.europa.eu/food/animal/welfare/seminars/index_en.htm
([2]) OJ L 303, 18.11.2009, p. 1.

(Version française)

Question avec demande de réponse écrite E-010452/12
à la Commission
Anne Delvaux (PPE)
(15 novembre 2012)

Objet: État d'avancement de l'enquête de la Commission sur l'extension du régime belge de garantie des dépôts protégeant les parts détenues par le groupe ARCO

Suite à la mise en liquidation du groupe belge de coopératives financières ARCO en octobre 2011, l'État belge a notifié, dans son arrêté royal du 7 novembre 2011, une extension du régime de garantie des dépôts, protégeant de cette manière les participations des actionnaires particuliers de coopératives financières.

En avril 2012, la Commission européenne a fait savoir qu'elle ouvrait une enquête sur ce régime de protection des actionnaires de coopératives financières afin de déterminer s'il ne viole pas les règles de l'Union européenne régissant les aides d'État.

Face à l'inquiétude grandissante des associés particuliers qui ne peuvent actuellement pas récupérer le montant de leurs parts et qui craignent que le régime de garantie ne leur soit finalement pas appliqué, la Commission peut-elle préciser l'état d'avancement de son enquête?

Réponse donnée par M. Almunia au nom de la Commission
(18 janvier 2013)

Le 3 avril 2012, la Commission a décidé d'engager la procédure prévue à l'article 108, paragraphe 2, du TFUE. Elle a également décidé d'émettre une injonction de suspension en vertu de l'article 11, paragraphe 1, du règlement (CE) nº 650/1999 ([1]) du Conseil afin d'éviter que l'État belge ne procède à des paiements au titre du régime de garantie et n'autorise de nouvelles coopératives à participer au régime. La décision a été publiée au Journal officiel du 19 juillet 2012 ([2]) et comportait aussi une invitation adressée aux tiers intéressés à présenter leurs observations sur les premières conclusions de la Commission. Cette dernière étudie actuellement le dossier mais ne peut pas encore se prononcer sur la date à laquelle sa décision sera adoptée.

([1]) JO L 83 du 27.3.1999, p. 1.
([2]) JO C 213 du 19.7.2012, p. 64.

(English version)

Question for written answer E-010452/12
to the Commission
Anne Delvaux (PPE)
(15 November 2012)

Subject: State of progress of Commission investigation into the extension of the Belgian deposit guarantee scheme protecting ARCO group shares

Following the liquidation of ARCO (a Belgian group of financial cooperatives) in October 2011, the Belgian Government notified, by Royal Decree of 7 November 2011, the extension of the deposit guarantee scheme to protect shares held by individual shareholders in financial cooperatives.

In April 2012, the Commission announced that it would launch an investigation into this scheme in order to determine whether it violated EU rules on state aid.

Given the growing concerns among individual shareholders, who are unable to recover the value of their shares and fear that the guarantee scheme will ultimately not apply to them, can the Commission say what stage has been reached in its investigation?

Answer given by Mr Almunia on behalf of the Commission
(18 January 2013)

On 3 April 2012, the Commission decided to open the procedure laid down in Article 108(2) TFEU. The Commission has also decided to issue a suspension injunction in accordance with Article 11(1) of Council Regulation 659/1999 ([1]) to ensure that the Belgian State does not make pay-outs in relation to the guarantee scheme and to prevent the admission by the Belgian State of new cooperatives to that scheme. The decision was published in the Official Journal on 19 July 2012 ([2]), also asking interested third parties to comment on the initial findings of the Commission. The Commission is currently investigating the matter but cannot comment on an expected decision date.

([1]) OJ L 83, 27.3.1999, p. 1.
([2]) OJ C 213, 19.7.2012, p. 64.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010454/12
aan de Commissie
Esther de Lange (PPE)
(15 november 2012)

Betreft: Gevaarlijke stoffen in kinderspeelgoed

Met de Richtlijn 2009/48/EG betreffende de veiligheid van speelgoed ziet de Europese Commissie toe op de veiligheid van speelgoed voor kinderen in Europa. Ondanks de vastgestelde Europese normen waaraan het speelgoed moet voldoen blijven er zorgen bestaan over de hoeveelheid aan kankerverwekkende en gevaarlijke stoffen zoals endocrine disrupters die in speelgoed voorkomen, ook het gebruik van verkeerde meetobjecten voor het vaststellen van de Europese normen is zorgelijk.

1. Kan de Commissie aangeven hoe de normen zijn vastgesteld in de richtlijn en welk meetobject daarvoor is genomen?

2. Waarom worden endocrine disrupters, stoffen die een ongezonde invloed hebben op onze hormoonhuishouding en vruchtbaarheid, niet genoemd in de speelgoedrichtlijn, ondanks het feit dat deze stoffen wel verboden zijn in voeding, cosmetica en speelgoed dat bedoeld is om in de mond te doen?

3. Wat voor onderzoek is er door de Commissie naar deze gevaarlijke stoffen in kinderspeelgoed gedaan? Is de Commissie van mening dat er meer en uitgebreid onderzoek nodig is naar deze gevaarlijke stoffen in speelgoed?

4. Wat gaat de Commissie concreet ondernemen om kinderen extra te beschermen tegen speelgoed dat kankerverwekkende stoffen en endocrine disrupters bevat?

Antwoord van de heer Tajani namens de Commissie
(8 januari 2013)

Richtlijn 2009/48/EG betreffende de veiligheid van speelgoed is in zijn soort een van de strengste wetgevingsteksten ter wereld. De richtlijn stelt eisen inzake chemische stoffen vast op basis van de aanbevelingen van verschillende wetenschappelijke instanties (bijvoorbeeld het Wetenschappelijk Comité voor gezondheids- en milieurisico's) en onderzoeken ([1]).

De richtlijn betreffende de veiligheid van speelgoed bevat geen specifieke voorschriften voor hormoonontregelaars omwille van de relatief beperkte kennis die beschikbaar was op het tijdstip van de goedkeuring van de richtlijn, tenzij de stoffen als kankerverwekkend, mutageen of giftig voor de voortplanting (CMR-stoffen) zijn ingedeeld. Deze laatste soort van hormoonontregelaars valt reeds onder de chemische eisen van de richtlijn.

Sinds de aanneming van de richtlijn is de wetenschappelijke informatie toegenomen en de Commissie werkt aan de vaststelling van de risico's van deze stoffen en de te volgen regelgevende benaderingen ([2]). Voorts buigt de werkgroep voor chemische stoffen in speelgoed zich momenteel over een prioriteitenlijst van CMR-stoffen en hormoonontregelaars waarvan het gebruik in speelgoed zou kunnen worden beperkt door een wijziging van Richtlijn 2009/48/EG overeenkomstig de procedure van artikel 46.

([1]) Chemicals in Toys: A general methodology for assessment of chemical safety of toys with a focus on elements — RIVM http://www.rivm.nl/bibliotheek/rapporten/320003001.pdf
([2]) http://ec.europa.eu/environment/endocrine/documents/studies_en.htm

(English version)

Question for written answer E-010454/12
to the Commission
Esther de Lange (PPE)
(15 November 2012)

Subject: Dangerous substances in children's toys

The European Commission monitors the safety of toys for children in Europe through Directive 2009/48/EC on the safety of toys. Despite the established European standards that must be met by toys, concerns remain about the quantity of carcinogenic and hazardous substances, such as endocrine disrupters, present in toys, and the use of wrong measurement criteria to establish European standards is a matter for concern.

1. Can the Commission indicate how the standards have been established in the directive and what measurement criteria were used to do so?

2. Why are endocrine disrupters — substances that have an unhealthy effect on our hormone systems and fertility — not mentioned in the Toys Directive, despite the fact that these substances are banned in food, cosmetics and toys intended to be put in the mouth?

3. What research has the Commission conducted into these hazardous substances in children's toys? Does the Commission consider that more extensive research is needed into these hazardous substances in toys?

4. What specific action will the Commission take to give children more protection against toys containing carcinogens and endocrine disrupters?

Answer given by Mr Tajani on behalf of the Commission
(8 January 2013)

The Toy Safety Directive 2009/48/EC is one of the most stringent pieces of legislation in the world of its kind. The directive establishes requirements for chemical substances based on the recommendations of different scientifc bodies (e.g. Scientific Committee on Health and Environmental Risks) and studies ([1]).

As regards endocrine disrupters, these substances are not specifically regulated by the Toy Safety directive, due to the relatively limited amount of knowledge available at the time of the passing of the directive, unless they are classified as Carconogenic, Mutagenic or Reprotoxic (CMR) substances. The latter type of endocrine disrupters are already covered by the chemical requirements of the directive.

Since the adoption of the directive, more scientific information has been gathered and the Commission is working on identyfying the risks posed by these substances and hence the regulatory approaches to be taken ([2]). Moreover, the working group on chemical substances in toys is currently looking at a priority list of CMR substances and endocrine disruptors which could be restricted in toys through an amendment to Directive 2009/48/EC in accordance with the procedure set out in Article 46 thereof.

([1]) Chemicals in Toys: A general methodology for assessment of chemical safety of toys with a focus on elements — RIVM http://www.rivm.nl/bibliotheek/rapporten/320003001.pdf
([2]) http://ec.europa.eu/environment/endocrine/documents/studies_en.htm

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010455/12
aan de Commissie
Philip Claeys (NI)
(15 november 2012)

Betreft: Voorstelling „rapport" met politieke titel in Europees Parlement door agentschap FRA in samenwerking met niet-representatieve groep parlementsleden

Zo.a. ontving ik per e-mail van het agentschap FRA de aankondiging dat het op 29 november in het Parlement een „rapport" zal presenteren, met als titel de politieke slogan „Haatmisdrijven zichtbaar maken in de EU: de rechten van slachtoffers erkennen". Dat gebeurt in samenwerking met de „Intergroep antiracisme en diversiteit".

Graag deze vragen:

1. Is het de taak van een agentschap om onder het mom van „rapporten" politieke slogans de wereld in te sturen, in het bijzonder in het Europees Parlement?

2. Werden dit rapport en de titel ervan goedgekeurd door het wetenschappelijk begeleidingscomité van het FRA? Zo ja, wanneer en door wie?

3. Is het aanvaardbaar dat een agentschap bij de presentatie van een politiek getint „rapport" in het Europees Parlement samenwerkt met een groep parlementsleden van een bepaalde politieke kleur, zonder acht te slaan op de representativiteit van die groep of de aanwezigheid van alle stromingen in het Parlement?

4. Is dit verenigbaar met de neutrale en onafhankelijke rol als expert die elk agentschap zou moeten vervullen tegenover alle parlementsleden?

Antwoord van mevrouw Reding namens de Commissie
(21 januari 2013)

Het verslag „Making hate crime visible in the European Union: acknowledging victims' rights" van het Bureau van de Europese Unie voor de grondrechten werd opgesteld in het kader van de doelstellingen en taken van het bureau zoals vastgelegd in de oprichtingsverordening (Verordening (EG) nr. 168/2007 van de Raad). De Commissie gaat dan ook niet akkoord met het geachte Parlementslid dat het bureau een „politiek getint verslag" heeft voorgelegd.

Het Bureau van de Europese Unie van de grondrechten werkt onafhankelijk van de Commissie. De Commissie bevindt zich derhalve niet in een positie om de uitspraak van het geachte Parlementslid dat het Bureau met de Intergroep antiracisme en diversiteit heeft samengewerkt „zonder de representativiteit van die groep (Intergroep antiracisme en diversiteit) in acht te nemen of alle in het Parlement vertegenwoordigde politieke standpunten te laten meetellen" te bevestigen of te ontkrachten.

De Commissie heeft het Bureau verzocht om vraag 2 van het geachte Parlementslid te beantwoorden. Zodra het Bureau een antwoord heeft gegeven, zal dat door de Commissie aan het geachte Parlementslid worden overgemaakt.

(English version)

Question for written answer E-010455/12
to the Commission
Philip Claeys (NI)
(15 November 2012)

Subject: Presentation in the European Parliament of a 'report' with a political title by the Agency for Fundamental Rights (FRA) in cooperation with an unrepresentative group of MEPs

I have just received by e-mail from the FRA the announcement that on 29 November it intends to present a 'report' in Parliament whose title is a political slogan, 'Making hate crime visible in the European Union: acknowledging victims' rights'. This is to be done in cooperation with the 'Antiracism and Diversity Intergroup'.

1. Is it the task of an agency to propagate political slogans under the pretext of presenting 'reports', particularly in the European Parliament?

2. Were this report and its title approved by the FRA's Scientific Committee? If so, when and who by?

3. Is it acceptable that, in presenting a politically slanted 'report' in the European Parliament, an agency should cooperate with a group of Members of the European Parliament who come from a particular political background, without any consideration for the representativeness of that group or the inclusion of all political points of view which are represented in Parliament?

4. Is this compatible with the neutral and independent role as an expert which each agency ought to play in relation to all parliamentarians?

Answer given by Mrs Reding on behalf of the Commission
(21 January 2013)

The report on 'Making hate crime visible in the European Union: acknowledging victims' rights' prepared by the EU Fundamental Rights Agency has been carried out within the framework of the objectives and tasks set for the Agency, as defined in its founding Regulation (Council Regulation (EC) No168/2007). As such, the Commission disagrees with the Honourable Member that the Agency presented a 'politically slanted report'.

The European Union Agency for Fundamental Rights (FRA) is independent from the Commission. The Commission is therefore not in a position to confirm or otherwise infirm the statement of the Honourable Member of Parliament that the Agency cooperated with the Antiracism and Divercity Intergroup 'without any consideration for the representativeness of that group (Antiracism and Diversity Intergroup) or the inclusion of all political points of view which are represented in Parliament'.

The Commission has requested the Agency to provide a reply to the question number 2 tabled by the Honourable Member. The reply of the Agency will be transmitted by the Commission to the Honourable Member as soon as it becomes available.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010456/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(15 de noviembre de 2012)

Asunto: Gas de esquisto en Osona

El 27 de septiembre se publicó en el Diario Oficial de la Generalitat de Cataluña la concesión de permisos de extracción de gas de esquisto (*shale gas*) a la empresa Montero Energy Corporation, S.L., filial de la multinacional canadiense *R2 Energy*. La explotación de este gas consiste en una serie de pozos de gran profundidad (aprox. 5 km de profundidad/2 km de ancho) en los que se inyectan aprox. 20 millones de litros de agua a presión, de los cuales 220 000 son productos químicos altamente tóxicos. Estos pueden infiltrarse en los acuíferos y los ríos con el consiguiente riesgo para el consumo humano. Esta concesión afecta a la zona de la comarca de Osona llamada Leonardo, la cual cuenta con más de 76 000 ha y 33 municipios de la comarca de Osona y Lluçanès.

El Gobierno catalán no ha presentado informes de impacto ambiental sobre el efecto de la concesión de gas de esquisto en el territorio mencionado, el cual también sufrirá por la construcción de vías de acceso para tráfico rodado pesado, la contaminación en los acuíferos, ya altamente contaminados por purines, la afectación a la biodiversidad, los problemas de salud pública o la afectación a la agricultura.

En la respuesta E-007627/2011, la Comisión afirmaba que «los proyectos de prospección y explotación de gas de esquisto están regulados por la Directiva de Impacto Ambiental (EIA), que impone a los Estados miembros la responsabilidad de someter ese tipo de proyectos (sean públicos o privados) a evaluación antes de autorizar su ejecución, aplicando, si resulta necesario, el principio de cautela.»

1. ¿Conocía la Comisión dicho proyecto de extracción de gas de esquisto?

2. ¿Considera que la Generalitat de Cataluña (y el Estado español) está violando el principio de cautela?

3. ¿Qué acciones tomará la Comisión para frenar, al menos temporalmente, el proyecto con la empresa Montero Energy Corporation, S.L.?

Respuesta del Sr. Potočnik en nombre de la Comisión
(24 de enero de 2013)

La Comisión no sigue en detalle las operaciones específicas de explotación de gas de esquisto en localizaciones o regiones individuales. Corresponde a los Estados miembros garantizar, mediante la realización de evaluaciones adecuadas, los regímenes de autorización y las actividades de supervisión, que las actuaciones en materia de exploración o explotación de fuentes de energía, incluidas las que hacen uso de la fractura hidráulica, se ajusten a los requisitos establecidos en el marco jurídico vigente en la EU. Dicho marco incluye, entre otros elementos, disposiciones en materia de impacto ambiental ([1]), protección de las aguas superficiales y subterráneas ([2]), gestión de residuos ([3]), y conservación de los hábitats naturales ([4]).

([1]) Directiva 2011/92/UE relativa a la evaluación de las repercusiones de determinados proyectos públicos y privados sobre el medio ambiente (DO L 26/1 de 28.1.2012).
([2]) Directiva 2000/60/CE por la que se establece un marco comunitario de actuación en el ámbito de la política de aguas (DO L 327 de 22.12.2000) y Directiva 2006/118/CE relativa a la protección de las aguas subterráneas contra la contaminación y el deterioro (DO L 372/19 de 27.12.2006).
([3]) Directiva 2006/21/CE sobre la gestión de los residuos de industrias extractivas y por la que se modifica la Directiva 2004/35/CE (DO L 102 de 11.4.2006).
([4]) Directiva 92/43/CE relativa a la conservación de los hábitats naturales y de la fauna y flora silvestres (DO L 206 de 22.7.1992).

De conformidad con la Directiva 2011/92/UE, también llamada Directiva de evaluación del impacto ambiental (EIA), los proyectos de perforación a gran profundidad se contemplan en el anexo II, punto 2, letra d), lo que implica que están sujetos a un control por parte de las autoridades competentes a fin de determinar si es necesaria una EIA, con arreglo al artículo 4, apartados 2 a 4, y sobre la base de los criterios que figuran en el anexo III de la Directiva. La decisión de control también debe tener en cuenta los principios de precaución y prevención. Atendiendo a estos principios, los proyectos de hidrocarburos no convencionales, incluidos los de prospección y exploración, estarían sujetos a una EIA si no puede confirmarse, a la luz de una información objetiva, que no van a tener repercusiones ambientales importantes. En caso de duda sobre la inexistencia de efectos apreciables debe efectuarse una EIA ([5]).

La Comisión recabará más información de las autoridades españolas sobre este asunto.

([5]) Se puede consultar una nota de orientación sobre la aplicación de la Directiva EIA a los proyectos relacionados con la exploración y explotación de hidrocarburos no convencionales en la página web de la DG ENV: http://ec.europa.eu/environment/eia/pdf/Annexe%202.pdfpdf.

(English version)

Question for written answer E-010456/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(15 November 2012)

Subject: Shale gas in Osona

On 27 September 2012 the Diario Oficial de la Generalitat de Cataluña reported that licences to extract shale gas had been granted to the Montero Energy Corporation, S.L., a subsidiary of the Canadian multinational R2 Energy. Exploitation of the gas is by means of a series of very deep wells (approx. 5 km deep by 2 km wide), into which approx. 20 million litres of pressurised water is injected, 220 000 kg of which consists of highly toxic chemicals. These can filter through into aquifers and rivers, leading to risks for human consumption. This licence affects the area of the Osona district called Leonardo, which covers more than 76 000 hectares and has 33 municipalities belonging to the Osona y Lluçanès district.

The Catalan government did not submit environmental impact reports on the effect of the shale gas permit on the territory in question, which will also suffer as a result of the building of access roads for heavy road traffic, pollution of aquifers already badly contaminated by slurry, effects on biodiversity, public health problems and effects on agriculture.

In its answer E-007627/2011, the Commission stated that 'shale gas exploration and exploitation projects should be covered by the Environmental Impact Assessment (EIA) Directive, under which Member States are responsible for assessing private and public projects before granting development consent, taking into account the precautionary principle, as necessary'

1. Was the Commission aware of this shale gas extraction project?

2. Does it consider that the Generalitat de Cataluña (and the Spanish State) is in breach of the precautionary principle?

3. What actions will the Commission take to put a halt, at least temporarily, to the project with Montero Energy Corporation, S.L.?

Answer given by Mr Potočnik on behalf of the Commission
(24 January 2013)

The Commission does not follow in detail specific shale gas exploitation operations in individual locations or regions. Is it the responsibility of the Member States to ensure — via appropriate assessments, permitting regimes and monitoring activities — that any exploration or exploitation of energy sources, including those using hydraulic fracturing, complies with the requirements of the existing legal framework in the EU. This includes, *inter alia*, provisions on environmental impact assessments ([1]), the protection of surface and groundwater ([2]), on waste management ([3]) and on the conservation of natural habitats ([4]).

As per Directive 2011/92/EU also known as the Environmental Impact Assessment (EIA) Directive, deep drilling projects are covered by Annex II.2.d, which implies that they are subject to a screening by the competent authorities to determine whether an EIA is required, in accordance with Article 4(2)-(4) and on the basis of the criteria listed in Annex III of the directive. The screening decision must also take into account the precautionary and prevention principles. In light of these principles, an EIA would be required for unconventional hydrocarbon projects, including for prospection and exploration, if significant environmental effects of these projects cannot be excluded on the basis of objective information. In case of doubt as to the absence of significant effects, an EIA must be carried out ([5]).

The Commission will collect further information from the Spanish authorities on this case.

([1]) Directive 2011/92/EU on the assessment of the effects of certain public and private projects on environment (OJ L 26/1, 28.1.2012).
([2]) Directive 2000/60/EC establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000) and Directive 2006/118/EC on the protection of groundwater against pollution and deterioration (OJ L372/19, 27.12.2006).
([3]) Directive 2006/21/EC on the management of waste from extractive industries and amending Directive 2004/35/EC (OJ L 102, 11.4.2006).
([4]) Directive 92/43/EC on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992).
([5]) Guidance note on the application of the EIA Directive to projects related to the exploration and exploitation of unconventional hydrocarbon. Available on DG ENV's website: http://ec.europa.eu/environment/eia/pdf/Annexe%202.pdfpdf.

(English version)

Question for written answer E-010457/12
to the Commission
Syed Kamall (ECR)
(15 November 2012)

Subject: Subtitles for catch-up TV services

I have been contacted by a deaf constituent who is concerned that the manufacturers of smart TVs and Blu-ray devices are not installing subtitle software for their catch-up TV devices.

My constituent feels that this excludes deaf people from access to such services.

Does the Commission have any plans:

1. To investigate this issue?

2. To encourage the manufacturers of smart TVs and set-top boxes to carry subtitles on their web-based catch-up applications?

Answer given by Ms Kroes on behalf of the Commission
(21 December 2012)

The European Commission has always actively promoted the accessibility of digital television. The audiovisual media services directive (AVMSD) in its Article 7 establishes: 'Member States shall encourage media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability.' This provision covers both linear and on-demand or catch-up television. However, as it is up to Member States to set the accessibility obligations and their scope, not all of them ensured the extension to catch-up television. The AVMSD is only applied to media service providers and not to manufacturers.

Concerning the accessibility of equipment, from May 2009 to May 2011, the European Commission organised and supported the collaboration between the European Disability Forum (EDF) and Digital Europe which led to The Industry Self-Commitment to improve the accessibility of digital TVs sold in the EU. It was signed by the following companies, members of Digital Europe: Microsoft, Panasonic, Philips, Samsung, Sony and LG. But this self-commitment applies only to completely functional stationary (or semi-stationary) TV receivers such as set top boxes, integrated Digital TVs, recorders and other products whose primary function is to receive TV content.

(English version)

Question for written answer E-010458/12
to the Commission
Syed Kamall (ECR)
(15 November 2012)

Subject: Post Office being given potential monopoly over official identity photos

I have been made aware of concerns over potentially anti-competitive behaviour as regards photographs for official documents in the UK.

1. Will the Commission investigate the agreements made between the UK Driver and Vehicle Licensing Agency (DVLA) and the Post Office which have resulted in 750 post offices in the UK installing booths to capture photos and signatures electronically from each individual licence holder every 10 years and process applications for drivers' licenses online, without the need for a paper portrait?

2. Will the Commission examine whether the agreements are anti-competitive and whether they effectively give the Post Office a monopoly over GBP 50 million of revenue at the expense of private-sector photographers?

3. Is the Commission aware that the UK Border Agency is steering applicants for residents' permits for foreign nationals to the Post Office online process?

4. Could the Commission provide guidance reminding Member States of their obligations not to promote monopolies which tend to have the effect of raising prices and diminishing quality of service for citizens of EU countries?

Answer given by Mr Almunia on behalf of the Commission
(15 January 2013)

1. EU competition rules do not govern the details of national administrative procedures that must be followed in the application process for various permits (e.g. an online process without the need for a paper portrait).

2. The Commission is not aware of the details of the situation. The DVLA website mentions three ways to submit a driver's license application: either directly online through the DVLA website, via mail or via a Post Office. Each of these possibilities allows for any passport-size photo to be submitted with the application if a photo is needed. Neither the DVLA nor the Post Office website requires that the photo be taken on the Post Office premises. It is therefore questionable whether the Post Office has indeed been given a monopoly. However, even if the Post Office had been given a monopoly the Commission notes that establishing a monopoly is in itself not illegal under EU competition rules.

3. EU competition rules concern the behaviour of undertakings, i.e. entities that exercise economic activities. They do not apply to public authority activity. The UK Border Agency would be unlikely to qualify as an undertaking under Article 101 or 102 TFEU.

4. The Commission agrees that monopolies tend to increase prices and to diminish quality of service for EU citizens. However, as stated above, the establishment of a monopoly by a Member State (unless the monopolist abuses its dominance) cannot be challenged under EU competition rules.

(English version)

Question for written answer E-010459/12
to the Commission
Keith Taylor (Verts/ALE)
(15 November 2012)

Subject: Wild animals kept as pets in the European Union (E-007888/2012): follow-up question

The recognition that 'the Commission is aware that wild animals kept and traded as pets may pose a risk to human and animal health, animal welfare, and the environment' is important and duly noted. However, is the Commission also aware:

1. That the actual level of monitoring (whether by observational and clinical symptom assessment or by laboratory screening) for potential health risks (pathogens of known potential threat to both the public and agriculture) at EU borders and within the EU is extremely minimal and seeks only to identify a small number of the known pathogenic hazards, whereas there are at least 200 known disease hazards posed by wildlife to public health?

2. That fish, amphibians, reptiles and invertebrates are not subject to quarantine procedures although these animals are a major component of wildlife trade as well as posing a potential threat to human and agricultural health?

3. That the screening and quarantine procedures cannot, however applied, offer any guarantee and often do not even modestly support biosecurity measures against wild-animal-borne human and agricultural pathogens?

Answer given by Mr Borg on behalf of the Commission
(3 January 2013)

The Commission is aware that a very high number of animal disease agents may affect wildlife. However, in accordance with the principles proportionality, EU legislation is in place only to prevent and combat disease agents of major importance at EU level.

In order to improve current legislation and ensure the best possible use of resources, the EU Animal Health Strategy ([1]) envisages a process of categorization and prioritisation of the EU intervention against animal diseases. The proposal for a new Animal Health Law that the Commission plans to adopt in early 2013 will reflect this approach.

The Commission considers that the animal health measures in place at European Union and Member States level successfully minimise the risks related to trade and imports of animals of non-domestic species kept as pets through science-based and proportionate measures, based on risk assessment and management. Quarantine is a specific procedure that is provided for only in a few cases, where necessary.

([1]) COM(2007) 539 final and COM(2008) 545 final.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010460/12
do Komisji
Elżbieta Katarzyna Łukacijewska (PPE)
(15 listopada 2012 r.)

Przedmiot: Przemysł lotniczy w kontekście zmiany rozporządzenia REACH

W związku z obecnym przeglądem rozporządzenia REACH dotyczącego bezpiecznego stosowania chemikaliów oraz propozycjami zmian w Załączniku XIV tego rozporządzenia, zwracam się do Komisji Europejskiej z następującą kwestią.

W przemyśle lotniczym UE powszechnie stosowane są tzw. chromiany, czyli sole kwasu chromowego. Są one wykorzystywane przy produkcji części i służą ich ochronie przed korozją. Wpływają tym samym na wysoką jakość i bezpieczeństwo użytkowania tych produktów.

W swojej propozycji Komisja chce, aby substancje zaliczane do tej grupy znalazły się w uaktualnionym Załączniku XIV rozporządzenia REACH. Spowoduje to, iż nie będą one mogły być użytkowane po określonym terminie, chyba że zostanie udzielone zezwolenie.

Procedura uzyskania takiej zgody przez producentów i importerów jest czasochłonna i musi zostać przeprowadzona oddzielnie przez każdy z podmiotów (w tym także przez MŚP). Wymaga to tym samym wielu porozumień na różnych szczeblach produkcji, tak aby zachowana została jej ciągłość.

W związku z faktem, iż dotychczasowe stosowanie tzw. chromianów oznacza ich obecność w przemyśle lotniczym UE przez kolejne 30-40 lat, zwracam się do Komisji z następującymi pytaniami:

1. Jakie są działania Komisji, aby w wyniku zmiany rozporządzenia REACH nie doszło do zachwiania ciągłości produkcji w przemyśle lotniczym UE?

2. Jaka jest procedura odwoławcza od rozporządzenia REACH i czy czas jej trwania nie wpłynie na ciągłość produkcji w przemyśle lotniczym UE?

3. Czy Komisja nie uważa za zasadne, aby wydłużyć czas potrzebny dla producentów i importerów do lepszego przygotowania się do zmian (np. do 48 miesięcy)?

Odpowiedź udzielona przez komisarza Antonio Tajaniego w imieniu Komisji
(21 stycznia 2013 r.)

W dniu 21 listopada 2012 r. Komitetowi ds. REACH przedłożono projekt zmiany załącznika XIV do rozporządzenia (WE) nr 1907/2006 („rozporządzenie REACH"), zgodnie z art. 133 ust. 4 wspomnianego rozporządzenia. W projekcie tym zaproponowano włączenie trichloroetylenu i siedmiu związków chromu (VI) do załącznika XIV.

Na podstawie art. 58 ust. 1 rozporządzenia REACH decyzja o włączeniu substancji do załącznika XIV zawiera, dla każdej substancji, datę ostateczną i ostateczny termin składania wniosków. W związku z tym wnioskodawcy, którzy złożyli wniosek przed ostatecznym terminem, mogą kontynuować stosowanie substancji lub wprowadzanie jej do obrotu dla wnioskowanych zastosowań do czasu podjęcia decyzji w sprawie wniosku o udzielenie zezwolenia, a w przypadku przychylenia się do wniosku także po zapadnięciu decyzji, co pozwala utrzymać ciągłości produkcji.

Procedura przyjęcia projektu rozporządzenia zmieniającego załącznik XIV do rozporządzenia REACH jeszcze się nie zakończyła. Po wydaniu przez Komitet ds. REACH pozytywnej opinii w dniu 21 listopada projekt został przekazany Parlamentowi Europejskiemu i Radzie zgodnie z procedurą, o której mowa w art. 133 ust. 4 rozporządzenia REACH. Rozporządzenie Komisji zostanie przyjęte, jeżeli w ciągu trzymiesięcznego okresu kontroli Parlament Europejski ani Rada nie wyrażą sprzeciwu wobec projektu.

W następstwie dyskusji w Komitecie ds. REACH projekt rozporządzenia przewiduje, że ostateczny termin składania wniosków w odniesieniu do siedmiu związków chromu (VI) wynosić będzie 35 miesięcy od daty jego wejścia w życie zamiast proponowanych pierwotnie 21 miesięcy. Taki przedłużony okres uznano za wystarczający do tego, by podmioty gospodarcze mogły przygotować wnioski, uwzględniając szczególną strukturę właściwych rynków oraz powiązanych łańcuchów dostaw.

(English version)

Question for written answer E-010460/12
to the Commission
Elżbieta Katarzyna Łukacijewska (PPE)
(15 November 2012)

Subject: The aviation industry in the context of the REACH Regulation

I should like to put some questions to the Commission in connection with the ongoing review of the REACH Regulation on chemicals and their safe use, and with the draft amendments to Annex XIV to that regulation.

Chromates, i.e. chromic acid salts, are widely used in the EU aviation industry. They are used in the production of components, which they protect from corrosion. They therefore play an important role in ensuring the high quality and safe operation of such components.

The current Commission proposal aims to have these substances included in the updated Annex XIV to the REACH Regulation. This will mean that they may no longer be used after a certain date, unless authorisation is granted.

The process of obtaining such authorisation is time-consuming for producers and importers, and it must be carried out separately by each entity — and this includes SMEs. It thus requires many agreements at various stages of production in order for continuity to be maintained.

Given that past use of chromates means that they will remain present in the EU's aviation industry for the next 30-40 years:

1. What steps is the Commission taking to ensure that continuity of production in the EU'saviation industry is not affected by the changes to the REACH Regulation?

2. What is the appeal procedure against the REACH Regulation, and is it not the case thatits time-consuming nature will affect continuity of production in the EU's aviationindustry?

3. Does the Commission not take the view that the period of time needed by producers andimporters to prepare for the changes should be extended, for instance, to 48 months?

Answer given by Mr Tajani on behalf of the Commission
(21 January 2013)

On 21 November 2012 a draft amendment of Annex XIV to Regulation (EC) 1907/2006 ('REACH') was submitted to the REACH Committee, according to Article 133(4) of the regulation. The draft proposes the inclusion of trichloroethylene and seven chromium VI compounds in Annex XIV.

Pursuant to Article 58(1) REACH, a decision to include substances in Annex XIV shall specify for each substance a sunset date and a latest application date. Thus, applicants who have made an application before the latest application date may continue to use the substance or place it on the market for the use(s) applied for until a decision on the application for authorisation is taken, and thereafter in case of a positive decision, thus allowing to maintain the continuity of production.

The draft Regulation amending Annex XIV of REACH has not yet completed the adoption procedure. After receiving a favourable opinion of the REACH Committee on 21 November it was transmitted to the European Parliament and the Council, in accordance with the procedure referred to in Article 133(4) of REACH. The Commission Regulation will be adopted if neither the European Parliament nor the Council objects to the draft within the three-month scrutiny period.

Following the discussion at the REACH Committee, the draft Regulation foresees the latest application date at 35 months after its entry into force for the seven chromium VI compounds, instead of the 21 months initially proposed. The extended period was considered sufficient to allow operators to prepare their applications, taking into account the specific structure of the relevant markets and the related supply chains.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010461/12
aan de Commissie
Gerben-Jan Gerbrandy (ALDE)
(15 november 2012)

Betreft: Gebruik van begrotingslijn 21 04 01 — Milieu en duurzaam beheer van natuurlijke hulpbronnen, met inbegrip van energie

Begrotingslijn 21 04 01 dient om het beleid op het gebied van milieu en duurzaam beheer van hulpbronnen te bevorderen en ten uitvoer te leggen, voor zover dat van toepassing is op de betrekkingen van de Unie met ontwikkelingslanden en met de Europese buurlanden.

Deze begrotingslijn binnen de begroting 2012 is gewijzigd om meer nadruk te leggen op de bijdrage die LED-lampen op zonne-energie kunnen leveren aan het verbeteren van de levensomstandigheden, het naar beneden brengen van de kosten voor verlichting en het verminderen van de afhankelijkheid van dieselgeneratoren.

In het bijzonder werd binnen de gewijzigde budgetlijn een bedrag van 600 000 EUR gereserveerd voor het initiatief „Zelfredzaamheid van vluchtelingen door middel van duurzame verlichting".

Tot op heden is echter — ondanks een verzoek hiertoe door het Europees Parlement — voor LED-lampen op zonne-energie nog geen aanbesteding uitgeschreven.

Wanneer is de Commissie van plan ter zake van deze middelen onder begrotingslijn 21 04 01 een aanbesteding uit te schrijven om het gebruik van LED-lampen op zonne-energie (in bijvoorbeeld vluchtelingenkampen) te bevorderen?

Antwoord van de heer Piebalgs namens de Commissie
(30 januari 2013)

De Commissie is goed op de hoogte van het voordeel van led-lampen op zonne-energie en bevordert het gebruik ervan waar mogelijk. De EU steunt projecten die bijdragen tot het verwezenlijken van deze doelstelling, zoals onder andere:

— opleidingen voor een efficiënt verlichtingsbeheer,

— de oprichting van micro-ondernemingen voor het verkopen van led-lampen opzonne-energie

— elektrificatieprogramma's, zoals het verspreiden van lampen met een laag verbruik,

— promotiecampagnes over energie-efficiëntie,

— de ontwikkeling van normen,

— straatverlichting, etc.

Er is echter nog geen project uitgevoerd specifiek voor vluchtelingenkampen. De Commissie zou dergelijke acties kunnen overwegen in de toekomst, maar dan via een meer geïntegreerde aanpak, aangezien nog niet bewezen is dat de uitsluitende verstrekking van led-lampen of compacte fluorescentielampen goede resultaten oplevert in de praktijk.

(English version)

Question for written answer E-010461/12
to the Commission
Gerben-Jan Gerbrandy (ALDE)
(15 November 2012)

Subject: Utilisation of budget line 21.04.01 — 'Environment and sustainable management of natural resources, including energy'

Budget line 21.04.01 is intended to promote and implement policies on the environment and sustainable management of natural resources, as it applies to the Union's relations with developing countries and with Europe's neighbours.

This particular budget line was amended for the 2012 budget with a view to focusing attention on the potential of solar LED lights for improved livelihood outcomes, reduced lighting costs and less reliance on diesel generators.

In particular, the sum of EUR 600 000 was earmarked within the amended budget line for the initiative 'Refugee self-reliance through sustainable lighting'.

Until now, no tender has been issued for solar LED lights, as requested by Parliament.

When is the Commission planning to issue a tender for those funds under budget line 21.04.01 in order to promote the use of solar LED lights, for example in refugee camps?

Answer given by Mr Piebalgs on behalf of the Commission
(30 January 2013)

The Commission is fully aware of the interest of solar light-emitting diode (LED) lamps and promotes their utilisation wherever possible. The EU is funding projects comprising elements to that effect, such as:

— training on efficient lighting management,

— micro-enterprise creation for selling LED solar lamps,

— electrification programmes including the distribution of low consumption lamps,

— promotional campaigns on energy efficiency,

— development of standards,

— public lighting, etc.

However, no project has been implemented which would target refugee camps specifically. The Commission might consider such type of action in the future, but within a more integrated approach, as the sole provision of LED or Compact Fluorescent Lights (CFLS) remains to be proven in creating actual change on the ground.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej P-010463/12
do Komisji
Adam Gierek (S&D)
(15 listopada 2012 r.)

Przedmiot: Normy europejskie z zakresu TIC a prawa do własności intelektualnej – pytanie dodatkowe

Prawo własności intelektualnej towarzyszące normom TIC może dotyczyć patentów na programy komputerowe przyznawanych przez niektóre pozaeuropejskie urzędy patentowe, np. w USA. Korzystanie z tych norm w oparciu o zobowiązanie FRAND może się wiązać z żądaniem zakupu licencji na korzystanie z patentów nieuznawanych przez kraje Unii.

Czy takie normy nie będą stanowiły swoistej furtki dla formalnego uznania przez Unię patentów softwarowych?

Odpowiedź udzielona przez Wiceprzewodniczącego Antonio Tajaniego w imieniu Komisji
(14 stycznia 2013 r.)

Europejskie normy nie są pierwszym krokiem do uznania patentów na oprogramowanie.

W UE programy komputerowe nie są uznawane za wynalazki, a tym samym na ogół nie mogą zostać opatentowane ([1]).

Europejskie normy w dziedzinie technologii informacyjno-komunikacyjnych są stosowane na całym świecie. Dzięki temu przemysł, w tym przedsiębiorstwa z UE, mogą uzyskać korzyści skali i mają ułatwiony dostęp do rynków międzynarodowych.

Ponadto patenty są ważne tylko na określonym terytorium. W USA, w przeciwieństwie do UE, oprogramowanie może zostać opatentowane. Jeżeli norma uwzględnia technologię objętą patentem na oprogramowanie w USA, osoba wdrażająca taką normę będzie musiała zakupić licencję, chcąc sprzedawać swoje produkty w USA. Jeżeli osoba wdrażająca zamierza sprzedawać produkt w Europie, taka licencja nie jest wymagana.

Przemysł wybiera technologie objęte normami. Może to prowadzić do włączenia technologii chronionych przez patenty na oprogramowanie w USA, ale nie w Europie.

Patenty te, podobnie jak wszelkie inne istotne patenty (ang. *relevant patents)* ([2]), trzeba zgłaszać przed ustaleniem danej normy. Przemysł może wówczas podejmować świadome decyzje o umieszczeniu bądź też nie technologii chronionych przez patenty na oprogramowanie w USA.

Komisja dba o to, aby uczestnicy procesu normalizacji podejmowali decyzje w oparciu o jak najszerszą wiedzę o dostępności technologii objętych normą. W swoim ostatnim komunikacie na temat polityki przemysłowej ([3]) Komisja ogłosiła, że zamierza sprawdzić, czy obecne warunki przyznawania licencji wymagają dostosowania polityki.

W rozmowach dwustronnych z USA Komisja ponownie potwierdziła stanowisko Europy, zgodnie z którym oprogramowanie nie ma zdolności patentowej. Debata na temat zalet i wad patentowania oprogramowania w USA nadal trwa. Ostatecznie to do amerykańskiego ustawodawcy należy ocena, czy zmiany w amerykańskim ustawodawstwie są konieczne.

([1]) Zgodnie z artykułem 52 ust. 3 Konwencji o udzielaniu patentów europejskich; w powyższym artykule konwencji określono, jakie wynalazki mają zdolność patentową. We wniosku w sprawie jednolitego systemu ochrony patentowej również nie ma mowy o zmianie w zakresie przedmiotów mających zdolność patentową.

([2]) Zgodnie z przepisami prawa własności intelektualnej Europejskiego Instytutu Norm Telekomunikacyjnych oraz wielu organów normalizacyjnych (w tym ITU-T, IEEE itd.) patent niezbędny do wdrożenia.

([3]) „Komisja rozważy środki, które mogą przyczynić się do zwiększenia przejrzystości. i poprawić traktowanie praw własności intelektualnej w działalności normalizacyjnej."
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0582:FIN:PL:PDF COM(2010) 582 wersja ostateczna, Komunikat Komisji do Parlamentu Europejskiego, Rady, Europejskiego Komitetu Ekonomiczno-Społecznego i Komitetu Regionów: „Silniejszy przemysł europejski na rzecz wzrostu i ożywienia gospodarczego, aktualizacja komunikatu w sprawie polityki przemysłowej", s. 20.

(English version)

Question for written answer P-010463/12
to the Commission
Adam Gierek (S&D)
(15 November 2012)

Subject: European ICT standards and intellectual property rights — supplementary question

The intellectual property rights associated with ICT standards can apply to patents covering computer programmes granted by the patent offices of some non-European countries, for instance the USA. The application of these standards on the basis of the FRAND (fair, reasonable and non-discriminatory) obligation may require the purchase of licences for patents not recognised in EU Member States.

Is it not the case that these standards will act as a sort of first step towards the EU's formal recognition of software patents?

Answer given by Mr Tajani on behalf of the Commission
(14 January 2013)

European Standards do not act as a first step towards the recognition of software patents.

In the EU, programs for computers are not regarded as inventions and are thus generally not patentable ([1]).

European ICT standards are used worldwide. This allows industry, including EU firms to achieve economies of scale and enter international markets more easily.

Conversely, patents are valid only in a defined territory. In the US, contrary to the EU, software is patentable. If a standard includes a technology covered by a software patent in the US, the implementer of such a standard will need to license it to sell products in the US. If the implementer wishes to market in Europe, no such licence will be required.

Industry selects the technologies included in standards. It may lead to inclusion of technologies protected by software patents in the US, but not in Europe.

These patents, like any other relevant patents ([2]), need to be declared before the conclusion of the standard. Industry is then able to take informed decisions to include or not technologies protected by software patents in the US.

The Commission ensures that standardisation participants can take decisions with the best possible knowledge of the technology availability included in the standards. The Commission announced in the latest industrial policy communication ([3]), the intention to check if the current licensing conditions may require policy adjustments.

In the bilateral discussions with the US, the Commission has reiterated Europe's position that software is not patentable. The debate is ongoing in the US on the pros and cons of software patents. Ultimately, it will be up to the US legislator to see if they believe changes to their legislation are necessary.

([1]) According to Article 52(3), of the European Patent Convention (EPC); This EPC article defines the scope of the patentable subject matter. In the proposal on the Unitary Patent Protection, there are also no plans to change the patentable subject matter.

([2]) According to Intellectual Property Rights rules of the European Telecommunications Standardisation Institute and of many standardisations bodies (including ITU-T, IEEE, etc.) patent essential to the implementation.

([3]) 'The Commission will consider measures that can contribute to increase transparency and improve the treatment of IPR in standardisation.' http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0582:FIN:EN:PDF COM(2012) 582 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A Stronger European Industry for Growth and Economic Recovery, Industrial Policy Communication Update' page 20.

(Versão portuguesa)

Pergunta com pedido de resposta escrita P-010464/12
à Comissão
Maria do Céu Patrão Neves (PPE)
(15 de novembro de 2012)

Assunto: Proposta da Comissão sobre os TAC e as quotas para o ano de 2013

A Comissão Europeia propôs uma redução das possibilidades de pesca para o ano de 2013 em 48 unidades populacionais, a manutenção em 5 unidades populacionais e o aumento em 11 unidades populacionais. As reduções propostas nos TAC variam entre 3 % e 80 %, com cortes iguais ou superiores a 20 % propostos para 36 unidades populacionais (75 % do total das unidades populacionais com reduções nos TAC). Acresce ainda o facto de as reduções generalizadas agora propostas não serem singulares, mas entrarem numa lógica cumulativa, facto que tem conduzido a reduções drásticas nos TAC de diversas unidades populacionais durante a última década, as quais implicam que muitas quotas terminam a meio do ano e inviabilizam absolutamente uma gestão razoável, sustentável e rentável do setor das pescas. Finalmente, e como agravante adicional deste cenário, a generalidade dos Acordos de Parceria no âmbito das Pescas (APP) tem reduzido sistematicamente as possibilidades de pesca da frota da UE em águas de países terceiros.

Na generalidade, estas reduções nos TAC parecem ser determinadas pelo objetivo de alcançar o rendimento máximo sustentável (RMS) até 2015, posição considerada inexequível e já rejeitada pelo Conselho. Na prática, estas reduções cumulativas nas possibilidades de pesca resultam num encerramento progressivo dos mares à atividade pesqueira, centradas unicamente na vertente ambiental e sem uma atenção correspondente às vertentes económica e social, igualitariamente integrantes da Política Comum das Pescas (PCP) e agravadas por um Fundo Europeu dos Assuntos Marítimos e da Pesca (FEAMP), cuja principal orientação é promover o abandono da atividade dos profissionais da pesca.

Perante o exposto, pergunto:

1. No contexto de uma reforma da PCP que assenta equitativamente em três pilares (ambiental, social e económico) e perante esta proposta baseada unicamente no pilar ambiental, pretende a Comissão realizar um estudo acerca das implicações socioeconómicas das suas medidas?

2. No caso das unidades populacionais para as quais se dispõe de estudos científicos, avalia a Comissão a validade das metodologias utilizadas e, consequentemente, a credibilidade dos referidos estudos?

3. No caso das unidades populacionais para as quais não se dispõe de estudos científicos, que medidas pretende a Comissão adotar para aumentar os dados e melhorar a informação disponível sobre estes recursos?

4. Não considera a Comissão que cortes sucessivos e cumulativos de 20 % nos recursos com escassez de dados («*data-poor stocks*») excedem largamente o conceito do princípio da precaução?

Resposta dada por Maria Damanaki em nome da Comissão
(8 de janeiro de 2013)

A existência de unidades populacionais saudáveis é uma condição prévia para a viabilidade a longo prazo do setor das pescas. Para o efeito, a Comissão visa a exploração das unidades populacionais de peixes em conformidade com a abordagem rendimento máximo sustentável (RMS) 2015, tal como aprovado pelo Conselho em 2007.

A Comissão baseia as suas propostas anuais sobre as possibilidades de pesca nas avaliações científicas realizadas pelo CIEM e, sempre que forem recebidos estudos científicos de terceiros, na análise do CCTEP ([1]).

A Comissão partilha a responsabilidade da recolha e gestão de dados com os Estados-Membros e os organismos científicos internacionais e nacionais, no âmbito do Quadro de Recolha de Dados ([2]). A Comissão procede atualmente à sua análise, tendo instado os Estados-Membros a melhorar comunicação de dados, o que permitiu ao CIEM emitir este ano pareceres precisos sobre as taxas de exploração para um número considerável de unidades populacionais relativamente às quais, antigamente, apenas foram recomendados cortes preventivos. Graças ao melhoramento dos pareceres, será mais fácil gerir um maior número de unidades populacionais, tendo em conta o objetivo do RMS nos próximos anos.

([1]) Comité Científico, Técnico e Económico das Pescas.
([2]) Regulamento (CE) n.° 199/2008 do Conselho, de 25 de fevereiro de 2008, relativo ao estabelecimento de um quadro comunitário para a recolha, gestão e utilização de dados no setor das pescas e para o apoio ao aconselhamento científico relacionado com a política comum das pescas, JO L 60 de 5.3.2008.

Subsistem casos em que o princípio da precaução prevalece quando o grau de incerteza é maior. No caso destas unidades populacionais, a Comissão concorda com os organismos científicos que aconselham maior prudência na sua exploração para evitar danos permanentes e a perda de possibilidades de pesca, o que vem ao encontro dos compromissos internacionais da União Europeia, por exemplo, no quadro do Código de Conduta da FAO para a pesca responsável de 1995 e dos acordos da Nações Unidas sobre populações de peixes, do mesmo ano.

(English version)

Question for written answer P-010464/12
to the Commission
Maria do Céu Patrão Neves (PPE)
(15 November 2012)

Subject: Commission TAC and quota proposal for 2013

As regards the 2013 TACs of given fish stocks, the Commission has proposed that they be reduced in 48 cases, maintained unchanged in 5 cases, and increased in 11 cases. The proposed reductions in the TACs range between 3% and 80%, amounting to at least 20% in 36 cases (that is to say, 75% of the stocks for which TACs are to be lowered). These projected cuts across the board are not, moreover, an isolated occurrence, but part of a mounting trend, as can be seen from the fact that the TACs of several stocks have plummeted in the last decade, with the result that many quotas are exhausted by the middle of the year, making it completely impossible to manage the fisheries sector rationally, sustainably, and profitably. Finally, and to make matters still worse, fisheries agreements (FPAs) have almost invariably reduced fishing opportunities for the EU fleet in the waters of non-member countries.

Generally speaking, the latest TAC cuts appear to have been dictated by the aim of achieving maximum sustainable yield (MSY) by 2015, an approach which the Council considers impracticable and has already rejected. Given the ever decreasing fishing opportunities, seas are, in practice, increasingly being closed to fishing; the emphasis is being placed on environmental considerations alone, at the expense of economic and social aspects, which, however, carry equal weight within the common fisheries policy (CFP); a further aggravating factor is the European Maritime and Fisheries Fund (EMFF), whose chief purpose is to encourage fishing operators to stop fishing.

In the light of the foregoing:

1. Bearing in mind that the reform of the CFP is based on three equal strands (environmental, social, and economic), whereas the current proposal is focused solely on the environmental strand, does the Commission intend to conduct a study on the social and economic implications of its measures?

2. When there are scientific studies on fish stocks, does the Commission assess the validity of the methodologies used and hence the credibility of the studies?

3. In cases where no scientific studies are available, what steps will the Commission take to add to the body of data and obtain better information about the stocks concerned?

4. As far as 'data-poor' stocks are concerned, does not the Commission consider that the combined effects of successive 20% cuts go well beyond the precautionary principle?

Answer given by Ms Damanaki on behalf of the Commission
(8 January 2013)

Healthy fish stocks are a precondition for the long-term viability of the fishing sector. For this purpose the Commission aims at exploitation of fish stocks in line with the MSY 2015 approach, as endorsed by Council in 2007.

The Commission bases its annual proposals on fishing opportunities on the scientific assessments carried out by ICES and, where scientific studies are received from third parties, the review from the STECF ([1]).

The Commission shares responsibility for data collection and management with Member States and national and international scientific bodies, under the Data Collection Framework ([2]). Its review is currently under way and the Commission has called on Member States to improve data provision. This has allowed ICES to issue this year precise advice on exploitation rates for a good number of stocks for which, before, only precautionary cuts were recommended. With improved advice, it will be easier to manage more stocks towards the MSY target in the coming years.

([1]) Scientific, Technical and Economic Committee for Fisheries.
([2]) Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy, OJ L 60, 5.3.2008.

There are still cases in which the precautionary principle requires that more caution is exerted where uncertainty is greater. For such stocks, the Commission agrees with scientific bodies which advise that a greater degree of caution in exploiting these stocks is necessary in order to avoid permanent damage to the stock and loss of fishing opportunities for the fishing sector. This is in line with the EU's international commitments, e.g. in the 1995 FAO Code of Conduct for Responsible Fisheries and the 1995 UN Fish Stocks Agreements

(English version)

Question for written answer E-010465/12
to the Commission
Stephen Hughes (S&D), Glenis Willmott (S&D) and David Martin (S&D)
(15 November 2012)

Subject: Protecting victims of crime in Europe

Following the proposals for a package of measures on protecting victims of crime in Europe and the adoption of Parliament's report in a first-reading agreement in Strasbourg on 12 September 2012, how will the Commission proceed with the implementation of the practical support measures associated with the package?

In particular, what steps will the Commission be taking to ensure coordinated action across all Member States? Will a new EU observatory or other oversight body be established to monitor progress and implementation, coordinate an active exchange of best practice and offer practical victim support services (especially as regards training and development provisions for police and judicial authorities)?

Further, what action will the Commission be taking to guarantee that adequate financial resources are earmarked in the new EU budget to ensure funding of these structures and support for practical implementation measures?

Answer given by Mrs Reding on behalf of the Commission
(29 January 2012)

Directive 2012/29/EU establishing minimum standards on the rights, support and protection of the victims of crime, and replacing Council Framework Decision 2001/220/JHA has recently been adopted and the transposition deadline is 16 November 2015. The Commission is now turning its focus on actively assisting Member States to implement the directive into national legislation and will, in this context, support practical accompanying measures and consider further possible measures under the Budapest Roadmap on victims' rights. In order to provide for adequate financial resources, the Commission supports a number of practical projects financed under the Criminal Justice Support and Daphne III programmes and will continue to do so also under the equivalent programmes in the new Multiannual Financial Framework.

The Commission agrees that actions on victims will have more impact if they are coordinated across the Member States. During the implementation phase of the directive, the Commission will thus cooperate closely with a wide range of stakeholders, including national authorities, practitioners, the civil society and the private sector. However, the Commission is not planning to establish any new observatory or other oversight body for monitoring and implementation purposes.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-010466/12
alla Commissione
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: Configurabilità degli aiuti di stato e delle agevolazioni fiscali alle imprese colpite dall'alluvione del 1994: rischi correlati

Nel 1994 il Piemonte e diverse Regioni dell'Italia settentrionale furono colpite da una violenta alluvione che portò all'esondazione dei fiumi Po, Tanaro e di molti loro affluenti, causando la morte di centinaia di persone, migliaia di sfollati, oltre che danni incalcolabili all'ambiente ed alle attività produttive. Per fare fronte all'emergenza, il Governo Italiano dichiarò lo stato di calamità naturale e adottò in via straordinaria provvedimenti d'urgenza: le misure previste dal D.L. del 24.11.1994, n. 646, convertito in legge il 21.1.1995, n. 22, la legge del 27 dicembre 2002, n. 289, la legge del 24 dicembre 2003, n. 350, il D.L. del 28 dicembre 2006, n. 300, convertito in legge del 26 febbraio 2007, n. 17. Nello specifico, tali norme prevedono agevolazioni fiscali e previdenziali, nella forma di riduzione dei contributi previdenziali INPS, dei premi assicurativi INAIL e dei tributi dovuti, o attraverso il rimborso di quanto pagato in eccedenza rispetto alla misura prevista dalla legge, per le imprese situate nelle zone colpite. Il ritardo nell'applicazione delle norme ha determinato l'apertura di numerosi contenziosi fra aziende ed enti risolti in senso favorevole alle prime, cristallizzando, dunque, l'orientamento della Suprema Corte italiana.

Tra il 2007 e il 2011 l'Italia ha adottato altre leggi simili che prevedono agevolazioni del 60 per cento a favore delle società situate nelle zone colpite da altre calamità naturali. Alla luce del comunicato del 17.10.2012 risulta che la Commissione abbia aperto un procedimento contro l'Italia, sollevando la questione della configurabilità di tali norme come aiuti di Stato secondo le disposizioni dell'articolo 107, paragrafo 2, lettera b), del trattato FUE. Posto che la Commissione ha già accordato agevolazioni per calamità naturali in situazioni analoghe:

1. Può la Commissione ammettere che ogni eventuale decisione sul caso vada opportunamente bilanciata con i danni ingenti subiti dalle imprese colpite, poiché in caso di obbligo di restituzione esse sono in concreto esposte al rischio inevitabile di fallimento, comportando un'evidente distorsione delle economie delle principali Regioni interessate, peraltro in un contesto attuale già di per se critico?

2. Ritiene ammissibile la sussistenza della responsabilità dello Stato con conseguenti condanne risarcitorie per violazione del diritto dell'Unione? Come valuta il rischio derivante dall'eventualità di una doppia condanna ai sensi dell'articolo 260 del trattato FUE, che potrebbe innescare un pericoloso meccanismo di discriminazione nel trattamento di situazioni analoghe delle PMI coinvolte, perché lese dalla non corretta applicazione del diritto da parte dello Stato italiano?

Risposta di Joaquín Almunia a nome della Commissione
(18 dicembre 2012)

L'onorevole parlamentare fa riferimento all'avvio di un'indagine formale da parte della Commissione in data 17 ottobre 2012 ([1]).

L'indagine consente alla Commissione di esaminare più attentamente tutte le misure relative ai casi, dando alle autorità italiane e alle parti interessate la possibilità di presentare osservazioni (entro il termine di un mese a decorrere dalla data di pubblicazione della decisione). Una decisione di avvio del procedimento non ne pregiudica l'esito.

1. La Commissione è pienamente consapevole delle difficoltà provocate alle imprese dalle calamità naturali. L'articolo 107, paragrafo 2, lettera b), del TFUE tiene conto di tali difficoltà dichiarando che gli aiuti destinati a ovviare ai danni arrecati dalle calamità naturali sono compatibili con il mercato interno. Pertanto, nelle decisioni relative agli aiuti di Stato destinati a compensare tali danni, la Commissione ha sempre ritenuto compatibili gli aiuti di Stato se si dimostra che i danni sono la diretta conseguenza della calamità naturale e se la compensazione non supera l'importo totale dei danni subiti ([2]).

([1]) Casi di aiuto di Stato n. SA.33083 e SA.35083.
([2]) Per l'Italia, si vedano ad esempio le decisioni in materia di aiuti di Stato NN 118/a/1999, N 433/2000 e N 429/2001.

2. Un aiuto di Stato incompatibile concesso a un'impresa è un aiuto che può falsare o minacciare di falsare la concorrenza. Le norme in materia di aiuti di Stato prevedono il recupero degli aiuti di Stato illeciti (ovvero, non notificati) e incompatibili, al fine di ripristinare la situazione esistente sul mercato precedentemente alla concessione dell'aiuto. Inoltre, laddove ricevano aiuti di Stato illeciti e incompatibili, i beneficiari non possono far valere il legittimo affidamento affinché tali aiuti non vengano recuperati. Pertanto, non possono mettere in discussione la responsabilità dello Stato per opporsi al recupero e lo Stato non può sostituirsi ad essi per quanto riguarda il recupero, poiché ciò svuoterebbe di significato la procedura di recupero.

(English version)

Question for written answer P-010466/12
to the Commission
Oreste Rossi (EFD)
(15 November 2012)

Subject: State aid and tax relief for companies affected by the 1994 flood — relevant risks

In 1994, Piedmont and various regions of northern Italy were hit by a terrible flood in which the rivers Po, Tanaro and many of their tributaries broke their banks. Hundreds of people died, thousands were evacuated and incalculable damage was done to the environment and to businesses. To deal with the emergency, the Italian Government declared a state of natural disaster and adopted extraordinary emergency measures: those provided for in DL (decree law) No 646 of 24.11.1994, converted into Law No 22 of 21/01/1995, Law No 289 of 27 December 2002, Law No 350 of 24 December 2003 and DL No 300 of 28 December 2006, converted into Law No 17 of 26 February 2007. More specifically, these rules provide for tax and social security relief in the form of reduced INPS and INAIL social security and insurance contributions and a reduction in taxes due, or through the refund of amounts paid in excess of those laid down in the new legal provisions, for firms located in the stricken areas. The delay in implementing the rules led to numerous legal disputes between the firms in question and the relevant government bodies, in which the former won, thereby crystallising the line followed by the Italian Supreme Court.

Between 2007 and 2011, Italy adopted similar laws providing for 60% tax relief for companies located in areas stricken by other natural disasters. In the light of the communication dated 17 October 2012, it would appear that the Commission has opened proceedings against Italy, raising the issue of whether or not such rules could be deemed to be state aid under Article 107(2)(b) of the TFEU. It is worth pointing out that the Commission has already granted tax relief for natural disasters in similar situations.

1. Will the Commission agree that any decision on the case should be appropriately balanced with the extensive damage suffered by the firms affected, since if they are required to repay the money they will effectively be exposed to the inevitable risk of bankruptcy, which will result in a clear distortion of the economies of the main regions concerned, in a situation, moreover, that is already critical?

2. Can it accept the existence of state liability, resulting in an order to pay damages for having infringed EC law? What is its view of the risk inherent in a possible double judgment against Italy under Article 260 TFEU, which could trigger a dangerous mechanism of discrimination, when dealing with similar situations, against the SMEs involved, because they have been adversely affected by the failure of the Italian Government to apply the law properly?

Answer given by Mr Almunia on behalf of the Commission
(18 December 2012)

The Honourable Member refers to the opening of a formal investigation by the Commission on 17 October 2012 ([1]).

The investigation allows the Commission to examine all referred measures more closely and gives the Italian authorities and interested parties the possibility to submit comments (within one month after publication of the decision). An opening decision does not prejudge the outcome of the procedure.

1. The Commission is fully aware of the difficulties caused by natural disasters to undertakings. Article 107(2)(b) TFEU takes into account these difficulties by declaring that aid to make good the damage caused by natural disasters shall be compatible with the internal market. Therefore, in its decisions on state aid measures aiming at compensating this damage, the Commission has always considered that such aid is compatible if the damage is a proven direct consequence of the natural disaster and if the compensation does not exceed the total amount of the damage suffered ([2]).

2. Incompatible state aid to a firm is aid that may distort or threaten to distort competition. State aid rules provide for the recovery of illegal (i.e. non-notified) and incompatible state aid in order to re-establish the situation that existed on the market prior to the granting of the aid. Moreover, when receiving illegal and incompatible state aid, beneficiaries cannot invoke legitimate expectations that this state aid will not be recovered. They cannot therefore put in question the responsibility of the State in order to oppose recovery, and the State cannot replace them when it comes to the recovery, since this would make the recovery procedure meaningless.

([1]) State aid cases n. SA.33083 and SA.35083.
([2]) E.g. for Italy in the state aid decisions NN 118/a/1999, N 433/2000 and N 429/2001.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010467/12
aan de Commissie
Ivo Belet (PPE)
(15 november 2012)

Betreft: Sluiting ford Genk — EU-steun vanuit ESF

Welke beschikbare gelden en acties bestaan er binnen het huidige ESF-kader om de sociale gevolgen van de sluiting van de Ford-fabriek in Genk op te vangen en de reconversie in de getroffen regio Limburg te ondersteunen?

Antwoord van de heer Andor namens de Commissie
(15 januari 2013)

De Commissie bevestigt dat het ESF in verband met de aangekondigde herstructurering bij Ford Genk te hulp kan komen om actieve arbeidsmarktmaatregelen ten behoeve van ontslagen werknemers te financieren (bijvoorbeeld hulp bij het zoeken naar werk, beroepsoriëntatie, herscholing, certificering van opgedane ervaring, outplacement enz.). Hoe en in welke mate het beschikbare geld aangewend zal worden, hangt af van een aantal nog af te handelen zaken. Met twee elementen moet in het bijzonder rekening worden gehouden:

— De informatie- en consultatieprocedure van de werknemers van Ford Genk is nog aan de gang en de herstructurering zal een groot domino-effect hebben op andere bedrijven in de regio. Afhankelijk van de behoeften en de reconversiemogelijkheden kan ESF-financiering voor de verschillende bovengenoemde soorten maatregelen worden vrijgemaakt.

— Aangezien het ESF volgens het principe van gedeeld beheer werkt, worden de medegefinancierde initiatieven geselecteerd en uitgevoerd door de nationale en regionale instanties en uitvoerende agentschappen.

De Vlaamse beheersautoriteit van het ESF heeft aan de Commissie gemeld dat ongeveer 20 miljoen euro van het huidige operationele programma bestemd is voor VDAB-steun aan werkzoekenden. Een deel van die financiering zou ook kunnen worden gebruikt om de door de herstructurering van de auto-industrie in Limburg getroffen werknemers te helpen. Bovendien kunnen ESF-middelen die voor andere initiatieven waren bestemd maar uiteindelijk niet zijn opgebruikt, gereserveerd worden om bijkomende initiatieven te steunen. De Commissie weet dat ongeveer 2,5 miljoen euro aan onbestede middelen beschikbaar is. Deze bijkomende fondsen zouden kunnen worden gebruikt om specifieke oproepen tot het indienen van voorstellen in de regio te financieren.

(English version)

Question for written answer E-010467/12
to the Commission
Ivo Belet (PPE)
(15 November 2012)

Subject: Ford closure in Genk — EU support from the European Social Fund (ESF)

What monies and measures are available under the ESF at present in order to cushion the social consequences of the closure of the Ford plant in Genk and to provide support for conversion in the region affected, Limburg?

Answer given by Mr Andor on behalf of the Commission
(15 January 2013)

The Commission confirms that in connection with the announced restructuring at Ford Genk the ESF can step in to fund active labour market policies helping workers made redundant for example through job-search assistance, occupational guidance, re-training, certification of acquired experience, outplacement etc. How and to what extent the funding available will be put to use depends on a number of pending issues. Two elements in particular need to be borne in mind:

— The information and consultation procedure of employees at Ford Genk is still underway, and the restructuring will have considerable knock-on effects on other companies in the region. Depending on the needs and the reconversion opportunities identified, ESF funding might be channelled to the various types of measures outlined above.

— As the ESF operates under the principle of shared management, the initiatives co-financed will be selected and implemented by the national and regional authorities and executive agencies.

The Flemish Managing Authority of the ESF has informed the Commission that +/- EUR20 million of the current operational programme is committed to support for job seekers provided by the VDAB. Part of that funding could also benefit the workers affected by the restructuring of the automotive industry in Limburg. On top of this, ESF funding previously committed to other initiatives but which, in the end, has not been spent as planned, could be put aside to support additional initiatives. The Commission is informed that such unspent funding currently exists to the extent of approximately EUR 2.5 million. This additional funding could potentially be used to finance specific calls for proposal in the region.

(English version)

Question for written answer E-010469/12
to the Commission (Vice-President/High Representative)
Syed Kamall (ECR)
(15 November 2012)

Subject: VP/HR — Human rights abuses in Bahrain

I have been contacted by a constituent who is a former senior nurse in Bahrain and who is concerned at the attacks on medics by the Bahraini police force since the start of the uprising against the Al-Khalifa regime.

Will the Vice-President/High Representative:

1. Ask the Bahraini authorities for an explanation of why medics were prevented from doing their job of treating wounded citizens?

2. Specifically ask for an explanation for the deaths of a 17-year-old boy, Ali Neama, and of 23-year-old Mohammed Mushaima, allegedly at the hands of the police, in October 2012?

3. Raise the issue of the five consultant physicians and two nurses who were arrested for treating injured people, and ask the regime what plans it has to bring to justice those who exposed them to beatings, electric shocks, threats of rape and other forms of torture?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(25 January 2013)

The HR/VP has been following the case of the medical staff of the Salmanya Medical Complex since February 2011 and has issued several statements on the issue.

Since last year, the EU has made full use of all the opportunities at its disposal to convey consistent messages to all sides in Bahrain about the necessity of refraining from violence and engaging in a constructive and peaceful dialogue.

In its contacts with the Bahraini authorities, including at the highest level, the EU has asked to shed full light on the alleged cases of abuses committed by the security forces and to hold accountable those who are responsible of such abuses, like the ones mentioned by the Honourable Member in his question. The first priority for the Bahraini government must be to give full and timely implementation to the recommendations of the report of the Bahraini Independent Commission of Inquiry of 23 November 2011.

The EU has also offered to assist the Bahraini autorities to achieve genuine national reconciliation and to ensure better protection of human rights and fundamental freedoms.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010470/12
alla Commissione
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: Stoccaggio dei materiali liquidi radioattivi: la normativa italiana e il caso dell'impianto di Saluggia

In Italia il territorio piemontese è il più esposto al rischio di irradiazione; qui infatti si concentra il 96 % dei materiali di scarto radioattivi italiani, stoccati in depositi temporanei. Nel solo Comune di Saluggia (VC) si concentra l'85 % dei rifiuti italiani e vi sono stoccati anche rifiuti radioattivi provenienti da Canada e Olanda. All'interno del sito Eurex negli anni sessanta sono state costruite due vasche a cielo aperto e parzialmente interrate (waste pounds) che ancora oggi sono utilizzate per la raccolta di acque normalmente contaminate o solo potenzialmente contaminate, provenienti da vari punti dell'impianto, scaricate successivamente nel fiume Dora Baltea (affluente del Po) a pochi metri di distanza dal sito. Allo stato attuale, l'attività di depurazione e scarico nel fiume è svolta da una sola vasca a cielo aperto, mentre la vasca denominata WP719 non è in funzione a causa della presenza di materiale radioattivo con concentrazioni sopra la norma, ossia oltre il limite fissato con il principio di non rilevanza radiologica.

La direttiva 29/96/Euratom e la successiva comunicazione 98/C — 133/03 (e modifiche) fissano il criterio di non rilevanza radiologica a 10 microSv/anno e, tuttavia, in Italia il decreto legislativo del 26 maggio 2000 n. 241 di attuazione della normativa europea prevede un limite di 1 mSv/anno. Occorre inoltre considerare che la popolazione che vive nei pressi di un sito nucleare è potenzialmente esposta al rischio radiologico e che il sito di Saluggia è collocato geograficamente vicino a un affluente del Po che spesso è soggetto a rischio esondazione e le piogge in Piemonte si attestano a un valore medio annuo di 700 mm. Le piogge intense potrebbero provocare l'esondazione dei liquidi contenuti nelle vasche, con conseguente penetrazione nelle falde acquifere circostanti, con danni ingenti e inestimabili all'ambiente e alla salute umana. In particolare, il pericolo maggiore è rappresentato dalle vasche a cielo aperto e non protette, poiché gli effluenti radioattivi liquidi e aeriformi scaricati dagli impianti nucleari possono contaminare in maniera diretta sia matrici ambientali sia matrici alimentari.

— Può la Commissione far sapere se è a conoscenza della situazione dell'impianto di Saluggia?

— Intende verificare la corretta applicazione e la conformità delle norme italiane rispetto alla normativa europea inerente lo stoccaggio dei materiali liquidi radioattivi?

— In ottemperanza ai principi di precauzione e integrazione sanciti dai trattati, quali misure intende adottare per la tutela dell'ambiente e della salute sui luoghi di stoccaggio con depositi a cielo aperto, soggetti ad agenti atmosferici intensi?

Risposta di Guenther Oettinger a nome della Commissione
(17 gennaio 2013)

La Commissione rimanda alla risposta data all'interrogazione scritta E-008763/2012 ([1]) dell'onorevole Sergio Paolo Francesco Silvestris.

Lo stoccaggio di rifiuti radioattivi, anche in forma liquida, è soggetto alle disposizioni della direttiva 2011/70/Euratom del Consiglio ([2]). Gli Stati membri mettono in vigore le disposizioni legislative nazionali necessarie per conformarsi alla presente direttiva anteriormente al 23 agosto 2013 e ne informano immediatamente la Commissione ([3]). Quest'ultima valuterà se il recepimento della direttiva è stato effettuato in modo corretto.

Secondo detta direttiva la responsabilità primaria per la sicurezza degli impianti e/o delle attività di gestione del combustibile esaurito e dei rifiuti radioattivi resta in capo ai titolari delle licenze ([4]), mentre gli Stati membri hanno la responsabilità ultima riguardo alla gestione del combustibile esaurito e dei rifiuti radioattivi da essi generati ([5]).

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html
([2]) Direttiva 2011/70/Euratom del Consiglio che istituisce un quadro comunitario per la gestione responsabile e sicura del combustibile nucleare esaurito e dei rifiuti radioattivi; GU L 199.
([3]) Articolo 15 della direttiva.
([4]) Articolo 7, paragrafo 1, della direttiva.
([5]) Articolo 4, paragrafo 1, della direttiva.

(English version)

Question for written answer E-010470/12
to the Commission
Oreste Rossi (EFD)
(15 November 2012)

Subject: Radioactive liquid storage: Italian law and the Saluggia facility

Piedmont is the region most susceptible to radiation risks in Italy; 96% of Italian radioactive waste is stored there in temporary storage facilities. Eighty-five per cent of Italian radioactive waste is stored in the municipality of Saluggia (in the province of Vercelli) alone, and radioactive waste from Canada and the Netherlands is also stored there. At the Eurex site, in the 1960s, two open and partially buried tanks (waste pounds) were built which are still used today to collect contaminated or potentially contaminated water from several points within the facility, and which is then discharged into the Dora Baltea river (a tributary of the Po), just a few metres from the site. At present, water is purified and discharged into the river from only one of the open tanks, while tank WP719 is out of service due to the presence of radioactive material with above-normal concentrations, i.e. over the limit set according to the principle of radiological insignificance.

Directive 29/96/Euratom and the subsequent Communication 98/C — 133/03 (as amended) set the limit for radiological insignificance at 10 microSv/year, while Italian Legislative Decree No 241 of 26 May 2000, implementing the European regulation, sets a limit of 1 microSv/year. It should also be considered that people living near a nuclear site are potentially exposed to radiological risks, that the site in Saluggia is geographically located near a tributary of the Po that is often at risk of overflowing, and that the rain in Piedmont amounts to an average of 700 mm per year. Heavy rain could cause the liquid contained in the tanks to overflow, leading to contamination of surrounding aquifers, resulting in widespread, immeasurable damage to the environment and human health. The greatest danger, in particular, is posed by the open and unprotected tanks, as radioactive effluent, in both liquid and gas form, discharged from the nuclear facility could directly contaminate both the environment and food sources.

— Is the Commission aware of the situation at the Saluggia facility?

— Does it intend to verify that Italian law correctly applies and complies with EC law on the storage of radioactive liquids?

— In accordance with the precautionary and integration principles enshrined in the Treaties, what measures does the Commission intend to take to protect the environment and health at storage sites with open tanks, which are subject to extreme weather?

Answer given by Mr Oettinger on behalf of the Commission
(17 January 2013)

The Commission would like to refer to its reply to Written Question E-008763/2012 ([1]) by M. Sergio Paolo Francesco Silvestris.

Storage of radioactive waste, including in liquid form, is subject to the provisions of Council Directive 2011/70/Euratom ([2]). Member States shall bring into force the national laws necessary to comply with this directive before 23 August 2013 and shall forthwith inform the Commission ([3]). The Commission will then examine whether transposition of the directive has been done correctly.

According to the abovementioned Directive, prime responsibility for the safety of radioactive waste and spent fuel management facilities and activities rests with the licence holder ([4]), while Member States have ultimate responsibility for management of the radioactive waste and spent fuel generated by them ([5]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) Council Directive 2011/70/Euratom establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste, OJ L 199.
([3]) Article 15 of the directive.
([4]) Article 7(1) of the directive.
([5]) Article 4(1) of the directive.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010471/12
alla Commissione
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: Amianto nel ballast ferroviario: quali rischi e quale tutela di fronte ai paradossi normativi

Nella risposta fornita all'interrogazione E-008194/2012, la Commissione afferma di essere «consapevole della presenza di amianto in certi minerali e del fatto che in certi casi tali minerali sono stati utilizzati quale ballast nelle costruzioni ferroviarie» e che «Gli articoli contenenti amianto in quanto impurità esulano dal campo di applicazione della restrizione di cui al regolamento REACH (regolamento (CE) n. 1907/2006). L'immissione sul mercato e l'uso di minerali presenti in natura e contenenti amianto, come ad esempio il serpentino, non sono vietati nell'UE in quanto le fibre non vi sono state intenzionalmente aggiunte.»

— Se rientrano nel campo di applicazione della normativa REACH solo fibre «volontariamente aggiunte», la conseguenza sarebbe che sono vietati solo i materiali con una presenza di fibre di asbesto indotta o derivata da processo industriale e non naturale. Può la Commissione chiarire il concetto tecnico e giuridico di «aggiunta intenzionale» di fibre, dato che la normativa indicata sembra fornire un paradosso interpretativo?

— Non ritiene che l'uso specifico di tali determinati materiali (quali ad es. il pietrisco usato per la formazione di massicciate ferroviarie) ed il successivo deterioramento provocato dal passaggio «necessario» dei treni possa sicuramente determinare la dispersione delle polveri di asbesto altamente nocive?

— Alla luce della premessa della Commissione, la dispersione naturale di tali polveri dovuta al passaggio dei treni e «necessariamente» provocata dall'uso specifico (la frantumazione) può essere considerata nociva e dannosa per la salute?

— Posto che la norma UNI EN 13450 stabilisce la classificazione del pietrisco per massicciate ferroviarie e fornisce indicazioni per la redazione della dichiarazione di conformità CE con l'apposizione della relativa marcatura CE sui documenti di trasporto, non ritiene necessario quanto meno procedere con una valutazione d'impatto dei rischi provocati dalla concentrazione di fibre di amianto aerodisperse in prossimità di sorgenti di contaminazione localizzate presso zone urbane servite dai trasporti ferroviari transeuropei?

— Non ritiene, in ottemperanza al principio di proporzionalità, di dover intraprendere azioni mirate alla tutela della salute umana?

Risposta di Antonio Tajani a nome della Commissione
(6 febbraio 2013)

Come precedentemente indicato, l'attuazione della legislazione dell'UE sulla protezione dei lavoratori e dell'ambiente dovrebbe bastare ad affrontare le problematiche legate a un'esposizione potenziale alle fibre di amianto nel ballast ferroviario.

Per quanto concerne i rischi legati alla dispersione potenziale di fibre di amianto dal ballast, durante la costruzione dei binari o durante il loro successivo uso, la Commissione non dispone di informazioni che consentano di pervenire a conclusioni quanto al sussistere di tale rischio per i lavoratori o per la popolazione in generale. Inoltre, la norma EN 13450:2002 sugli aggregati per ballast ferroviario specifica, in merito ai componenti nocivi, che il ballast ferroviario non deve contenere componenti o materiali diversi da quelli specificati nella norma.

Quanto alle domande specifiche dell'onorevole deputato sul regolamento REACH, sei minerali di amianto sono coperti dalla restrizione di cui alla voce 6 dell'allegato XVII di REACH. Se la composizione minerale del ballast corrisponde ad uno di questi, la fabbricazione (estrazione) di questo minerale sarebbe coperta dal divieto e non potrebbe essere trasformato per produrre gli aggregati usati nella costruzione delle massicciate ferroviarie.

Spetta alle autorità di ciascuno Stato membro preposte all'enforcement investigare i casi sospetti relativi al materiale del ballast per determinare se esso rientri nel campo della restrizione e, qualora si concludesse che sussistono criticità quanto all'esposizione dei lavoratori, adottare misure appropriate. Se il ballast non corrisponde a nessuna delle forme di amianto soggette a restrizione o se i minerali d'amianto sono presenti soltanto in forma di impurità, il che per definizione non può essere considerato alla stregua di una «aggiunta intenzionale», la restrizione di cui al regolamento REACH non si applica.

(English version)

Question for written answer E-010471/12
to the Commission
Oreste Rossi (EFD)
(15 November 2012)

Subject: Asbestos in railway ballast: what are the risks and what safeguards are there against paradoxical legislation?

In its answer to Question E-008194/2012, the Commission stated that it was 'aware of the presence of asbestos in certain minerals and that in some cases those minerals have been employed in railway ballast' and that 'articles which contain asbestos as an impurity fall outside the scope of the restriction under REACH (Regulation (EC) No 1907/2006). Placing on the market and use of naturally occurring minerals containing asbestos, such as the serpentine rocks is not banned in the EU, as the fibres are not intentionally added to them.'

— If only 'intentionally added' fibres fall within the scope of the REACH regulation, that means only materials whose asbestos fibre content is caused by or is the result of an industrial and unnatural process are banned. Can the Commission clarify the technical and legal concept of 'intentional addition' of fibres, given that the aforementioned regulation appears to give rise to a paradoxical interpretation?

— Does it not think that the specific use of these particular materials (such as crushed stone used to make railway ballast) and the subsequent deterioration caused by the 'necessary' passage of trains might certainly cause extremely harmful asbestos dust to be dispersed?

— In view of the Commission's assertion, can the natural dispersal of this dust due to the passage of trains and 'necessarily' caused by the specific use (crushing) be considered hazardous and harmful to health?

— Given that Standard UNI EN 13450 establishes the classification of crushed stone for railway ballast and provides instructions for drafting the CE conformity declaration and affixing the relevant CE marking to transport documents, does it not consider it necessary at least to conduct an impact assessment of the risks caused by the concentration of asbestos fibres dispersed into the air near sources of contamination located near urban areas served by trans-European rail transport?

— Does it not believe that, in accordance with the proportionality principle, it should take action to protect human health?

Answer given by Mr Tajani on behalf of the Commission
(6 February 2013)

As previously indicated, the enforcement of EU legislation on worker and environmental protection should suffice to address any concerns related to the potential exposure to asbestos fibres originating from such impurities in ballast.

Regarding the risks associated to the potential dispersion of asbestos fibres from ballast, either during the construction of rail track or during its subsequent use, the Commission has no information that could lead to the conclusion that such a risk exists, either to workers or to the general population. Furthermore, standard EN 13450:2002 on aggregates for railway ballast specifies regarding 'harmful components' that railway ballast shall not contain 'other components or matter' than specified in the standard.

On the Honourable Member' specific questions on REACH, six asbestos minerals are covered by the restriction in entry 6 of Annex XAnnex XVII to REACH. If the mineral composition of the ballast corresponds to any of these, the manufacture (extraction) of this mineral would be covered by the ban and would not lead to its processing into aggregates used in the construction of railway track.

It is for enforcement authorities in each Member State to investigate suspicious ballast material to determine if it falls within the scope of the restriction and, where the conclusion would be that a concern regarding workers exposure to asbestos would exist, to take appropriate action. In those cases where the ballast does not correspond with any of the restricted forms of asbestos or where asbestos minerals are only found as impurities, which by definition cannot be considered as 'intentionally added', the restriction under REACH does not apply.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010487/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(16 de noviembre de 2012)

Asunto: La situación de las mujeres en Pakistán y las leyes contra la blasfemia

En Pakistán y Afganistán, se está produciendo una violación de los derechos humanos como resultado de la aplicación de las leyes contra la blasfemia, que sirven como un mecanismo que trata automáticamente como ciudadano de segunda clase a todo aquel que profesa una religión distinta a la islámica, la mayoritaria en el país. En particular, las niñas, los cristianos y los hindúes se han convertido en el principal blanco y se los encarcela sin que medien juicios ni se les facilite el acceso a un abogado. Muchos de ellos han sido objeto de abusos sexuales y físicos en prisión, y algunos, incluso, han llegado a morir por causa de las heridas infligidas durante tales abusos. En una ocasión, las autoridades pakistaníes arrestaron a una niña cristiana por cargos de blasfemia cerca de Islamabad, tras ser acusada de haber quemado páginas del Corán. Aunque no se trata de un caso muy diferente a la mayoría de los que persiguen las infames leyes contra la blasfemia pakistaníes, suscitó especial interés debido al hecho de que, según las diversas informaciones, Rimsha Masih tiene solo once años de edad y presenta una discapacidad cognitiva relacionada con el Síndrome de Down.

Las leyes contra la blasfemia en Pakistán facilitan la base legal necesaria para procesar a muchas mujeres y a miembros de minorías políticas en Pakistán. Estas personas son exclusivamente cristianos e hindúes.

En este sentido,

1. ¿Cómo se está enfrentando la Comisión a este asunto? ¿Son conscientes la Comisión y la Alta Representante de los asesinatos relacionados con las leyes contra la blasfemia?

2. ¿Ha intentado la Comisión plantear un debate en torno a los derechos humanos en el marco de las negociaciones sobre acuerdos comerciales, especialmente entre la UE y Pakistán?

3. En caso afirmativo, ¿cuál ha sido la respuesta del Gobierno pakistaní?

4. ¿Existe la intención de añadir una cláusula relativa a las leyes contra la blasfemia en las próximas negociaciones comerciales entre la UE y Pakistán?

Respuesta conjunta de la Alta Representante y Vicepresidenta Sra. Ashton en nombre de la Comisión
(17 de enero de 2013)

La UE mantiene un diálogo regular con Pakistán sobre los derechos humanos, incluidos los de las mujeres y las minorías religiosas. Ha explicado con claridad su postura sobre las leyes contra la blasfemia (véase también la respuesta a E-004204/2012 ([1])). En lo referido a Rimsha Masih, el Presidente Zardari y los ministros condenaron enérgicamente el incidente. El ministro del **Interior creó un comité para examinar el asunto.** Desde entonces, Rimsha ha sido excarcelada y trasladada, junto con su familia, a un lugar seguro para su protección. La UE seguirá atenta a cualquier novedad.

La situación vulnerable de las personas pertenecientes a minorías religiosas se plantea de forma consecuente en el diálogo sobre los derechos humanos entre la UE y Pakistán, así como en todas la reuniones de funcionarios de alto nivel entre la UE y Pakistán. En 2012 se planteó el asunto en cuatro diálogos políticos con Pakistán, inclusive por parte de la la AR/VP en Islamabad en junio de 2012. La Delegación y los embajadores de la UE en Islamabad abordan asuntos concretos de forma bilateral. El 5 de junio de 2012, se entabló un diálogo estratégico, el cual se intensificará a raíz de la adopción del Plan de compromisos UE-Pakistán.

La UE debe intentar recurrir a sus instrumentos para alentar el respeto de los derechos humanos básicos consagrados en convenios internacionales en los que es parte Pakistán. En virtud de su nuevo Reglamento sobre el SPG, la UE brinda la posibilidad de preferencias mejoradas a países en desarrollo con este objetivo.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

Además del apoyo continuado a la educación en Pakistán, inclusive en materia de comprensión y tolerancia de otras religiones, se prevén fondos de la UE para proyectos de capacitación en las instituciones federales y provinciales a fin de mejorar el conocimiento y la protección de los derechos humanos, el acceso a la justicia por parte de los grupos vulnerables y el fortalecimiento de las organizaciones de la sociedad civil.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010472/12
alla Commissione (Vicepresidente/Alto Rappresentante
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: VP/HR — Leggi sulla blasfemia in Pakistan e in Afghanistan

In seguito all'applicazione delle leggi sulla blasfemia in Pakistan e in Afghanistan, i diritti umani vengono calpestati. Le leggi sulla blasfemia servono da pretesto per trattare automaticamente come cittadini di seconda classe qualsiasi persona che professi una fede diversa dalla maggioranza musulmana della popolazione . In particolare sono presi di mira le bambine, i cristiani e gli indù, che vengono incarcerati senza processo e senza avere accesso a un avvocato. Molte di queste persone hanno dovuto subire violenze fisiche e abusi sessuali in carcere e alcuni di loro sono anche morti a seguito delle ferite inflitte da tali abusi. In un caso, autorità pakistane nei pressi di Islamabad hanno arrestato una ragazzina cristiana accusandola di blasfemia perché sospettata di aver bruciato pagine del corano. Pur non differenziandosi di molto dalla maggior parte dei casi perseguiti in Pakistan sulla base delle famigerate leggi sulla blasfemia, questo caso ha attirato un'attenzione particolare, in quanto sembrerebbe che l'accusata, Rimsha Masih, abbia solo 11 anni e difficoltà di apprendimento associate alla sindrome di Down.

1. In che modo la Vicepresidente/Alto Rappresentante sta affrontando la questione? È il SEAE a conoscenza di omicidi collegati alle leggi sulla blasfemia?

2. Qualora la Vicepresidente/Alto Rappresentante non intenda sollevare la questione dei diritti umani nell'ambito degli incontri sugli accordi commerciali con questi due paesi, potrebbe spiegare in base a quali modalità si devono trattare questi abusi?

Le leggi sulla blasfemia in Pakistan forniscono la base giuridica per perseguire molte donne e membri di minoranze politiche, esclusivamente cristiani e indù.

3. Si sta adoperando la Vicepresidente/Alto Rappresentante per ottenere l'abrogazione di queste leggi in Pakistan?

4. Intende eventualmente includere una clausola inerente alla legge sulla blasfemia nei futuri negoziati commerciali UE — Pakistan?

Risposta congiunta data da Catherine Ashton a nome della Commissione
(17 gennaio 2013)

L'UE è impegnata in un dialogo regolare con il Pakistan in materia di diritti umani, compresi quelli delle donne e delle minoranze religiose, e ha avuto modo di chiarire la sua posizione per quanto riguarda le leggi sulla blasfemia (si veda anche la risposta all'interrogazione parlamentare E-004204/2012 ([1])). Il presidente Zardari e vari ministri hanno condannato con la massima fermezza quanto avvenuto nel caso di Rimsha Masih e il ministro dell'Interno ha istituito un comitato incaricato di esaminare la questione. Da allora, Rimsha è stata rilasciata su cauzione dal carcere in cui si trovava e, per garantire la sua protezione, è stata trasferita in un luogo sicuro insieme alla sua famiglia. L'Unione europea continuerà a seguire gli sviluppi della situazione.

L'UE pone costantemente al centro del dialogo con il Pakistan sui diritti umani e delle riunioni tra alti funzionari delle due parti la delicata situazione delle persone appartenenti a minoranze religiose. Nel 2012 la questione è stata sollevata in occasione di quattro dialoghi politici con il Pakistan, ed in giugno ad Islamabad anche dall'Alta Rappresentante/Vicepresidente Catherine Ashton. I casi specifici sono affrontati a livello bilaterale dalla Delegazione UE e dagli ambasciatori UE ad Islamabad. Il 5 giugno 2012 è stato avviato il dialogo strategico, che sarà intensificato grazie all'adozione del piano d'impegno UE-Pakistan.

L'UE dovrebbe cercare di usare i suoi strumenti per favorire il rispetto dei diritti umani fondamentali sanciti nelle convenzioni internazionali di cui il Pakistan è parte. Nel quadro del nuovo regolamento SPG l'UE offre la possibilità di godere di maggiori benefici ai paesi in via di sviluppo che si impegnano per realizzare tale obiettivo.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

Oltre che al sostegno all'istruzione in Pakistan, e quindi anche alla conoscenza e alla tolleranza verso le altre religioni, i finanziamenti UE sono destinati ai progetti di potenziamento delle capacità delle istituzioni federali e provinciali volti a migliorare la sensibilizzazione in materia di diritti umani, la tutela di tali diritti e l'accesso alla giustizia per i gruppi vulnerabili e a rafforzare le organizzazioni della società civile.

(English version)

Question for written answer E-010472/12
to the Commission (Vice-President/High Representative)
Oreste Rossi (EFD)
(15 November 2012)

Subject: VP/HR — Blasphemy laws in Pakistan and Afghanistan

Human rights are being abused in Pakistan and Afghanistan following the enforcement of blasphemy laws in those countries, where they serve as a mechanism that automatically treats anyone professing a faith other than that of the majority Muslim population as a second-class citizen. In particular, female children, Christians and Hindus have been targeted and have been imprisoned without trial and without access to a lawyer. Many of these persons have been subjected to sexual and physical abuse whilst in prison, and some have even died from injuries suffered during such abuse. In one case, Pakistani authorities near Islamabad arrested a young Christian girl on charges of blasphemy after claims had been made that she had burned pages of the Koran. While not much different from most other cases pursued under Pakistan's infamous blasphemy laws, it has attracted particular attention since, according to reports, the defendant, Rimsha Masih, is only 11 years old and has learning disabilities associated with Down syndrome.

1. How is the Vice-President/High Representative tackling this issue, and is the EEAS aware of killings related to the blasphemy laws?

2. If the Vice-President/High Representative does not intend to raise the issue of human rights in discussions on trade agreements with the two countries, could she explain under what mechanism these abuses are to be discussed?

The blasphemy laws in Pakistan provide the legal basis for the prosecution of many women and members of political minorities who are, exclusively, Christian and Hindu.

3. Is the Vice-President/High Representative taking any steps to ensure the elimination of these laws in Pakistan?

4. Is there any intention to include a clause addressing the issue of blasphemy laws in future EU-Pakistan trade negotiations?

Question for written answer E-010487/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(16 November 2012)

Subject: Situation of women in Pakistan and the blasphemy laws

Human rights are being abused in Pakistan and Afghanistan following the enforcement of blasphemy laws in those countries, where they serve as a mechanism that automatically treats anyone professing a faith outside that of the majority Muslim population as a second-class citizen. In particular, female children, Christians and Hindus have been targeted and imprisoned without trial and without access to a lawyer. Many of these persons have been subjected to sexual and physical abuse whilst in prison, and some have even died from injuries suffered during such abuse. In one case, Pakistani authorities near Islamabad arrested a young Christian girl on charges of blasphemy after claims that she had burned pages of the Koran. While not much different from most other cases pursued under Pakistan's infamous blasphemy laws, it has attracted particular attention since, according to reports, Rimsha Masih is only 11 years old and has learning disabilities associated with Down syndrome.

The blasphemy laws in Pakistan provide the legal basis for the prosecution of many women and members of political minorities in Pakistan who are, exclusively, Christians and Hindus.

In this context,

1.. ow is the Commission tackling this issue and are the Commission and the High Representative aware of killings related to the blasphemy laws?

2. Has the Commission attempted to raise the issue of human rights for debate within the framework of the negotiations on trade agreements, especially between the EU and Pakistan?

3. If so, what was the answer of the Pakistani Government?

4. Is there any intention to include a clause addressing the issue of blasphemy laws in future EU-Pakistan trade negotiations?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(17 January 2013)

The EU engages in regular dialogue with Pakistan on human rights, including on women and religious minorities' rights. It has made its views on the blasphemy laws clear (see also reply to E-004204/2012). Concerning Rimsha Masih, President Zardari and senior Ministers condemned the incident in the strongest terms. The **Interior Minister set up a committee to examine the case.** Since then, Rimsha has been released from jail on bail and has been moved, with her family, to a secure location for protection. The EU will continue to monitor developments.

The vulnerable situation of persons belonging to religious minorities is consistently raised in the EU-Pakistan human rights dialogue and in all high-level and senior officials' meetings between the EU and Pakistan. In 2012, the issue has been raised in four political dialogues with Pakistan, including by HR/VP in Islamabad in June 2012. Specific cases are raised bilaterally by the EU Delegation and EU ambassadors in Islamabad. On 5 June 2012 the strategic dialogue was launched and will be intensified following adoption of the EU-Pakistan Engagement Plan.

The EU should seek to use its instruments to encourage the implementation of basic human rights as enshrined in international conventions to which Pakistan is party. Under its new GSP Regulation, the EU offers the possibility of enhanced preferences to developing countries with this objective in view.

In addition to continued support for education in Pakistan including an understanding and tolerance of other religions the EU funding is foreseen for capacity-building projects in federal and provincial institutions to improve awareness and protection of human rights, access to justice for vulnerable groups and strengthen civil society organisations.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010473/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: VP/HR — Iran — torture e violenze contro le donne prigioniere di coscienza nel carcere di Evin

Il carcere di Evin, a nord di Teheran, è tristemente noto per rinchiudere dentro le sue mura oppositori e prigionieri di coscienza. Diverse organizzazioni per i diritti umani hanno denunciato quanto avviene nelle carceri iraniane e il quadro non è rassicurante, tutt'altro. In questi giorni è arrivata la notizia che nove prigioniere politiche iraniane hanno cominciato uno sciopero della fame ad oltranza per protestare contro abusi e perquisizioni fisiche condotte dalle guardie della prigione di Evin. La protesta andrà avanti fino a quando la direzione del carcere non presenterà scuse formali, garantirà che trattamenti del genere non si ripeteranno e restituirà i loro effetti personali.

Secondo quando riporta Amnesty International, tra le detenute in sciopero della fame vi sono Bahareh Hedayat, Zhila Bani Ya'ghoub, Shiva Nazar Ahari, Mahsa Amrabadi e Zhila Karamzadeh-Makvandi: sono attiviste, studentesse, giornaliste, ma donne prima di tutto che si battono contro le violazioni dei diritti umani, tra cui arresti arbitrari, torture e sparizioni forzate. La voce di queste donne straordinarie non può non essere ascoltata.

Considerato che solo pochi giorni fa il Parlamento europeo ha assegnato a Nasrin Sotoudeh — insieme al regista iraniano Jafar Panahi, anche lui detenuto — il premio Sakharov per la libertà di pensiero, in difesa dei diritti umani, si chiede al Vice-Presidente/Alto Rappresentante:

1. Sulla base di quanto previsto dalle norme internazionali e dalle leggi nazionali, che tipo di formazione ha ricevuto il personale del carcere di Evin?

2. Quali azioni sono state intraprese per garantire la sicurezza degli scioperanti della fame da ulteriori minacce fisiche e psicologiche?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(18 gennaio 2013)

L'Alta Rappresentante/Vicepresidente è a conoscenza delle denunce riguardanti lo sciopero della fame iniziato lo scorso 10 novembre da nove detenute nel penitenziario di Evin, a seguito di una perquisizione corporale da parte delle guardie carcerarie. Purtroppo, a causa dell'interruzione del dialogo sui diritti umani con l'Iran a partire dal 2006, su iniziativa di quest'ultimo, l'UE non dispone di informazioni in merito alla formazione del personale penitenziario nel paese.

Lo sciopero della fame delle detenute sarà oggetto di scrupolosi controlli, date le serie preoccupazioni dell'AR/VP circa le condizioni di vita dei prigionieri politici iraniani. L'UE si avvale di tutti gli strumenti a sua disposizione per esprimere le proprie inquietudini riguardo alla terribile situazione dei detenuti e ha effettivamente invitato a più riprese l'Iran, con dichiarazioni e iniziative, a rispettare i suoi obblighi internazionali, a garantire la libertà di espressione e a porre fine alla repressione degli oppositori politici.

(English version)

Question for written answer E-010473/12
to the Commission (Vice-President/High Representative)
Oreste Rossi (EFD)
(15 November 2012)

Subject: VP/HR — Iran: torture and violence against female prisoners of conscience in Evin prison

Evin prison, north of Tehran, is notorious for locking up within its walls government opponents and prisoners of conscience. Several human rights organisations have condemned what is happening in Iranian prisons and it is far from reassuring. According to recent news, nine Iranian political prisoners have begun a long-term hunger strike to protest against the abuses and body searches carried out by the guards of Evin Prison. The protest will continue until the prison management issues a formal apology, ensures that such treatment will not be repeated and returns their personal belongings.

According to reports by Amnesty International, among the prisoners on hunger strike are: Bahareh Hedayat, Zhila Bani Ya'ghoub, Shiva Nazar Ahari, Mahsa Amrabadi and Zhila Karamzadeh-Makvandi. They are activists, students, journalists, but first and foremost women, who are fighting against human rights violations, including arbitrary arrests, torture and enforced disappearances. The voices of these extraordinary women must be heard.

Given that only a few days ago, the European Parliament awarded Nasrin Sotoudeh — together with Iranian film director Jafar Panahi, who is also in prison — the Sakharov Prize for Freedom of Thought, in defence of human rights, can the Vice-President/High Representative answer the following:

1. Based on the provisions of international law and national laws, what type of training have the staff of Evin prison received?

2. What action has been taken to ensure that the hunger strikers are safe from further physical and psychological threats?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(18 January 2013)

The HR/VP is aware of reports that nine female inmates at Evin prison begun a hunger strike on 1 November following a bodily search by the prison guards. Unfortunately, since the Human Rights dialogue with Iran has been frozen since 2006 at the latter's initiative, the EU does not have information on the training of the prison staff in Iran.

The hunger strike of these women will be kept under close scrutiny, as the HR/VP is very concerned about the welfare of Iranian political prisoners. The EU uses all tools available to express concerns over the dire situation of those prisoners. Through statements and demarches, it has repeatedly called on Iran to abide by its international obligations, guarantee freedom of expression and halt repression of political opponents.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010474/12
alla Commissione
Oreste Rossi (EFD)
(15 novembre 2012)

Oggetto: Pannelli fotovoltaici al tellururo di cadmio in un sito di importanza comunitaria (SIC): una soluzione compatibile con la biodiversità

Natura 2000 è il principale strumento della politica ambientale dell'Unione europea per la conservazione della biodiversità onde garantire il mantenimento a lungo termine degli habitat naturali e delle specie di flora e fauna minacciati o rari, a livello comunitario. Il sito di importanza comunitaria (SIC) Vauda (codice IT1110005) si trova in Piemonte ed è un'area protetta regionale (Riserva naturale orientata della Vauda, istituita con L.R. 23 del 7 giugno 1993) che si estende su 2 646 ha e rientra nell'elenco di siti di importanza comunitaria per la regione biogeografica continentale in Italia. Il SIC Vauda è la più vasta area di brughiera pedemontana, caratterizzata da un'ampia zona pianeggiante punteggiata da stagni e laghetti con praterie a Molinia caerulea interrotte da ampi tratti a brugo (Calluna vulgaris) cui si associano alberi sparsi e boschetti in prevalenza di betulla (Betula pendula) e pioppo tremolo (Populus tremula). Le brughiere pedemontane sono un ambiente particolarmente ricco di vertebrati, in particolare per quanto concerne avifauna ed erpetofauna: l'elevata biodiversità di questo sito è giustificata dal fatto che qui sono sopravvissute popolazioni scomparse da gran parte della pianura piemontese. In questo contesto naturalistico è stato presentato un progetto che prevede la realizzazione di un impianto fotovoltaico, con pannelli al tellururo di cadmio (CdTe) posti al suolo, esteso su 72 ettari e di durata ventennale che, se realizzato, provocherà alterazioni ambientali irreversibili per questo fragile ecosistema, modificando il paesaggio tipico di questo luogo, con ingenti danni ambientali al processo conservativo della suddetta biodiversità.

L'eventuale installazione di pannelli fotovoltaici al tellururo di cadmio a terra avverrebbe su un terreno che presenta caratteristiche morfologiche a rischio di autocombustione, soprattutto nei periodi di siccità.

È verosimile il riscontro scientifico sui potenziali rischi del rilascio di sostanze nocive e inquinanti per l'ambiente e per la salute dell'uomo.

Inoltre, tali pannelli comportano ulteriori problemi di smaltimento e di riciclaggio.

In considerazione di quanto sopra indicato, può la Commissione far sapere se ritiene accettabile che un impianto fotovoltaico come quello descritto possa essere installato in un'aerea già riconosciuta come riserva naturale orientata e SIC?

Risposta di Janez Potočnik a nome della Commissione
(22 gennaio 2013)

La Commissione non può esprimersi conformità del progetto menzionato con la riserva naturale designata a livello regionale, poiché tale designazione rientra pienamente nell'ambito di competenza delle autorità dello Stato membro.

Per quanto riguarda la compatibilità del progetto con il sito di importanza comunitaria IT1110005, la direttiva Habitat ([1]) non vieta tali installazioni o altri progetti all'interno dei siti designati. Compete alle autorità nazionali competenti valutare, caso per caso, se un determinato progetto rischia di avere effetti negativi di rilievo sulle specie e sugli habitat in questione. Se si determina che il progetto costituisce una minaccia per il sito, si può procedere solo se sono soddisfatte le condizioni di deroga stabilite all'articolo 6, paragrafo 4.

Sulla base delle informazioni disponibili, la Commissione non riscontra nessuna potenziale violazione delle disposizioni sopraccitate.

([1]) GU L 206 del 22.7.1992.

(English version)

Question for written answer E-010474/12
to the Commission
Oreste Rossi (EFD)
(15 November 2012)

Subject: Cadmium telluride photovoltaic panels at a site of Community importance (SCI): a solution compatible with biodiversity

Natura 2000 is the main instrument of EU environmental policy for the preservation of biodiversity to guarantee the long-term preservation of threatened or rare natural habitats and species of flora and fauna, at EU level. The Vauda site of Community importance (SCI) (code IT1110005) is in Piedmont and is a regional protected area (the Vauda nature reserve, established by Regional Law No 23 of 7 June 1993), which covers 2 646 hectares and is on the list of sites of Community importance for the Continental biogeographical region in Italy. The Vauda SCI is the largest area of heathland in Piedmont, characterised by abundant plains interspersed with ponds and pools, with *Molinia caerulea* grassland broken up by wide stretches of heather (*Calluna vulgaris*) dotted with trees and copses, predominantly silver birch (*Betula pendula*) and aspen (*Populus termula*). The heathland of Piedmont is an environment that is especially rich in vertebrates, particularly in terms of bird life and reptiles and amphibians. The high biodiversity of this site is proven by the fact that populations have survived here which have disappeared from the majority of the Piedmont plains. In this naturalistic setting a project has been presented, planning the construction of a photovoltaic installation with cadmium telluride (CdTe) panels placed on the ground, spanning 72 hectares and operating for 20 years, which, if constructed, will cause irreversible environmental changes to this fragile ecosystem, altering the typical landscape of this place and causing great environmental damage to the conservation of the aforementioned biodiversity.

Any installation of cadmium telluride photovoltaic panels on the ground would be on land whose morphological characteristics mean it is at risk of spontaneously igniting, especially in dry spells.

There is scientific evidence of the potential risks that pollutants that are harmful to the environment and human health would be released.

Moreover, these panels present further problems in terms of disposal and recycling.

In view of the above, can the Commission say whether it considers it acceptable for a photovoltaic installation, such as the one described above, to be installed in an area that is a recognised nature reserve and SCI?

Answer given by Mr Potočnik on behalf of the Commission
(22 January 2013)

The Commission cannot comment on the compliance of the mentioned project with the regionally designated nature reserve, as this designation falls entirely under the competence of the Member State authorities.

As regards the compatibility of the project with the site of Community importance (SCI) IT1110005, the Habitats Directive ([1]) does not prohibit such installations or other projects inside the designated sites. It is up to the competent national authorities to assess, on a case- by- case basis, whether a specific project could cause significant negative effects on the relevant species and habitats. If it is determined that the project would adversely affect the site then it may proceed only if the derogation conditions set out in Article 6(4) of the directive are met.

On the basis of the available information, the Commission cannot identify any potential breach of the abovementioned provisions.

([1]) OJ L 206, 22.7.1992.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010475/12
lill-Kummissjoni
Joseph Cuschieri (S&D)
(15 ta' Novembru 2012)

Suġġett: Is-sistema tal-pensjonijiet għaċ-ċittadini Ewropej fl-Istati Membri

Bħala gwardjan tat-Trattati, il-Kummissjoni għandha l-obbligu li tiżgura li d-dikjarazzjonijiet kollha dwar kwistjonijiet ta' pensjonijet huma konformi mal-ispirtu tar-regolamenti fis-seħħ, b'tali mod li jkun żgurat li l-Istati Membri jistgħu jikkoordinaw b'mod effikaċi s-sistemi ta' sigurtà soċjali abbażi ta' tali dikjarazzjonijiet kif meħtieġ mid-dritt tal-UE.

Fid-dawl tal-azzjonijiet meħuda mill-UE biex tkun żgurata s-sostenibbiltà fit-tul tas-sistema tal-pensjonijiet, iż-żieda progressiva sinifikanti u li qiegħda taċċelera dejjem iżjed fl-età tal-pensjoni, l-istennija tal-għomor li kull ma jmur qed tiżdied, u l-miżuri meħuda għall-inkoraġġament tat-tfaddil għall-pensjonijiet privati, il-Kummissjoni tista' tiddeskrivi kif qed issegwi l-iżviluppi sabiex tiżgura li l-leġiżlazzjoni tal-UE fir-rigward tal-forniment tal-pensjonijiet tiġi osservata mill-Istati Membri kollha, b'mod partikolari fejn għandha dimensjoni transkonfinali ċara?

Tweġiba mogħtija mis-Sur Andor f'isem il-Kummissjoni
(21 ta' Jannar 2013)

Ir-rwol tal-UE huwa li tappoġġja u tikkumplimenta l-attivitajiet tal-Istati Membri, li l-għan tagħhom huwa li jimmodernizzaw is-sistemi ta' ħarsien soċjali tagħhom, inklużi s-sistemi tal-pensjonijiet tagħhom. Dan b'mod partikolari jieħu l-forma tal-faċilitar tat-tagħlim reċiproku u l-iskambju tal-aħjar prassi fil-kuntest tal-metodu miftuħ ta' koordinazzjoni. Il-White Paper tal-Kummissjoni "Aġenda għal Pensjonijiet Adegwati, Sostenibbli u Sikuri" ([1]) enfasizzat l-isfidi ewlenin li qed jiffaċċjaw is-sistemi tal-pensjonijiet Ewropej u żviluppat sett ta' azzjonijiet fil-livell tal-UE u nazzjonali biex tindirizza dawn l-isfidi.

Il-pensjonijiet huma punt fokali ewlieni tal-Istrateġija Ewropa 2020, minħabba l-importanza tagħhom għas-sitwazzjoni soċjoekonomika, inkluż it-tnaqqis tal-faqar, u l-baġits nazzjonali. Il-poloz tal-pensjonijiet tal-Istati Membri huma ssorveljati mill-Kumitat għall-Ħarsien Soċjali u l-Kumitat għall-Politika Ekonomika. Fl-2012, huma ppubblikaw ir-rapporti rispettivi tagħhom, ir-Rapport dwar l-Adegwatezza tal-Pensjonijiet ([2]) u r-Rapport dwar it-Tixjiħ" ([3]). Il-biċċa l-kbira tal-Istati Membri rċevew rakkomandazzjonijiet dwar ir-riformi tal-pensjonijiet, b'mod partikolari bl-għan li jaġġustaw l-età tal-irtirar mal-istennija tal-għomor ([4]).

Xi aspetti tas-sistemi tal-pensjoni huma koperti mil-leġiżlazzjoni tal-UE meħtieġa għall-funzjonament tas-Suq Uniku. Biex jiġi żgurat il-moviment ħieles tal-ħaddiema, il-koordinazzjoni tas-sigurtà soċjali tirregola l-applikazzjoni tal-liġijiet nazzjonali tal-pensjonijiet għall-ħaddiema migranti ([5]). Il-leġiżlazzjoni tal-UE tiffaċilita wkoll it-tħaddim ta' skemi ta' pensjonijiet okkupazzjonali ffinanzjati fis-Suq Intern ([6]) u tirrikjedi li l-Istati Membri jipproteġu l-membri tal-iskema f'każ ta' falliment ta' min iħaddem ([7]). In-nuqqas ta' konformità tal-Istati Membri mal-liġi tal-UE hija indirizzata permezz ta' proċedura normali ta' ksur, filwaqt li n-nuqqas ta' konformità mal-leġiżlazzjoni trasposta hija indirizzata mill-ġudikatura tal-Istat Membru.

([1]) COM(2012)55 finali.
([2]) Pension Adequacy in the European Union 2010-2050, 23 May 2012, http://ec.europa.eu/social/BlobServlet?docId=7805&langId=en.
([3]) The 2012 Ageing Report: Economic and budgetary projections for the 27 EU Member States (2010-2060), 15 May 2012, http://ec.europa.eu/economy_finance/publications/european_economy/2012/2012-ageing-report_en.htm
([4]) Ara http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_mt.htm
([5]) http://ec.europa.eu/social/main.jsp?langId=mt&catId=849.
([6]) Ara http://ec.europa.eu/internal_market/pensions/index_en.htm
([7]) Ara http://ec.europa.eu/social/main.jsp?catId=706&langId=en&intPageId=198.

(English version)

Question for written answer E-010475/12
to the Commission
Joseph Cuschieri (S&D)
(15 November 2012)

Subject: Pension system for European citizens in the Member States

As guardian of the Treaties, the Commission has the obligation to ensure that all declarations on pension matters are in line with the spirit of the regulations in force, in such a way as to ensure that the Member States can effectively coordinate their social security systems on the basis of such declarations as required by EC law.

In view of the actions taken by the EU to ensure the long-term sustainability of the pension system, the significant and accelerating progressive increase in retirement age, rising life expectancy, and the measures taken to encourage private pension savings, can the Commission outline how it is monitoring developments in order to ensure that EU legislation regarding the provision of pensions is observed by all Member States, in particular where it has a clear transborder dimension?

Answer given by Mr Andor on behalf of the Commission
(21 January 2013)

The role of the EU is to support and complement Member States activities aimed at modernising their social protection systems, including their pension systems. This takes in particular the form of facilitating mutual learning and exchange of best practise in the context of the open method of coordination. The Commission's White Paper 'An Agenda for Adequate, Safe and Sustainable Pensions' ([1]) has underlined the key challenges European pension systems are facing and developed a set of actions at EU and national level to address these challenges.

Pensions are a key focus of the Europe 2020 strategy, given their importance for the socioeconomic situation, including poverty reduction, and national budgets. Member States' pension policies are monitored by the Social Protection Committee and Economic Policy Committee. In 2012, they published their respective reports, the Pensions Adequacy Report ([2]) and Ageing Report ([3]). Many Member States have received recommendations on pension reforms, aiming in particular at adjusting the retirement age to life expectancy ([4]).

Some aspects of pension systems are covered by EU legislation required for the functioning of the single market. To ensure the free movement of workers, social security coordination regulates the application of national pension laws to migrant workers ([5]). EU legislation also facilitates the operation of funded occupational pension schemes in the internal market ([6]) and requires Member States to protect scheme members in case of insolvency of the employer ([7]). Non-compliance of a Member States with EC law is addressed through normal infringement procedure, while non-compliance with transposed legislation is addressed by the Member State's judiciary.

([1]) COM(2012)55 final.
([2]) Pension Adequacy in the European Union 2010-2050, 23 May 2012, http://ec.europa.eu/social/BlobServlet?docId=7805&langId=en.
([3]) The 2012 Ageing Report: Economic and budgetary projections for the 27 EU Member States (2010-2060), 15 May 2012, http://ec.europa.eu/economy_finance/publications/european_economy/2012/2012-ageing-report_en.htm
([4]) See http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm
([5]) See http://ec.europa.eu/social/main.jsp?langId=en&catId=849.
([6]) See http://ec.europa.eu/internal_market/pensions/index_en.htm
([7]) See http://ec.europa.eu/social/main.jsp?catId=706&langId=en&intPageId=198.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010476/12
aan de Commissie
Laurence J. A. J. Stassen (NI)
(15 november 2012)

Betreft: Legalisering vrouwenbesnijdenis

Mohamed Kandeel, lid van de Geneva Foundation for Medical Education and Research, pleit voor het juridisch legaliseren van vrouwenbesnijdenis. Hij noemt het huidige verbod op vrouwenbesnijdenis „seksistisch", omdat mannenbesnijdenis wél is toegestaan.

Voor Mohamed Kandeel is de islam één van de voornaamste redenen om vrouwenbesnijdenis te legaliseren: aangezien de islamitische gemeenschap de tweede grootste ter wereld is en vrouwenbesnijdenis in de islam „zeer gebruikelijk" is, vindt Kandeel dat vrouwenbesnijdenis „dus" gelegaliseerd zou moeten worden. Hij zegt bovendien dat vrouwenbesnijdenis „geen nadelige gevolgen" voor vrouwen zou hebben, zolang het door ervaren medici en onder verdoving wordt uitgevoerd.

Opvallend is het dat de Geneva Foundation for Medical Education and Research nauwe banden heeft met de World Health Organization, die voor haar werkzaamheden en onderzoeken gelden van de EU ontvangt.

1. Is de Commissie bekend met het bericht „Mediziner will Vaginal-Beschneidung legalisieren" ([1])?

2. Deelt de Commissie de mening dat vrouwenbesnijdenis pure genitale verminking en in strijd met de mensenrechten is? Deelt de Commissie de mening dat vrouwenbesnijdenis in de EU nooit gelegaliseerd zou mogen worden?

3. Hoe ervaart de Commissie het dat Mohamed Kandeel — lid van de Geneva Foundation for Medical Education and Research, nauw verbonden met de mede door de EU gefinancierde World Health Organization — pleit voor de legalisatie van vrouwenbesnijdenis? Verwerpt de Commissie dit? Zo neen, waarom niet? Zo ja, is de Commissie ertoe bereid hier gevolg aan te geven — óf door ervoor te zorgen dat de World Health Organization per direct haar banden met de Geneva Foundation for Medical Education and Research verbreekt, óf door ervoor te zorgen dat de financiering van de World Health Organization door de EU per direct wordt stopgezet? Zo neen, waarom niet?

Antwoord van mevrouw Reding namens de Commissie
(10 januari 2013)

Genitale verminking van vrouwen is een onaanvaardbare schending van de grondrechten. De Commissie voert een krachtig beleid om alle vormen van geweld tegen vrouwen, dus ook genitale verminking, te bestrijden, zoals bevestigd in het programma van Stockholm en de strategie voor de gelijkheid van vrouwen en mannen (2010-2015).

Gewoonte, traditie, cultuur, privacy, godsdienst of zogenaamde eer: geen van alle rechtvaardigen ze genitale verminking van vrouwen, een ingreep die gevolgen heeft voor de gezondheid van vrouwen en meisjes, zowel op korte als op lange termijn, en die de dood kan veroorzaken.

In 2013 zal de Commissie verder gerichte actie ondernemen om een einde te maken aan genitale verminking van vrouwen door zowel op Europees als nationaal niveau bewustmakingscampagnes te voeren.

Bovendien zal de Commissie zich blijven inzetten voor zelfbeschikkingsrecht voor vrouwen, voor bewustmaking, meer uitwisseling van goede praktijken en een betere verzameling van gegevens over geweld tegen vrouwen.

Via het Daphne III-programma worden grensoverschrijdende projecten gesteund van basisorganisaties die dergelijke praktijken willen voorkomen door bewustmaking en het veranderen van maatschappelijke opvattingen.

([1]) http://www.welt.de/politik/ausland/article111030661/Mediziner-will-Vaginal-Beschneidung-legalisieren.html

Door de onlangs goedgekeurde Richtlijn 2012/29/EU van 25 oktober 2012 ([2]) worden de rechten van alle slachtoffers van criminaliteit, waaronder de rechten van slachtoffers van genitale verminking van vrouwen, versterkt in alle fasen van de strafprocedure — van het politieonderzoek tot de definitieve uitspraak.

([2]) Richtlijn 2012/29/EU van het Europees Parlement en de Raad van 25 oktober 2012 tot vaststelling van minimumnormen voor de rechten, de ondersteuning en de bescherming van slachtoffers van strafbare feiten, en ter vervanging van Kaderbesluit 2001/220/JBZ (PB L 315 van 14.11.2012, blz. 57).

(English version)

Question for written answer E-010476/12
to the Commission
Laurence J.A.J. Stassen (NI)
(15 November 2012)

Subject: Legalisation of female circumcision

Mohamed Kandeel, a member of the Geneva Foundation for Medical Education and Research, advocates legalising female circumcision. He calls the current ban on female circumcision 'sexist', because male circumcision is permitted.

Mohamed Kandeel considers Islam to be one of the main reasons for legalising female circumcision: as the Islamic community is the second largest in the world, and as female circumcision is 'very common' in Islam, Kandeel considers that female circumcision should 'therefore' be legalised. Moreover, he says that female circumcision 'does not have any deleterious impact' on women so long as it is performed by experienced medical staff under anaesthetic.

It is worth noting that the Geneva Foundation for Medical Education and Research has close links with the World Health Organisation, which receives funding from the EU for its research and other work.

1. Is the Commission aware of the report 'Mediziner will Vaginal-Beschneidung legalisieren'? ([1])

2. Does the Commission agree that female circumcision is pure genital mutilation and a violation of human rights? Does the Commission agree that female circumcision should never be legalised in the EU?

3. What view does the Commission take of the fact that Mohamed Kandeel — a member of the Geneva Foundation for Medical Education and Research, closely associated with the World Health Organisation, which receives part of its funding from the EU — advocates legalising female circumcision? Does the Commission reject this? If not, why not? If so, will the Commission act on its opinion, by ensuring either that the World Health Organisation immediately severs its ties with the Geneva Foundation for Medical Education and Research or that the EU's funding of the World Health Organisation is immediately halted? If not, why not?

Answer given by Mrs Reding on behalf of the Commission
(10 January 2013)

Female genital mutilation constitutes an unacceptable violation of fundamental rights and the Commission is committed to a strong policy response to combat all forms of violence against women, including female genital mutilation, as confirmed in the Stockholm Programme and the strategy for equality between women and men (2010-2015).

Neither custom, tradition, culture, privacy, religion nor so-called honour can be invoked to justify female genital mutilation that has both immediate and long-term consequences to the health of women and girls and can cause death.

In 2013, the Commission will undertake further specific actions aimed at eradicating female genital mutilation, by conducting awareness raising activities at EU and national level.

Furthermore, the Commission will continue working for the empowerment of women, awareness raising, the promotion of exchanges of good practices and the improvement of collection of data on violence against women.

The Daphne III Programme provides financial support for the implementation of transnational projects to grass roots organisations working to prevent such practices by raising awareness and changing social attitudes.

With the recently adopted Directive 2012/29/EU of 25 October 2012 ([2]), the rights of all victims of crime, including the rights of victims of female genital mutilation, are reinforced at all stages of the criminal proceeding — from the police investigation until the final judgment.

([1]) http://www.welt.de/politik/ausland/article111030661/Mediziner-will-Vaginal-Beschneidung-legalisieren.html

([2]) Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ14.11.2012, L315, p.57).

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010478/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Piotr Borys (PPE), Róża Gräfin von Thun und Hohenstein (PPE), Czesław Adam Siekierski (PPE) oraz Bogusław Sonik (PPE)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Kazachstan: staranne monitorowanie sprawiedliwego i niezależnego działania sądu apelacyjnego w sprawie Wladimira Kozłowa

W dniu 19 listopada 2012 r. sąd apelacyjny w Aktau rozpatrzy sprawę Wladimira Kozłowa, głównego polityka opozycji i działacza w zakresie obrony praw człowieka w Kazachstanie, który wygłosił wiele przemówień w Europie i spotkał się z posłami do Parlamentu Europejskiego oraz członkami Komisji Europejskiej, aby rozpowszechnić informacje o pogarszającej się sytuacji w zakresie praw człowieka w Kazachstanie. Ostrzegał on o napięciach społecznych w Żanaozen i wezwał do przeprowadzenia niezależnego międzynarodowego dochodzenia w sprawie tragicznych wydarzeń, które miały miejsce w Żanaozen i Szepte w 2011 r. Niestety w dniu 23 stycznia 2012 r. został on aresztowany tuż po powrocie z Europy, gdzie uczestniczył w oficjalnych posiedzeniach i wydarzeniach.

Istnieją obawy co do zasadności skazania Kozłowa na karę siedmiu lat i sześciu miesięcy pozbawienia wolności za działalność na rzecz praw człowieka, ponieważ policjanci, którzy zostali uznani za winnych śmierci ludzi w trakcie strzelaniny w Żanaozen, zostali skazani na karę pięciu lat pozbawienia wolności. W rezolucji z dnia 15 marca 2012 r. Parlament potępił prześladowanie działaczy społeczeństwa obywatelskiego i wezwał władze do natychmiastowego zwolnienia więźniów politycznych, a Komisja Europejska wezwała do ścisłego monitorowania sytuacji w zakresie praw człowieka w Kazachstanie.

Oczekujemy, że w orzeczeniu, jakie wyda sąd apelacyjny w sprawie przywódcy opozycji kazachstańskiej, zostanie uwzględniony ogromny wkład Wladimira Kozłowa w poprawę sytuacji w zakresie praw człowieka w Kazachstanie, że działacz ten zostanie uniewinniony i że z sali sądowej wyjdzie prosto na wolność.

Wzywamy Wiceprzewodniczącą/Wysoką Przedstawiciel do przedstawienia szczegółowego sprawozdania w sprawie monitorowania sprawiedliwego i niezależnego działania sądu apelacyjnego w sprawie Wladimira Kozłowa.

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(22 stycznia 2013 r.)

Wysoka Przedstawiciel/Wiceprzewodnicząca i podległe jej służby uważnie śledzą sytuację w Kazachstanie od czasu zamieszek w Żangaözen w grudniu 2011 r., a w szczególności przypadek Władimira Kozłowa. Proces Władimira Kozłowa zakończył się 8 października 2012 r. Zgodnie z postulatem Parlamentu Europejskiego, zawartym w rezolucji z dnia 15 marca 2012 r., delegatura UE w Astanie uczestniczyła w procesie sądowym jako obserwator. Dnia 9 października 2012 r. rzecznik Wysokiej Przedstawiciel/Wiceprzewodniczącej wydał oświadczenie wyrażające wątpliwości dotyczące przebiegu procesu sądowego. Europejska Służba Działań Zewnętrznych wraz z należącym do niej Specjalnym Przedstawicielem Unii Europejskiej w Azji Środkowej podzielili się wnioskami i wrażeniami z obserwacji procesu z Parlamentem Europejskim, także przy okazji spotkań delegacji ds. Azji Środkowej w dniach 18 września oraz 15 października 2012 r. Sprawa ta była również omawiana na sesji plenarnej dnia 21 listopada, przed przyjęciem nowej rezolucji Parlamentu Europejskiego w sprawie Kazachstanu dnia 22 listopada 2012 r.

Ponadto delegatura UE w dalszym ciągu będzie śledzić rozwój sytuacji w związku z możliwym odwołaniem się Władimira Kozłowa od wydanego wyroku. Odwołanie się Kozłowa do sądu apelacyjnego zostało odrzucone, jednak uzyskaliśmy informacje, że jego prawnicy zamierzają odwołać się do Sądu Najwyższego. Nie możemy wypowiadać się na temat procesu, dopóki proces apelacyjny nie zostanie zakończony. Komisja oraz Europejska Służba Działań Zewnętrznych są gotowe udzielić odpowiedzi na dalsze pytania i regularnie informować Parlament Europejski o rozwoju sytuacji.

(English version)

Question for written answer E-010478/12
to the Commission (Vice-President/High Representative)
Piotr Borys (PPE), Róża Gräfin von Thun und Hohenstein (PPE), Czesław Adam Siekierski (PPE) and Bogusław Sonik (PPE)
(16 November 2012)

Subject: VP/HR — Kazakhstan: careful monitoring of the fairness and independence of the Appellate Court required in the case of Vladimir Kozlov

On 19 November 2012, the Appellate Court in Aktau will consider the case of Vladimir Kozlov, a leading opposition politician and human rights activist in Kazakhstan who has made many speeches in Europe and met with Members of the European Parliament and the Commission in order to disseminate information about the deteriorating human rights situation in Kazakhstan. He warned of social tensions in Zhanaozen and called for an independent international investigation into the tragic events in Zhanaozen and Shetpe in 2011. Unfortunately, on 23 January 2012 he was arrested immediately after his return from attending those official meetings and events in Europe.

There is some concern as regards the appropriateness of sentencing Kozlov to seven years and six months in prison for his human rights activities, given that the policemen found guilty of causing the death of people during the shooting in Zhanaozen were sentenced to five years' imprisonment. Parliament's resolution of 15 March 2012 condemned the oppression of civil society activists and urged the authorities to immediately release political prisoners, and the Commission called for close monitoring of the situation around human rights in Kazakhstan.

We expect that the Appellate Court will issue a ruling, in the case of the leader of the Kazakh opposition, which takes account of his great contribution to the improvement of the human rights situation in Kazakhstan and that, as a consequence, Vladimir Kozlov will be acquitted and released immediately from the courtroom.

We appeal to the Vice-President/High Representative to provide a detailed report monitoring the fairness and independence of the Appellate Court in the case of Vladimir Kozlov.

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(22 January 2013)

The HR/VP and her services have been closely following the situation in Kazakhstan since the violent events of December 2011 in Zhanaozen, especially the case of Mr Kozlov. The trial of Mr Kozlov was finalised on 8 October 2012. In line with the demand of the European Parliament, in its resolution of 15 March 2012, the EU Delegation in Astana attended the trial as an observer. The spokesperson of the HR/VP issued a statement, expressing concern about this trial procedure on 9 October 2012. The European External Action Service, including the EU Special Representative for Central Asia, have shared the results and impressions from the observation of the trial with the European Parliament, including on the occasion of the Central Asia Delegation meetings of 18 September and 15 October 2012. This issue was also discussed at the Plenary session on 21 November, before the adoption of the new resolution of the EP on Kazakhstan on 22 November 2012.

Furthermore the EU Delegation will continue to follow the developments regarding the appeal process by Mr Kozlov against the verdict. His appeal in the Appellate Court was refused, but we were informed that his lawyers are preparing to appeal to the Supreme Court. We cannot comment on this process, until the appeal process if finalised. The Commission and the European External Action Service are available to answer any questions and will inform the European Parliament on the developments regularly.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010479/12
aan de Commissie (Vicevoorzitter / Hoge Vertegenwoordiger)
Marietje Schaake (ALDE)
(16 november 2012)

Betreft: VP/HR — Verruiming en aanscherping van de sancties van de EU tegen Iraniërs die verantwoordelijk zijn voor mensenrechtenschendingen/censuur

De beperkende maatregelen („mensenrechtensancties") tegen 32 Iraniërs die medeplichtig zijn aan of verantwoordelijk zijn voor het leiding geven aan of uitvoeren van ernstige schendingen van de mensenrechten (beperking van de vrijheid van meningsuiting, schending van het recht op een eerlijke rechtsgang, foltering, wrede, onmenselijke of onterende vormen van behandeling, willekeurige, buitensporige, toenemende uitvoering van de doodstraf en executie van minderjarige overtreders) traden in werking op 12 april 2011. Op 23 maart 2012 werd de lijst van personen die aan beperkende maatregelen onderworpen zijn uitgebreid met 17 Iraniërs en werden aanvullende sancties tegen censuur ingevoerd op grond waarvan „het verkopen, leveren, overdragen en uitvoeren van apparatuur en software die hoofdzakelijk bestemd zijn voor controle en interceptie door of namens het Iraanse regime van internetcommunicatie en van telefoongesprekken op mobiele en vaste netwerken in Iran, alsook het verlenen van bijstand bij het installeren, exploiteren of moderniseren van dergelijke apparatuur" verboden is. Ook geldt er een verbod op het direct of indirect verlenen van financiering of financiële bijstand, technische bijstand en tussenhandeldiensten in verband met alle verboden goederen. Desondanks hebben Iraniërs nog steeds te maken met ernstige schendingen van de mensenrechten en fundamentele vrijheden. Op 11 november 2012 overleed de Iraanse blogger Sattar Beheshti in gevangenschap. Er zijn berichten over een alarmerende toename van het aantal executies in Iran. Het Iraanse regime heeft zijn inspanningen om een „elektronisch gordijn" tot stand te brengen om de Iraanse burgerbevolking van de rest van de wereld af te snijden onverminderd voortgezet. Ook wordt nog steeds gebruik gemaakt van stoorzenders tegen de BBC, Deutsche Welle, France 24 en Voice of America. De EU heeft deze activiteiten stelselmatig veroordeeld, maar daadwerkelijke actie is nodig.

1. Is de vicevoorzitter/hoge vertegenwoordiger bereid om met het oog op een zo groot mogelijke effectiviteit de mensenrechtensancties en de sancties gericht tegen censuur krachtens artikel 6, lid 2, van Besluit 2011/235/GBVB van de Raad, zoals gewijzigd bij Besluit 2012/168/GBVB van de Raad, zo snel mogelijk te actualiseren in die zin dat de sancties ook van toepassing worden verklaard op het CIOC (Iraans Centrum voor onderzoek naar georganiseerde misdaad), de Iraanse raad van toezicht op de pers en het Ministerie voor cultuur en islamitische leiding?

2. Is de vicevoorzitter/hoge vertegenwoordiger bereid om de werkingssfeer van de bevriezing van activa (artikel 2 van Besluit 2011/235/GBVB van de Raad) uit te breiden tot alle eigendom en belangen in eigendom die zich in de EU bevinden of binnen de EU komen of in het bezit zijn van of onder de zeggenschap vallen van EU-burgers? Zo nee, waarom niet?

3. Is de vicevoorzitter/hoge vertegenwoordiger bereid te onderzoeken of Iraniërs op wie deze sancties van toepassing zijn onroerend goed bezitten binnen te EU? Zo nee, waarom niet?

4. Is er sprake van coördinatie met en overleg tussen de vicevoorzitter/hoge vertegenwoordiger en ngo's en deskundigen als moet worden bepaald welke personen op grond van hun verantwoordelijkheden/betrokkenheid bij schendingen van de mensenrechten en/of censuur aan de lijst moeten worden toegevoegd? Zo nee, waarom niet?

5. Hoe waarborgt de vicevoorzitter/hoge vertegenwoordiger, in nauwe samenwerking met de EU-lidstaten, dat deze sancties ten volle worden uitgevoerd?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(28 februari 2013)

1. De hoge vertegenwoordiger/vicevoorzitter heeft herhaaldelijk haar grote bezorgdheid geuit over de verslechtering van de mensenrechtensituatie in Iran. De maatregelen en lijsten van Besluit 2011/235/GBVB van de Raad ([1]) worden voortdurend getoetst. Om nieuwe personen of entiteiten op een lijst op te nemen, moet zijn voldaan aan de criteria die in het genoemde besluit zijn vermeld. Op basis van concrete en actuele informatie moet zorgvuldig worden gemotiveerd waarom een persoon of entiteit op de lijst wordt geplaatst en de noodzakelijke juridische procedures moeten worden gevolgd voordat de maatregel kan worden goedgekeurd.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:100:0051:0057:NL:PDF.

2. De verplichtingen die worden beschreven in Besluit 2011/235/GBVB van de Raad en in Verordening (EU) nr. 359/2011 van de Raad ([2]) gelden voor personen en bedrijven in de EU. De bevriezing van tegoeden als bedoeld in deze besluiten is van toepassing op de personen en entiteiten die worden genoemd in de desbetreffende bijlagen. Naast de bevriezing van activa is het verboden tegoeden en economische middelen direct of indirect ter beschikking te stellen aan of ten behoeve van de in de bijlagen genoemde personen en entiteiten.

3. Het inbeslagnemen van activa valt niet onder het juridische toepassingsgebied van Besluit 2011/235/GBVB van de Raad en Verordening (EU) nr. 359/2011 van de Raad.

4. De hoge vertegenwoordiger/vicevoorzitter overlegt met ngo's en deskundigen over de mensenrechtensituatie in Iran. Om personen of entiteiten op te nemen op de lijsten in het kader van Besluit 2011/235/GBVB van de Raad en Verordening (EU) nr. 359/2011 van de Raad, moeten de vereiste juridische procedures worden gevolgd. Daarbij wordt rekening gehouden met alle beschikbare relevante informatie, die moet worden gestaafd.

5. De lidstaten zijn primair verantwoordelijk voor de tenuitvoerlegging van Besluit 2011/235/GBVB van de Raad en Verordening (EU) nr. 359/2011 van de Raad. Zij overleggen met de Commissie om ervoor te zorgen dat de verordening op de juiste wijze wordt toegepast.

([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:100:0001:0011:NL:PDF.

(English version)

Question for written answer E-010479/12
to the Commission (Vice-President/High Representative)
Marietje Schaake (ALDE)
(16 November 2012)

Subject: VP/HR — Broadening and sharpening of EU human rights/censorship sanctions against Iranian

The 'human rights sanctions', restrictive measures directed against 32 Iranians complicit in or responsible for directing or implementing grave human rights violations (repression of freedom of expression, violations of the right to due process, torture, cruel, inhuman or degrading treatment, the indiscriminate, excessive and increasing application of the death penalty, and the execution of juvenile offenders) took effect on 12 April 2011. On 23 March 2012 another 17 Iranians were added to the list of persons subject to restrictive measures and additional 'censorship sanctions' were introduced to prohibit the 'sale, supply, transfer or export of equipment or software intended primarily for use in the monitoring or interception by the Iranian regime, or on its behalf, of the Internet and of telephone communications on mobile or fixed networks in Iran and the provision of assistance to install update or update such equipment', as well as the provision, directly or indirectly, of financing or financial assistance, technical assistance and brokering services related to any of the prohibited items. Iranians nevertheless continue to face severe violations of their basic human rights and fundamental freedoms. On 11 November 2012 Iranian blogger Sattar Beheshti died in custody. An alarming increase in the number of executions in Iran has been reported. The Iranian regime has continued its efforts to create an 'electronic curtain' to cut Iranian citizens off from the rest of the world. The jamming of satellite signals by the Iranian authorities aimed at the BBC, Deutsche Welle, France 24 and Voice of America also continues. The EU has consistently condemned these actions, but action is needed.

1. Is the Vice-President/High Representative willing, with a view to ensuring maximum effectiveness, to update as soon as possible the human rights sanctions and censorship sanctions imposed under Article 6(2) of Council Decision 2011/235/CFSP, as amended by Council Decision 2012/168/CFSP to include *inter alia* the Iranian Centre to Investigate Organised Crime, the Press Supervisory Board and the Ministry of Culture and Islamic Guidance?

2. Is the Vice-President/High Representative willing to extend the scope of asset freezes (Article 2 of Council Decision 2011/235/CFSP) to all property and interests in property that are in the EU or that come within the EU or within the possession or control of any EU citizen? If not, why not?

3. Is the Vice-President/High Representative willing to investigate the possession of real estate within the EU by Iranians subject to these sanctions? If not, why not?

4. Does the Vice-President/High Representative coordinate and consult with NGOs and experts to identify persons to be added to the list in the light of their responsibility/involvement in human rights violations and/or censorship? If not, why not?

5. How does the Vice-President/High Representative, in close cooperation with the EU Member States, ensure full enforcement of these sanctions?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(28 February 2013)

1. The HR/VP has continued to express her deep concern regarding the deteriorating human rights situation in Iran and the measures and listings set out in Council Decision 2011/235/CFSP are kept under constant review. Any additional listings of persons and entities must satisfy the listing criteria set out in that Council decision and must be accompanied by precise, concrete and up-to-date statements of reasons, and follow the necessary legal procedural requirements before they can be adopted.

2. The obligations set out in Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011 apply to persons and operators within the EU. The asset freeze contained in these acts applies to the persons entities listed in the relevant annexes. In addition to the asset freeze it is also prohibited to make funds or economic resources available, directly or indirectly, to or for the benefit of the persons and entities listed in the annexes.

3. The confiscation of assets is not within the legal scope of Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011.

4. The HR/VP consults with NGOs and experts on the human rights situation in Iran. The listing of persons and entities under Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011 must follow the required legal procedures. In the framework of these procedures, all available relevant information is taken into account, bearing in mind the information must be substantiated.

5. The implementation of Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011 is primarily the responsibility of Member States. They will coordinate with the Commission to ensure the correct implementation of the regulation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010481/12
a la Comisión
Willy Meyer (GUE/NGL)
(16 de noviembre de 2012)

Asunto: Financiación de la agricultura social en Europa

La agricultura social es un modelo de explotación de fincas basado en la multifuncionalidad de las explotaciones agrarias, que compatibiliza la actividad agrícola tradicional con la prestación de servicios sociales a la comunidad.

Este modelo de negocio en el sector agrario se encuentra en crecimiento y ha cobrado relativa importancia en numerosos Estados miembros. La multifuncionalidad de la agricultura parte de la base de que una explotación agrícola provee más bienes que los propiamente agrícolas, desde bienes públicos, como mantenimiento del paisaje, de la biodiversidad, servicios sociales, educativos, de salud pública, etc., hasta bienes y servicios privativos que pueden ser comercializados.

Esta capacidad de producir bienes y servicios simultáneamente en varios sectores es un tipo de negocio diversificado que supone un modelo de innovación y la existencia un agricultor vinculado al medio social y ambiental en el que se encuentra.

El Comité Económico y Social Europeo celebró una audiencia pública el pasado 6 de junio sobre agricultura social en la cual diferentes expertos académicos y miembros de la Comisión expusieron la realidad y las posibilidades de desarrollo del sector. Todos los expertos estaban de acuerdo en los múltiples beneficios que este tipo de explotaciones suponen, entre ellos las posibilidades de aumento de los beneficios de las explotaciones, mejoras en múltiples programas de salud pública, beneficios en reinserción e integración social o la realización de programas de educación ambiental. Esta combinación de efectos beneficiosos en diferentes áreas debería suponer un incentivo a la extensión de este tipo de explotaciones por todos los Estados miembros de la Unión, pero su carácter multifuncional choca con la estructura de toma especializada de decisiones que impera en la Comisión. Así, en los esquemas de financiación propuestos dentro del proceso de reforma de la política agrícola común (PAC) no existe ninguna partida específica para el subsector de la agricultura social.

1. ¿Cuáles son las razones de la Comisión para no permitir el desarrollo de una partida específica en la nueva PAC para la financiación de este sector? ¿Plantea alguna alternativa para el fomento de este subsector?

2. Al suponer una realidad que trasciende al sector agrícola, ¿está la Comisión desarrollado algún plan para coordinar diferentes mecanismos de acción para el fomento del subsector en la Unión?

Respuesta del Sr. Cioloş en nombre de la Comisión
(14 de enero de 2013)

En el periodo de programación actual, la ayuda para las actividades sociales realizadas por los agricultores la proporciona el Fondo Europeo Agrícola de Desarrollo Rural (Feader, segundo pilar de la PAC).

En su propuesta de futura política de desarrollo rural, la Comisión ha mantenido sin cambios la ayuda financiera para estas actividades y ha ampliado las posibilidades de intervención del Feader en el ámbito de la agricultura social al permitir que todos los agricultores de la Unión Europea diversifiquen sus actividades agrícolas utilizando la ayuda de este Fondo (en la actualidad solo pueden recibirla los agricultores de las zonas rurales). Las posibilidades de intervención del Feader han aumentado también gracias al establecimiento de una ayuda a la creación de empresas —de una cuantía máxima de 70 000 euros— que se dedicará a las actividades no agrícolas realizadas en las zonas rurales ([1]).

([1]) Artículo 20 de la nueva propuesta sobre el Feader — COM(2011) 627 final/2 de 19.10.2011.

La aplicación de la política de desarrollo rural de la UE se basa en el principio de gestión compartida. Estados miembros y regiones son los encargados de la aplicación y coordinación de toda actividad comprendida en su programa de desarrollo rural, incluida la promoción de los servicios sociales prestados por los agricultores en las zonas rurales. Con respecto al periodo de programación actual, en diciembre de 2009 y al amparo de la Red Europea para el Desarrollo Rural, se puso en marcha una iniciativa temática conjunta sobre agricultura social con participación de siete Estados miembros (a saber, las Redes Rurales Nacionales de Austria, Bélgica-Flandes, Finlandia, Irlanda, Italia, Suecia y Reino Unido), cuya finalidad era analizar las oportunidades y los obstáculos de los Programas de Desarrollo Rural (2007-2013) de ámbito nacional o regional cofinanciados por el Feader. Los resultados finales se publicaron en el sitio web de la Red Europea para el Desarrollo Rural ([2]).

([2]) http://enrd.ec.europa.eu/themes/social-aspects/social-farming/es/social-farming_es.cfm.

(English version)

Question for written answer E-010481/12
to the Commission
Willy Meyer (GUE/NGL)
(16 November 2012)

Subject: Financing of social agriculture in Europe

Social agriculture is a farming model based on the multi-functionality of agricultural holdings, combining traditional agricultural activity with the provision of social services to the community.

This is a growing business model in the agricultural sector and has become relatively important in many Member States. The multi-functionality of agriculture is based on the idea that an agricultural holding produces goods beyond those that are strictly agricultural, from public goods such as the preservation of the landscape and biodiversity, social, educational and health services etc., to private goods and services which can be marketed.

This capacity to produce goods and services in several sectors simultaneously is a diversified line of business requiring an innovation model and the existence of farmers with close ties to their social and natural environment.

The European Economic and Social Committee conducted a public hearing on 6 June 2012 on social agriculture, during which various academic experts and members of the Commission explained the current situation and the potential for development within the sector. All the experts agreed on the multiple benefits of this kind of holding, including the potential increase in earnings for the holdings, improvements in many public health programmes, benefits for social integration and reintegration, and the implementation of environmental education programmes. This combination of beneficial effects in different areas should provide an incentive to extend this kind of holding to all the Member States of the Union, but its multi functional character clashes with the specialised decision making structure which prevails in the Commission. Thus, in the financial schemes proposed within the framework of the process of reforming the common agricultural policy (CAP), there is no specific allocation for the social agriculture sub sector.

1. What are the Commission's reasons for not allowing the creation of a specific allocation in the new CAP for the financing of this sector? Does the Commission propose any alternative in order to promote this sub-sector?

2. Since it relates to domains that go beyond the agricultural sector, does the Commission have any plans to coordinate different action schemes to promote the sub-sector within the Union?

Answer given by Mr Cioloş on behalf of the Commission
(14 January 2013)

In the current programming period, support for social activities carried out by farmers is provided by the European Agricultural Fund for Rural Development (EAFRD; Pilar II of the CAP).

In its proposal for the future rural development policy, the Commission kept the financial support for these activities intact. The Commission enlarged the scope of intervention by the EAFRD in the field of social agriculture by allowing all farmers in the European Union to diversify their agricultural activities by using the EAFRD support (currently only farmers in rural areas could be supported) and by introducing a start-up business aid of maximum EUR 70 000 for new non-agricultural activities carried out in rural areas ([1]).

The EU rural development policy is implemented under the principles of shared management. Member States and regions are responsible for implementation and coordination of any activity under their rural development programme, including promoting the development of social services provided by farmers in rural areas. For the current programming period, a joint thematic initiative for social farming grouping 7 Member States (namely National Rural Networks from Austria, Belgium-Flanders, Finland, Ireland, Italy, Sweden and the United Kingdom) was launched in December 2009 under the European Network for Rural Development to analyse the opportunities and obstacles presented by national/regional Rural Development Programmes 2007-2013, co-funded by the EAFRD, and final outcomes published on the website of the European Network for Rural Development ([2]).

([1]) Article 20 of the new EAFRD proposal — COM(2011) 627 final/2 of 19.10.2011.
([2]) http://enrd.ec.europa.eu/themes/social-aspects/social-farming/en/social-farming_en.cfm.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010482/12
a la Comisión
Willy Meyer (GUE/NGL)
(16 de noviembre de 2012)

Asunto: Agricultura urbana en Europa

A lo largo de los últimos años se han expandido por todo el mundo las experiencias de explotación agrícola dentro de las áreas metropolitanas como forma de introducir la producción de alimentos en las ciudades y mejorar su capacidad de autosuficiencia y soberanía alimentaria.

Europa no se ha mantenido al margen de este proceso y son muchas las áreas urbanas en las que los ciudadanos han decidido involucrarse en la recuperación de los suelos abandonados para mejorar las condiciones ambientales de sus barrios al mismo tiempo que producen alimentos.

Para impulsar la agricultura urbana con fines sociales o ambientales, existen iniciativas ciudadanas así como iniciativas desarrolladas por las autoridades locales. Este inventario de iniciativas que podemos contemplar a lo largo y ancho de todo el territorio europeo es un verdadero laboratorio ciudadano de nuevas formas de uso del suelo, tanto público como privado, de métodos de agricultura ecológica y social, así como de nuevas formas de comercialización de la producción local, etc.

El desarrollo de estas prácticas en las ciudades europeas no puede pasar desapercibido, ya que supone un fenómeno que se ha extendido entre numerosas ciudades y pueblos de los Estados miembros. Las personas y los colectivos involucrados en dichas experiencias constituyen un sector de la población urbana muy concienciado en el tema de la sostenibilidad, y la Comisión Europea debería tener un especial interés en trabajar con esta población para alcanzar los objetivos de sostenibilidad social y ecológica de las áreas urbana como, por ejemplo, la mitigación del cambio climático, la integración y reinserción social, los servicios de ocio y sanidad pública, e incluso la generación de rentas para desempleados urbanos. Todos estos potenciales efectos positivos deben recogerse para poder elaborar políticas que resuelvan una serie de problemas urbanos con los recursos ya disponibles en las ciudades, sus ciudadanos.

1. ¿Dispone la Comisión de datos estadísticos sobre la extensión real de este tipo de prácticas de agricultura urbana? ¿Plantea alguna actividad para el registro de estas experiencias?

2. ¿Está la Comisión desarrollado algún plan para coordinar diferentes mecanismos de acción para el fomento de este tipo de experiencias en la Unión?

Respuesta del Sr. Cioloş en nombre de la Comisión
(14 de enero de 2013)

La Comisión remite a Su Señoría a su respuesta a la pregunta escrita E-006890/2012 ([1]) por lo que respecta a la disponibilidad de estadísticas sobre prácticas de agricultura urbana.

1. Si bien la Comisión no dispone de estadísticas sobre agricultura urbana como tales, es posible desglosar las estadísticas sobre agricultura disponibles a nivel NUTS 3 según la tipología de la UE aplicable a las regiones urbanas, rurales e intermedias ([2]). Los datos relativos a las regiones predominantemente urbanas pueden considerarse correspondientes a la agricultura urbana ([3]), teniendo en cuenta, sin embargo, que una región NUTS 3 clasificada como predominantemente urbana también puede abarcar tierras agrícolas próximas a una ciudad. La unidad estadística adoptada es la explotación agrícola ([4]), con una superficie agrícola utilizada de una hectárea, como máximo, o un umbral físico de determinadas características especificadas en el anexo II del Reglamento (CE) n° 1166/2008 ([5]). Por ejemplo, las actividades hortícolas se tienen en cuenta si la superficie es superior a 0,5 hectáreas (en el caso de los cultivos al aire libre) o 0,1 hectáreas (en el caso de los cultivos de invernadero) y pertenecen a una explotación con una gestión única. Sin embargo, las estadísticas disponibles no abarcan muchos de los sistemas de cultivo que se están desarrollando en zonas urbanas, tales como jardines en tejados, pequeñas parcelas o cultivos de frutas y hortalizas en jardines particulares.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Urban-rural_typology.
([3]) Ello se aplica, en particular, a los datos recopilados a través de la encuesta sobre la estructura de las explotaciones agrarias, que consiste en un censo cada diez años, completado con algunos indicadores clave presentados en años intermedios (cuadro «ef_r_nuts»).
([4]) Se entiende por «explotación agrícola» o «explotación» una unidad única desde el punto de vista técnico y económico, con una gestión única, que lleva a cabo en el territorio económico de la Unión Europea actividades agrarias enumeradas en el anexo I del Reglamento (CE) n° 1166/2008, como actividad primaria o secundaria.
([5]) DO L 321 de 1.12.2008, pp. 14-34.

La Comisión no se plantea actualmente recopilar datos adicionales sobre las actividades de agricultura urbana.

2. La Comisión deja en manos de los Estados miembros la coordinación de distintos instrumentos disponibles para fomentar la agricultura urbana.

(English version)

Question for written answer E-010482/12
to the Commission
Willy Meyer (GUE/NGL)
(16 November 2012)

Subject: Urban farming in Europe

In recent years there has been a worldwide expansion in farming activities in metropolitan areas, as a way of introducing food production into cities and improving their capacity for self-sufficiency and food sovereignty.

Europe has played its part in this process, and citizens in many urban areas have decided to get involved in reclaiming abandoned land in order to improve the environment in their neighbourhoods while at the same time producing food.

Community schemes have been set up, together with schemes run by local authorities, to boost urban farming for social or environmental purposes. The range of schemes to be found right across the EU represents a real 'citizens' laboratory' of new ways of using land (both public and private), new environmental and social farming methods, as well as new ways of marketing local products, etc.

The development of such practices in European cities cannot go unnoticed, now that this trend has spread to many towns and cities in the Member States. The individuals and communities involved in these activities constitute a sector of the urban population with a highly developed awareness of sustainability issues. The Commission should pay special attention to working with this sector of the population in order to achieve social and environmental sustainability objectives for urban areas, such as lessening the impact of climate change, achieving social integration and rehabilitation, providing leisure and public health services and even generating income for the urban unemployed. All these potential benefits must be recorded with a view to drawing up policies for solving various urban problems using the resources already available in cities, namely, their citizens.

1. Does the Commission have any statistics on the real extent of urban farming practices of this kind? Does it have any plans to compile records of such activities?

2. Is the Commission developing any plans to coordinate different instruments to encourage activities of this kind in the EU?

Answer given by Mr Cioloş on behalf of the Commission
(14 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E- 006890/2012 ([1]) with regard to the availability of statistics on urban farming practices.

1. While the Commission does not have any statistics on urban farming as such, it is possible to disaggregate those agricultural statistics which are available at NUTS 3 level according to the EU typology for urban, rural and intermediate regions ([2]). Data for predominantly urban regions can be taken as proxies for urban farming ([3]), while keeping in mind that a NUTS 3 region classified as predominantly urban can also include agricultural land surrounding a city. The statistical unit observed is the agricultural holding ([4]), with a size threshold of 1 ha of utilised agricultural area or a physical threshold for certain characteristics as specified in Annex II of Regulation (EC) No 1166/2008 ([5]). For example, horticultural activities are covered if they are bigger than 0.5 ha (for outdoor crops) or 0.1 ha (for crops under glass) and belong to a holding under a single management. Nonetheless, the available statistics do not cover many of the schemes that are developing in urban areas, such as rooftop gardens, small allotments or fruit- and vegetable-growing in private gardens.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Urban-rural_typology.
([3]) This applies in particular to data collected through the Farm Structure Survey, conducted as a census every 10 years, completed by some key indicators presented in interim survey years (table ef_r_nuts).
([4]) 'Agricultural holding' or 'holding' means a single unit, both technically and economically, which has a single management and which undertakes agricultural activities listed in Annex I of Regulation (EC) No 1166/2008 within the economic territory of the European Union, either as its primary or secondary activity.
([5]) OJ L 321, 1.12.2008, p. 14-34.

The Commission does not currently have any plans to collect additional data on urban farming activities.

2. The Commission leaves to the Member States the coordination of different instruments available to support urban farming.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-010483/12
aan de Commissie
Ivo Belet (PPE)
(16 november 2012)

Betreft: Wet tegemoetkoming chronisch zieken en gehandicapten

In haar antwoord op parlementaire vraag E-009376/2011 heeft de Commissie laten weten dat de invaliditeitsuitkering uitbetaald op basis van de Nederlandse Wet tegemoetkoming chronisch zieken en gehandicapten, de kenmerken van een geldelijke uitkering bij ziekte heeft.

De Commissie heeft in haar antwoord eveneens laten weten dat een inbreukprocedure zou kunnen worden ingesteld overeenkomstig art. 258 VWEU.

1. Kan de Commissie meedelen wat de stand van zaken is?

2. Welke maatregelen zal de Commissie nemen ten aanzien van de Nederlandse autoriteiten om ervoor te zorgen dat de invaliditeitsuitkering kan worden geëxporteerd?

Antwoord van de heer Andor namens de Commissie
(18 januari 2013)

Het standpunt van de Commissie met betrekking tot de uitkering die overeenkomstig de Wet tegemoetkoming chronisch zieken en gehandicapten in Nederland wordt toegekend aan gehandicapten, is door het antwoord van de Nederlandse autoriteiten op haar verzoek om verduidelijking niet gewijzigd. De Commissie meent derhalve nog steeds dat de uitkering de kenmerken van een geldelijke uitkering bij ziekte heeft, en dus moet worden toegekend aan de verzekerden die er recht op hebben, ook als zij buiten Nederland verblijven.

Bij een met redenen omkleed advies in de zin van de niet-nakomingsprocedure heeft de Commissie Nederland verzocht ervoor te zorgen dat personen die in aanmerking komen voor een invaliditeitsuitkering naar Nederlands socialezekerheidsrecht die uitkering daadwerkelijk ontvangen, ongeacht of zij in Nederland of een andere lidstaat verblijven.

Nederland heeft tot 20 januari 2013 om de Commissie mee te delen welke maatregelen het heeft genomen om aan zijn EU-rechtelijke verplichtingen te voldoen. Mochten die maatregelen niet worden meegedeeld, dan kan de Commissie beslissen Nederland voor het Hof van Justitie te dagen.

(English version)

Question for written answer E-010483/12
to the Commission
Ivo Belet (PPE)
(16 November 2012)

Subject: Chronically Ill and Disabled Persons (Financial Assistance) Act

In its answer to Written Question E-009376/2011, the Commission indicated that disability benefit paid on the basis of the Dutch Chronically Ill and Disabled Persons (Financial Assistance) Act has the characteristics of a sickness benefit in cash.

In its answer, the Commission also stated that an infringement procedure might be launched pursuant to Article 258 TFEU.

1. Can the Commission indicate the current state of play?

2. What measures will the Commission take vis-à-vis the Netherlands authorities to ensure that disability benefit can be exported?

Answer given by Mr Andor on behalf of the Commission
(18 January 2013)

The Commission's assessment of the allowance granted to disabled persons in the Netherlands in accordance with the *Wet tegemoetkoming chronisch zieken en gehandicapten* (Dutch law on indemnity for chronically ill and disabled persons) has not been altered by the Dutch authorities' reply to its request for clarification. The Commission therefore continues to hold that the allowance has the characteristics of a sickness benefit in cash and should thus be provided to insured persons entitled to it, even where they reside outside the Netherlands.

By a reasoned opinion in accordance with the EU infringement procedure, the Commission has requested the Netherlands to ensure that people qualifying for a disabled person's allowance under Dutch social security legislation actually receive it, regardless of whether they reside in that or another Member State.

The Netherlands has until 20 January 2013 to notify the Commission of measures it has taken to ensure compliance with its obligations under EC law. Failing the notification of such measures, the Commission may decide to refer the Netherlands to the EU Court of Justice.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010484/12
a la Comisión
Willy Meyer (GUE/NGL)
(16 de noviembre de 2012)

Asunto: Proyecto de reforma de las tasas judiciales en España y acceso a la justicia

El pasado 22 de octubre se debatía en el Congreso de España el Proyecto de ley por la que se regulan las tasas de la administración de Justicia y del Instituto Nacional de Toxicología y Ciencias Forenses. Dicho proyecto de ley conlleva una importante reforma de las cantidades exigidas por el Estado para el acceso a un procedimiento judicial.

Con la introducción de este proyecto de ley, el Gobierno de España está incumpliendo el artículo 24.1 de la Constitución Española al violar el derecho fundamental a la tutela judicial efectiva. La propuesta recoge la obligatoriedad del pago de tasas para toda persona física o jurídica que quiera acceder a un procedimiento judicial, en todas las jurisdicciones, con la única excepción de la penal. Esto supone una barrera de entrada que provocará un acceso desigual a la justicia y solo permitirá iniciar litigios a personas con recursos económicos suficientes.

La tutela judicial efectiva supone la garantía más básica de un Estado de Derecho, puesto que, al no poder ejercerse, se suprime la universalidad de acceso y la igualdad de trato. Este nuevo ataque del Gobierno de España a la cobertura judicial supone una nueva amenaza a las libertades fundamentales recogidas en la Carta de los Derechos Fundamentales de la UE.

La Directiva 2002/8/EC del Consejo, de 27 de enero de 2003, relativa a las reglas mínimas en litigios transfronterizos, implanta una normativa para el tratamiento de este tipo de litigios por parte de los diferentes sistemas judiciales de los Estados miembros. Gracias a esta Directiva, los ciudadanos de un Estado miembro residentes en uno diferente que inicien un proceso judicial deben estar protegidos de manera similar en todos los Estados miembros. Esta reforma vulnera, entre otros, el capítulo segundo que lleva por título «Derecho a la justicia gratuita» y especifica los detalles del derecho de los litigantes transfronterizos a abrir procedimientos judiciales de forma gratuita.

¿Considera la Comisión Europea que la reforma de las tasas judiciales del Gobierno español viola la Directiva 2002/8/EC al imponer tasas a todos los ciudadanos que deseen acceder a la justicia española? ¿Ha iniciado la Comisión algún procedimiento para impedir la reforma española? La Directiva 2002/8/EC regula solo los litigios transnacionales, ¿pueden coexistir un acceso gratuito para litigios iniciados por internacionales y una justicia de pago para los litigios iniciados por nacionales? ¿Cómo piensa la Comisión evitar esta clara situación de indefensión y desigualdad jurídica y asegurar el acceso gratuito a la justicia?

Respuesta de la Sra. Reding en nombre de la Comisión
(7 de febrero de 2013)

En nuestra respuesta a la pregunta E-011366/12 puede obtener una contestación más general al respecto. Por otro lado, la Directiva 2002/8/CE ([1]) («Directiva sobre asistencia jurídica en asuntos civiles») no prohíbe la introducción de impuestos o tasas para el acceso a los tribunales por parte de los Estados miembros. La Directiva se aplica exclusivamente a los litigios transfronterizos en asuntos civiles y mercantiles. Su artículo 4 establece que los Estados miembros deberán prestar asistencia jurídica sin discriminación tanto a los ciudadanos de la Unión como a los nacionales de terceros países que residan legalmente en los Estados miembros. No parece que la introducción en España de tasas para el acceso a la justicia vulnere la Directiva, siempre que se aplique de forma no discriminatoria.

([1]) Directiva 2002/8/CE del Consejo destinada a mejorar el acceso a la justicia en los litigios transfronterizos mediante el establecimiento de reglas mínimas comunes relativas a la justicia gratuita para dichos litigios, DO L 26 de 31.1.2003, p. 41.

(English version)

Question for written answer E-010484/12
to the Commission
Willy Meyer (GUE/NGL)
(16 November 2012)

Subject: Proposed reform of court fees in Spain and access to justice

On 22 October 2012, the draft legislation governing the fees applied in the field of the administration of justice and by the National Toxicology and Forensic Sciences Institute was debated in the Spanish Parliament. This draft legislation involves a significant reform of the fees charged by the State for access to judicial proceedings.

With the introduction of this bill, the Spanish Government is infringing Article 24.1 of the Spanish Constitution by violating the fundamental right to effective legal protection. The proposal includes the obligation for any natural or legal person wishing to access judicial proceedings to pay the fees, in all courts, with the sole exception of criminal courts. This forms an entry barrier which will lead to unequal access to justice and will only allow people with adequate financial resources to initiate legal proceedings.

Effective legal protection provides the most basic guarantee of the rule of law, since not being able to exercise this right undermines the principle of universal access and equal treatment. This latest attack on judicial support by the Spanish Government clearly poses a new threat to the fundamental freedoms set out in the Charter of Fundamental Rights of the European Union.

Council Directive 2002/8/EC of 27 January 2003, establishing minimum common rules in cross-border disputes lays down standards for dealing with this type of litigation under the different legal systems in the Member States. Thanks to this directive, citizens who are from one Member State but reside in another are similarly protected in all Member States when taking legal action. Among other things, this law infringes Chapter II of this directive, which is entitled '*Right to legal aid' and describes the right of persons involved in a cross-border dispute to bring legal proceedings free of charge*.

Does the Commission consider that the Spanish Government's reform of legal fees infringes Council Directive 2002/8/EC by imposing a tax on all citizens wishing to have access to justice in Spain? Has the Commission launched any procedure to prevent this Spanish reform? Directive 2002/8/EC only regulates transnational litigation. How can access to free legal services for foreign nationals coexist with charges applied to Spanish nationals for the same services? How does the Commission intend to prevent this clear-cut situation of defencelessness and legal inequality and ensure free access to justice?

Answer given by Mrs Reding on behalf of the Commission
(7 February 2013)

A general answer to your question can be found in our answer to Question E-011366/12. Moreover, Directive 2002/8/EC ([1]) ('The Legal Aid Directive in civil matters') does not prevent the Member States from introducing fees or taxes for access to courts. The directive applies only to cross-border disputes in civil and commercial matters. Article 4 of the directive provides that Member States shall grant legal aid without discrimination to Union citizens and third-country nationals residing lawfully in the Member States. It does not appear that the introduction of fees for acceding to courts in Spain violates the directive, as long as it applies in a non-discriminatory manner.

([1]) Council Directive 2002/8/EC to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes, OJ L 26, 31.1.2003, p. 41.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010485/12
a la Comisión
Willy Meyer (GUE/NGL)
(16 de noviembre de 2012)

Asunto: Marcos jurídicos y trato diferenciado de las ejecuciones hipotecarias en España

El número de ejecuciones inmobiliarias en España se ha disparado a lo largo de los últimos años, *llegando a la escandalosa cifra de 526 desahucios diarios durante el segundo semestre de 2012. Esta dramática situación está arrojando bajo el límite de la pobreza y condenando a la exclusión social a miles de familias españolas.*

La ejecución de hipotecas, pese a ser uno de los principales dramas del país, no supone un verdadero foco de interés para el Gobierno de España, que, hasta el momento, tan solo ha elaborado un código de buenas prácticas del sector bancario de adhesión voluntaria inútil, *pues desde su aprobación los desahucios se han incrementado. El Gobierno, a través de su inacción, ha dado una verdadera «carta blanca» al sector financiero del país para que continúe con el expolio de las clases trabajadoras incumpliendo un derecho fundamental como el acceso a una vivienda digna.*

Este expolio está *siendo llevado a cabo por un sector que ha sido «rescatado» en varias ocasiones con miles de millones de euros procedentes de las arcas públicas de España, y cuyas principales entidades son las principales causantes del incremento de los índices de pobreza en el país. Además, recientemente una importante asociación de jueces denunciaba el «colapso» que el elevado número de ejecuciones hipotecarias suponía en el sistema judicial que, en su opinión, se está convirtiendo en «oficinas de recaudación del sector bancario».*

Teniendo en cuenta que esta connivencia entre el Gobierno de España y el sector financiero del país puede suponer un trato de favor diferenciado para el sector bancario español dentro del contexto del mercado común, permitiendo a las entidades ejecutar sus contratos hipotecarios sin límite y continuar endeudando a las familias españolas pese a expropiarles sus inmuebles; y que en respuesta a mi pregunta parlamentaria E-006861/2011, el Sr. Barnier informaba sobre la previsión de iniciar investigaciones para «*identificar las principales características de los distintos marcos jurídicos de un número representativo de Estados miembros de la UE por lo que respecta al uso de la dación en pago*»:

¿Cuáles son los resultados de dicha investigación? ¿Cuáles son las medidas de que disponen otros Estados de la UE para evitar la ejecución hipotecaria, los desahucios, y por tanto garantizar el derecho a una vivienda digna? ¿Cuáles son los últimos datos de los que dispone la Comisión para comparar las ejecuciones hipotecarias entre los Estados miembros? ¿Considera la Comisión que puede existir un trato diferenciado en lo que respecta al sector financiero español?

Respuesta del Sr. Barnier en nombre de la Comisión
(21 de enero de 2013)

Como se indica en la respuesta a la pregunta E-06861/2011, están vigentes diversos regímenes y leyes en toda la Unión en materia de procedimientos de liquidación de deudas. Estos procedimientos se tratan a escala nacional y siguen estando dentro del ámbito de competencia de las autoridades nacionales correspondientes. La Comisión no interviene instando a España o a cualquier Estado miembro en particular a adoptar legislación que regule la dación en pago. Sin embargo, hay un asunto ([1]) pendiente ante el Tribunal de Justicia sobre España y la dación en pago. Si el Tribunal de Justicia dictara una sentencia que exigiera a España modificar su normativa sobre hipotecas, la Comisión velará por que el Derecho nacional se adapte y promulgue en consecuencia.

La Comisión no tiene conocimiento de que a bancos de otros Estados miembros en los que se aplican instrumentos de liquidación de deudas distintos les afecte un trato diferenciado en España.

La Comisión expuso posibles alternativas a la ejecución hipotecaria en un documento de trabajo de sus servicios ([2]), publicado el 31 de marzo de 2011, junto con la propuesta de Directiva sobre contratos de crédito relacionados con propiedades inmobiliarias de carácter residencial, y dirigido a los Estados miembros.

([1]) C-415/11.
([2]) SEC(2001) 357.

El estudio de investigación al que hace referencia Su Señoría fue contratado a principios de 2012 por el Grupo de Usuarios de Servicios Financieros (FSUG), el grupo consultivo de la Comisión que aporta la contribución de los usuarios a la política de servicios financieros. El contratista ha presentado hace poco el informe final del estudio, que están analizando la Comisión y el FSUG. Cuando el informe esté listo para publicación, se hará público.

No obstante, la Comisión sigue vigilando estrechamente la situación en los Estados miembros.

(English version)

Question for written answer E-010485/12
to the Commission
Willy Meyer (GUE/NGL)
(16 November 2012)

Subject: Legal frameworks and differential treatment of foreclosures in Spain

The number of foreclosures in Spain has shot up over the past few years, reaching the scandalous figure of 526 evictions daily during the second half of 2012. This dramatic situation is leaving thousands of Spanish families below the poverty line and condemning them to social exclusion.

Despite being one of the country's major dramas, mortgage foreclosure does not represent a real focus of interest for the Spanish Government, which to date has merely drawn up a code of good practice for the banking sector with voluntary membership — which is pointless as evictions have been increasing since it was approved. Through its inaction, the government has given a veritable carte blanche to the country's financial sector for it to continue plundering the working classes by infringing such a fundamental right as access to decent housing.

This plundering is being carried out by a sector that has been 'rescued' on several occasions, with thousands of millions of euros from Spain's public coffers; the main institutions of this sector have been primarily to blame for the increase in the country's poverty levels. Furthermore, an important association of judges recently condemned the 'paralysis' inflicted by the high number of foreclosures on the legal system which, in their opinion, is turning into 'tax collection offices for the banking sector'.

Bearing in mind that this collusion between the Spanish Government and the country's financial sector may imply differential favourable treatment for the Spanish banking sector within the context of the common market, enabling the institutions to perform their mortgage contracts without any limits and continue getting Spanish families into debt despite having expropriated their property; and that in response to my Parliamentary Question E-006861/2011, Mr Barnier gave information about the plan to undertake research to identify and map the main features of the different legal frameworks in a representative number of EU Member States regarding the use of the legal instrument dation in payment:

What are the results of this research? What measures do other EU States have at their disposal to prevent foreclosure, evictions, and therefore to guarantee the right to decent housing? What are the most recent data the Commission has for comparing foreclosures between the Member States? Does the Commission consider that differential treatment may exist with regard to the Spanish financial sector?

Answer given by Mr Barnier on behalf of the Commission
(21 January 2013)

As pointed out in the reply to Question E-06861/2011 different systems and laws are currently in force throughout the Union regarding debt settlement procedures. These procedures are dealt with at national level and remain within the jurisdiction of the national authorities concerned. The Commission does not have a role in urging Spain or any individual Member State to adopt legislation to regulate dation in payment. Nevertheless, there is a case ([1]) pending in front of the Court of Justice regarding Spain and dation in payment. Should the Court of Justice hand down a ruling requiring Spain to change its legislation on mortgages, the Commission will ensure that the national legislation is adapted and enacted accordingly.

The Commission is not aware that banks in other Member States, where different debt settlement instruments apply, would suffer from differential treatment in Spain.

The Commission outlined in its Staff Working Paper ([2]) published together with the proposal for Directive on credit agreements related to residential property on 31 March 2011 and addressed to Member States potential alternatives to the foreclosure procedure.

([1]) C-415/11.
([2]) SEC 20011/357.

The research study the Honourable Member refers to has been contracted in early 2012 by the Financial Services User Group (FSUG), the Commission advisory group providing users' input to financial services policy. The final report of the study has recently been submitted by the contractor and is currently analysed by the Commission and the FSUG. Once the report is ready for publication, it will be made available to the public.

The Commission will nevertheless continue to monitor the situation in Member States closely.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010486/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(16 de noviembre de 2012)

Asunto: Acuerdo de cooperación UE-Chile

La Unión Europea firmó hace ya diez años un acuerdo de cooperación con el Gobierno de Chile que entró en vigor el 1 de marzo de 2005 y que es considerado por la propia Comisión Europea un documento «ambicioso e innovador que cubre los principales aspectos de las relaciones bilaterales: el diálogo político, el comercio y la cooperación».

Chile es en la actualidad una pujante realidad económica. Sus dirigentes además se están aplicando para incorporar a sus políticas de desarrollo el conocimiento, la sostenibilidad y significativas mejoras en el ámbito de la cohesión social. Su posición geoestratégica convierte a Chile además en una ventajosa atalaya hacia los países asiáticos con mayores índices de crecimiento del mundo.

El presidente de Chile Sebastián Piñera, con motivo de su comparecencia ante la Comisión de Asuntos Exteriores del Parlamento, destacó el 15 de noviembre del presente año que el porcentaje de personas en riesgo de exclusión se ha reducido en la última década del 40 % al 14 %. Igualmente, avanzan hacia niveles de desempleo envidiables y han puesto en marcha medidas de asistencia a las personas con menos recursos que combinan la búsqueda de la dignidad de las personas que la reciben con la responsabilidad y los logros en su camino hacia la integración que consiguen. En definitiva, se abre un panorama de estabilidad, desarrollo y posicionamiento internacional de enorme interés para la UE.

El presidente Piñera hizo un balance optimista y positivo del funcionamiento del acuerdo de cooperación, pero animó a la UE a profundizar en sus contenidos para aprovechar al máximo la potencialidad de este acuerdo.

1. ¿Qué balance hace la Comisión del funcionamiento y los resultados de este acuerdo desde su entrada en vigor?

2. ¿En qué aspectos comerciales y económicos considera la Comisión que deben mejorarse las relaciones entre Chile y la UE?

3. ¿En qué sectores específicos de actividad considera la Comisión que puede registrarse en el medio plazo una evolución más positiva?

Respuesta del Sr. De Gucht en nombre de la Comisión
(18 de diciembre de 2012)

La Comisión está muy satisfecha con el funcionamiento del Acuerdo de Asociación UE-Chile y con los resultados logrados desde que entraran en vigor las disposiciones comerciales en 2003 y los ámbitos políticos y de cooperación, en 2005. En la vertiente comercial, por ejemplo, cabe indicar que el comercio bilateral alcanzó un máximo histórico de más de 18 000 millones de euros en 2011. Chile es también uno de los principales destinos de las inversiones de la UE en América Latina, como lo demuestra el alto porcentaje (un 30 %) de la UE en la inversión extranjera directa en este país. Además, el Acuerdo de Libre Comercio entre la Unión Europea y Chile, que está funcionando perfectamente, ha constituido un elemento importante para alcanzar las extraordinarias tasas de crecimiento (+ 230 %) que se registraron en el comercio bilateral en el periodo 2003-2011.

La Comisión considera que debemos estar receptivos a una ampliación de nuestras relaciones económicas y comerciales con Chile. En los últimos años hemos constatado la importancia creciente del comercio de servicios en cuanto a su valor, pero también respecto al volumen de puestos de trabajo que ha creado. Otras cuestiones, como la inversión y la contratación pública, están adquiriendo también mayor importancia para los países que se han comprometido a ser partes de la economía mundial. La UE ha celebrado, o está a punto de celebrar, acuerdos con otros países o regiones, como América Central, Colombia, Perú, Corea, Singapur y Canadá, de mayor alcance que el Acuerdo con Chile. El Presidente de la Comisión ha invitado al Presidente Piñera a que Chile presente sus propuestas para una modernización completa y de amplio alcance del Acuerdo de Asociación. La Comisión está preparada para estudiar los aspectos comerciales de las propuestas chilenas en cuanto le sean comunicadas.

(English version)

Question for written answer E-010486/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(16 November 2012)

Subject: EU-Chile cooperation agreement

Ten years ago the European Union and the Government of Chile signed a cooperation agreement, which entered into force on 1 March 2005 and which has been described by the Commission as 'an ambitious and innovative agreement' covering the main aspects of bilateral relations: political dialogue, trade and cooperation.

Chile is currently a powerful economic force. Moreover, its leaders are making efforts to ensure that know-how, sustainability and significant improvements in the area of social cohesion are included in the country's development policies. Chile's geostrategic position also means that it is acquiring a privileged vantage point vis-à-vis those Asian countries with the world's largest growth rates.

Chilean President Sebastián Piñera, who met the European Parliament's Committee on Foreign Affairs on 15 November 2012, stressed that the percentage of those at risk of exclusion had fallen over the last decade from 40% to 14%. Chile was also moving towards enviably low levels of unemployment and had started implementing measures to assist those on lower incomes which attempted to ensure respect for the dignity of those in receipt of such aid while at the same promoting responsibility and progress towards integration. In short, Chile offered prospects of stability, development and international positioning of enormous interest to the EU.

President Piñera gave an optimistic, upbeat assessment of the functioning of the cooperation agreement, but urged the EU to look closely at the substance of the agreement in order to maximise its potential.

1. What is the Commission's assessment of the functioning of the agreement and the results achieved since its entry into force?

2. In the Commission's view, what aspects of trade and economic relations between Chile and the EU could be improved?

3. What are the specific sectors of activity on which the Commission would like to see more progress in the medium term?

Answer given by Mr De Gucht on behalf of the Commission
(18 December 2012)

The Commission is very satisfied with the functioning of the EU-Chile Association Agreement and with the results achieved since its entry into force in 2003 for the trade pillar and 2005 for the political and cooperation pillars. On the trade side it is for example worth noting that bilateral trade has reached an all-time high of more than EUR 18 billion in 2011. Chile is also a major destination for EU investments in Latin America, as shown by the high EU share (30%) of foreign direct investment in Chile. Moreover, the EU-Chile Free Trade Agreement works very well and has been an important element for the impressive growth rates for bilateral trade of +230% over the period 2003-2011.

The Commission considers that we should be open to further developing our trade and economic relationship with Chile. In recent years we have seen trade in services become increasingly important in terms of value, volume of jobs created. Other issues like investment and public procurement are also increasingly relevant to countries committed to being parts in the global economy. The EU has concluded, or is about to conclude, agreements with other countries, such as Central America, Colombia, Korea, Peru, Singapore and Canada, which are more ambitious than the agreement the EU has with Chile. The President of the Commission has invited President Piñera to set out Chile's proposals for modernising the Association Agreement in a comprehensive and ambitious manner. The Commission stands ready to analyse the trade aspects of the Chilean proposals once communicated.

(Version française)

Question avec demande de réponse écrite E-010488/12
à la Commission
Marielle de Sarnez (ALDE)
(16 novembre 2012)

Objet: Préserver l'équilibre entre l'utilisation de fragrances dans la fabrication de produits cosmétiques et la santé des consommateurs

Une récente étude du comité scientifique pour la sécurité des consommateurs recommande la limitation de la concentration de plusieurs substances, notamment le citral, la coumarine et l'eugénol, qui entrent dans la fabrication de produits cosmétiques. D'après les conclusions de l'étude, entre 1 et 3 % de la population européenne pourrait développer des allergies à ces substances. Le comité recommande ainsi de restreindre la concentration de ces ingrédients à 0,01 % du produit fini.

Or, ces ingrédients entrent dans la composition de nombreux produits cosmétiques et de plusieurs grands parfums, comme le «Chanel n°5» ou «Miss Dior Chérie», fleurons de la parfumerie française et donc européenne. La simple restriction de ces composantes altérerait l'odeur de ces parfums.

Aujourd'hui, la législation européenne en matière de cosmétiques impose que tout produit vendu dans l'Union indique précisément l'ensemble des ingrédients qu'il contient afin que les personnes qui y sont intolérantes puissent les identifier et ainsi se tourner vers d'autres produits.

La protection de la santé du consommateur est essentielle, et il est important que les risques d'effets indésirables pour les personnes allergiques dans des produits d'usage quotidien ou de luxe soient indiqués sur les emballages et les flacons. Mais il est également nécessaire qu'une solution équilibrée soit trouvée, afin que les produits d'usage du quotidien et les créations des grandes marques européennes de cosmétique puissent être préservés.

Quelle est la position de la Commission quant à l'avis émis par le comité scientifique pour la sécurité des consommateurs? Comment compte-t-elle procéder afin d'aboutir à une proposition équilibrée?

Réponse donnée par M. Borg au nom de la Commission
(18 décembre 2012)

La directive sur les cosmétiques ([1]) dispose, en l'état actuel des choses, que les compositions parfumantes et aromatiques ainsi que leurs ingrédients bruts sont désignés, dans la liste des ingrédients, par les termes «parfum» ou «arôme». Il existe vingt-six ingrédients de parfum dont la présence doit être explicitement mentionnée dans la liste des ingrédients d'un produit cosmétique donné lorsque leur concentration excède 0,001 % dans les produits sans rinçage et 0,01 % dans les produits à rincer.

Pour la partie de la question se rapportant à l'avis sur les ingrédients de parfum allergènes dans les produits cosmétiques, avis publié en juin 2012 par le Comité scientifique pour la sécurité des consommateurs, la Commission renvoie l'auteur de la question à la réponse qu'elle a donnée à la question écrite E-009517/2012 ([2]).

([1]) Directive du Conseil 76/768/CEE du 27 juillet 1976 concernant le rapprochement des législations des États membres relatives aux produits cosmétiques (JO L 262 du 27.9.1976, p. 169).
([2]) http://www.europarl.europa.eu/plenary/fr/parliamentary-questions.html

(English version)

Question for written answer E-010488/12
to the Commission
Marielle de Sarnez (ALDE)
(16 November 2012)

Subject: Maintaining a balance between the use of fragrances in the manufacture of cosmetics and consumer health

A recent study by the Scientific Committee on Consumer Safety recommended limiting the concentration of several substances, including citral, coumarin and eugenol, in the manufacture of cosmetics. According to the conclusions of the study, between 1 and 3% of the EU population could develop allergies to these substances. The Committee therefore recommended limiting the concentration of these ingredients to 0.01% of the finished product.

However, these ingredients are used in the composition of many cosmetics and several well-known perfumes, such as 'Chanel No 5' and 'Miss Dior Chérie', which are flagship products of the French, and hence European, perfume industry. Simply restricting these ingredients would alter the scent of the perfumes.

EU legislation today requires all cosmetic products sold in the EU to indicate precisely all the ingredients they contain so that people who are intolerant of those ingredients can choose other products instead.

It is essential to protect consumer health, and it is important that the risk of undesirable effects for allergy sufferers in everyday products or luxury items is indicated on the packaging and the bottles. But it is also necessary to find a balanced solution, so that the products we use every day as well as major European cosmetic brands can be preserved.

What is the Commission's position regarding the opinion issued by the Scientific Committee on Consumer Safety? How does it intend to achieve a balanced proposal?

Answer given by Mr Borg on behalf of the Commission
(18 December 2012)

The Cosmetics legislation ([1]) currently foresees that perfume and aromatic compositions and their raw materials shall be referred to, in the list of ingredients, by the word 'parfum' or 'aroma'. For 26 fragrance ingredients, their presence in the cosmetic product must be explicitly indicated in the list of ingredients when their concentration exceeds 0.001% in leave-on products and 0.01% in rinse-off products.

For the part of the question relating to the opinion on fragrance allergens in cosmetic products, issued in June 2012 by the Scientific Committee on Consumer Safety (SCCS), the Commission would refer the Honourable Member to its answer to a previous Written Question E-009517/2012 ([2]).

([1]) Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products, OJ L 262, 27.9.1976.
([2]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Version française)

Question avec demande de réponse écrite E-010489/12
à la Commission
Marielle de Sarnez (ALDE)
(16 novembre 2012)

Objet: Réforme de la protection des données dans l'Union européenne et «droit à l'oubli»

Le 25 janvier dernier, la Commission a proposé une réforme générale de la protection des données au sein de l'Union européenne ([1]) visant à adapter la protection des données à caractère personnel à l'environnement numérique.

La proposition de règlement correspondante de la Commission ([2]) comporte des dispositions relatives au «droit à l'oubli». Son article 17 prévoit ainsi «*le droit de demander et d'obtenir la suppression de données personnelles et l'arrêt de leur diffusion, en particulier pour les données publiées par le requérant au cours de sa jeunesse*».

Cependant, la configuration actuelle de l'environnement numérique ne permet pas de faire disparaître définitivement une donnée du «nuage informatique».

1. Comment la Commission entend-t-elle garantir la mise en application effective du «droit à l'oubli»?

2. Quelles sont les autorités qui auront à charge de vérifier la disparition effective des données?

Réponse donnée par Mme Reding au nom de la Commission
(28 janvier 2013)

Le 25 janvier 2012, la Commission a adopté des propositions de réforme de la protection des données dans l'UE et les a soumises au Parlement européen et au Conseil. Entre autres dispositions, le règlement proposé institue expressément un «droit à l'oubli».

Le principe sous-tendant ce droit à l'oubli existe dans la législation de l'UE en matière de protection des données depuis 1995: dès lors que des données personnelles ne sont plus nécessaires au regard des finalités pour lesquelles elles ont été recueillies ou traitées, elles doivent, en règle générale, être détruites et leur diffusion doit cesser.

Les obligations imposées en vertu du droit à l'oubli sont la suppression par les sous-traitants des données détenues par le responsable du traitement et la cessation de la diffusion de ces données par ce dernier (voir article 17, paragraphe 1). Il est techniquement possible de respecter ces deux obligations et, dans la pratique, de très bons résultats ont déjà été obtenus.

En outre, le règlement proposé tient compte de la réalité d'Internet qui permet de relier et de diffuser massivement des données. En particulier, l'article 17, paragraphe 2, précise que les responsables du traitement ne sont pas tenus d'effacer eux-mêmes toutes les données rendues publiques, mais de prendre toutes les mesures raisonnables, y compris les mesures techniques, en vue d'informer les tiers qui traitent lesdites données qu'une personne concernée leur demande d'effacer tous liens vers ces données à caractère personnel, ou toute copie ou reproduction de celles-ci.

Il incombe aux autorités indépendantes chargées du contrôle de la protection des données de vérifier et de garantir l'application des droits et obligations en la matière. La proposition de réforme accroît l'indépendance et les pouvoirs de ces autorités, notamment en faisant en sorte qu'elles puissent infliger des sanctions administratives, y compris en cas de violation du droit à l'oubli.

([1]) Communication du 25 janvier 2012 «Protection de la vie privée dans un monde en réseau. Un cadre européen relatif à la protection des données, adapté aux défis du 21e siècle» (COM(2012)0009).
([2]) COM(2012)0011.

(English version)

Question for written answer E-010489/12
to the Commission
Marielle de Sarnez (ALDE)
(16 November 2012)

Subject: Reform of data protection in the European Union and the 'right to be forgotten'

On 25 January 2012, the Commission proposed a comprehensive reform of data protection in the European Union ([1]) to adapt personal data to the digital environment.

The corresponding Commission proposal for a regulation ([2]) contains provisions on the 'right to be forgotten'. Article 17 thus provides for '*the right to obtain the erasure of personal data and the abstention from further dissemination of such data, especially in relation to personal data which are made available by data Subject while he or she was a child*'.

However, the current structure of the digital environment does not allow the permanent deletion of 'Cloud Computing' data.

1. How does the Commission intend to ensure the effective application of 'the right to be forgotten'?

2. Which authorities will be responsible for verifying the effective deletion of data?

Answer given by Mrs Reding on behalf of the Commission
(28 January 2013)

On 25 January 2012, the Commission adopted its proposals for the EU data protection reform and submitted them to the European Parliament and to the Council. *Inter alia*, the proposed regulation establishes an explicit 'right to be forgotten'.

The principle underpinning the right to be forgotten exists in EU data protection law since 1995: once personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, they must — as a general rule — be deleted, and any further dissemination be abstained from.

The obligations to be imposed on data processors by the right to be forgotten are the deletion of data held by the controller and the requirement for a controller to abstain from further dissemination (see Art. 17(1)). Both these obligations are technically feasible and in practice very good results are already being achieved.

In addition the proposed Regulation takes into account the reality of the Internet which permits massive linking and dissemination of data. In particular, Art. 17(2) specifies that controllers are not required to erase all public data themselves, but are required to take all reasonable steps including technical measures to inform third parties which are processing the data, that a data subject requires them to erase any links to, or copy or replication of personal data.

It is the task of the independent data protection supervisory authorities to monitor and ensure the application of the data protection rights and obligations. The Reform proposal strengthens the independence and the powers of these data protection authorities, *inter alia* by ensuring that they can apply administrative sanctions, including in case of violations of the right to be forgotten.

([1]) Communication of 25 January 'Safeguarding Privacy in a Connected World. A European Data Protection Framework for the 21st Century' (COM(2012)0009).
([2]) COM(2012)0011.

(Version française)

Question avec demande de réponse écrite E-010490/12
à la Commission
Marielle de Sarnez (ALDE)
(16 novembre 2012)

Objet: Aide de l'Union européenne à la suite du passage de Sandy

La côte est des États-Unis vient d'être frappée par l'ouragan Sandy, l'un des plus graves depuis plusieurs années selon le Centre national américain des ouragans (NHC). Il convient toutefois de rappeler qu'avant de déferler sur les États-Unis, l'ouragan a traversé les Caraïbes où des îles entières ont été dévastées. À Cuba, la méga-tempête a entraîné la mort de 11 personnes et des milliers de maisons ont été soufflées. La Jamaïque, la République dominicaine, Puerto Rico et les Bahamas ont également enregistré d'importants dégâts, les routes ayant été envahies par les eaux et les bâtiments détruits. Au total, 69 personnes sont décédées lors du passage de Sandy sur six des pays des Caraïbes.

Mais c'est Haïti qui compte le plus grand nombre de morts avec 51 décès. L'île, qui peine à se relever des dégâts occasionnés par le passage de la tempête Isaac en août dernier et du terrible tremblement de terre de janvier 2010, enregistre des dégâts matériels considérables. Selon le ministère de l'agriculture, Sandy a détruit 70 % des récoltes dans le sud de l'île. Au risque de famine s'ajoute un grave risque sanitaire: les pluies ayant pollué l'eau potable, l'épidémie de choléra risque de se développer davantage, alors qu'elle sévit depuis 2010 et a déjà tué plus de 7 000 personnes.

1. La Commission peut-elle nous fournir des informations sur l'aide d'urgence supplémentaire fournie en Haïti?

2. Quelle méthode la Commission applique-t-elle pour la distribution de son aide à court et moyen termes? Les activités de substitution au rôle de l'État sont-elles intégrées à des stratégies de sortie et de transfert de responsabilités?

Réponse donnée par Mme Georgieva au nom de la Commission
(21 décembre 2012)

À la suite des graves dégâts occasionnés par Sandy, la Commission a alloué une aide d'urgence de 6 millions d'euros, prélevée sur le budget de l'UE, en faveur des franges les plus vulnérables de la population touchées par le passage de la tempête dans les Caraïbes; sur cette somme, 4 millions d'euros sont destinés à Haïti et 2 millions d'euros à Cuba. Compte tenu de l'ampleur de la catastrophe, la Commission a demandé à l'autorité budgétaire de débloquer 10 millions d'euros supplémentaires sur la réserve d'aide d'urgence. En Haïti, diverses interventions sont financées en matière d'aide/de sécurité alimentaires (notamment la remise en état des biens et la récupération des moyens de subsistance perdus), d'hébergement (hébergement d'urgence, abris prêts à monter, matériel et/ou bons d'achat/argent liquide et formations destinées à aider la population à effectuer elle-même les travaux de reconstruction), d'articles non alimentaires de première nécessité, ainsi que des actions urgentes relatives à l'eau, à l'assainissement et à l'hygiène. Par ailleurs, la Commission suit attentivement l'évolution de l'épidémie de choléra qui sévit dans ce pays. Les fonds alloués à la suite du passage de l'ouragan Sandy visent en partie à financer des actions destinées à prévenir et à surveiller l'épidémie de choléra ainsi qu'à lutter contre cette maladie afin de renforcer les mesures déjà prises en ce sens dans le pays. Ces activités viennent compléter les programmes financés par d'autres bailleurs de fonds.

La Commission européenne, par l'intermédiaire de sa direction générale de l'aide humanitaire et de la protection civile (DG ECHO), fait transiter les fonds de l'UE par des organisations non gouvernementales, des agences des Nations unies et des organisations internationales telles que le Comité international de la Croix-Rouge et la Fédération internationale des sociétés de la Croix-Rouge et du Croissant-Rouge.

(English version)

Question for written answer E-010490/12
to the Commission
Marielle de Sarnez (ALDE)
(16 November 2012)

Subject: Aid from the European Union following Sandy

The east coast of the United States has just been struck by hurricane Sandy, one of the worst for several years according to the US National Hurricane Centre (NHC). It should be pointed out, however, that before sweeping across the United States, the hurricane crossed the Caribbean where entire islands have been devastated. In Cuba, the huge storm resulted in the death of 11 people and thousands of homes were destroyed. Jamaica, the Dominican Republic, Puerto Rico and the Bahamas also recorded extensive damage, the roads having been inundated by water and the buildings destroyed. In total, 69 people died during Sandy's crossing of six Caribbean countries.

However, Haiti, with 51 deaths, has the largest number of fatalities. The island, which is still struggling to recover from the destruction caused by the crossing of Storm Isaac last August and the earthquake of January 2010, has recorded considerable material damage. According to the Ministry of Agriculture, Sandy destroyed 70% of the harvest in the south of the island. In addition to famine, there is also a serious health risk: rain having polluted the drinking water, the cholera epidemic, although rampant since 2010 and having already killed more than 7 000 people, is likely to develop further.

1. Can the Commission supply us with information on additional emergency aid provided in Haïti?

2. What method does the Commission apply for the distribution of aid for the short and medium term? Are alternative activities to the role of the state incorporated into exit and devolution strategies?

Answer given by Ms Georgieva on behalf of the Commission
(21 December 2012)

In response to the serious damage caused by Hurricane Sandy, the Commission allocated EUR 6 million from the EU budget for immediate relief for the most vulnerable populations affected by the hurricane in the Caribbean, EUR 4 million of which was for Haiti and EUR 2 million for Cuba. Considering the magnitude of the disaster, the Commission has submitted a request to the Budgetary Authority for an additional EUR 10 million from the Emergency Aid Reserve. In Haiti, actions are being funded in food assistance/food security (including restoring assets and lost livelihoods), shelter (emergency shelter, shelter kits, material and/or vouchers/cash, together with training on self-reconstruction), non-food relief items, emergency activities related to water, sanitation and hygiene. The Commission is also closely monitoring the cholera epidemic in Haiti. Part of the humanitarian funds allocated to the response to Hurricane Sandy is for prevention, surveillance and response to cholera in order to reinforce the existing anti-cholera measures in the country. These activities are complementary to other donor programmes.

The European Commission, through its Humanitarian Aid and Civil Protection Directorate General (DG ECHO), channels EU funds though non-governmental organisations, United Nations agencies and international organisations such as the International Committee of the Red Cross and the International Federation of the Red Cross and the Red Crescent Societies.

(Version française)

Question avec demande de réponse écrite E-010491/12
à la Commission
Marielle de Sarnez (ALDE)
(16 novembre 2012)

Objet: Adhésion de la Russie à l'OMC et enquête sur ses conséquences en termes de concentrations dans le domaine énergétique

Le volet énergétique est un aspect essentiel des relations UE-Russie. Tout nouvel accord conclu entre la Russie et l'Union européenne doit donc intégrer un chapitre substantiel et juridiquement contraignant sur l'énergie.

Le 22 août 2012, Moscou a rejoint l'Organisation mondiale du commerce, impliquant donc le respect des accords existants et la possibilité de recours à l'Organisme de règlement des différends. Cette adhésion à l'OMC ne manquera donc pas d'avoir des conséquences sur le fonctionnement du marché de l'énergie en Russie, actuellement caractérisé par l'existence de monopoles nationaux.

Dans la perspective d'un nouvel accord de partenariat entre la Russie et l'Union européenne, la Commission pense-t-elle effectuer une étude d'impact en vue d'évaluer les conséquences de l'adhésion de la Russie à l'OMC sur l'organisation de son marché de l'énergie?

Réponse donnée par M. De Gucht au nom de la Commission
(18 janvier 2013)

Dans le contexte de l'adhésion de la Russie à l'OMC ([1]), la Commission a analysé, ces dernières années, le cadre juridique et réglementaire de la Russie, d'une manière générale et plus particulièrement en ce qui concerne le secteur de l'énergie.

Cette analyse sert de base à l'UE pour discuter avec la Russie de la manière de surmonter certains obstacles aux commerces et également pour déterminer quelles dispositions commerciales relatives à l'énergie devraient faire partie intégrante des négociations bilatérales.

Bien que les instruments actuels de l'OMC ne soient pas spécifiquement conçus pour traiter les questions relatives à l'énergie, ils s'appliquent à l'énergie dans la mesure où celle-ci est considérée comme un «bien». Les règles et les engagements de l'OMC servent de base à l'élaboration de nouvelles règles dans le contexte du nouvel accord actuellement négocié avec la Russie.

Sur la base de l'analyse précédente réalisée dans le contexte de l'adhésion de la Russie à l'OMC et des préparatifs du nouvel accord, ainsi que des échanges réguliers de la Commission avec le gouvernement russe sur des questions relatives à l'énergie, les directives de négociation en vue de la conclusion du nouvel accord ont été adoptées par le Conseil en 2008.

Les négociations avec la Russie concernant le nouvel accord ont débuté dès le mois d'octobre 2008 et, à cet effet, le texte proposé pour le chapitre intitulé «Commerce et investissements» contient une série de dispositions portant sur des questions commerciales relatives à l'énergie. Cependant, le simple fait que la Russie maintienne certains monopoles dans le secteur de l'énergie ne signifie pas que ces monopoles sont incompatibles en tant que tels avec les obligations contractées dans le cadre de l'OMC. Lorsque ces monopoles doivent être considérés comme des entreprises commerciales d'État dans le contexte du GATT ([2]), ils doivent respecter les obligations prévues à l'article XVII du GATT.

Néanmoins, dans le cadre des négociations en vue de la conclusion du nouvel accord, nous avons la ferme intention d'améliorer le cadre réglementaire de la Russie afin de faciliter, entre autres, les échanges et les investissements dans le secteur de l'énergie.

([1]) OMC = Organisation mondiale du commerce.
([2]) GATT = Accord général sur les tarifs douaniers et le commerce.

(English version)

Question for written answer E-010491/12
to the Commission
Marielle de Sarnez (ALDE)
(16 November 2012)

Subject: Russia's Accession to the WTO and the examination of its consequences in terms of concentrations on energy-related matters.

The energy window is an essential aspect of EU-Russia relations. Any new agreement between Russia and the European Union should therefore incorporate a substantial and legally binding chapter on energy.

On 22 August 2012, Moscow joined the World Trade Organisation, thus implying compliance with existing agreements and the possibility of appeal to the Dispute Settlement Body. This accession to the WTO is bound to have consequences for the functioning of the energy market in Russia, which is currently characterised by the existence of national monopolies.

In the light of a new EU-Russia Partnership Agreement, does the Commission agree to carry out an impact assessment to evaluate the consequences of Russia's accession to the WTO on the organisation of its energy market?

Answer given by Mr De Gucht on behalf of the Commission
(18 January 2013)

In the context of Russia's accession to the WTO ([1]), the Commission has been analysing, in recent years, Russia's legal and regulatory framework in general and energy more specifically.

This analysis serves as a basis for the EU to discuss with Russia how to overcome certain trade barriers and also to assess what trade-related energy provisions should be part of our bilateral negotiations.

Although the current WTO instruments are not specifically designed for energy, they apply to energy as it is classified as a 'good'. The WTO rules and commitments provide a basis for the development of further rules in the context of the New Agreement currently being negotiated with Russia.

Based on the previous analysis made in the context of Russia's WTO accession and the preparations for the New Agreement, as well as the Commission's regular exchanges with the Russian Government concerning energy issues, the negotiating directives for the New Agreement were agreed in the Council in 2008.

The negotiations with Russia on the New Agreement started already in October 2008 and, for this purpose, the proposed text for a Trade and Investment chapter contains a series of provisions on trade-related energy issues. The mere fact, however, that Russia has certain monopolies in the energy sector, does not mean that these monopolies are per se incompatible with the WTO obligations. Where these monoplies are to be considered as State Trading Enterprises in the context of the GATT ([2]), they need to adhere to the obligations laid down in Article XVII of GATT.

Nevertheless, in the framework of the New Agreement negotiations, it is our firm intention to improve the regulatory framework in Russia to facilitate trade and investment in the energy sector, among other things.

([1]) WTO = World Trade Organisation.
([2]) GATT = General Agreement on Tariffs and Trade.

(Version française)

Question avec demande de réponse écrite P-010492/12
à la Commission
Gaston Franco (PPE)
(16 novembre 2012)

Objet: Politique de communication pour le bois et la forêt en Europe

Le plan d'action relatif au secteur des forêts dans le contexte d'une économie verte, lancé sous les auspices du comité du bois de la Commission économique des Nations unies pour l'Europe et de la commission européenne des forêts de la FAO, a récemment été révisé à l'occasion de la Conférence Rio + 20 sur le développement durable en juin 2012. Ce plan d'action insiste sur le rôle du secteur forestier pour faciliter l'émergence de l'économie verte en améliorant les conditions de vie de la population et l'équité sociale, tout en réduisant de manière significative les risques pour l'environnement et la pénurie de ressources.

Il comprend cinq piliers parmi lesquels le pilier E, intitulé «surveillance et gestion du secteur forestier», qui détaille un ensemble de mesures liées notamment à la communication, à la sensibilisation et à la promotion concernant la gestion durable des forêts et l'économie forestière.

Or, trop souvent encore en Europe, couper du bois, même dans le cadre d'une exploitation durable, est perçu par certains comme un «crime environnemental». De manière générale, l'importance de la forêt dans la société et son économie reste mal connue ou incomprise.

1. Alors qu'elle s'apprête à dévoiler, début 2013, la nouvelle stratégie forestière européenne, quelle politique de communication la Commission compte-t-elle proposer pour promouvoir l'usage du bois et valoriser l'image du secteur forestier et de ses travailleurs dans l'Union européenne?

2. Quels enseignements la Commission pourrait-elle tirer de l'expérience du programme de communication du Conseil canadien des ministres des forêts et du succès de la campagne de sensibilisation «Je touche du bois!» coordonnée par la Coalition BOIS Québec?

Réponse donnée par M. Cioloş au nom de la Commission
(19 décembre 2012)

La nouvelle stratégie forestière de l'UE encouragera la mise en œuvre de la «EU Forest Communication Strategy», lancée en mars 2011. Elle définit des objectifs cohérents et des approches recommandées que la Commission européenne, les États membres et d'autres parties prenantes sont invités à adopter, en les adaptant aux particularités locales, afin de faciliter la mise en œuvre. Des événements promotionnels accompagneront le lancement de la stratégie dans le but de générer de la publicité en faveur des forêts.

Certains États membres et la Commission se sont également engagés dans le réseau «Forest Communicators Network» de la Commission économique pour l'Europe des Nations unies (CEE-ONU) et de l'Organisation des Nations unies pour l'alimentation et l'agriculture (FAO), qui se réunit annuellement et fournit d'autres idées et exemples de bonne pratique en matière de promotion d'une gestion durable des forêts.

La Commission n'a pas de retour d'informations concernant la campagne lancée par la Coalition BOIS Québec, mais elle reconnait l'utilité de ce type de campagne visant à favoriser l'utilisation du bois pour la construction ou la fabrication de meubles, pour autant que soit garantie la gestion durable des forêts.

(English version)

Question for written answer P-010492/12
to the Commission
Gaston Franco (PPE)
(16 November 2012)

Subject: A communication policy for timber and forestry in Europe

The action plan for the Forest Sector in a Green Economy, launched under the auspices of the Timber Committee of the United Nations Economic Commission for Europe and the FAO European Forestry Commission, was recently revised on the occasion of the Rio +20 Conference on Sustainable Development in June 2012. This action plan emphasises the role of the forestry sector in facilitating the emergence of a green economy by improving human well-being and social equity, while significantly reducing environmental risks and ecological scarcities.

It consists of five pillars, including pillar E, entitled 'Monitoring and Governance of the Forest Sector in the Green Economy', which comprises a series of measures related to communication, awareness-raising and promotion for the sustainable management of forests and the forestry economy.

However, all too often in Europe, cutting down trees, even in the context of sustainable use, is still seen by some as an 'environmental crime'. In general, the importance of the forest in society and its economy remains unknown or misunderstood.

In view of the above, will the Commission say:

1. As it prepares to unveil the new European forestry strategy at the beginning of 2013, what communication policy will it propose in order to promote the use of timber and enhance the image of the forestry sector and its workers in the European Union?

2. What lessons could it draw from the experience of the communication programme of the Canadian Council of Forest Ministers and the success of the awareness-raising campaign 'Je touche du bois!' ('Touch wood!') coordinated by the Coalition BOIS Quebec?

Answer given by Mr Cioloș on behalf of the Commission
(19 December 2012)

The new EU Forest Strategy will encourage the implementation of the 'EU Forest Communication Strategy' launched in March 2011. This contains coherent objectives and recommended approaches which the European Commission, Member States and other stakeholders are encouraged to adopt to help implement and to tailor to suit local circumstances. Promotional events will accompany the launch of the strategy with the aim of raising some positive publicity for forests.

Some Member States and the Commission are also involved with the UNECE/FAO Forest Communicators Network, which meets every year, and provides further ideas and best practice examples for promoting a sustainable forest management.

The Commission has no feedback from the campaign launched by the Coalition BOIS Québec, but it recognises the usefulness of such campaigns aiming at promoting the use of wood for construction or furniture production, as long as sustainable forest management is assured.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-010493/12
an die Kommission
Herbert Dorfmann (PPE)
(16. November 2012)

Betrifft: Kategorisierung von Steviolglycosiden — Beschränkung auf Ess- und Backoblaten

Im Amtsblatt der Europäischen Union vom 12.11.2011 wurden die Höchstmengen (330 mg/l bzw. mg/kg) für die Zulassung von Steviolglycosiden im Bereich „Feine Backwaren" festgelegt. Als Ausnahmen bzw. Beschränkungen sind „nur Ess- und Backoblaten" angegeben.

1. Warum wird Steviolglycosid nur für Ess- und Backoblaten zugelassen und für keine anderen Backwaren?

2. Gibt es dafür eine technische Begründung?

3. Welche Erklärung für die Handhabung wird den mit Steviolglycosiden arbeitenden Unternehmen gegeben?

4. Wann gedenkt die Kommission auch andere Kategorien zuzulassen?

Antwort von Herrn Borg im Namen der Kommission
(12. Dezember 2012)

Generell dürfen Süßungsmittel nicht für feine Backwaren, außer Backoblaten und feine Backwaren für besondere Ernährungszwecke, verwendet werden. Diese Beschränkung besteht, weil der Ersatz von Zucker in feinen Backwaren nur zu einer begrenzten Senkung des Gesamtenergiewerts führen würde, weil Backwaren außer Zucker auch Stärke und oft große Mengen Fett enthalten.

Die Verwendung von Steviolglycosiden ist außerdem auf eine Reihe von Lebensmittelkategorien beschränkt, jeweils zu genau festgelegten Höchstwerten und unter Berücksichtigung der annehmbaren täglichen Aufnahmemenge (ADI) von 4 mg/kg Körpergewicht. Dieser ADI-Wert sollte im Sinne der Verbrauchersicherheit nicht überschritten werden. Da Backoblaten ein Nischenprodukt sind, steht nicht zu erwarten, dass die Verwendung von Süßungsmittel — einschließlich Steviolglycosiden — in Backoblaten ein Sicherheitsproblem darstellt.

Die Kommission wird die Erweiterung der Verwendung von Steviolglycosiden prüfen, wenn Informationen von der Nahrungsmittelindustrie über die derzeitige Verwendung dieses Zusatzstoffes eingegangen sind. Die Kommission kann dann die Europäische Behörde für Lebensmittelsicherheit (EFSA) beauftragen, eine neue, detailliertere Expositionsbewertung vorzunehmen, die den tatsächlichen Einsatz berücksichtigt. Auf der Grundlage des Ratschlags der EFSA wird die Kommission prüfen, ob die Verwendung von Steviolglycosiden auch für andere Lebensmittelkategorien zugelassen werden soll.

(English version)

Question for written answer P-010493/12
to the Commission
Herbert Dorfmann (PPE)
(16 November 2012)

Subject: Categorisation of steviol glycosides — restrictions in respect of essoblaten — wafer paper

The *Official Journal of the European Union* of 12.11.2011 sets maximum levels (330 mg / l or mg / kg) for the authorisation of steviol glycosides in the 'Fine bakery wares' sector. As restrictions or exceptions, only 'essoblaten — wafer paper' are specified.

In view of the above, will the Commission say:

1. Why is steviol glycoside approved only for essoblaten — wafer paper and for no other bakery wares?

2. Is there a technical justification for this?

3. What explanation for this treatment is given to enterprises using steviol glycosides?

4. When does it intend to authorise other categories?

Answer given by Mr Borg on behalf of the Commission
(12 December 2012)

In general sweeteners are not authorised for use in fine bakery ware except wafer paper and fine bakery ware for special nutritional uses. The reason for this restriction is that replacing the sugar in fine bakery ware would only lead to a limited reduction of the total energy, as bakery ware contains in addition to sugar also starch and often high quantities of fat.

The use of steviol glycosides is furthermore restricted to a number of food categories, at well-determined maximum levels, taking into account its Acceptable Daily Intake (ADI) of 4 mg/kg body weight. This ADI should not be exceeded in order to protect the safety of the consumer. As wafer paper is a niche product, it is considered that the use in it of sweeteners, including steviol glycosides, will not be of safety concern.

The Commission will consider extending the use of steviol glycosides after information has been provided by the food industry about the actual use of the food additive. The Commission can then ask the European Food Safety Authority (EFSA) to perform a new refined exposure assessment, taking into account the real uses. Based on the advice of EFSA, the Commission will consider extending the use of steviol glycosides to other food categories.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-010494/12
alla Commissione
Cristiana Muscardini (ECR)
(16 novembre 2012)

Oggetto: Attesa riforma del sistema finanziario

Le cronache bancarie offrono molti spunti di riflessione sul sistema finanziario e sulle molte illegalità poste in essere da banche notoriamente importanti. La Barclays patteggia una multa di 453 milioni di dollari per aver truccato il tasso Libor; la Hsbc, primo istituto di credito europeo per capitalizzazione, è indagata per riciclaggio col narcotraffico e per sospetti aiuti ai terroristi; la Standard Chartered accusata di operazioni occulte con l'Iran e di gestione di 250 miliardi del regime; la Jp Morgan Chase perde 5,8 miliardi con i derivati speculando sui corporate bonds; la Goldman Sachs evita il processo, anche se l'accusa parlava di immissione sul mercato di investimenti legati ai mutui subprime, senza informare i clienti che fossero ad alto rischio: l'elenco non è completo e ogni tanto giungono nuove notizie su banche coinvolte in scandali più o meno gravi. Il capo della vigilanza inglese afferma che «la fiducia dei risparmiatori è distrutta, ma i benefici delle frodi sono ancora maggiori.»

La SEC ha perseguito 55 banchieri infliggendo 2,2 miliardi di sanzioni ma la maggior parte di loro si ritira ricca e impunita. Nella risposta alla interrogazione E-007834/2012 il commissario Michel Barnier afferma che «la riforma del sistema finanziario nell'UE, in particolare della vigilanza bancaria, è una condizione indispensabile per porre fine alla crisi e gettare le basi della crescita futura.» Perfettamente d'accordo!

Può la Commissione riferire:

1. chi deve presentare proposte per la riforma finanziaria nell'UE, in particolare della vigilanza bancaria;

2. quali norme è disposta a introdurre per evitare le derive scandalistiche alle quali abbiamo accennato;

3. se la riforma è una conditio sine qua non per porre fine alla crisi, nel caso in cui nessuno fa proposte in merito, fino a quando le nostre economie saranno costrette alla recessione, con tutte le conseguenze sociali del caso;

4. se non prendendo nessuna iniziativa, spera in qualche intervento taumaturgico che, pur evitando la riforma invocata, riesca a far superare la crisi e a garantire ugualmente un'autovigilanza bancaria?

Risposta di Michel Barnier a nome della Commissione
(21 dicembre 2012)

Il 12 settembre 2012 la Commissione ha proposto il primo elemento dell'unione bancaria, ossia un meccanismo di vigilanza unico responsabile della vigilanza diretta sulle banche ai fini di un'applicazione rigorosa e imparziale delle norme prudenziali e di una vigilanza efficace sui mercati bancari transnazionali. La proposta è attualmente in discussione presso i colegislatori.

Nel 2011 la Commissione ha adottato una proposta di regolamento e una proposta di direttiva sugli abusi di mercato, finalizzate ad assicurare l'integrità dei mercati e la tutela degli investitori: attualmente sono anch'esse in fase di negoziazione presso i colegislatori. La Commissione sta inoltre procedendo a una consultazione pubblica su parametri e indici, nell'intento di rafforzarne l'integrità di produzione e di impiego e, quindi, di accrescere la fiducia dei mercati e l'efficienza e di migliorare la tutela degli investitori. La Commissione intende adottare nel 2013 misure conformi alle raccomandazioni internazionali.

Sono in fase di discussione presso i colegislatori varie proposte legislative inerenti ai servizi finanziari, il cui obiettivo è completare la riforma della regolamentazione del settore, come concordato dal G-20, costituire un corpus unico di norme sui servizi finanziari nel mercato interno, approfondire l'unione economica e monetaria e rinvigorire il mercato interno per stimolare la crescita.

La fiducia, la stabilità e la crescita non devono sperare nei miracoli: scaturiranno piuttosto da un impegno politico paziente, infaticabile e determinato di tutte le istituzioni europee.

(English version)

Question for written answer P-010494/12
to the Commission
Cristiana Muscardini (ECR)
(16 November 2012)

Subject: Awaited financial reform

The financial columns are currently providing much food for thought regarding the banking sector and widespread wrongdoing by a number of prominent institutions. Barclays is facing a fine of USD 453 million for manipulating Libor rates, while HSBC, Europe's largest credit institution in terms of capitalisation, is under investigation for recycling funds from drugs trafficking and suspected aid to terrorists. Standard Chartered is accused of secret deals with Iran, handling amounts totalling USD 250 billion; JP Morgan Chase has announced USD 5.8 billion in losses stemming from ill-judged derivatives bets on portfolios of corporate bonds; an investigation into Goldman Sachs has been dropped, despite accusations that it issued subprime mortgage securities and failed to inform its clients that these were a high-risk investment. The list is not exhaustive and further reports continue to appear with regard to banks involved in scandals of a more or less serious nature. The head of the British watchdog body has indicated that the confidence of savers has been destroyed, while fraud is proving ever more profitable.

While the SEChas prosecuted 55 bankers, imposing fines totalling USD 2.2 billion, most of them have succeeded in retiring rich and unpunished. In reply to Written Question E-007834/2012, Commissioner Michel Barnier indicates that 'the reform of the EU financial system, in particular of banking supervision, is a pre-condition to stop the current crisis and to lay down the basis for future growth'. This is beyond dispute!

In view of this:

1. Can the Commission say who should table proposals for financial reform in the EU, in particular with regard to banking supervision?

2. What provisions is it prepared to introduce with a view to avoiding scandals such as those referred to above?

3. In the absence of any proposal for reforms essential to end the crisis, for how long will economies be forced into recession with all the attendant social consequences?

4. In failing to take any initiatives, is it hoping for some miracle to enable the crisis to be overcome and guarantee self-policing by the banks, thereby making the above reforms unnecessary?

Answer given by Mr Barnier on behalf of the Commission
(21 December 2012)

On 12 September 2012 the Commission proposed the first element of the banking union: a Single Supervisory Mechanism (SSM) with direct oversight of banks, to enforce prudential rules in a strict and impartial manner and perform effective oversight of cross border banking markets. The proposal is currently discussed by the co-legislators.

The Commission adopted in 2011 proposals for a regulation and a directive on market abuse in order to ensure the integrity of the markets and investor protection. They are also under negotiation by the co-legislators at the moment. In addition to this initiative, the Commission is holding a public consultation on benchmarks and indices, with the objective to enhance the integrity of their production and use. In turn, this would enhance market confidence and efficiency and improve investor protection. The Commission intends to adopt measures in 2013 consistent with international recommendations.

There are several legislative proposals in the area of financial services under discussion between the co-legislators, which aim at completing the reform of financial regulation as agreed by the G-20, creating a single rulebook for financial services in the internal market, deepening the Economic and Monetary Union and reviving the internal market to stimulate growth.

Confidence, stability and growth need not to wait for miracles. They will be the result of a patient, tireless and focused political effort of all the European institutions.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010495/12
alla Commissione
Alfredo Antoniozzi (PPE)
(16 novembre 2012)

Oggetto: Evasione fiscale dovuta a lacune nel regolamento (CE) n. 44/2001

La procura italiana di Bergamo sta svolgendo un'indagine avente ad oggetto la potenziale evasione fiscale da parte della compagnia aerea irlandese Ryanair a cui viene contestato l'omesso versamento dei contributi per l'assunzione a Dublino di 220 dipendenti di stanza a Orio al Serio, dal momento che questi sono stati assoggettati alla tassazione irlandese, che è molto più bassa di quella italiana. Secondo i calcoli dell'Inps e della Direzione provinciale del lavoro di Bergamo, il danno all'erario italiano sarebbe di quasi 12 milioni di euro. Il calcolo dell'importo si basa sui nominativi dei dipendenti consegnati da Ryanair, anche se si presume che il numero effettivo si aggiri addirittura intorno ai 900. La compagnia irlandese ha sempre sostenuto di non dover pagare le tasse in Italia non avendovi una stabile organizzazione di servizio, giacché i suoi equipaggi operano a bordo di aerei irlandesi e non svolgono in Italia alcuna attività lavorativa.

In realtà i dipendenti Ryanair, pur essendo lavoratori di diritto irlandese, lavorano in Italia. A confermarlo è la stessa clausola contenuta nei loro contratti, richiesta da Ryanair, che li obbliga ad avere un domicilio a non oltre un'ora di distanza dall'aeroporto. Un altro punto oggetto di un'indagine esplorativa della Guardia di Finanza italiana riguarda la possibilità che Ryanair abbia scaricato impropriamente i costi dell'assistenza sanitaria dei dipendenti in questione sul sistema sanitario italiano.

Dati questi fatti, può la Commissione far sapere:

1. se ne è a conoscenza e se sta vigilando sul rispetto delle normative europee, in particolare dell'articolo 18 del regolamento (CE) n. 44/2001 che sancisce l'applicazione del diritto del lavoro del paese dove il datore di lavoro ha una succursale, un'agenzia o qualsiasi altra sede d'attività, per cui il datore di lavoro è considerato, per le controversie relative al loro esercizio, come avente domicilio nel territorio di quest'ultimo;

2. cosa intende fare per dare maggiore chiarezza legislativa in questa materia, dal momento che queste pratiche sono divenute comuni tra le aziende europee, in particolare i call-center?

Risposta di László Andor a nome della Commissione
(17 gennaio 2013)

La Commissione ringrazia l'onorevole parlamentare per aver attirato la sua attenzione sulla potenziale evasione fiscale commessa da Ryanair.

La Commissione non intravvede però nessuna violazione della normativa unionale in questo caso e non vede pertanto come potrebbe intervenire per garantire o monitorare il rispetto delle regole vigenti.

Innanzitutto, si noti che il regolamento (CE) n. 44/2001 concernente la competenza giurisdizionale, il riconoscimento e l'esecuzione delle decisioni in materia civile e commerciale non si applica, tra l'altro, alle questioni fiscali. Di conseguenza, le disposizioni di tale regolamento in merito al luogo in cui può essere ritenuta domiciliata un'impresa a fini di controversia civile si applicano soltanto alle controversie che rientrano nel campo d'applicazione del regolamento. Le motivazioni alla base del prelievo fiscale sono disciplinate dalla normativa nazionale, indipendentemente dal regolamento (CE) n. 44/2001.

In secondo luogo, l'affiliazione al regime di previdenza sociale è disciplinata dal regolamento (CE) n. 883/2004 che è stato modificato di recente dal regolamento (UE) n. 465/2012 in relazione al personale di volo. La Commissione rinvia l'onorevole parlamentare, per quanto concerne l'assistenza sanitaria e la legislazione applicabile in tema di sicurezza sociale nel settore dell'aviazione, alla propria risposta all'interrogazione scritta E 9491/2012.

(English version)

Question for written answer E-010495/12
to the Commission
Alfredo Antoniozzi (PPE)
(16 November 2012)

Subject: Tax evasion due to gaps in Regulation (EC) No 44/2001

The Bergamo Public Prosecutor's Office is conducting an investigation into potential tax evasion by the Irish airline Ryanair, which has been charged with failure to pay contributions for the recruitment in Dublin of 220 staff based at Orio al Serio Airport, since these staff were subject to Irish taxation, which is much lower than Italian taxation. According to the calculations of the Italian national social security institute (INPS) and the Bergamo provincial department of employment, the cost to the Italian exchequer is almost EUR 12 million. The amount was calculated on the basis of the names of staff handed over by Ryanair, although the actual number is presumed to be around 900. The Irish company has always maintained that it does not have to pay taxes in Italy because it does not have a permanent service organisation there, since its teams work on board Irish planes and do not do any work in Italy.

Ryanair employees, although workers under Irish law, actually do work in Italy. To back this up, their contracts contain a clause, required by Ryanair, that obliges them to live no further than one hour away from the airport. Another aspect of the investigation by the Italian tax police concerns the possibility that Ryanair has improperly passed on the healthcare costs of the staff in question to the Italian healthcare system.

1. Can the Commission say whether it is aware of this and whether it is monitoring compliance with EU regulations, particularly Article 18 of Regulation (EC) No 44/2001, which lays down that the employment law of the country in which the employer has a branch, agency or other establishment shall apply, whereby the employer shall, in disputes arising out of the operations of the branch, agency or establishment, be deemed to be domiciled in that Member State?

2. What will it do to further clarify legislation in this area, since these practices have become widespread among European companies, particularly call centres?

Answer given by Mr Andor on behalf of the Commission
(17 January 2013)

The Commission thanks the Honourable Member for bringing this matter of potential tax evasion by Ryanair to its attention.

However, the Commission does not see any violation of Union law in the case at hand and therefore does not see how it could intervene to guarantee or monitor compliance with the applicable rules.

First of all, it should be recalled that regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters does not apply, among others, to tax matters. As a result, any provision of that regulation on where a company may be deemed to be domiciled for purposes to civil litigation only apply to disputes falling within the scope of the regulation. The grounds for levying tax are regulated by national law, independently from Regulation (EC) 44/2001.

Secondly, the social security affiliation is regulated by Regulation (EC) No 883/2004 which was recently amended by Regulation (EU) No 465/2012 for flying personnel. The Commission would refer the Honourable Member with regard to the healthcare and the applicable social security legislation in the aviation sector to its answer to Written Question E 9491/2012.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010496/12
lill-Kummissjoni
Joseph Cuschieri (S&D)
(16 ta' Novembru 2012)

Suġġett: Spinta lill-impjiegi u l-industrija

It-tkabbir ekonomiku u l-ħolqien tal-impjiegi huma vitali għas-salvagwardja tal-mod kif jgħixu ċ-ċittadini Ewropej u l-kwalità tal-għejxien tagħhom. Meta tħabbat wiċċha mal-isfidi tal-globalizzazzjoni, il-popolazzjonijiet li qed jixjieħu u t-tibdil fil-klima, l-UE qed timpenja ruħha għal strateġija komprensiva għal-ħolqien tal-impjiegi u t-tkabbir kif ukoll għat-tqassim tal-benefiċċji b'mod ekwu mal-Unjoni u l-gruppi kollha fis-soċjetà.

Il-ħolqien ta' impjiegi ġodda fl-industrija se jikkontribwixxi biex jiżblokka l-potenzjal ta' għarfien u innovazzjoni tal-UE, ibiddel l-ideat f'opportunitajiet ta' negozji kompetittivi, isir investiment fin-nies u tinħoloq ekonomija ekoloġika fl-interessi tal-ħolqien tal-impjiegi għal-lum u għal għada.

Il-Kummissjoni tista' tipprovdi indikaturi biex turi r-rata ta' suċċess ta' din l-istrateġija?

Tweġiba mogħtija mis-Sur Andor f'isem il-Kummissjoni
(30 ta' Jannar 2013)

L-Istrateġija Ewropa 2020 tara l-investimenti fl-innovazzjoni teknoloġika, il-kapital uman u s-sostenibbiltà ambjentali bħala l-pilastri ewlenin tat-tkabbir *intelliġenti, sostenibbli u inklussiv*. B'mod partikolari, il-Kummissjoni mexxiet lill-ekonomija ekoloġika fil-qalba tal-politika industrijali ([1]) u tal-impjiegi tagħha ([2]). L-Istħarriġ Annwali dwar it-Tkabbir tal-2013 ([3]) jipproponi li jiġi sfruttat il-potenzjal tal-ħolqien tal-impjiegi u tal-irkupru ekonomiku tal-ekonomija ekoloġika, is-swieq emerġenti u t-teknoloġiji għall-effiċjenza enerġetika, il-ġestjoni tal-iskart u tal-ilma u r-riċiklaġġ.

Sabiex tivvaluta ex-ante il-potenzjal tal-għażliet alternattivi ta' politika għall-ħolqien tal-impjiegi, il-Kummissjoni tistrieħ fuq sett estensiv ta' studji

"It-tkabbir ekoloġiku" ([4]) huwa eżempju tajjeb: il-mira tal-Kummissjoni għall-effiċjenza fl-użu tar-riżorsi hija appoġġata minn studji li juru li t-tnaqqis tal-użu tal-materjali meħtieġa mill-ekonomija jista' jagħti spinta lill-PDG sa 3.3% u jgħin fil-ħolqien ta' 2.8 miljun impjieg ([5]). Ir-riċerka li tirfed il-Pjan ta' Azzjoni għall-Effiċjenza Enerġetika sab li l-implimentazzjoni ta' miżuri ta' effiċjenza enerġetika jista' jwassal sa 2 miljun impjieg ekoloġiku sal-2020 ([6]). L-istudji wkoll jinfurmaw il-fehma tal-Kummissjoni li l-ġestjoni tal-ħiliet hija kruċjali fl-ekonomija ekoloġika, billi dan se jeffettwa firxa wiesgħa ta' xogħlijiet bi profili ta' ħila differenti ([7]). Madankollu, diffiċli tidentifika ex-post l-għadd ta' impjiegi effettwati minn xi politika speċifika.

L-Istrateġija Ewropa 2020 tistabbilixxi wkoll għażadd ta' għanijiet u miri, li għandhom jiġu segwiti waqt l-implimentazzjoni sabiex jiggwidaw l-azzjoni tal-UE. Il-Kummissjoni pproduċiet sett ta' indikaturi ewlenin, li jiġi regolarment aġġornat mill-Eurostat u li jagħti tagħrif preċiż u f'waqtu għall-monitoraġġ u l-evalwazzjoni tal-progress lejn l-ilħiq tal-miri ta' Ewropa 2020.

([1]) "Industrija Ewropea Aktar B'Saħħitha għat-Tkabbir u l-Irkupru Ekonomiku" (COM(2012) 582 finali tal-10 ta' Ottubru 2012): http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0582:FIN:EN:PDF.

([2]) "Towards a Job-Rich Recovery" (COM(2012) 173 finali tat-18 ta' April 2012): http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0173:FIN:EN:PDF.

([3]) COM(2012) 750 finali tat-28 November 2012, http://ec.europa.eu/europe2020/pdf/ags2013_en.pdf

([4]) "Exploiting the employment potential of green growth" (SWD(2012) 92 finali tat-18 April 2012), at: http://ec.europa.eu/social/main.jsp?catId=89&langId=en&newsId=1270&moreDocuments=yes&tableName=news.

([5]) "Macroeconomic modelling of sustainable development and the links between the economy and the environment" Bernd Meyer, GWS (Osnabrück, 30 November 2011): http://ec.europa.eu/environment/enveco/studies_modelling/pdf/report_macroeconomic.pdf

([6]) "Pjan Ewropew għall-Effiċjenza Enerġetika 2011" (COM(2011) 109 finali tat-8 ta' Marzu 2011): http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0109:FIN:EN:PDF.

([7]) Studies on sustainability issues — green jobs; trade and labour, Final Report, Cambridge Econometrics et al. (2011).

(English version)

Question for written answer E-010496/12
to the Commission
Joseph Cuschieri (S&D)
(16 November 2012)

Subject: Boosting jobs and industry

Economic growth and job creation are vital to safeguarding the way of life of European citizens and their standard of living. Faced with the challenges of globalisation, ageing populations and climate change, the EU is committed to a comprehensive strategy for creating jobs and growth and sharing the benefits equitably across the Union and all groups in society.

Creating new jobs in industry will contribute to unlocking the knowledge and innovation potential of the EU, translating ideas into competitive business opportunities, investing in people, and creating a greener economy in the interests of job creation now and tomorrow.

Can the Commission provide indicators to demonstrate the success rate of this strategy?

Answer given by Mr Andor on behalf of the Commission
(30 January 2013)

The Europe 2020 strategy posits investments in technological innovation, human capital and environmental sustainability as the main pillars for *smart*, *sustainable* and *inclusive* growth. In particular, the Commission has moved the green economy to centre-stage in its industrial ([1]) and employment policy ([2]). The 2013 Annual Growth Survey ([3]) proposes tapping the job-creation and economic recovery potential of the green economy, emerging markets and technologies for energy efficiency, waste and water management and recycling.

To assess *ex-ante* the employment potential of alternative policy options, the Commission relies on an extensive set of studies. 'Green growth' ([4]) is a good example: the Commission's target for resource efficiency is supported by studies showing that reducing the use of materials required by the economy could boost EU GDP by up to 3.3% and help create up to 2.8 million jobs ([5]). Research underpinning the Energy Efficiency Plan found that implementing energy-efficiency measures could bring up to 2 million green jobs by 2020 ([6]). Studies also support the Commission's view that skill management is crucial to the green economy, which will affect a broad range of occupations with different skill profiles ([7]). However, identifying *ex-post* the number of jobs affected by a specific policy is difficult.

The Europe 2020 strategy also sets a number of objectives and targets, which are to be monitored during implementation to guide EU action. The Commission has produced a set of headline indicators, which are regularly updated by Eurostat and provide accurate, timely information for monitoring and evaluating progress towards meeting the Europe 2020 targets.

([1]) 'A Stronger European Industry for Growth and Economic Recovery' (COM(2012) 582 final of 10 October 2012), at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0582:FIN:EN:PDF.
([2]) 'Towards a Job-Rich Recovery' (COM(2012) 173 final of 18 April 2012), at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0173:FIN:EN:PDF.
([3]) COM(2012) 750 final of 28 November 2012, at http://ec.europa.eu/europe2020/pdf/ags2013_en.pdf
([4]) 'Exploiting the employment potential of green growth' (SWD(2012) 92 final of 18 April 2012), at: http://ec.europa.eu/social/main.jsp?catId=89&langId=en&newsId=1270&moreDocuments=yes&tableName=news.
([5]) 'Macroeconomic modelling of sustainable development and the links between the economy and the environment' Bernd Meyer, GWS (Osnabrück, 30 November 2011), at: http://ec.europa.eu/environment/enveco/studies_modelling/pdf/report_macroeconomic.pdf
([6]) 'Energy Efficiency Plan 2011' (COM(2011) 109 final of 8 March 2011), at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0109:FIN:EN:PDF.
([7]) Studies on sustainability issues — green jobs; trade and labour, Final Report, Cambridge Econometrics et al. (2011).

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-010497/12
adresată Comisiei
Adrian Severin (NI)
(16 noiembrie 2012)

Subiect: Ingerințele Comisiei Europene în justiția statelor membre

Pe data de 10.10.2012, Secretarul general al Comisiei Europene a trimis ministrului român de justiție o scrisoare prin care îi cerea informații cu privire la evoluțiile din România în domeniul justiției. Solicitarea era formulată în contextul aplicării MCV.

Printre altele era cerută „o descriere a stadiului actual și a viitorilor pași procedurali care se așteaptă ca procuratura să îi facă în cazurile de corupție la nivel înalt aflate pe rolul curților de judecată" în ceea ce privește un număr de 11 cazuri concrete. Se remarcă faptul că toate persoanele vizate sunt oponenți ai președintelui României, Traian Băsescu, niciunul nefăcând parte din cercurile politice pro-prezidențiale.

În trecut, la întrebările noastre, Comisia Europeană a răspuns în mod constant că monitorizarea justiției din țările membre, candidate, asociate sau partenere nu are în vedere cazuri concrete ci numai tendințe legislative și instituționale, precum și evoluția practicii reflectată în statistici și evaluări nepersonalizate. Scrisoarea secretarului general al Comisiei dovedește că acele răspunsuri au fost nesincere.

Față de cele de mai sus, rugăm Comisia să precizeze:

1. Care este temeiul legal în baza căruia cere detalii referitoare la cazuri în curs de judecare? Este aceasta o excepție sau o schimbare în poziția Comisiei?

2. În ce măsură se poate evita ca asemenea cereri să fie percepute drept presiuni ilegitime asupra justiției românești și încălcări ale principiilor statului de drept?

3. Care sunt criteriile pe baza cărora au fost selectate cazurile despre care se cer detalii? Faptul că respectivele cereri nu se referă la persoane aparținând cercurilor prezidențiale este un indiciu că justiția română este selectivă sau că presiunile Comisiei sunt selective?

Răspuns dat de dl Barroso în numele Comisiei
(16 ianuarie 2013)

Comisia dialoghează în mod frecvent cu autoritățile române cu privire la progresele pe care acestea le înregistrează în îndeplinirea obiectivelor de referință prevăzute în cadrul mecanismului de cooperare și de verificare (MCV) ([1]). Ca parte a acestui proces, Comisia solicită periodic actualizări detaliate ale situației. Printre aceste informații se numără progresele cazurilor de corupție la nivel înalt.

Al treilea obiectiv de referință din cadrul mecanismului se referă la cercetări profesioniste și imparțiale cu privire la acuzațiile de corupție la nivel înalt. Comisia nu acceptă premisa întrebării distinsului deputat în Parlamentul European, conform căreia încearcă să exercite presiuni asupra procesului juridic din România. Monitorizarea cazurilor de către Comisie este utilizată doar pentru a urmări evoluția performanței globale a sistemului judiciar și a evalua progresele înregistrate în domenii cum ar fi coerența și eficiența procesului judiciar.

Pentru a efectua astfel de evaluări, Comisia monitorizează progresele realizate în anumite cazuri de corupție la nivel înalt și solicită periodic autorităților române să îi furnizeze informații actualizate privind progresele respective. Contrar celor sugerate de întrebarea distinsului deputat în Parlamentul European, alegerea cazurilor nu are legătură cu afilierea politică a persoanelor care fac obiectul unei investigații, ci cu gravitatea și natura cazului (de exemplu, deturnare de fonduri ale UE, conflict de interese sau trafic de influență). În speță, Comisia a solicitat informații referitoare la mai multe cazuri importante susceptibile să înregistreze întârzieri și în privința cărora este posibil ca instanțele să se pronunțe în lunile următoare. Comisia a salutat răspunsul guvernului român, care a furnizat cele mai recente informații privind aceste cazuri, precum și alte cazuri.

([1]) Decizia Comisiei din 13.12.2006 de stabilire a unui mecanism de cooperare și de verificare a progresului realizat de România în vederea atingerii anumitor obiective de referință specifice în domeniul reformei sistemului judiciar și al luptei împotriva corupției, C (2006) 6569 final.

(English version)

Question for written answer E-010497/12
to the Commission
Adrian Severin (NI)
(16 November 2012)

Subject: Commission interference in Member State legal systems

On 10 October 2012, the Commission Secretary-General wrote to the Romanian Minister for Justice seeking information under the cooperation and verification mechanism (CVM) about progress made by the Romanian legal system.

Among other things, he requested information regarded the present situation and future proceedings which the prosecution service was likely to initiate with regard to 11 specific cases of corruption before the courts. Attention was drawn to the fact that all those targeted were opponents of Romanian President Traian Băsescu and that none of them belonged to his circle of political supporters.

In reply to our previous questions, the Commission has consistently indicated that the monitoring of the legal systems in the Member States, applicant countries or partner countries does not relate to specific cases but is confined to legislative and institutional structures and general statistics and assessments reflecting trends in judicial practice. The letter from the Commission Secretary-General shows that those answers were not altogether true.

In view of this:

1. Can the Commission indicate the legal basis on which it is seeking information regarding cases currently before the courts? Is this an exception to its rule or has the Commission changed its approach?

2. To what extent is it possible to avoid such questions being perceived as inadmissible pressure on the Romanian legal process and an infringement of the principles of rule of law?

3. What were the criteria for the selection of cases in question? Is the fact that the requests do not concern the President's circle of political supporters evidence of discrimination on the part of the Romanian judiciary or of selective pressure being brought to bear by the Commission?

Answer given by Mr Barroso on behalf of the Commission
(16 January 2013)

The Commission is in frequent dialogue with the Romanian authorities on their progress in addressing the benchmarks provided for in the Cooperation and Verification Mechanism (CVM) ([1]). As part of this process, it regularly requests detailed updates of the situation. This includes the progress of high-level corruption cases.

The third benchmark under the Mechanism concerns professional, non-partisan investigations into allegations of high-level corruption. The Commission does not accept the premise behind the honourable member's question that it tries to pressure on the Romanian legal process. The monitoring of cases by the Commission is only used to follow the evolution of the overall performance in of the judicial system and assess progress in areas like consistency and the efficiency of the judicial process.

To make such assessments, the Commission monitors progress in specific high-level corruption cases and it regularly asks the Romanian authorities to provide an update on progress. Contrary to what is suggested by the honourable member's question, the choice of cases has nothing to do with the political affiliation of the persons under investigation, but about the seriousness and nature of the case (for example, embezzlement of EU funds, conflict of interest or traffic of influence). In this instance, the Commission requested information on a number of high-profile cases susceptible to delays, where decisions can be expected in the coming months. The Commission was grateful for the response of the Romanian government providing latest information on these and other cases.

([1]) Commission decision of 13/12/2006 establishing a mechanism for cooperation and verification of progress in Romania to address specific benchmarks in the areas of judicial reform and the fight against corruption, C (2006) 6569 final.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-010498/12
komissiolle
Sirpa Pietikäinen (PPE)
(16. marraskuuta 2012)

Aihe: Vaihtoehdot pakkosyötölle

Nykyisin harjoitettava hanhenmaksan tuotanto haittaa tuotannossa käytettävien lintujen hyvinvointia. Neuvoston direktiivissä 98/58/EY todetaan, että ”eläimille ei saa antaa ruokaa tai nestettä tavalla, joka [voi] aiheuttaa tarpeetonta kärsimystä tai vahinkoa”. Euroopan neuvoston suosituksessa kuitenkin sallitaan edelleen pakkosyöttö siellä, missä sitä nykyisin harjoitetaan, kunhan jäsenvaltiot kannustavat tutkimaan vaihtoehtoisia menetelmiä.

Ranskan maataloustieteellisen tutkimuslaitoksen INRA:n hiljattain tekemän tutkimuksen mukaan erityisissä kasvatusoloissa hanhien maksa voi rasvoittua ilman, että niitä pakkosyötetään. Valtaosa hanhenmaksan tuotantoon käytettävistä linnuista on kuitenkin ankkoja, ja tutkimusta ei ole tehty ankoilla. Markkinoille on silti jo tuotu vaihtoehtoja hanhenmaksalle.

Seuraako komissio, millä tavoin tuottajamaat kannustavat pakkosyötön vaihtoehtojen tutkimiseen? Mitä toimia se aikoo toteuttaa varmistaakseen, että lintujen perinteinen pakkosyöttö todella korvataan vaihtoehtoisilla menetelmillä?

Tonio Borgin komission puolesta antama vastaus
(15. tammikuuta 2013)

Komissio kehottaa arvoisaa parlamentin jäsentä tutustumaan vastaukseen, jonka se on antanut kirjalliseen kysymykseen E-3959/2009 ([1]). Vastauksessa käsitellään lainsäädäntöä hanhenmaksan tuottamisesta EU:ssa.

Komissio keskittyy parhaillaan varmistamaan, että jäsenvaltiot valvovat tuotantoeläinten suojelusta annetussa direktiivissä 98/58/EY ([2]) sekä hanhien ja ankkojen kasvattamista lihan ja hanhenmaksan tuottamiseksi koskevissa Euroopan neuvoston suosituksissa ([3]) esitettyjen vaatimusten noudattamista. Tässä tarkoituksessa komissio kerää tietoja hanhi- ja ankkatiloille tehtyjen hyvinvointivointitarkastusten tuloksista. Lisäksi komission tarkastusyksikkö teki tarkastuskäyntejä EU:n kahdessa tärkeimmässä hanhenmaksan tuottajamaassa vuosina 2011 ja 2012 ([4]) keskittäen huomionsa eläinten elinoloihin.

Tähän saakka komissio ei kuitenkaan ole säännöllisesti valvonut sitä, millä tavoin hanhenmaksan tuottajamaat kannustavat tutkimaan letkuruokinnan korvaamista, eikä se ole saanut tarkkaa tietoa nykykäytännöistä poikkeavista menettelytavoista.

([1]) http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2009-3959&language=FI.
([2]) EYVL L 221, 8.8.1998, s. 23.
([3]) http://wayback.archive-it.org/1365/20090215072750/
http://www.coe.int/t/e/legal_affairs/legal_cooperation/biological_safety%2C_use_of_animals/farming/Rec%20Muscovy%20ducks%20E%201999.asp ja
http://wayback.archive-it.org/1365/20090215072727/
http://www.coe.int/t/e/legal_affairs/legal_cooperation/biological_safety%2C_use_of_animals/farming/Rec%20geese.asp.
([4]) Tarkastuskäynnit Unkarissa tehtiin vuonna 2011 ja Ranskassa vuonna 2012. Unkaria koskeva tarkastuskertomus on saatavilla osoitteessa http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2802. Ranskaa koskeva kertomus julkaistaan myöhemmin.

(English version)

Question for written answer E-010498/12
to the Commission
Sirpa Pietikäinen (PPE)
(16 November 2012)

Subject: Alternatives to force-feeding

Foie gras production as it is currently practised is detrimental to the welfare of the birds involved. Council Directive 98/58/EC states that 'no animal shall be provided with food or liquid in a manner … which may cause unnecessary suffering or injury'. However, a Council of Europe recommendation continues to allow force-feeding where it is currently carried out, providing that member states encourage research into alternative methods.

A recent study by the French agricultural institute INRA shows that under specific farming conditions, geese can develop a fatty liver without being force-fed. Research has, however, not been carried out on ducks, which account for the majority of birds used in foie gras production. Alternatives to foie gras have, nevertheless, already been marketed.

Is the Commission monitoring the ways in which producer countries are encouraging research into alternatives to force-feeding? What action will it take to ensure that alternatives actually replace the conventional force-feeding of birds?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-3959/2009 ([1]) for the legal framework which covers the production of foie gras in the EU.

Currently, the Commission concentrates its actions on ensuring the enforcement of the requirements of the directive 98/58/EC concerning the protection of animals kept for farming purposes ([2]) and the recommendations of the Council of Europe on keeping geese and ducks for the production of meat and foie gras ([3]) by the Member States. To this effect, the Commission collects data on the results of welfare inspections in farms keeping geese and ducks. In addition, the Commission inspection services carried out on the spot audits in the two main countries producing foie gras in the EU in 2011 and 2012 ([4]), focusing its attention on the conditions in which animals are kept.

However, up to now, the Commission has not monitored on a regular basis the ways in which countries producing foie gras encourage research to alternatives to gavage and has not received specific information on alternative protocols to the ones currently practised.

([1]) http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2009-3959&language=EN.
([2]) OJ L 221,8.8.1998, p.23.
([3]) http://wayback.archive-it.org/1365/20090215072750/
http://www.coe.int/t/e/legal_affairs/legal_cooperation/biological_safety%2C_use_of_animals/farming/Rec%20Muscovy%20ducks%20E%201999.asp and
http://wayback.archive-it.org/1365/20090215072727/
http://www.coe.int/t/e/legal_affairs/legal_cooperation/biological_safety%2C_use_of_animals/farming/Rec%20geese.asp.
([4]) Audits in Hungary in 2011 and in France in 2012. The audit report in Hungary is available at: http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2802. The report in France will be published at a later stage.

(English version)

Question for written answer E-010499/12
to the Commission
Paul Murphy (GUE/NGL)
(16 November 2012)

Subject: Proposals for chairs and other furniture in educational institutions

Is the Commission aware of the draft European standard regarding 'Furniture — Chairs and tables for educational institutions' (prEN 1729-1:2012) produced by the European Committee for Standardisation? Has the Commission considered the fact that the new standard proposes a chair that slopes backwards with a greater incline than is currently the case? Given that backward-sloping chairs for children are a cause of chronic back pain and back problems later in life, does the Commission not agree that this represents a serious problem and should be amended?

Answer given by Mr Borg on behalf of the Commission
(17 January 2013)

The Commission thanks the Honourable Member for bringing the draft European standard 'Furniture — Chairs and tables for educational institutions' (prEN 1729-1:2012) to its attention.

The Commission would remind the Honourable Member that standards produced by the European Standardisation Organisation CEN are voluntary in nature and it is up to each Member State to decide whether to implement the standard or indeed make it compulsory. Furthermore, the competence for such health matters lies with the Member States and not the Commission.

(English version)

Question for written answer E-010500/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail — SEA (Strategic Environmental Assessment) Directive compliance

The Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment states in its paragraph 5.6, in respect of the Strategic Environmental Assessment (SEA), that 'the studying of alternatives is an important element of the assessment and the directive calls for a more comprehensive assessment of them than does the EIA Directive'. It explains that while the Environmental Impact Assessment (EIA Directive) requires that only an outline of the main alternatives is studied and an indication given of the main reasons for the choice taken, taking into account environmental effects, the SEA Directive makes no distinction between the assessment requirements for the drafted plan or programme and for the alternatives.

Does this guidance constitute an accurate reflection of the Commission's current views on this important point?

Question for written answer E-010501/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 Rail (HS2) — compliance with the Strategic Environmental Assessment (SEA) Directive

With reference to the Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, has the Commission considered the handling of HS2, the UK Government's proposals for a new high-speed rail network?

The UK Government has determined the route of the whole of HS2 and the UK's entire high-speed rail strategy without any environmental assessment of reasonable alternatives, such as alternative strategic routes or the upgrading of existing rail infrastructure to meet the objectives of increasing capacity and relieving congestion. Does the Commission believe that the requirements set out in the SEA Directive, in relation to scope and the level of assessment of alternatives, have been adequately discharged by the UK Government in connection with the handling of proposals for a new high-speed rail line known as HS2?

Question for written answer E-010502/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — compliance with the Strategic Environmental Assessment (SEA) Directive

Article 6 of the SEA Directive states that statutory consultees must be 'given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme or its submission to the legislative procedure'.

Does the Commission believe that the approach taken by the UK Government in connection with its plans for a new high-speed railway link known as HS2 complies with this requirement?

In particular, does the Commission believe that the arrangements announced for Stage 2 of HS2 (the Birmingham to Leeds/Manchester line) comply with these requirements?

Question for written answer E-010503/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail — SEA (Strategic Environmental Assessment) Directive compliance

With reference to the Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, will the Commission review in detail whether the consultation obligations set out in Article 6 have been complied with, and specifically whether the obligation to consult with persons affected or likely to be affected by the plan, or who have an interest in the Strategic Environmental Assessment (SEA) and the plan or programme, have been properly discharged in respect of both Stage 1 and Stage 2 of the HS2 proposals?

Question for written answer E-010504/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — compliance with the Strategic Environmental Assessment (SEA) Directive

With reference to the Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, Article 9 states that once the plan or programme in question is adopted, an SEA statement must be published alongside it, reporting on issues such as:

— how environmental considerations have been integrated into the plan or programme;

— how the environmental report has been taken into account; and

— the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives available.

Does the Commission believe that this requirement has been complied with by the UK Government in connection with its approach to HS2?

In particular, in the view of the Commission, does the 'Appraisal of Sustainability' published by the UK Government in connection with HS2 meet the requirements of Article 9 of the SEA Directive?

Question for written answer E-010505/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — compliance with the Strategic Environmental Assessment (SEA) Directive

With reference to the Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, Article 10 states that an environmental report should form the basis for monitoring the significant effects of the implementation of the plan or programme in question.

Since the significant environmental effects of the implementation of the plan or programme must also be specified in the environmental report, that report should contain a description of how such monitoring is to be undertaken.

Does the Commission consider that the UK Government has complied with its obligations in this regard through the publication of a document entitled 'Appraisal of Sustainability'?

Question for written answer E-010506/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 Rail (HS2) — compliance with the Strategic Environmental Assessment (SEA) Directive

How does the Commission regard the decision by the UK Government, as set out in the 'Appraisal of Sustainability', that monitoring will be left for the subsequent European Impact Assessment process in compliance with the European Impact Assessment Directive and the Strategic Environmental Assessment Directive?

Question for written answer E-010507/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — compliance with the Strategic Environmental Assessment (SEA) Directive

The 'Appraisal of Sustainability' provided by the UK Government does not cover the whole plan or programme for HS2 but only deals with the environmental implications of Phase 1 (London-Birmingham).

Can the Commission express its view on whether any subsequent consultation on an environmental report on Phase 2 (Birmingham-Leeds/Manchester) will be inadequate, given that the UK Government's announcement of 10 January 2012 means that a decision has already been taken to proceed with the construction of Phase 2 of HS2, such that any consideration of alternatives has been ruled out?

Question for written answer E-010508/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — compliance with the Strategic Environmental Assessment (SEA) Directive

The UK Government has stated that the 'Appraisal of Sustainability' published in connection with HS2 is compliant with the SEA Directive. Rather than presenting a comparative assessment of different options for the route of the new rail line known as HS2, this document deals with the environmental issues pertaining to one of the options. The process by which the proposed route has been defined is not set out in an open and transparent way.

By not undertaking a comparative high-level assessment of the alternatives to HS2 and to the proposed route, it is not possible to determine whether the scheme presented is the most sustainable way to meet the purported 'need'.

In light of the above, does the Commission consider the 'Appraisal of Sustainability' to be compliant with the SEA Directive, and will it investigate the matter?

Question for written answer E-010510/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — Environmental Impact Assessment (EIA) Directive

While HS2 Ltd and the UK Government do not dispute that an environmental impact assessment (EIA) is necessary for the HS2 project, they do not accept that this task should have been completed before the public consultation it held on HS2 was undertaken.

Does the Commission believe that the obligations set out in the EIA Directive, designed to encourage public participation in important environmental decision-making, has been adequately discharged by this approach?

Question for written answer E-010511/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — environmental impact assessment (EIA)

The UK Government has declared that its proposals for HS2 will be approved using the 'hybrid bill' procedure (a British legislative procedure pursuant to which acts of legislation are adopted by Parliament). HS2 Ltd proposes to undertake an environmental impact assessment (EIA) in the period leading up to the placing of the hybrid bill before Parliament, and to have the EIA presented to Parliament at the same time as the hybrid bill process begins. It is intended that this will enable the required outcome of the EIA process — an environmental statement (ES) — to be considered by Parliament within its deliberations.

There are concerns as to whether the parliamentary process will truly allow the ES to be taken into account before the development is allowed to go ahead, as the EIA Directive requires, particularly given that the UK Government has confirmed that MPs from the governing coalition will be instructed to vote in favour of the HS2 bill.

In light of this approach, does the Commission:

1. consider that the hybrid bill process provides an adequate mechanism for defining or constraining the development of the project, or proposing mitigation measures, as required by the EIA Directive?

2. consider that the hybrid bill process provides sufficiently for possible review of the decision as required by Article 9 of the EIA Directive?

Question for written answer E-010512/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail — Environmental Impact Assessment (EIA)

The UK Government recently published an 'HS2 London to West Midlands EIA Scope and Methodology Report' which sets out how it proposes to discharge its obligations as regards the EIA. Chapter 3 of this document indicates that the UK Government does not intend to report in the Environmental Statement on the environmental effects of the alternatives to HS2.

Will the Commission review the statements made in this document and urge the UK Government to properly consider alternatives, as required under the relevant directives?

Question for written answer E-010518/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail — public consultation

In many locations where the route of HS2 is planned to run there have been changes to the design of the route consulted on, made only after the public consultation had closed. This has meant that the environmental impact of the route has been increased as the result of an exercise to reduce the costs of construction, yet there has been no opportunity for consultees to comment on such changes.

Does the Commission believe this approach to be consistent with the requirements of the Strategic Environmental Assessment (SEA)?

Joint answer given by Mr Potočnik on behalf of the Commission
(9 January 2013)

The Commission would refer the Honourable Member to its answer to written questions E-002485/2011 to E-002511/2011 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

The national authorities consider the High Speed Two Rail (HS2) to be a project covered by the Environmental Impact Assessment (EIA) Directive ([2]) and not a plan in the meaning of the Strategic Environmental Assessment (SEA) Directive ([3]). According to the information provided by the competent UK authorities the project will be adopted by a special legislative process (hybrid bill) under Article 1.4 of the EIA Directive. This process, composed of several stages, is conceived as an iterative process during which all European environmental legal requirements that are relevant for the project will be met. It is for the national authorities to ensure that the project is approved in detail and that the process meets the objectives of the EIA Directive including its requirements.

Nevertheless, the Commission is aware that concerns about the proposed HS2 rail project exist. A number of complaints on the project have been registered. The Commission has asked the United Kingdom authorities for clarification on a number of the issues. The Commission is currently analysing the reply.

([2]) Directive 2011/92/EU, OJ L 26, 28.1.2012.
([3]) Directive 2001/42/EC, OJ L 97, 21.7.2001.

(English version)

Question for written answer E-010509/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail network: transboundary consultations

The UK Government's proposals for a new high-speed railway known as HS2 envisage the new network connecting to existing rail networks, including High Speed 1 (which connects the UK to Belgium and France). HS2 will therefore have impacts on cross-border networks through the cumulative effects of increased train frequencies and passenger numbers on station and network capacity elsewhere in the EU.

Does the Commission consider that the UK Government has adequately discharged its obligations to undertake transboundary consultations and fully assess transboundary effects in light of these factors in connection with HS2?

Question for written answer E-010515/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — aviation policy

With reference to the proposed HS2 project and its coordination with aviation policy, could the Commission clarify the following:

1. Has the UK Government provided details to DG Transport regarding its proposals to link its proposed high-speed rail network to Heathrow airport in conjunction with the TEN programme?

2. Does the Commission believe that it is an adequate approach for the UK Government to consider aviation and rail policy separately (with consultation not yet started on the former, while decisions have already been made on the latter)?

3. With regard to the proposed HS2 high-speed rail link to Heathrow, does the Commission wish to review the UK Government's decision to prioritise a three-minute saving on journey time over connectivity with the world's busiest international airport, thereby preventing cross-border rail services from reaching Heathrow (on account of the layout of the route)?

Joint answer given by Mr Kallas on behalf of the Commission
(23 January 2013)

Member States have been involved in the issue of trans-boundary infrastructure as part of the revision process of the TEN-T Guidelines. During the preparation of the proposal for the new TEN-T Guidelines ([1]), the Commission carried out a wide and intensive stakeholder consultation. The outcome of this consultation process provided the basis for the Commission to develop a methodology for planning and implementing the revised Trans-European Transport Network.

Moreover the Commission held numerous consultation meetings with Member States to discuss in more detail the development of the TEN-T comprehensive framework to defined the strategically most important nodes and connections which form the core network.

The UK has been involved in many bilateral and multilateral meetings, discussing the most efficient trans-boundary connections. Following these discussion, on 22 March 2012, the Council reached an agreement on a general approach on the Commission's TEN-T guidelines proposal including the maps.

As regards the connection of airports to the TEN-T, the abovementioned proposal of the Commission for TEN-T Guidelines states in Article 47 that airports of the core network shall be connected with the rail and road infrastructure by 31 December 2050 at the latest. However, the development of concrete alignments remains to the competence of the Member States, in line with the principle of subsidiarity.

([1]) COM(2011)650 final/3.

On the other hand transboundary consultations if required are foreseen by the Environmental Impact Assessment (EIA) Directive ([2]). An EIA for the HS2 is currently being carried out by the national authorities as the Commission has indicated in its answer to the written questions E-010500/2012 to E-010518/2012.

([2]) Directive 2011/92/EU, OJ L 26, 28.1.2012, p.1-21.

(English version)

Question for written answer E-010513/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — Water Framework Directive

With reference to Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy, can the Commission clarify the following points:

1. In determining its proposed route for HS2, has the UK Government complied with the requirements set out in Directive 2000/60/EC (the Water Framework Directive)?

2. In particular, the Water Framework Directive requires the UK Government to take all practicable steps to mitigate any adverse impact on the status of water bodies. Given the impact that Phase 1 of HS2 would have on the Misbourne, Colne and Chess rivers and the chalk aquifer in the Misbourne Valley, can the Commission review whether the UK Government has identified an overriding public interest for such works, as required under the Water Framework Directive?

3. Can the Commission review in detail the UK Government's compliance with the Water Framework Directive in connection with its decision to proceed with HS2?

Answer given by Mr Potočnik on behalf of the Commission
(18 January 2013)

The Commission is aware of the proposed HS2 rail project and, following several complaints, has already sought clarification from the national authorities on various aspects of it, including the application of the Habitats ([1]) and the Strategic Environmental Assessment Directives ([2]). National authorities must ensure compliance with the provisions of the Water Framework Directive ([3]) and notably its Article 4(7). This means that deterioration of the status of water bodies can only be authorised if there is an overriding public interest in the project. Moreover, the best environmental option should be chosen and all practicable mitigation measures implemented.

With this in mind, the clarifications provided by the national authorities are currently being assessed.

([1]) Council Directive 92/43/EEC, OJ L 206, 22.7.1992.
([2]) Directive 2001/42/EC, OJ L 97, 21.7.2001, p. 30-37.
([3]) Directive 2000/60/EC, OJ L 327, 22.12.2000, p. 1-73.

(English version)

Question for written answer E-010514/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — Habitats Directive

With reference to the Habitats Directive, could the Commission answer the following questions:

1. Does the Commission believe that the UK Government has complied with its obligations under Article 6 of the Habitats Directive in coming to its decision to proceed with HS2 and in choosing a route for this new line? Can the Commission review whether the UK has ensured that its national legal regime precludes the risk that activities undertaken in connection with the construction of HS2 could cause deterioration of a protected habitat in a manner that is likely to have significant effects on the site's conservation objectives?

2. Does the Commission consider that the UK Government has discharged its obligation to carry out a screening exercise before deciding to proceed with HS2, as required by the Habitats Directive ?

3. Does the Commission consider that the UK Government has complied with its obligation to undertake a screening exercise at the plan and project stage of HS2, as required by the Habitats Directive?

4. Can the Commission review whether the UK Government has carried out an appropriate assessment for the whole plan for HS2, including Phase 2, as required under Article 6(3) of the Habitats Directive?

5. Does the Commission consider that the UK Government, in assessing the sustainability of the route for HS2, has complied with its obligation to take into account 'in-combination' effects when deciding whether a plan or project is likely to have a significant impact on a Natura 2000 site?

Answer given by Mr Potočnik on behalf of the Commission
(24 January 2013)

As stated in reply to Question E-10513 ([1]), the Commission has already contacted the national authorities to seek clarification on a number of issues including the application of Article 6 of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. The reply to these enquiries is currently being assessed. Pending conclusions of this assessment, the Commission is not in a position to provide a response to the questions raised at this point.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010516/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — rail policy

With reference to the proposed HS2 project, could the Commission provide answers to the following questions relating to rail policy:

1. In the Commission's view, does the set of proposals known as HS2 qualify as a TEN-T rail project?

2. Has the Commission reviewed the progress made by the UK in the implementation of common technical standards and the deployment of the European Rail Traffic Management System (ERTMS), a command and control system recommended for the European railway network?

3. Has the Commission reviewed whether the timetable for the further deployment of the ERTMS in the UK is reasonable, given the wider programme of upgrades to this standard across the EU?

4. Has the Commission received any information from the UK Government indicating what line speed improvements could be achieved on major rail lines in the UK through the further roll-out of the ERTMS?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

The UK Government requested the inclusion of HS2 in the TEN-T Network during the revision process of the TEN-T Policy. Since this project is in compliance with the methodology used for the identification of the TEN-T network, the Commission has included it in its Proposal for a regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network ([1]).

The European Railway Agency's report on interoperability, issued in March 2012, reviewed progress made by all 25 EU Member States having a rail network ([2]).

The UK national ERTMS voluntary deployment plan was submitted to the Commission in 2007. Any progress is reviewed in the ERA report mentioned above.

As to the last question of the Honourable Member, the Commission has not received any such information from the UK Government.

([1]) COM(2011) 650.
([2]) http://www.era.europa.eu/Document-Register/Pages/Interoperabilitybiennialreport-2011.aspx.

(English version)

Question for written answer E-010517/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — noise

With reference to the proposed UK High Speed 2 rail project, could the Commission please clarify whether the UK Government is in compliance with international standards regarding noise, in respect of the following points:

1. Can the Commission review the UK Government's compliance with the provisions of the Environmental Noise Directive (2002/49/EC) in connection with its HS2 proposals? In particular, can the Commission review whether the decision not to provide detailed noise contour maps is consistent with the requirements of this directive?

2. HS2 Limited has proposed 85 dB LpA as a threshold level of noise when determining the impact of noise on communities affected by HS2. Does the Commission consider this to be an appropriate threshold to gauge the impact of noise in light of the Environmental Noise Directive?

3. Does the Commission believe that, in assessing the environmental impact of transport projects, relevant public bodies should comply with the recommendations of the World Health Organisation (WHO) document entitled 'Night Noise Guidelines for Europe'?

Answer given by Mr Potočnik on behalf of the Commission
(22 January 2013)

The Environmental Noise Directive calls for the mapping of the noise levels of built infrastructure only, and not at the planning stage.

Concerning noise limits, there are currently no ambient noise limits in force at European level. The Environmental Noise Directive regulates noise through a cycle of public information (from noise maps), followed by action planning as appropriate. Further public information then ensues. This allows citizens to gauge the effect of the controls imposed. Both the definition of any noise limits, and potential noise reduction measures, are at the discretion of the national authorities. The Commission is reflecting on the review of the directive and in that context will consider the appropriateness of introducing EU noise limits.

Concerning the noise level proposed by the HS2, the information provided unfortunately does not allow us to determine its relation to the WHO guideline. In general, the relevant parameter is the long term A-weighted ([1]) averaged sound pressure level (L_{day}, L_{eve}, L_{night}) as defined in the Environmental Noise Directive, and according to the WHO findings the L_{night} during the night period at the façade of the houses, outdoors, should be less than 40 dB, or shall at least be as an interim target less than 55 dB. The information on HS2 is not clear as to where the expected L_{night} level occurs.

([1]) Noise is weighted as function of the frequency to consider more appropriately the human hear sensitivity, and the standard curve applied is the so called 'A' weighting.

(English version)

Question for written answer E-010519/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — modelling approach

The modelling approach used by the UK Government Department of Transport with reference to the proposed HS2 project is known as 'Webtag'.

Can the Commission review whether this modelling approach adequately incorporates environmental impacts, particularly given the Commission's work in this area through its Greening Transport initiative?

Question for written answer E-010521/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 Rail (HS2) — 'Greening Transport' Package

In 2008 the Commission launched its 'Greening Transport' Package (see MEMO/08/492 of 8 July 2008). A key element of these proposals was the need to ensure that the environmental and other external impacts of transport infrastructure projects are adequately measured.

Can the Commission confirm:

1. its proposed timetable for publishing further guidance on measuring external costs for transport networks;

2. whether the approach taken by the UK Government in assessing the viability of proposed transport projects reflects the principles of the 2008 Handbook on estimation of external costs in the transport sector, published by the Commission?

Joint answer given by Mr Kallas on behalf of the Commission
(17 January 2013)

The 'Greening Transport' Package of 2008 ([1]) is focused on the need to internalise external costs of transport. These are the costs related to transport activities, rather than to transport infrastructure. Accordingly, the 2008 handbook ([2]):does not provide guidance on the assesment of infrastructure projects, but rather on the measurement of the main externalities linked to transport activity (congestion, air pollution, noise, accidents and climate change). The Commission is planning to publish an updated handbook most probably in 2013.

The Commission does not dispose of information on the methodology that is being used in the UK to assess infrastructure projects.

([1]) Communication from the Commission to the European Parliament and the Council — Greening Transport, COM(2008)433 final.
([2]) Handbook on estimation of external costs in the transport sector, Delft, February 2008 — report was commissioned by the European Commission, DG TREN, part of the Green Transport Package action, available on the MOVE homepage: http://ec.europa.eu/transport/themes/sustainable/doc/2008_costs_handbook.pdf

(English version)

Question for written answer E-010520/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 (HS2) rail link — technical specifications for interoperability

Under Directive 96/48/EC ([1]) on the interoperability of the trans-European high-speed rail system, the technical specifications for interoperability (TSI) for high-speed rolling stock lay down noise limits for such services. HS2 plans to run services at 400 km/h, faster than any other high-speed rail service currently in operation in Europe.

Can the Commission ask the European Railway Agency to review the compatibility of those speeds with this TSI?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

The Commission informs the Honourable Member that directive 96/48/EC to which he refers has been repealed and that technical specifications in question are now covered in Directive 2008/57/EC on interoperability of the rail system within the Community ([2]).

This directive provides, in its Annex I, that high-speed lines and vehicles can operate at speeds equal to or greater than 250 km/h, with no maximum speed limit. The limit values for noise provided for in the TSI for high-speed rolling stock remain applicable for the planned HS2 line.

Since there is no incompatibility at stake, the Commission is of the opinion that there is no need to consult the European Railway Agency on this issue.

([1]) http://europa.eu/legislation_summaries/transport/intermodality_transeuropean_networks/l24095_en.htm
([2]) OJ L 191, 18.7.2008, p. 1.

(English version)

Question for written answer E-010522/12
to the Commission
James Elles (ECR)
(16 November 2012)

Subject: UK High Speed 2 Rail (HS2) — Comparisons within the European Union

In recent years, many railway lines have been constructed in the EU to favour the development of high-speed rail travel. Will the Commission set out what the approach has been in Germany, France, Italy and Spain, in order to understand how the schemes compare across these countries. In particular, it would be interesting to know:

1. Whether a special scheme has been set up to compensate communities impacted by high-speed rail projects, or if compensation is only available through existing legal processes?

2. If a special scheme has been set up, whether it compensates everyone within a certain proximity of the route?

3. When the scheme starts functioning? Before, during or after construction?

4. Who administers the scheme?

5. Whether the scheme effectively minimises the damage to communities?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

The current TEN-T Guidelines (Decision No 661/2010/EU [1]) of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network) set out the framework for the implementation of the TEN-T Network. The proposal for a regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network [2]) sets out completion dates of the network and infrastructure requirements. In accordance with the subsidiarity principle, it is left to the Member States to decide how to achieve these objectives.

A study has been carried out in 2009 which makes available detailed information on the development of high-speed rail in Europe [3]). For the time being, the Commission is not planning any further studies on the subject.

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[1] OJ L 286, 4.11.2010, p. 17.
[2] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0650:FIN:EN:PDF.
[3] http://ec.europa.eu/transport/themes/infrastructure/studies/doc/presentation_high_speed_rail_090424.ppt.pdf

(Versión española)

Pregunta con solicitud de respuesta escrita E-010523/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(16 de noviembre de 2012)

Asunto: Proyecto de ley de reorganización de los organismos reguladores en España

El Gobierno de España ha presentado ya ante las Cortes Generales el proyecto de ley por el que se propone unificar todos los organismos reguladores en aquel país. El texto insiste en fusionar las funciones de regulación ex ante y ex post que ejercen ahora los organismos reguladores, asigna parte de las primeras al Ministerio de Industria para agrupar el resto en el organismo único que se pretende crear. Estas medidas siguen una línea para restar autonomía a estos organismos que se inició con el anuncio del actual Ministro de Hacienda del Gobierno español, cuando era parlamentario de la oposición, de cesar a los consejeros nombrados bajo el mandato del gobierno anterior ([1]) y continuó con la presentación de esta ley.

Los contenidos del proyecto disgustan a los sectores afectados, a los organismos reguladores y a asociaciones europeas que agrupan a este tipo de entidades. El BEREC, la federación que agrupa en Europa a los organismos reguladores del mercado de las telecomunicaciones, ha aprobado una declaración que, en obvia referencia al caso español, se opone las novedades que están apareciendo en algunos Estados miembros para transferir competencias de los organismos reguladores a los gobiernos. El BEREC cree que esta propuesta contradice la letra y el espíritu de las directivas europeas y ponen en riesgo la capacidad de estas organizaciones para promover la competencia y la protección de los consumidores. Por ello pide a la Comisión que examine estas iniciativas y se oponga a las que minen la independencia de estas organizaciones. La Comisión, por su parte ya adelantó que está haciendo un seguimiento directo de las propuestas españolas en este sentido.

1. ¿Conoce la Comisión el texto del proyecto de ley presentado en el Congreso a este respecto por las autoridades españolas?

2. ¿Considera que sus contenidos son acordes con la normativa comunitaria en esta materia?

3. ¿Comparte las preocupaciones expresadas por el BEREC en su declaración en torno al proyecto español?

4. ¿Mantiene la Comisión algún tipo de interlocución con las autoridades españolas en torno a este proyecto?

Respuesta de la Sra. Kroes en nombre de la Comisión
(8 de enero de 2013)

Tal como indica en su respuesta a las preguntas escritas E-010181/2012 y E-10396/2012, la Comisión está al corriente de las novedades legislativas españolas en relación con la ley por la que se crea la Comisión Nacional de los Mercados y la Competencia (CNMC), presentada recientemente a las Cortes para su aprobación.

La Comisión también tiene conocimiento de la declaración del ORECE y comparte su preocupación acerca de la incidencia de determinadas iniciativas legislativas nacionales en la independencia de las autoridades nacionales de reglamentación y en la eficacia del desempeño de sus funciones ([2]).

La Comisión da gran importancia al principio de la independencia y plena competencia de las autoridades nacionales de reglamentación y competencia, ya que es fundamental para el correcto funcionamiento del mercado único contar con autoridades de reglamentación independientes y eficaces, que dispongan de recursos suficientes y de plenas competencias y responsabilidades. Si bien los Estados miembros gozan de un grado considerable de autonomía en la manera de establecer sus organismos de reglamentación, las normas de la UE aplicables al mercado interior de la energía y a las comunicaciones electrónicas establecen requisitos específicos sobre la independencia de las autoridades de reglamentación, las competencias y las funciones que les corresponden, el eficaz cumplimiento de sus actividades y su observancia de los objetivos políticos y los principios reglamentarios que figuran en el marco normativo de la UE.

([1]) http://www.abc.es/20110419/economia/abcp-avisa-cambiara-consejo-llega-20110419.html
([2]) Declaración del ORECE sobre la independencia de las autoridades nacionales de reglamentación: http://berec.europa.eu/files/document_register_store/2012/11/BoR_(12)_119_BEREC_statement_on_independence_of_NRAs.pdf

La Comisión se mantiene en contacto con las autoridades españolas para garantizar la independencia de la nueva autoridad y asegurarse de que dispone de los poderes suficientes para desempeñar sus funciones con arreglo al Derecho de la UE. Asimismo, se ha comprometido a garantizar el cumplimiento del Derecho de la UE y va a examinar la ley a la luz de dichos requisitos y, en su caso, adoptar las medidas necesarias.

(English version)

Question for written answer E-010523/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(16 November 2012)

Subject: Bill seeking to reorganise Spain's regulators

The Spanish Government has presented to the Spanish Parliament a bill proposing to bring all of Spain's regulators together into one body. The text seeks to merge the *ex ante* and *ex post* regulation activities that the regulators currently carry out, with some *ex ante* activities being assigned to the Ministry for Industry, and the remainder brought together in a single body which is to be set up for the purpose. These measures are part of a push to take away the regulators' autonomy that began with an announcement by Spain's current Finance Minister, when he was in opposition, that advisors appointed during the previous government's term of office would be removed ([1]). The presentation of this bill is the next stage in that process.

The sectors concerned, the regulators themselves and European regulators' associations are very unhappy with the content of the bill. BEREC, the body of European regulators for electronic communications, has approved a statement in which, in a clear reference to the Spanish case, it expresses its opposition to the trend in some Member States according to which powers are being transferred from regulators to governments. BEREC takes the view that the proposal goes against the letter and the spirit of European directives and poses a risk to the regulators' ability to promote competition and consumer protection. It calls on the Commission to look into these initiatives and to oppose those that undermine the regulators' independence. The Commission, for its part, has pointed out that it is keeping a close eye on Spanish proposals seeking to move in this direction.

1. Is the Commission familiar with the bill that the Spanish authorities have presented to the country's parliament on this matter?

2. Does it take the view that the bill complies with EU rules in this area?

3. Does it share the concern expressed by BEREC in its statement where the Spanish bill is concerned?

4. Is the Commission maintaining any form of contact with the Spanish authorities with regard to this bill?

Answer given by Ms Kroes on behalf of the Commission
(8 January 2013)

As indicated in our replies to written questions E-010181/2012 and E-10396/2012, the Commission is aware of the legislative developments in Spain regarding the adoption of the law creating the National Commission for Markets and Competition (CNMC), which has been recently submitted to the Parliament for adoption.

The Commission is also aware of the statement by BEREC and shares its concerns regarding the impact of certain national legislative initiatives on the independence of national regulators and effectiveness in the performance of their functions ([2]).

The Commission attaches great importance to the principles of independent and fully competent national regulatory and competition authorities, since independent, efficient, adequately resourced regulators with full competences and responsibilities are critical to the functioning of the single market. Although Member States have a considerable degree of autonomy in deciding how to set up their regulatory bodies, the EU rules for internal energy market and electronic communications contains specific requirements about the independence of regulatory authorities, the competences and functions to be attributed to them, the effective exercise of their tasks, and its alignment with the policy objectives and regulatory principles contained in the EU regulatory framework.

The Commission is in contact with the Spanish authorities to ensure the independence of the new authority and to ascertain that it has sufficient powers to fulfil its functions under EC law. The Commission is committed to ensure compliance with EC law and will analyse the law in light of these requirements taking necessary measures, as appropriate.

([1]) http://www.abc.es/20110419/economia/abcp-avisa-cambiara-consejo-llega-20110419.html
([2]) BEREC statement on independence of NRA's: http://berec.europa.eu/files/document_register_store/2012/11/BoR_(12)_119_BEREC_statement_on_independence_of_NRAs.pdf.

(English version)

Question for written answer E-010524/12
to the Commission
Marta Andreasen (EFD)
(16 November 2012)

Subject: Recoveries by OLAF reported in 2011

The OLAF report for 2011 gives a figure for recoveries during the year of EUR 691.4 million. Even if one disregards an exceptional item from one Member State, this is a considerably larger amount than in any of the four preceding years.

The report states that the total amount recovered has been recorded in the year in which the case was closed, regardless of whether reimbursement has actually been received.

It further states that this will be the last year in which recoveries would be reported in this way, and that in future years recoveries will only be reported in the year in which funds were actually received.

1. Will the Commission provide an analysis of the amounts recovered which also attributes them to the amounts disbursed in the year in which the original disbursements took place?

2. Will the Commission also provide a retrospective analysis going back to the start of the current Multiannual Financial Framework (Financial Perspective) in 2007?

Answer given by Mr Šemeta on behalf of the Commission
(5 February 2013)

The Commission would like to clarify that the information on recovery contained in OLAF's Reports is aimed at informing the public about the financial outcome of OLAF's investigations. It does not intend to replace the information contained in the Commission's annual accounts.

As explained in the 2011 OLAF Report ([1]), for the last time, the total amount recovered in a case was recorded in the year in which OLAF's monitoring activities were finalised, regardless of its actual year of recovery by competent authorities. This means that in many cases, amounts recovered by competent authorities in previous years were also included in the figures. However, as of 1 February 2012 ([2]) OLAF has moved to a new way of reporting on the recoveries further to its recommendations ([3]). Thus, starting from the reporting year 2012, the amounts recovered are recorded in the year in which OLAF has been informed of their recovery ([4]).

The competent services of the Commission managing EU funds are responsible for ensuring recoveries, including those based on OLAF recommendations. Due to the different management rules of EU funds, different reporting procedures exist which makes the collection of complete information on recoveries based on OLAF recommendations an ongoing challenge.

OLAF and the competent Commission services are working together on improving for the future the reporting on recoveries resulting from OLAF investigations.

The Commission and OLAF are therefore not in a position to provide the type of retrospective analysis requested by the Honourable Member. The amounts effectively recovered can be found in the Commission's annual accounts.

([1]) http://ec.europa.eu/anti_fraud/documents/reports-olaf/2011/olaf_report_2011_en.pdf — see in particular p.20-21.

([2]) On 1 February 2012, significant changes to OLAF's investigative procedures and internal organisation were introduced.

([3]) Based on the OLAF Instructions to Staff on Investigative Procedures the amounts recovered can be explained as follows:
— any EU expenditure identified during an investigation or coordination case as having been unduly spent which has been retrieved from beneficiaries, national managing authorities or paying agencies (by direct recovery, offsetting, deduction, decommitment, programme closure, clearance of accounts, etc).
— the amount of traditional own resources identified during an investigation or coordination case as having been evaded and which has been recovered from economic operators or charged to the Member States resulting from their negligence or lack of due diligence.

([4]) 2012 is a transitional year. There are still recovered amounts from previous years that OLAF has not yet reported on. The annual monitoring of the implementation of OLAF's recommendations is taking place during 1st quarter of 2013, for the first time on the basis of the new procedures introduced on 1/2/2012.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010525/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(16 Νοεμβρίου 2012)

Θέμα: Χρήση του Ευρωπαϊκού Ταμείου κατά της φτώχειας

Σύμφωνα με την έρευνα εισοδήματος 2010 της Ελληνικής Στατιστικής Αρχής, 3,03 εκατ. άτομα (27,7%) ζουν κάτω από το όριο της φτώχειας. Την ίδια ώρα, ένας στους τέσσερις πολίτες (25,5%) που δεν είναι φτωχός ζει σε κατοικία που δεν ανταποκρίνεται στις ανάγκες του, ενώ το 27,8% του μη φτωχού πληθυσμού δηλώνει ότι δυσκολεύεται να αντεπεξέλθει στις δαπάνες στέγασης. Ενώ τα ποσοστά αυτά ώρα με την ώρα μεγαλώνουν, φαίνεται ότι τα αποτελέσματα της οικονομικής κρίσης αποτυπώνονται και στην καθημερινότητα των παιδιών. Είναι χαρακτηριστικό ότι το 37,1% και το 18,4 των φτωχών παιδιών, διαβιούν σε νοικοκυριά που δηλώνουν αντίστοιχα αδυναμία ικανοποιητικής θέρμανσης και ελλείψεις βασικών ανέσεων στο νοικοκυριό. Ο συνολικός αριθμός δε των παιδιών που ζουν κάτω από τα όρια της φτώχειας σύμφωνα με την Unicef Ελλάδος φτάνει τα 439 000! Η Ευρωπαϊκή Επιτροπή πρότεινε πρόσφατα την ίδρυση ενός Ευρωπαϊκού Ταμείου κατά της φτώχειας, με κεφάλαια ύψους 2,5 δις. ευρώ το 2020, με σκοπό την κάλυψη μέρους του κόστους αρωγής σε πολίτες της ΕΕ που ζουν σε κατάσταση φτώχειας.

Ερωτάται η Επιτροπή:

Ποια είναι η βοήθεια που η Ελλάδα μπορεί να περιμένει από το Ταμείο αυτό έτσι ώστε να στηριχθούν οι πολίτες που το έχουν ανάγκη και πόσο σύντομα θα μπορεί η Ελλάδα να έχει πρόσβαση στη βοήθεια αυτή;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(8 Ιανουαρίου 2013)

Εάν η νομοθετική αρχή εγκρίνει την πρόταση της Επιτροπής για κανονισμό του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου σχετικά με το Ευρωπαϊκό Ταμείο Βοήθειας προς τους Απόρους, αυτή θα πρέπει να υλοποιηθεί κατά την περίοδο 2014-2020.

Στην Ελλάδα, όπως και σε άλλα κράτη μέλη, το εν λόγω ταμείο θα στηρίξει τους εθνικούς μηχανισμούς για τη διανομή τροφίμων στους πλέον απόρους, καθώς και βασικών καταναλωτικών αγαθών (ρούχα, παπούτσια, προϊόντα υγιεινής) στους αστέγους ή τα παιδιά που βρίσκονται κάτω από συνθήκες ακραίας φτώχειας.

Όσον αφορά το 2013, η Επιτροπή επιθυμεί να υπενθυμίσει την έγκριση, τον περασμένο Οκτώβριο, του ετησίου προγράμματος σχετικά με τα τρόφιμα που προορίζονται για τους πλέον απόρους, σύμφωνα με το οποίο η Ελλάδα θα λάβει πάνω από 22 εκατ. ευρώ.

(English version)

Question for written answer E-010525/12
to the Commission
Nikolaos Salavrakos (EFD)
(16 November 2012)

Subject: Use of Fund for European Aid to the Most Deprived

According to the 2010 income survey carried out by the Greek Statistical Authority, 3.03 million people in Greece (27.7%) are living below the poverty threshold. At the same time, one in four people (25.5%) who is not poor lives in housing that does not meet his or her needs, while 27.8% of the non-poor population say that they have trouble meeting their housing costs. While the percentages of the people affected are increasing by the hour, it seems that the effects of the economic crisis are also reflected in the daily lives of children. Tellingly, the percentages of poor children living in households that declare that they do not have proper heating and lack basic amenities are 37.1% and 18.4%, respectively. The total number of children living below the poverty threshold, according to Unicef Greece, is now 439 000! The Commission recently proposed the establishment of a European fund to combat poverty with funds of EUR 2.5 billion in 2020 in order to cover part of the cost of assisting EU citizens living in poverty.

Will the Commission say:

What help can Greece expect from this fund to help people in need? How soon will Greece be able to have access to this assistance?

(Version française)

Réponse donnée par M. Andor au nom de la Commission
(8 janvier 2013)

La proposition de la Commission de règlement du Parlement européen et du Conseil relatif au Fonds européen d'aide aux plus démunis, si elle est adoptée par l'autorité législative, devrait être mise en œuvre sur la période 2014-2020.

En Grèce, comme dans les autres États membres, ce fonds soutiendrait des dispositifs nationaux pour la distribution aux personnes les plus démunies de produits alimentaires, et, pour les personnes sans-abris ou les enfants en grande pauvreté, de biens de consommation de base (vêtements, chaussures, produits d'hygiène).

En ce qui concerne l'année 2013, la Commission tient à rappeler l'adoption, en octobre dernier, du programme annuel relatif aux denrées alimentaires destinées aux personnes les plus démunies, au titre duquel la Grèce se voit octroyer plus de 22 millions d'euros.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010526/12
lill-Kummissjoni
David Casa (PPE)
(16 ta' Novembru 2012)

Suġġett: Proċedura għall-applikazzjoni tal-viża ta' Schengen

It-turiżmu huwa kontributur importanti għall-ekonomija tal-UE u anke sors ewlieni ta' dħul għal ħafna Stati Membri. Iktar u iktar vjaġġaturi qed juru interess li jżuru ż-żona Schengen, kif rifless fit-tkabbir fl-għadd ta' applikanti għall-viża ta' Schengen għal 32 % bejn l-2009 u l-2011. Madankollu, tqajjem ħassib dwar il-proċedura għall-applikazzjoni tal-viża, li jidher li qed tipprevjeni l-industrija tat-turiżmu milli tilħaq il-potenzjal sħiħ tagħha. Fost il-kumplikazzjonijiet, in-nuqqas ta' armonizzazzjoni fix-xogħol amministrattiv meħtieġ fost l-Istati Membri intqal li ħoloq konfużjoni, jaqta' qalb il-viżitaturi milli jwettqu l-applikazzjonijiet tagħhom.

Fid-dawl ta' dawn is-sejbiet, il-Kummissjoni kif tippjana li tappoġġja l-Istati Membri biex jiffaċilitaw l-proċedura għall-applikazzjoni tal-viża sabiex itejbuha u jiċċarawha, u liema skeda ta' żmien tipprevedi għat-tlestija ta' dan il-proċess?

Tweġiba mogħtija mis-Sinjura Malmström f'isem il-Kummissjoni
(21 ta' Jannar 2013)

Il-Kummissjoni adottat Komunikazzjoni dwar "L-implimentazzjoni u l-iżvilupp tal-politika komuni dwar il-viża biex tagħti spinta lit-tkabbir ekonomiku fl-UE" ([1]) filwaqt li eżaminat kif l-implimentazzjoni u l-iżvilupp tal-politika komuni tal-viża jistgħu jgħinu t-tkabbir fl-UE billi jiffaċilitaw l-opportunitajiet tal-ivvjaġġar għal ċittadini ta' pajjiżi terzi li jixtiequ jżuru l-UE.

Il-Kummissjoni tagħmel monitoraġġ kontinwu ta' kif l-Istati Membri jimplimentaw il-leġiżlazzjoni tal-UE. Tabilħaqq diversi ostakli li bħalissa qed jiffaċċjaw l-applikanti tal-viża jistgħu jitneħħew permezz tal-implimentazzjoni korretta tal-Kodiċi dwar il-Viża ([2]) mill-konsulati tal-Istati Membri.

Skont l-Artikolu 48(1) tal-Kodiċi tal-Viża, l-Istati Membri jridu jivvalutaw fil-kooperazzjoni lokali ta' Schengen (Local Schengen Cooperation) il-ħtieġa li jistabbilixxu listi armonizzati ta' dokumenti ta' sostenn li jridu jiġu ppreżentati mill-applikanti għal viża f'post partikolari. Dawn il-listi huma adottati mid-deċiżjonijiet ta' implimentazzjoni tal-Kummissjoni u jsiru legalment vinkolanti. Sal-lum, il-Kummissjoni adottat ħames deċiżjonijiet li jkopru madwar 15-il post. F'għadd ta' postijiet oħrajn tinsab għaddejja ħidma dwar dan. Il-Kummissjoni enfasizzat il-"valur miżjud tal-KLS fir-rigward tat-tisħiħ tal-armonizzazzjoni tal-mod kif tiġi applikata l-linja politika komuni dwar il-viżi." ([3])

Barra minn hekk, fl-2013 il-Kummissjoni se tippreżenta tibdil fil-Kodiċi tal-Viża attwali, abbażi ta' evalwazzjoni tal-implimentazzjoni tal-Kodiċi matul l-ewwel tliet snin tiegħu. Il-Kummissjoni biħsiebha tissuġġerixxi modi kif tista' ttejjeb, tiffaċilita u tissimplifika l-proċeduri għall-vjaġġaturi filwaqt li tkompli tiżgura s-sigurtà tal-fruntieri esterni tagħna u l-iffunzjonar tajjeb taż-żona ta' Schengen.

([1]) COM(2012) 649 tal-7.11.2012.
([2]) Ir-Regolament (KE) 810/2009 tal-Parlament Ewropew u tal-Kunsill li jistabbilixxi Kodiċi Komunitarju dwar il-Viżi, ĠU L 243, 15.9.2009, p 1.
([3]) COM(2012) 648 finali, tas-7.11.2012.

(English version)

Question for written answer E-010526/12
to the Commission
David Casa (PPE)
(16 November 2012)

Subject: Schengen visa application procedure

Tourism is an important contributor to the EU economy and even a main source of income for many Member States. More and more travellers are showing an interest in visiting the Schengen area, as reflected in the 32% growth in the number of Schengen visa applicants between 2009 and 2011. However, concerns have been raised over the visa application procedure, which seems to be preventing the tourism industry from reaching its full potential. Amongst the complications, the lack of harmonisation in required paperwork among Member States has been said to create confusion, discouraging potential visitors from pursuing their applications.

In the light of these findings, how does the Commission plan to support Member States in facilitating the visa application procedure in order to improve and clarify it, and what timeline does it envisage for the completion of this process?

Answer given by Ms Malmström on behalf of the Commission
(21 January 2013)

The Commission has adopted a communication on the 'Implementation and development of the common visa policy to spur economic growth in the EU' ([1]) examining how the implementation and development of the common visa policy could help growth in the EU by facilitating travel opportunities for third-country nationals wishing to visit the EU.

The Commission constantly monitors Member States' implementation of EU legislation. Indeed several obstacles currently faced by visa applicants can be removed by a correct implementation of the Visa Code ([2]) by Member States' consulates.

Under the Visa Code Article 48 (1), Member States are to assess within local Schengen cooperation (LSC) the need to establish harmonised lists of supporting documents to be submitted by visa applicants in a given location. Such lists are adopted by the Commission implementing decisions and become legally binding. To date the Commission has adopted five decisions covering some 15 locations. Work is in progress in a number of other locations. The Commission has emphasised the 'added value of LSC's in enhancing harmonisation of the way in which the common visa policy is applied' ([3]).

In addition, in 2013 the Commission will present changes to the existing Visa Code, on the basis of an evaluation of the implementation of the Code during its first three years. The Commission intends to suggest ways to improve, facilitate and streamline procedures for travellers while continuing to ensure security to our external borders and the good functioning of the Schengen area.

([1]) COM(2012) 649 of 7.11.2012.
([2]) Regulation (EC) 810/2009 of the European Parliament and the Council establishing a Community Code on Visas, OJ L 243, 15.9.2009, p. 1.
([3]) COM(2012) 648 final, of 7.11.2012.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010527/12
lill-Kummissjoni
David Casa (PPE)
(16 ta' Novembru 2012)

Suġġett: Użu taċ-ċinturin tas-sikurezza

Dan l-aħħar daħlu fis-seħħ ħtiġijiet għal vetturi l-ġodda bħala parti mill-isforzi tal-UE biex ittejjeb is-siġurtà fit-toroq. Wieħed mill-ħtiġijiet huwa li s-sit tas-sewwieq fil-vetturi l-ġodda għandu jkun mgħammar b'sistema ta' tfakkira għaċ-ċinturin tas-sikurezza.

L-użu taċ-ċinturin tas-sikurezza jista' jipprovdi protezzjoni sinifikanti lill-passiġġieri tal-karozza, speċjalment f'inċidenti tat-traffiku. Is-sistema l-ġdida hija maħsuba li żżid l-użu taċ-ċinturin tas-sikurezza fost l-Ewropej. Filwaqt li hemm liġijiet f'ħafna Stati Membri jeħtieġu li l-passiġġieri kollha jużaw iċ-ċinturini tas-sikurezza, il-perċentwal tal-użu taċ-ċinturin tas-sikurezza mill-okkupanti tas-sit ta' wara rrappurtat li huwa sew inqas minn dak tal-okkupanti tas-sit ta' quddiem.

Il-Kummissjoni tippjana li tintroduċi xi miżuri addizzjonali biex jiżdied il-peċentwal tal-użu taċ-ċinturin tas-sikurezza mill-passiġġieri tas-sit ta' wara?

Tweġiba mogħtija mis-Sur Kallas f'isem il-Kummissjoni
(21 ta' Diċembru 2012)

Il-Kummissjoni se tkompli timplimenta miżuri ta' sikurezza tat-triq skont l-għanijiet tagħha fl-Orjentazzjonijiet ta' Politika dwar is-Sikurezza tat-Triq 2011-2020 ([1]).

Il-Kummissjoni tikkunsidra modifika fir-Regolament għas-Sikurezza Ġenerali ([2]) fir-rigward tat-tfakkiriet dwar l-użu mandatorju taċ-ċinturini tas-siġurtà għas-sedili tal-passiġġieri. Madankollu, il-kostijiet u l-benefiċċji ta' tali miżura għad iridu jiġu vvalutati b'mod tajjeb.

([1]) Komunikazzjoni mill-Kummissjoni lill-Parlament Ewropew, lill-Kunsill, lill-Kumitat Ekonomiku u Soċjali Ewropew u lill-Kumitat tar-Reġjuni "Lejn Żona Ewropea ta' sikurezza tat-triq: orjentazzjonijiet ta' politika dwar is-sikurezza tat-triq 2011-2020"; COM (2010) 389 finali.

([2]) Ir-Regolament (KE) Nru 661/2009 tal-Parlament Ewropew u tal-Kunsill dwar rekwiżiti għall-approvazzjoni tat-tip għas-sikurezza ġenerali tal-vetturi bil-mutur, it-trejlers tagħhom, u s-sistemi, il-komponenti u l-unitajiet tekniċi separati destinati għalihom (ĠU L 200, 31.7.2009, p. 1).

(English version)

Question for written answer E-010527/12
to the Commission
David Casa (PPE)
(16 November 2012)

Subject: Seat belt usage

Requirements for new vehicles recently came into force as part of the EU's efforts in improving road safety. One of the requirements is that the driver seat in new vehicles must be equipped with a seat belt reminder system.

The use of seat belts can provide significant protection to car passengers, especially in road accidents. The new system is intended to increase seat belt usage among Europeans. Whilst there are laws in many Member States requiring all passengers to use seat belts, the percentage of seat belt use by rear seat occupants is reported to be significantly lower than that of front seat occupants.

Does the Commission plan to introduce any further measures to increase the percentage of seat belt use by rear seat passengers?

Answer given by Mr Kallas on behalf of the Commission
(21 December 2012)

The Commission will continue to implement road safety measures in line with the objectives of its Policy Orientations on Road Safety 2011-2020 ([1]).

The Commission considers a modification of General Safety Regulation ([2]) as regards the mandatory use of seat belts reminders for passenger seats. However, the costs and benefits of such measure have yet to be properly assessed.

([1]) Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Towards a European road safety area: policy orientations on road safety 2011-2020', COM(2010)389 final.

([2]) Regulation 661/2009/EC concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore (OJ L 200, 31.7.2009, p. 1).

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010529/12
lill-Kummissjoni
David Casa (PPE)
(16 ta' Novembru 2012)

Suġġett: Rata ta' żball — infiq tal-UE

Fl-evalwazzjoni tagħha tal-infiq tal-UE, il-Qorti Ewropea tal-Awdituri sabet rata ta' żball ta' 3.9 % fl-2011. Din kienet parzjalment ikkawżata minn każijiet fejn l-informazzjoni dwar il-benefiċjarji tal-fondi tal-UE ma kinux preċiżi.

Fid-dawl ta' dawn is-sejbiet, il-Kummissjoni kif beħsiebha tipprevjeni ineżattezzi bħal dawn fil-futur?

Tweġiba mogħtija mis-Sur Šemeta f'isem il-Kummissjoni
(18 ta' Jannar 2013)

Ir-rata ta' żball stmata mill-Qorti Ewropea tal-Awdituri fir-rapport Annwali tal-2011, bħal fis-sentejn preċedenti, hija sew taħt il-livelli 2006-2008. Dan l-iżvilupp pożittiv jirriżulta b'mod partikolari minn titjib fil-politika ta' Koeżjoni permezz, b'mod partikolari, ta' gwida aħjar dwar akkwist pubbliku u politika robusta li jinterrompu u jissospendu l-pagamenti. Informazzjoni dettaljata dwar miżuri preventivi u korrettivi meħuda mill-Kummissjoni u l-Istati Membri sabiex titnaqqas ir-rata tal-iżbalji hija ppreżentata fid-dokument ta' Ħidma tal-Persunal tal-Kummissjoni "Analysis of Errors in Cohesion Policy for the Years 2006-2009" (Analiżi tal-Iżbalji fil-Politika ta' Koeżjoni għas-Snin 2006-2009) ([1]).

Il-Kummissjoni hija tal-fehma li aktar tnaqqis fil-livelli ta' żbalji jeħtieġ simplifikazzjoni ta' kif il-politiki tal-UE huma mwassla (eż. jitnaqqas in-numru ta' programmi, jitpoġġew diversi programmi taħt qafas wieħed). Għalhekk il-Kummissjoni ppreżentat proposti leġiżlattivi simplifikati għall-perjodu 2014-2020 u issa beħsiebha tevalwa regolarment, permezz ta' Tabella ddedikata ta' Valutazzjoni ta' Simplifikazzjoni, jekk emendi għal dawn il-proposti huma f'konformità mal-għan ta' "simplifikazzjoni" ([2]).

([1]) http://ec.europa.eu/regional_policy/sources/docgener/presenta/errors2011/sec_errors2011_en.pdf
([2]) http://ec.europa.eu/budget/library/biblio/documents/fin_fwk1420/COM_2012_531_en.pdf

(English version)

Question for written answer E-010529/12
to the Commission
David Casa (PPE)
(16 November 2012)

Subject: Error rate — EU spending

In its evaluation of EU spending, the European Court of Auditors found an error rate of 3.9% in 2011. This was partly caused by cases in which information on beneficiaries of EU funds was not accurate.

In light of these findings, how does the Commission intend to prevent such inaccuracies in the future?

Answer given by Mr Šemeta on behalf of the Commission
(18 January 2013)

The error rate estimated by the European Court of Auditors in its 2011 Annual report is, as in two previous years, well below the 2006-2008 levels. This positive development results notably from improvements in Cohesion policy through, in particular, better guidance on public procurement and a robust policy of interrupting and suspending payments. Detailed information on preventive and corrective measures taken by the Commission and Member States to bring the error rate down is presented in the Commission Staff Working Paper 'Analysis of Errors in Cohesion Policy for the Years 2006-2009' ([1]).

The Commission is of the opinion that further reduction in error levels requires simplifying how EU policies are delivered (e.g. reducing the number of programmes, putting several programmes under a single framework). The Commission has therefore put forward simplified legislative proposals for the 2014-2020 period and now intends to regularly assess, through dedicated Simplification Scoreboards, whether amendments to these proposals are in line with the 'simplification' objective ([2]).

([1]) http://ec.europa.eu/regional_policy/sources/docgener/presenta/errors2011/sec_errors2011_en.pdf
([2]) http://ec.europa.eu/budget/library/biblio/documents/fin_fwk1420/COM_2012_531_en.pdf

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-010530/12
lill-Kummissjoni
David Casa (PPE)
(16 ta' Novembru 2012)

Suġġett: In-netwerk 4G

Il-Kummissarju Neelie Kroes ħabbret l-appoġġ tagħha għaż-żieda fil-kapaċitajiet tan-netwerk 4G fl-Istati Membri. Billi ħafna mill-apparat mobbli jeħtieġ netwerk 4G, u mhux kull Stat Membru għandu l-kapaċitajiet 4G, l-Ewropa qed taffaċċja dewmien potenzjali fl-avvanz teknoloġiku. Riċentament il-Kummissjoni stiednet lill-Istati Membri biex jagħmlu l-frekwenza tal-ispettru tar-radju 2GHz disponibbli għas-servizzi mobbli 4G. Din tippermetti lill-operaturi 4G li jipprovdu s-servizzi tagħhom fuq spettru tradizzjonalment riservat għat-teknoloġija 3G. Madankollu, bħalissa, il-livell teknoloġiku offrut fi Stati Membri differenti jvarja, li joħloq lakuna fi ħdan l-UE.

Billi l-Istati Membri kollha għandhom jikkonformaw mal-istess rekwiżiti, b'liema modi l-mandat il-ġdid li se jintroduċi l-kapaċitajiet 4G fl-Istati Membri kollha se jindirizza l-inugwaljanzi attwali bejniethom dwar il-kapaċità tan-netwerk?

Tweġiba mogħtija mis-Sinjura Kroes f'isem il-Kummissjoni
(18 ta' Diċembru 2012)

Minkejja li ilha minn ta' quddiem fl-iżvilupp u l-użu tat-teknoloġija mobbli globali għal perjodu twil ta' żmien, l-Ewropa issa qed taqa' lura. L-abbonamenti attwali tal-LTE (4G) fl-UE jikkostitwixxu frazzjoni żgħira tal-konnessjonijiet globali attivi tal-LTE. L-ewwel nett dan jista' jiġi attribwit għall-fatt li minkejja l-armonizzazzjoni ta' spettru ta' madwar 1000 MHz għall-broadband mingħajr fili fil-livell tal-UE, li huwa akbar minn dak li nsibu fl-Istati Uniti, il-Ġappun jew il-Korea t'Isfel, fi kważi l-Istati Membri kollha dawn il-frekwenzi mhumiex awtorizzati kompletament għall-użu. It-tieni nett, l-iskjerament b'suċċess tal-broadband mobbli 3G jidher li naqqas l-adozzjoni tal-LTE mal-UE kollha.

Il-qafas tal-UE tfassal biex jagħti flessibbiltà u għażla lill-operaturi — billi jagħmel taħlita ta' faxex tal-ispettru disponibbli għalihom biex jagħżlu minnhom, kif ukoll billi jintroduċi regoli newtrali mil-lat teknoloġiku li jippermettulhom jagħżlu l-aqwa teknoloġija. Id-Deċiżjoni dwar iż-2 GHz li jirreferi għaliha l-Membru Onorarju ma tisfurzax għażla partikulari, anzi tagħti għażla u flessibbiltà akbar fir-rigward tat-teknoloġiji użati f'dik il-faxxa ta' frekwenzi fi ħdan qafas tas-suq intern ċar li huwa ta' benefiċċju għall-konsumaturi u n-negozji.

Iżda l-Kummissjoni hija konxja ferm tal-ħtieġa li tiffaċilita l-migrazzjoni tal-broadband mobbli tal-Ewropa għall-aktar teknoloġiji b'veloċità għolja. L-aċċess mingħajr fili b'veloċità għolja huwa mezz importanti sabiex jiġu stimulati l-innovazzjoni, it-tkabbir u l-impjiegi. Id-Deċiżjoni riċenti hija parti mill-ħidma tagħna biex inkabbru l-abbonament u l-użu effiċjenti tal-assi tal-ispettru armonizzat fl-Istati Membri għall-broadband mingħajr fili b'veloċità għolja. Il-Kummissjoni qed tippjana wkoll l-adozzjoni ta' Pjan ta' Azzjoni kmieni fir-rebbiegħa tal-2013 li jistabbilixxi strateġija għal rollout tan-netwerk aktar mgħaġġel, għall-innovazzjoni fil-ġestjoni tal-ispettru, u biex ir-riċerka dwar il-broadband mingħajr fili tiġi applikata b'effikaċja għall-politiki dwar il-broadband u l-ispettru tal-UE.

(English version)

Question for written answer E-010530/12
to the Commission
David Casa (PPE)
(16 November 2012)

Subject: 4G network

Commissioner Neelie Kroes has announced her support for increasing 4G network capabilities throughout the Member States. Since most new mobile devices require a 4G network, and not all Member States have 4G capabilities, Europe faces potential delays in technological advancement. Recently the Commission called on the Member States to make the 2GHz radio spectrum band available for 4G mobile services. This will allow 4G operators to provide their services on a spectrum traditionally reserved for 3G technology. Currently, however, the level of technology on offer in different Member States varies, creating a technology gap within the EU.

Given that all Member States have to conform to the same requirements, in what ways will the new mandate to introduce 4G capabilities in all Member States address the current inequalities between them regarding network capability?

Answer given by Ms Kroes on behalf of the Commission
(18 December 2012)

Despite having been in the lead in the development and use of global mobile technology for a long period, Europe is now lagging behind. Current LTE (4G) subscriptions in the EU constitute a small fraction of active LTE connections globally. This can be attributed firstly to the fact that despite the harmonisation of about 1000 MHz spectrum for wireless broadband at EU level — which is more than in the USA, Japan or South Korea — in nearly all Member States these frequencies are not fully authorised for use. Secondly, the successful deployment of 3G mobile broadband appears to have slowed down the take up of LTE across the EU.

The EU framework is designed to give flexibility and choice to operators — by making a mix of spectrum bands available for them to choose from, and also by introducing technologically neutral rules that allow them to decide on the best technology. The 2 GHz Decision to which the Honourable Member refers does not force a particular choice, rather it gives greater choice and flexibility on the technologies used in that band within a clear internal market framework that benefits consumers and business.

But the Commission is keenly aware of the need to facilitate the migration of Europe's mobile broadband to the fastest technologies. High speed wireless access is an important means in stimulating innovation, growth and employment. The recent Decision is part of our work to maximise the take-up and the efficient use of EU harmonised spectrum assets in the Member States for high speed wireless broadband. The Commission also plans to adopt an Action Plan in early spring 2013 that outlines a strategy to accelerate network rollout, innovate in spectrum management, and effectively connect wireless research to EU spectrum and broadband policies.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010532/12
do Komisji
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Azerbejdżan – Wiceprzewodniczącej Kroes zabroniono wstępu do szpitala dla więźniów w Baku

Wiceprzewodniczącej Komisji Europejskiej Neelie Kroes zabroniono wstępu do szpitala dla więźniów w Baku, mimo że uzyskała na to zgodę prezydenta Ilhama Alijewa. Wiceprzewodnicząca Kroes powiedziała dziennikarzom w Baku, że w dniu 6 listopada 2012 r. spotkała się z prezydentem Azerbejdżanu i że zgodził się on, aby odwiedziła ten szpital, by zobaczyć, w jakich warunkach przebywają więźniowie. Neelie Kroes oznajmiła, że kiedy przybyła do szpitala dla więźniów, funkcjonariusze nie chcieli jej wpuścić do budynku. Poza tym Wiceprzewodnicząca Kroes oświadczyła, że w czasie jej wizyty w Azerbejdżanie dokonano ataku na aktywistów podczas konferencji internetowej i że włamano się do komputerów jej doradców.

1. Czy Komisja zbadała tę sprawę?

2. Jakiej odpowiedzi udzieliły Komisji władze Azerbejdżanu?

Odpowiedź udzielona przez komisarz Neelie Kroes w imieniu Komisji
(10 stycznia 2013 r.)

Przy okazji swojej wizyty w Azerbejdżanie związanej z Forum Zarządzania Internetem, Wiceprzewodnicząca Kroes postanowiła odwiedzić więźnia, p. Hasanli. Delegatura UE w Baku przedstawiła w tej sprawie prośbę z trzytygodniowym wyprzedzeniem, a następnie kilka dni przed planowaną wizytą, po otrzymaniu informacji o przeniesieniu więźnia do szpitala więziennego.

Wiceprzewodnicząca Kroes wspomniała o tej prośbie podczas spotkania z prezydentem Alijewem. Prezydent Alijew powiedział, że nic nie stoi tej wizycie na przeszkodzie i polecił zwrócenie się w tej sprawie do szefa rządu. Jednak następnego dnia Wiceprzewodniczącej Kroes nie zezwolono na wejście do szpitala więziennego: rzekomo zostało spowodowane to opóźnieniami w dostarczeniu prośby, która dotarła do kierownictwa więzienia dopiero w dniu planowanej wizyty.

Komisja otrzymała już szczegółowe informacje od swoich służb ds. bezpieczeństwa informatycznego odnośnie do laptopów należących do dwóch urzędników Komisji. Odebrali oni na swoich komputerach podejrzane wiadomości i certyfikaty powodujące konflikt; nie można też wykluczyć, że zostały złamane hasła. Z drugiej jednak strony nie zostały utracone żadne dane, ani nie zainstalowano złośliwego oprogramowania.

(English version)

Question for written answer E-010532/12
to the Commission
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: Azerbaijan: Vice-President Kroes barred from visiting a penitentiary hospital in Baku

Commission Vice-President Neelie Kroes was barred from visiting a penitentiary hospital in Baku, despite having received President Ilham Aliyev's permission to do so. Vice-President Kroes told journalists in Baku that she met with Azerbaijan's president on 6 November 2012 and he agreed she could visit the hospital to observe the conditions for inmates. Ms Kroes said that when she arrived at the prison hospital, officials would not allow her into the building. In addition, Vice-President Kroes has stated that during her visit to Azerbaijan, 'activists were harassed at the Internet conference. My advisers had their computers hacked.'

1. Has the Commission investigated this matter?

2. What response has the Commission received from Azerbaijan?

Answer given by Ms Kroes on behalf of the Commission
(10 January 2013)

On the occasion of her visit to Azerbaijan for the Internet Governance Forum, Vice-President Kroes had intended to visit an individual prisoner, Mr Hasanli. A request was made by the EU Delegation in Baku to this effect, three weeks in advance, and again a few days before the visit, following the receipt of information that the prisoner had been transferred to a hospital prison.

During her meeting with President Aliyev, Vice-President Kroes drew attention to the request. President Aliyev said that there should be no obstacle to such a visit and invited contacts to be made with the head of his administration. The following day, however, Vice-President Kroes was not allowed to enter the hospital prison: it was alleged that there had been some delays in the request reaching the penitentiary authorities on the day scheduled for the visit.

As concerns the laptops belonging to two Commission officials, the Commission now has a substantial update from its IT security services. Conflicting certificates and suspicious messages were received on the computer, and it is not possible to exclude that passwords were compromised. On the other hand, there is no data loss or malware left on the computers.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010533/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Kuba: huragan Sandy a pomoc UE dla ludności Kuby

Oceniając tragiczne skutki huraganu Sandy, państwowe środki przekazu na Kubie doniosły, że w Santiago de Cuba zostało uszkodzonych 137 000 domów, z czego 43 000 straciło dachy, a co najmniej 15 000 zawaliło się. Reżym ocenił straty na ok. 2,1 mld pesos (2,1 mld USD według oficjalnego kursu walutowego stosowanego do przywozu, a USD 87,5 mld USD według zwykłego kursu walutowego). Cyfry te mogą się zwiększyć, jeżeli wliczy się straty poniesione przez sektor turystyki, sektor cukrowniczy i inne. Huragan Sandy spowodował najwięcej strat w następujących gminach: Mayari, Banes, Antilla, Rafael Freyre, Baguano, Urbano Noris, Sagua de Tánamo i Cueto.

1. Jakimi informacjami o szkodach spowodowanych przez huragan Sandy dysponuje reprezentacja UE na Kubie?

2. W jaki sposób UE może udzielić pomocy ludności Kuby na tej klęsce żywiołowej?

Odpowiedź udzielona przez komisarz Kristalinę Georgievą w imieniu Komisji
(21 grudnia 2012 r.)

1. Komisja jest świadoma dotkliwych szkód spowodowanych przez huragan Sandy na Kubie oraz konieczności udzielenia pomocy międzynarodowej. Specjalista DG ECHO, biura Komisji ds. pomocy humanitarnej i ochrony ludności, odwiedził Kubę niedługo po przejściu huraganu. W najbliższych tygodniach oczekiwane są kolejne wizyty przedstawicieli biura terenowego DG ECHO z Santo Domingo (Republika Dominikańska).

2. W celu udzielenia pomocy najbardziej poszkodowanym Komisja przyjęła już plan wdrażania pomocy humanitarnej o budżecie w wysokości 2 000 000 EUR.

Ponadto jeśli Parlament zaakceptuje całkowitą wnioskowaną kwotę z rezerwy na pomoc nadzwyczajną, możliwy będzie przydział dodatkowych środków.

Więcej informacji można znaleźć na stronie internetowej Komisji pod następującym adresem:

http://ec.europa.eu/echo/files/funding/decisions/2012/HIPs/cuba_en.pdf.

(English version)

Question for written answer E-010533/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: VP/HR — Cuba: Hurricane Sandy and EU aid for the Cuban people

In their assessment of the disastrous effects of Hurricane Sandy, the Cuban state-run media have reported that 137 000 homes in Santiago de Cuba were damaged, including 43 000 that lost their roofs and at least 15 000 that collapsed. The regime has estimated that the losses amount to 2.1 billion pesos (USD 2.1 billion at the official rate for imports; USD 87.5 million at the ordinary exchange rate). This figure may rise when losses from tourism, the sugar industry and other sectors are factored in. The municipalities of Mayari, Banes, Antilla, Rafael Freyre, Baguano, Urbano Noris, Sagua de Tánamo and Cueto have been the worst hit by Hurricane Sandy.

1. What information does the EU mission in Cuba have concerning the damage caused by Hurricane Sandy?

2. How can the EU provide assistance to the people of Cuba following this natural disaster?

Answer given by Ms Georgieva on behalf of the Commission
(21 December 2012)

1. The Commission can confirm the severity of the damage in Cuba, as well as the need for international assistance, as a result of Hurricane Sandy. An expert of DG ECHO, the Humanitarian and Civil Protection Office of the Commission, visited Cuba soon after the passage of Hurricane Sandy. Other visits by DG ECHO staff based in Santo Domingo (Dominican Republic) are expected in the coming weeks.

2. The Commission has already adopted a Humanitarian Implementation Plan (HIP) with a EUR 2 000 000 budget to assist the most vulnerable victims.

Should the global request to the Emergency Aid Reserve (EAR) be approved by Parliament, an additional allocation is possible.

Further information can be found on the Commission's website at the following link:

http://ec.europa.eu/echo/files/funding/decisions/2012/HIPs/cuba_en.pdf

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010534/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Kuba: dziennikarz skazany na karę 14 lat pozbawienia wolności

José Antonio Torres był korespondentem dziennika Granma, oficjalnego pisma komitetu centralnego Komunistycznej Partii Kuby. W lutym 2011 r. został on aresztowany, a następnie oskarżony o szpiegostwo. Według dysydentów oskarżenie przeciwko Torresowi wystosowano po napisaniu przez niego artykułu o niewłaściwym postępowaniu rządu Kuby w sprawie pewnego bardzo ważnego przedsięwzięcia budowlanego. Również według dysydentów Torres jest nadal przekonany, że rząd przyzna się do popełnienia błędu, „wierzy w rewolucyjny wymiar sprawiedliwości" i „nie chce żadnych stosunków z kontrrewolucją".

1. Czy ESDZ jest poinformowana o sprawie José Antonia Torresa?

2. Jakich informacji może udzielić ESDZ w tej sprawie?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(17 stycznia 2013 r.)

1. Wysoka Przedstawiciel/Wiceprzewodnicząca zna tę sprawę dzięki prasie międzynarodowej i opozycyjnej. Delegatura UE w Hawanie podniesie tę kwestię podczas najbliższego comiesięcznego spotkania grupy roboczej UE ds. praw człowieka w Hawanie, w którym będą uczestniczyć doradcy polityczni z państw członkowskich UE, mających swoje przedstawicielstwa na Kubie, i któremu przewodniczyć będzie delegatura UE.

2. Informacje przedstawione w interpelacji pokrywają się z wiedzą, którą dysponuje ESDZ. Wynika z niej, że José Antonio Torres był uznanym dziennikarzem oficjalnej prasy, który napisał o inwestycji polegającej na poprowadzeniu z Wenezueli przewodu światłowodowego, który miał poprawić szybkość połączeń internetowych na Kubie. W związku z tym projektem kilka osób, pełniących ważne funkcje rządowe, zostało aresztowanych pod zarzutem korupcji. Torres został podobno oskarżony o szpiegostwo, jednak szczegóły oskarżenia nie są znane.

Według niepotwierdzonych informacji otrzymanych przez delegaturę UE w Hawanie José Antonio Torres miał odmówić pomocy oferowanej przez pokojową opozycję kubańską, która chciała nagłośnić jego sprawę. Miał on powiedzieć, że ufa rządowemu systemowi sprawiedliwości i że nie chce być postrzegany jako dysydent.

(English version)

Question for written answer E-010534/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: VP/HR — Cuba: journalist sentenced to 14 years in prison

José Antonio Torres was a correspondent for Granma, the official publication of the Central Committee of the Communist Party of Cuba, until he was arrested in February 2011 and subsequently convicted of espionage. According to dissidents, he was charged after writing about the Cuban government's mishandling of a critical construction project. Also according to dissidents, Torres remains convinced that the government will see that it made a mistake, 'trusts in the revolution's justice', and 'does not want any relations with counter-revolutionaries.'

1. Is the EEAS aware of the case of José Antonio Torres?

2. What information can the EEAS provide concerning this case?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(17 January 2013)

1. The HR/VP is aware of this case through the international and dissident press. The EU Delegation in Havana will raise it at the next monthly meeting of the EU Human Rights working group in Havana, attended by the political counsellors of EU Member States represented in Cuba and chaired by the EU Delegation.

2. The information provided in the EP question coincides with EEAS'. It appears that Mr Torres was a reputed journalist from the official press. He wrote about the optical-fibre cable laid from Venezuela that should improve Cuba's IT connections. Some important government officials were arrested with corruption allegations linked to this project. Mr Torres was reportedly accused of spying but the details of the accusation are not known.

Some unconfirmed information received at the EU Delegation in Havana indicates that Mr Torres refused support from the peaceful opposition in Cuba to make his case public, because he would trust the government justice system and would not want to be considered as a dissident.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010535/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Kuba: sprawa Antonia Gonzáleza Rodilesa i Yaremisa Floresa

W dniach 7 i 8 listopada 2012 r. na Kubie aresztowano 27 dysydentów. Dwóch z nich, kierownik projektu „State of SATS" Antonio González Rodiles oraz prawnik świadczący usługi doradztwa na rzecz grup obrońców praw człowieka i opozycjonistów Yaremis Flores, przebywa nadal w areszcie. Według źródeł w opozycji kubańskiej Rodiles i Flores mogą zostać skazani za obrazę i rozpowszechnianie fałszywych informacji. Nie zezwolono im na kontakty z rodziną, a władze nie podają jakichkolwiek informacji na temat ich sytuacji prawnej.

Laureat nagrody im. Sacharowa z 2010 r., Guillermo Fariñas, wezwał organizacje międzynarodowe do uznania Rodilesa i Floresa za więźniów sumienia oraz do potępienia skierowanych przeciwko nim represji.

1. Czy ESDZ posiada informacje na temat przypadków Antonia Gonzáleza Rodilesa i Yaremisa Floresa?

2. Czy Wiceprzewodnicząca/Wysoka Przedstawiciel mogłaby podjąć dyskusję na ich temat z przedstawicielami rządu Kuby w Brukseli, a mianowicie z ambasador Mirthą Hormillą Castro oraz z doradcą do spraw europejskich José Oriolem Marrero Martinezem, by pomóc w zapewnieniu im bezpieczeństwa?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(16 stycznia 2013 r.)

1. Sprawa Antonio Rodilesa i Yaremisa Floresa jest znana Wysokiej Przedstawiciel/Wiceprzewodniczącej. Dostępne informacje potwierdzają, że obaj zostali uwolnieni.

2. UE będzie w dalszym ciągu wyrażać zaniepokojenie wzrostem aresztowań i przekazywać je władzom kubańskim w Hawanie i w Brukseli.

(English version)

Question for written answer E-010535/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: VP/HR — Cuba: the case of Antonio González Rodiles and Yaremis Flores

27 dissidents were arrested in Cuba on 7 and 8 November 2012. Of these, two remain in custody: Antonio González Rodiles, director of the 'State of SATS' project, and Yaremis Flores, a lawyer who advises human rights groups and oppositionists. According to sources in the Cuban opposition, Rodiles and Flores may be charged with contempt and dissemination of false information. They have not been permitted to speak with their relatives, and the authorities have not given any information about their legal situation.

Guillermo Fariñas, who was awarded Parliament's Sakharov Prize in 2010, has called on international organisations to recognise that Rodiles and Flores are prisoners of conscience and to denounce the repression directed against them.

1. Is the EEAS aware of the case of Antonio González Rodiles and Yaremis Flores?

2. Could the Vice-President/High Representative take up their case with representatives of the Cuban Government in Brussels, namely Ambassador Mirtha Hormilla Castro and Counsellor for European Affairs José Oriol Marrero Martinez, to help ensure the safety of Rodiles and Flores?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(16 January 2013)

1. The HR/VP is aware of the cases of Antonio Rodiles and Yaremis Flores. According to the information available they have both been released.

2. The EU has and will continue to express concern to the Cuban authorities, in Havana and in Brussels, on the upsurge of temporary arrests.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010536/12
do Komisji (Wiceprzewodniczącej/Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Rosja: przywrócenie ustawy z czasów sowieckich w sprawie opieki psychiatrycznej

Według Fundacji Jamestown rosyjscy psychiatrzy wzywają Dumę do przywrócenia ustawy z czasów sowieckich w sprawie opieki psychiatrycznej, która umożliwiała lekarzom z instytutu psychiatrii im. Wladimira Serbskiego w Moskwie i innych instytutów przetrzymywanie przez czas nieokreślony i leczenie osób, których „objawy" świadczyły o oporze wobec przywódców sowieckich i prowadzonej przez ich polityki. Michaił Winogradow, dyrektor ośrodka pomocy prawno-psychologicznej w wyjątkowych sytuacjach, powiedział na konferencji prasowej, że w niektórych przypadkach leki spełniają funkcję policji. Oświadczył on, że liczna grupa psychiatrów z Sankt Petersburga i Moskwy wezwała Dumę do przywrócenia ustawy z czasów sowieckich, która umożliwiłaby „leczenie ludzi poważnie chorych, a władzom pozwoliłaby bronić społeczeństwa przed społecznie niebezpiecznymi chorymi ludźmi". W Dumie trwają obecnie dyskusje nad tą kwestią.

1. Czy ESDZ jest poinformowany o tej sprawie?

2. Mając na uwadze, że ustawa mogłaby być wykorzystywana przeciwko opozycji i politycznym dysydentom, czy ESDZ poinformowała władze rosyjskie, że taka ustawa stanowiłaby rażące naruszenie praw człowieka?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Catherine Ashton w imieniu Komisji
(4 lutego 2013 r.)

Wysoka Przedstawiciel/Wiceprzewodnicząca jest poinformowana o wydarzeniach w Federacji Rosyjskiej, przedstawionych przez Fundację Jamestown.

Wysoka Przedstawiciel/Wiceprzewodnicząca poruszyła tę kwestię w trakcie niedawnych konsultacji UE-Rosja dotyczących praw człowieka w dniu 7 grudnia 2012 r. i wyraziła zaniepokojenie z powodu możliwości nadużyć, jakie niesie ze sobą ustawa w sprawie opieki psychiatrycznej. Wysoka Przedstawiciel/Wiceprzewodnicząca podkreśliła kwestie, które opisuje Szanowny Pan Poseł, a mianowicie iż uchwalenie wspomnianej ustawy oznaczałoby przyznanie psychiatrom uprawnień wobec osób przebywających w szpitalach psychiatrycznych, które mogłyby doprowadzić do poważnych naruszeń praw człowieka.

Władze rosyjskie nie były świadome istnienia inicjatywy rosyjskich psychiatrów dotyczącej przywrócenia ustawy z czasów sowieckich i przyznały, że proponowane przepisy rzeczywiście stwarzałyby niebezpieczeństwo nadużyć. Strona rosyjska zobowiązała się do zbadania tej kwestii.

(English version)

Question for written answer E-010536/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: VP/HR — Russia: restoration of Soviet-era law on psychiatry

According to the Jamestown Foundation, Russian psychiatrists are urging the Duma to restoring the Soviet-era law on psychiatric assistance that allowed doctors at Moscow's Serbsky Institute and elsewhere to indefinitely detain and treat people whose only 'symptoms' were opposition to Soviet leaders and their policies. Mikhail Vinogradov, head of the Centre for Legal and Psychological Help in Extreme Situations, said at a press conference that there were occasions when 'medicine must be a police function'. He announced that a large group of St Petersburg and Moscow psychiatrists had appealed to the Duma to restore the Soviet-era law, which he said would 'allow for the treatment for the seriously ill and [give the authorities the power] to defend society from socially dangerous sick people'. The Duma is currently discussing this issue.

1. Is the EEAS aware of this case?

2. Bearing in mind that this law could be used against the opposition and political dissidents, has the EEAS made the Russian authorities aware of the gross violations of human rights that such a law could produce?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 February 2013)

The HR/VP is aware of the developments in the Russian Federation, as outlined by the Jamestown Foundation.

The HR/VP raised the issue at the recent EU-Russia consultations in Human Rights, which took place on 7 December 2012 and expressed concerns on the potential abuse of such law on psychiatric assistance. The HR/VP stressed that, if passed, the law would give the psychiatrists the right referred to by the Honourable Member on people detained in psychiatric hospitals, and could lead to serious human rights abuses.

The Russian authorities were not aware of the initiative by the Russian psychiatrists to restore this Soviet-era law, but agreed that the proposed provisions would indeed be dangerous and could possibly be abused. The Russian side undertook to look into this issue.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010537/12
do Komisji
Michał Tomasz Kamiński (ECR)
(16 listopada 2012 r.)

Przedmiot: South Stream oraz unijne zobowiązania antytrustowe i środowiskowe

Federacja Rosyjska podejmuje działania w kierunku rozpoczęcia budowy rurociągu gazowego South Stream pod koniec 2012 r. W dniu 29 października 2012 r. Serbia stała się pierwszym partnerem Gazpromu, przyjmując ostateczną decyzję inwestycyjną w sprawie budowy rurociągu. Oczekuje się, że pozostałe kraje partnerskie, m.in. Bułgaria, Węgry i Słowenia, podpiszą podobne decyzje. Władzom Rosji przyświecają dwa cele: ominięcie Ukrainy oraz zdobycie wiodącej roli w stosunku do projektu budowy rurociągu Nabucco. W związku z tym Rosja pragnie rozpocząć budowę gazociągu South Stream do marca 2013 r., kiedy to wchodzi w życie trzeci pakiet energetyczny odnoszący się do krajów spoza UE. Jest rzeczą ogólnie wiadomą, że nowe przepisy wymagać będą, by dostawcy z państw UE mieli dostęp do rurociągów budowanych przez państwa trzecie.

1. Jakie działania zamierza podjąć Komisja w celu zagwarantowania, że projekt South Stream nie będzie obchodził unijnych zobowiązań antytrustowych i środowiskowych?

2. Jakie będą w tym kontekście skutki unijnych dyrektyw dotyczących elektryczności i gazu?

Odpowiedź udzielona przez komisarza Günthera Oettingera w imieniu Komisji
(22 stycznia 2013 r.)

1. Komisja jest gotowa do wsparcia zainteresowanych państw członkowskich, jak również spółek promujących projekt *South Stream* na ich terytorium, w celu zapewnienia, by przedsięwzięcie to, jeśli dojdzie do skutku, było zgodne z prawodawstwem europejskim, w szczególności z przepisami wewnętrznego rynku energii UE oraz ochrony środowiska.

2. Projekt ten musi w szczególności być zgodny z unijną dyrektywą gazową, w tym z przepisami dotyczącymi dostępu stron trzecich, taryf i rozdziału własnościowego. Wszelkie potencjalne wnioski o wyłączenia będą rozpatrywane zgodnie z obowiązującymi przepisami UE.

(English version)

Question for written answer E-010537/12
to the Commission
Michał Tomasz Kamiński (ECR)
(16 November 2012)

Subject: South Stream and EU antitrust and environmental obligations

The Russian Federation is taking steps to begin construction of the South Stream gas pipeline before the end of 2012. On 29 October 2012, Serbia became the first Gazprom partner to adopt the final investment decision on the construction of South Stream. Others partner countries, including Bulgaria, Hungary and Slovenia, are expected to sign similar decisions. The Russian authorities have two objectives: to bypass Ukraine and to get a lead on the Nabucco project. Consequently Russia wants to begin work on South Stream before March 2013, when the EU's Third Energy Package comes into force with respect to non-EU countries. It is well known that these new regulations will require that access to pipelines built by third countries be made available to other EU suppliers.

1. What actions does the Commission plan to undertake to ensure that the South Stream project does not circumvent EU antitrust and environmental obligations?

2. What are the implications of the EU's electricity and gas directives in this context?

Answer given by Mr Oettinger on behalf of the Commission
(22 January 2013)

1. The Commission is ready to assist the Member States concerned as well as the companies promoting South Stream on their territory to ensure that this project, if built, complies with European law, in particular EU Internal Energy Market and environmental rules.

2. The project will need to comply in particular with the EU's Gas Directive, including the provisions on Third Party Access, tariffs and ownership unbundling. Any potential exemption request will be treated in line with applicable EU rules.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010538/12
an die Kommission
Hans-Peter Martin (NI)
(16. November 2012)

Betrifft: Kooperation mit Indien im Bereich Digitale Sicherheit

Medienberichten zufolge will Indien in den nächsten Jahren bis zu 500 000 Spezialisten für die Bekämpfung von digitalen Attacken („Cyberattacken") ausbilden. Grund dafür seien unter anderem digitale Angriffe aus China und Pakistan während der Commonwealth Games 2010.

1. Kooperiert die EU mit Indien im Bereich digitale Sicherheit und speziell bei der Ausbildung von Spezialisten im Bereich Computersicherheit? Wenn ja: in welcher Form?

2. Wenn nicht: Gibt es bereits Programme zu digitaler Sicherheit, bei denen sich aus einer EU-Indien-Kooperation Synergieeffekte ergeben würden?

Antwort von Frau Kroes im Namen der Kommission
(4. Januar 2013)

Kommissarin Kroes und Minister Sibal (Indisches Ministerium für Kommunikations- und Informationstechnologien) haben die Einsetzung einer gemeinsamen Arbeitsgruppe zur Cybersicherheit vereinbart, die sich mit folgenden Themen befassen wird: Tests und Verfahren um zu überprüfen, ob die Netzkomponenten einen sicheren Anschluss an das Kommunikationsnetz gewährleisten, Sicherheitsstandards (beispielsweise für die Verschlüsselung) sowie Standards und Mechanismen die gewährleisten, dass eine entwickelte Software sicher genutzt werden kann.

Diese Gruppe wurde im Rahmen der Gemeinsamen Arbeitsgruppe Indien-Europäische Union zur Informationsgesellschaft eingesetzt und soll 2013 erstmals zusammentreffen. CERT-In wird der Europäischen Kommission bis Ende 2012 einen Vorschlag für das Mandat der Arbeitsgruppe übermitteln.

Was die Cyberkriminalität betrifft, so wird die Europäische Kommission im Januar 2013 bei Europol ein Europäisches Zentrum zur Bekämpfung der Cyberkriminalität (EC3) einrichten. In diesem Zusammenhang könnte in Zukunft ein Austausch von Fachwissen in Betracht kommen. Das EC3 wird ferner mit dem Global Complex for Innovation von Interpol zusammenarbeiten, der in Singapur errichtet werden soll. Indien ist auf jeden Fall ein wichtiger strategischer Partner für die EU. Die jüngsten Cyber-Konsultationen EU-Indien, die am 26. Oktober 2012 stattfanden, liefern den klaren Beweis für das beiderseitige Engagement und sind definitiv ein Schritt in die richtige Richtung, d. h. hin zu verstärkter Zusammenarbeit bei diesem wichtigen Thema.

(English version)

Question for written answer E-010538/12
to the Commission
Hans-Peter Martin (NI)
(16 November 2012)

Subject: Cooperation with India in the field of digital security

According to media reports, India aims to train up to 500 000 computer specialists over the coming years to combat cyber attacks. One reason for this is that India apparently experienced cyber attacks originating in China and Pakistan during the 2010 Commonwealth Games.

1. Does the EU cooperate with India in the field of digital security, and specifically in the training of specialists in the field of computer security? If so, in what form?

2. If not, are there already digital security programs where cooperation between the EU and India would produce synergies?

Answer given by Ms Kroes on behalf of the Commission
(4 January 2013)

Ms Kroes and Minister Sibal (India Ministry of Communications and Information Technologies) agreed on setting up a joint working group on cyber security that will address: tests and procedures to check that the network elements are safe to connect in the communication network; security standards (for example on encryption), standards and mechanism to ensure that software developed is safe to use.

This group was set up within the framework of the India-European Union Joint Working Group on Information Society, and it is envisaged that it will meet for the first time in 2013. CERT-In will send to the European Commission a proposal of Terms of Reference for the working group before the end of 2012.

As regards cybercrime, the European Commission will launch the European Cybercrime Centre (EC3) in Europol in January 2013 and an exchange of expertise in this context could be envisaged in the future. The EC3 will also cooperate with Interpol's Global Complex for Innovation to be set up in Singapore. India is certainly an important strategic partner for the EU. The last EU-India Cyber Consultations that took place on 26 October 2012 are a clear testimony of the engagement on both sides and is definitely a step in the right direction towards cooperation on this important issue.

(Version française)

Question avec demande de réponse écrite E-010539/12
à la Commission
Louis Michel (ALDE)
(16 novembre 2012)

Objet: Fonctionnement du Jugendamt en Allemagne

Partout en Europe, le nombre de mariages entre partenaires de différentes nations augmente continuellement. En cas de divorce, un tel mariage est souvent, en raison des juridictions et des cultures différentes, source de problèmes juridiques. Cela est particulièrement vrai lorsqu'il s'agit de questions de garde des enfants.

Dans de tels conflits, le Jugendamt joue un rôle important dans les décisions concernant les enfants. Selon des témoignages de parents qui ont connu des problèmes suite à la décision du Jugendamt, ceux-ci ont l'impression que ce dernier pourrait être partial dans ses décisions et favoriserait le parent allemand. Il semble que l'intérêt supérieur de l'enfant, du point de vue de cette administration, devrait être assuré par le fait qu'il vit avec son parent allemand en Allemagne. Ceci est particulièrement étonnant si le parent non allemand a obtenu le droit de garde.

La commission des pétitions du Parlement européen reçoit un nombre important de pétitions portant sur des dénonciations de discrimination et de gestion fautive de la part du Jugendamt. Cette question a déjà été soulevée auprès des autorités allemandes. À la suite de l'afflux continu de pétitions, une délégation de la commission des pétitions s'est rendue à Berlin en novembre 2011 et a émis un certain nombre de recommandations dans un document de travail.

1. La Commission a-t-elle connaissance de situations similaires et a-t-elle déjà été confrontée à des plaintes concernant le fonctionnement du Jugendamt?

2. Comment peut-on contraindre les services responsables à communiquer les informations demandées aux parents à la recherche de leur enfant enlevé?

3. Quelles sont les initiatives que la Commission a prises et compte entreprendre dans le cadre de cette problématique?

Réponse donnée par Mme Viviane Reding au nom de la Commission
(7 janvier 2013)

La Commission a reçu plusieurs lettres de citoyens, questions parlementaires et pétitions concernant les activités de l'Office allemand de l'enfance et de la jeunesse *(Jugendamt)*. À cet égard, la Commission invite l'Honorable Parlementaire à bien vouloir consulter ses réponses aux questions écrites E-007539/2012 et E-008916/2012.

Conformément aux traités sur lesquels se fonde l'Union européenne ([1]), la Commission européenne n'a pas de compétences générales pour intervenir auprès des États membres. Elle ne peut intervenir que lorsqu'il s'agit d'une question de droit de l'Union européenne. Dans le cadre de l'application du droit matériel de la famille, il revient aux États membres de garantir le respect de leurs propres obligations en ce qui concerne les droits découlant des législations nationales et internationales. Par conséquent, la Commission ne peut pas intervenir auprès des autorités des États membres pour ce qui est de la communication aux parents d'informations concernant un enfant soustrait à leur garde.

Plus généralement, la Commission a organisé, à l'occasion du 7e Forum européen sur les droits de l'enfant ([2]), un atelier sur la participation des services de protection de l'enfance dans les affaires de garde, dans le but de renforcer la confiance mutuelle dans les affaires de garde d'enfant. Des échanges d'idées féconds sur les pratiques observées dans ce domaine ont eu lieu. L'atelier a mis en évidence l'importance de fournir des informations pertinentes aux enfants et aux parents, et une formation appropriée aux professionnels. La Commission encourage par des financements européens ([3]) la formation de professionnels en ce qui concerne la participation des enfants aux procédures judiciaires.

([1]) Le traité sur l'Union européenne et le traité sur le fonctionnement de l'Union européenne.
([2]) Les 13 et 14 novembre 2012.
([3]) Programme *Droits fondamentaux et citoyenneté*:. http://ec.europa.eu/justice/grants/programmes/fundamental-citizenship/index_fr.htm

(English version)

Question for written answer E-010539/12
to the Commission
Louis Michel (ALDE)
(16 November 2012)

Subject: Operation of the German child and youth welfare office (Jugendamt)

The number of marriages between people of different nationalities is increasing everywhere in Europe. Owing to legal and cultural differences, serious difficulties can arise if such marriages end in divorce, in particular where the custody of children is at issue.

In disputes of this kind in which one of the parents is German, the *Jugendamt* plays an important role in the decisions taken on the children. Parents who have had problems as a result of a *Jugendamt* decision have claimed that the office is not impartial and favours the German parent. The office would appear to take the view that it is in the best interests of the child to live with its German parent in Germany. This is particularly surprising in cases where the non-German parent has been awarded custody.

Parliament's Committee on Petitions receives a large number of petitions complaining about discrimination and maladministration by the *Jugendamt*. The matter has already been raised with the German authorities. In response to the steady flow of petitions dealing with this issue, a delegation from the committee visited Berlin in November 2011 and put forward a number of recommendations in a working document.

1. Is the Commission aware of this situation, and has it received any complaints about the way in which the *Jugendamt* operates?

2. How can the relevant authorities be made to provide information requested by parents looking for a child who has been taken away from them?

3. What action has the Commission taken to date in this matter and what, if any, further action will it be taking?

Answer given by Mrs Reding on behalf of the Commission
(7 January 2013)

The Commission has received several citizens' letters, European Parliament questions and petitions in relation to the activities of the German Youth Welfare Office (Jugendamt). In this respect, the Commission would like to refer the Honourable Member to its replies to Written Question E-007539/2012 and E-008916/2012.

Under the Treaties on which the European Union is based ([1]), the European Commission has no general powers to intervene with the Member States. It can only do so if an issue of European Union law is involved. When applying substantive family law it is for Member States to ensure that their obligations regarding rights resulting from international and national legislation are respected. For this reason the Commission cannot intervene with the Member State authorities in relation to the provision of information to parents about a child who has been removed from their custody.

At a more general level, in order to foster mutual trust in child custody cases, the Commission organised, at the occasion of the 7th European Forum on the Rights of the Child ([2]), a workshop on the involvement of child welfare authorities in custody cases. A fruitful exchange of views took place on practices in this area. The workshop highlighted the importance of providing relevant information to children and parents and appropriate training to practitioners. Through EU funding ([3]), the Commission encourages training of professionals regarding the participation of children in judicial proceedings.

([1]) Treaty on European Union and Treaty on the functioning of the European Union.
([2]) On 13 and 14 November 2012.
([3]) Fundamental Rights and Citizenship Programme, http://ec.europa.eu/justice/grants/programmes/fundamental-citizenship/index_en.htm ;.

(English version)

Question for written answer E-010540/12
to the Commission
Diane Dodds (NI)
(16 November 2012)

Subject: Suicide across the EU

Every year almost 1 million people across the world die as a result of suicide, which equates to one suicide death every 40 seconds, and there is an attempt at suicide every three seconds. Each year, more lives are lost through suicide than are accounted for by all the deaths in armed conflicts across the globe.

In Northern Ireland suicide rates remain stubbornly high, at around 15 to 16 deaths per 100 000 of our population. In 2010, 313 suicides were recorded in Northern Ireland. In a two- week period during October, County Fermanagh in my constituency saw six people take their own lives.

There is growing concern about misuse of the Internet to promote suicide and suicide methods.

Therefore, I would ask the Commission to outline what powers, if any, it has to bring about a reduction in the number of websites that promote suicide and suicide methods, and to state:

1. whether it has corresponded with the major search engines, such as Google, with a view to making this content less readily available and accessible on the Internet;

2. what proactive role it can play along with Member States to tackle this growing problem across the EU.

Answer given by Ms Kroes on behalf of the Commission
(4 January 2013)

The Commission shares the Honourable Member's concern.

Whereas what is considered illegal content is determined by legislation and can therefore be removed and access to it blocked, this is not possible with content that is not illegal but is considered harmful, such as websites that are promoting suicide. A variety of means exist to deal with harmful content, all of which need to be used in combination to increase their effectiveness: self-regulation and technical tools, awareness-raising, training and education, and enforcement of legal provisions, where they exist.

Regarding protecting children from exposure to harmful content online, the Commission has rolled out a strategy ([1]) that is proposing actions to be undertaken jointly by the Commission, Member States and industry. Among the aims of the strategy is to give both parents and children the technical tools necessary for ensuring the online protection of children ([2]) and to scale up awareness raising ([3]) and teaching of online safety in all EU schools to develop children's digital and media literacy and self-responsibility online.

Industry in a cooperative voluntary intervention ([4]) committed to take positive action throughout 2012 among other in the area of simple tools for users to report harmful content and contact and to implement parental control tools.

In addition, developing a framework of evidence-based actions to prevent suicide will be one the objectives of a Joint Action on Mental Health and Well-being involving most EU-Member States plus two EFTA-countries, which is expected to enter into implementation in early 2013 with co-funding from the EU-Health Programme.

([1]) https://ec.europa.eu/digital-agenda/node/286
([2]) e.g. easy-to-use mechanisms to report harmful content and conduct online, or user-friendly parental controls.
([3]) http://ec.europa.eu/information_society/activities/sip/index_en.htm .
([4]) http://ec.europa.eu/information_society/activities/sip/self_reg/index_en.htm (signatories include Google, Facebook, Vodafone).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010541/12
an die Kommission
Evelyne Gebhardt (S&D)
(16. November 2012)

Betrifft: Bußgelder wegen Trennungsstrich im Kraftfahrzeugschein

Zuletzt gab es vermehrt Bürgeranfragen und Pressemeldungen zu folgender Thematik: Deutsche Kraftfahrzeugfahrer wurden in anderen Mitgliedstaaten — genannt werden Italien und Österreich — wegen einer festgestellten mangelnden Übereinstimmung zwischen der Fahrzeugkennung auf dem Autokennzeichen und den Eintragungen im Fahrzeugschein zur Zahlung eines Bußgeldes aufgefordert. Bekannt sind Summen von bis zu 500 EUR. Laut der Schilderungen wird von den Beamten in den Mitgliedstaaten folgende Begründung vorgebracht: Weil auf dem Autokennzeichen zwischen dem Buchstabenkürzel für die jeweilige Stadt beziehungsweise den Landkreis und dem folgenden Kennungsbuchstaben kein Trennungsstrich stehe, im Fahrzeugschein jedoch schon, liege keine exakte Übereinstimmung vor. Die Papiere passten nicht zum Fahrzeug. Auf den einheitlichen EU-Autokennzeichen ist der Trennungsstrich weggefallen. Die deutschen Zulassungsbehörden übernehmen die neue Schreibweise bei Neuausstellungen von Kraftfahrzeugscheinen, eine Änderung bestehender Papiere mit alter Schreibweise ist in manchen Bundesländern kostenpflichtig. Laut Bundesverkehrsministerium sind jedoch beide Schreibweisen im Kraftfahrzeugschein gültig.

Kann die Kommission vor diesem Hintergrund folgende Fragen beantworten:

1. Sind deutsche Fahrzeugscheine mit Trennungsstrich weiterhin gültig?

2. Ist die beschriebene Praxis in den genannten Mitgliedstaaten, Bußgelder zu verlangen, zulässig?

3. Sind Autofahrer zur Zahlung eines Bußgeldes verpflichtet oder können sie die Zahlung verweigern?

4. Gedenkt die Kommission, falls die in den genannten Mitgliedstaaten praktizierte Aufforderung zur Zahlung von Bußgeldern nicht zulässig ist, etwas zu unternehmen, um zu erreichen, dass sich diese Praxis in den Mitgliedstaaten ändert, beziehungsweise ist eine Klarstellung der Rechtslage auf europäischer Ebene möglich?

Antwort von Herrn Kallas im Namen der Kommission
(16. Januar 2013)

Die Kommission weist die Frau Abgeordnete darauf hin, dass in der Richtlinie 1999/37/EG über Zulassungsdokumente für Fahrzeuge ([1]) lediglich der anhand harmonisierter EU-Codes erkennbare Inhalt, nicht jedoch Layout und Typographie festgelegt sind.

Die Verhängung von Geldbußen in Zusammenhang mit Zulassungsdokumenten fällt nicht unter Unionsrecht. Bürger, von denen die Zahlung eines Bußgeldes verlangt wird, sollten entweder nach den in dem Mitgliedstaat, in dem die Geldbuße verhängt wurde, geltenden Bestimmungen gegen die Geldbuße vorgehen, oder sich an ihre nationalen Kfz-Zulassungsstellen wenden.

([1]) ABl. L 138 vom 1.6.1999, S. 57.

(English version)

Question for written answer E-010541/12
to the Commission
Evelyne Gebhardt (S&D)
(16 November 2012)

Subject: Fines resulting from discrepancies in vehicle registration documents

There have recently been a number of enquiries from citizens and press reports on the following subject: German drivers have been required to pay a fine in some other Member States — Italy and Austria have been identified specifically — because of discrepancies between the vehicle identification which appears in the registration number and the entry in the vehicle registration document. Fines of up to EUR 500 have been reported. Officials in the Member States concerned are said to have given the following justification: Because there is no dash on the registration number between the letter code for the town / administrative district and the following identification letters, whereas there is a dash in the vehicle registration document, they do not correspond exactly. The papers, it is argued, do not match the vehicle. The dash has been omitted from the uniform EU registration number. The German registration authorities have adopted the new version when reissuing vehicle registration documents; in many Bundesländer a fee must be paid for documents with the old version to be changed. However, the German Transport Ministry says that both versions are valid in vehicle registration documents.

1. Are vehicle registration documents with a dash still valid?

2. Is this practice of imposing fines in the abovementioned Member States admissible?

3. Do drivers have to pay the fine in such situations, or can they refuse?

4. If the imposition of fines in the Member States mentioned is not admissible, what action does the Commission intend to take in order to ensure that this practice is changed in those Member States? Is it possible to have a legal clarification at European level?

Answer given by Mr Kallas on behalf of the Commission
(16 January 2013)

The Commission would like to inform the Honourable Member that directive 1999/37/EC on the registration documents for vehicles ([1]) only specifies the content identifiable by harmonised EU codes but not the lay-out or the typographology.

The imposition of fines related to registration documents is not covered by Union law and citizens subject to such fines are advised to either proceed in line with the provisions of the judicial system in the Member State that issues such a fine, or to contact their national authorities issuing the vehicle registration documents.

([1]) OJ L 138, 1.6.1999, p. 57.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010542/12
a la Comisión (Vicepresidenta/Alta Representante)
Willy Meyer (GUE/NGL)
(19 de noviembre de 2012)

Asunto: VP/HR — Bombardeo israelí de Gaza: condena, congelación del Acuerdo UE-Israel e investigación internacional

Tras la muerte del jefe militar de Hamás, Ahmed Yabari, en una operación de «asesinato selectivo», operación que viola impunemente los derechos humanos, Israel ha comenzado una nueva ofensiva militar en la Franja de Gaza que ha dejado por el momento más de 70 muertos y cerca de 300 heridos.

Y esto a pesar de que, tras cinco días de negociaciones y con la mediación del Gobierno de Egipto, se había alcanzado una tregua con un alto el fuego que ponía fin al lanzamiento de misiles.

Desde el citado asesinato, en otro dramático ejemplo de la estrategia de limpieza étnica y exterminio que lleva a cabo el Gobierno de Netanyahu, la aviación israelí está bombardeando ininterrumpidamente la Franja de Gaza, una de los lugares del mundo con mayor densidad de población.

Así, en vez de buscar soluciones pacíficas y aceptar las resoluciones de la comunidad internacional, Israel continúa imponiendo su decisión unilateral de ocupación por la vía de las armas.

El Gobierno de Israel amenazó hace pocos días con un gran ataque militar sobre Gaza si continuaba el lanzamiento de misiles y actualmente está preparando una ofensiva terrestre similar a la ofensiva genocida de finales de 2008 y principios de 2009.

El incremento de la violencia y los bombardeos israelíes están generando un nuevo exterminio de la población civil palestina, principal víctima de las consecuencias del conflicto y que está siendo asesinada en una permanente violación del Derecho internacional y de los derechos humanos por parte de Israel.

¿Tiene la Vicepresidenta/Alta Representante la intención de denunciar y condenar formalmente dicho bombardeo y exigir al Gobierno de Israel el cese inmediato y permanente de todas las incursiones aéreas ilegales sobre territorio palestino? ¿Piensa la Vicepresidenta/Alta Representante abogar por una investigación internacional independiente que lleve ante la justicia a los responsables de los asesinatos cometidos?

Teniendo en cuenta que los sangrientos bombardeos israelíes de estos días son otra dramática demostración de que el Gobierno de Netanyahu incumple la cláusula segunda del Acuerdo de Asociación UE-Israel ¿piensa la Vicepresidenta/Alta Representante solicitar la inmediata congelación del Acuerdo de Asociación UE-Israel como medida de presión para el respeto del Derecho internacional y de los derechos humanos por parte de Israel?

Respuesta de la Alta Representante/Vicepresidenta Ashton en nombre de la Comisión
(25 de enero de 2013)

La Sra. Ashton comparte plenamente la valoración realizada por el Consejo de Asuntos Exteriores de los acontecimientos en Gaza e Israel en sus conclusiones sobre Gaza de 19 de noviembre, en las que la Unión Europea pedía que se pusiera fin inmediatamente a todas las hostilidades y al sufrimiento injustificable inflingido a civiles inocentes. El Consejo de Asuntos Exteriores reconoció el derecho de Israel a proteger a su población, pero subrayó también que al hacerlo debe actuar de manera proporcionada y garantizar la protección de la población civil en todo momento. Asimismo la UE recalcó la necesidad de que todas las partes respeten plenamente el Derecho internacional humanitario. En su declaración de 29 de noviembre en nombre de la Unión Europea, la Sra. Ashton reiteró estos puntos y afirmó también que la reciente escalada de la violencia es un amargo recordatorio de la necesidad urgente de avanzar hacia la solución del conflicto. Las conclusiones del Consejo sobre el proceso de paz en Oriente Próximo, publicadas tras la reunión del Consejo de Asuntos Exteriores de 10 de diciembre, reflejan una vez más el compromiso inquebrantable de la UE de contribuir a que se alcance un acuerdo en este conflicto, entre otras cosas buscando una solución a la situación en la Franja de Gaza, que es insostenible.

La conclusiones del Consejo mencionadas más arriba no hacían referencia alguna a una posible investigación internacional independiente; la Alta Representante/Vicepresidenta no tiene previsto abogar por una investigación de este tipo.

La Alta Representante/Vicepresidenta expresó su posición respecto a la posibilidad de congelar el Acuerdo de Asociación en su respuesta a la pregunta escrita E-010294/2011 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html?tabType=wq#sidesForm.

(English version)

Question for written answer E-010542/12
to the Commission (Vice-President/High Representative)
Willy Meyer (GUE/NGL)
(19 November 2012)

Subject: VP/HR — Israeli bombardment of Gaza: condemnation, freezing of the EU-Israel agreement and international investigation

After the death of the Hamas military leader Ahmed Yabari in a 'selective assassination' operation which violated human rights with impunity, Israel has launched a new military offensive in the Gaza Strip which has so far left over 70 dead and around 300 wounded.

This despite having reached a ceasefire agreement, after five days of negotiation with the mediation of the Egyptian Government, which put a stop to the launching of missiles.

Since the said assassination, in another dramatic example of the Netanyahu Government's ethnic cleansing and extermination strategy, Israel is carrying out continuous air strikes on the Gaza Strip, one of the most densely populated places in the world.

Thus, rather than seeking peaceful solutions and accepting the resolutions of the international community, Israel is continuing to impose its unilateral decision to occupy the territory by force.

A few days ago, the Israeli Government threatened a major military attack on Gaza if it continued to fire missiles, and it is now preparing a land offensive similar to the genocide in late 2008/early 2009.

The increase in violence and the Israeli bombing raids are again resulting in an extermination of the Palestinian civilian population, the principal victim of the consequences of the conflict, which is being murdered in a continuing violation by Israel of international law and human rights.

Does the Vice-President/High Representative intend to denounce and formally condemn this bombardment and demand that the Israeli Government cease all illegal air incursions over Palestinian territory permanently and with immediate effect? Does the Vice-President/High Representative advocate an independent international investigation bringing those responsible for these murders to justice?

In view of the fact that the bloody Israeli air raids over the past days are another dramatic demonstration of the Netanyahu Government's disregard for the second clause of the EU-Israel Association Agreement, does the Vice-President/High Representative intend to call for an immediate freezing of the EU-Israel Association Agreement as a means of putting pressure on Israel to respect international law and human rights?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(25 January 2013)

The High Representative/Vice-President fully shares the assessment of the events in Gaza and Israel made by the Foreign Affairs Council (FAC) in its Conclusions on Gaza of 19 November, in which the EU called for an immediate end to all hostilities and the unjustifiable suffering on innocent civilians. Whilst recognising the right of Israel to protect its population, the FAC furthermore stressed that in doing so it must act proportionately and ensure the protection of civilians at all times. The EU also stressed the need for all sides to fully respect international humanitarian law. These points were reaffirmed by the High Representative in her Declaration of 29 November on behalf of the European Union in which she also stated that the recent escalation of violence was a bitter reminder of the urgent necessity to move towards the end of the conflict. The Council conclusions on the Middle East peace process issued following the FAC meeting on 10 December reflect yet again the EU's unwavering commitment to contributing to the settlement of the conflict, including finding a solution to the unsustainable situation in the Gaza Strip.

The issue of an independent international investigation was not included in the abovementioned Council conclusions. The HR/VP is not advocating for such an investigation.

The HR/VP's position with regard to the possibility of freezing this agreement was set out in the reply to previous Written Question E-010294/2011 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html?tabType=wq#sidesForm.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010544/12
a la Comisión (Vicepresidenta/Alta Representante)
Willy Meyer (GUE/NGL)
(19 de noviembre de 2012)

Asunto: VP/HR — Matanza de diez campesinos en el municipio de Santa Rosa de Osos (Colombia)

El pasado miércoles 7 de noviembre, uno de los grupos paramilitares que operan en el norte de Colombia llevó a cabo la matanza de diez campesinos en el municipio de Santa Rosa de Osos, en el departamento de Antioquia, agravando la situación de intimidación de las poblaciones rurales del país.

En la zona de Antioquia, donde operaban las Autodefensas Unidas de Colombia (AUC), uno de los grupos paramilitares más criminales de la historia del país, grupos de menor tamaño continúan con la «obra» de las Autodefensas tras el supuesto proceso de desarme de este. Intimidación, matanza de líderes políticos y sindicales, extorsión violenta, amenazas y ataques a defensores y defensoras de derechos humanos, etc. son las actividades de estos grupos paramilitares que esta vez han asesinado a estos diez campesinos, nueve hombres y una mujer.

Los hechos citados son conocidos como la «masacre de la tomatera», al haberse llevado a cabo en la finca «La España» dedicada al cultivo de tomate de árbol. Esta masacre, realizada según el Gobierno por un grupo criminal conocido como «Los Rastrojos», viene a ser otra confirmación más del fracaso del supuesto desarme acordado entre grupos paramilitares y el Gobierno, que supuso la disolución de las AUC en 2006. Dicho proceso de desarme y disolución, ampliamente cuestionado por numerosas organizaciones internacionales, ha conllevado el desarrollo de la actividad paramilitar en grupos menores que continúan actuando con total impunidad en las zonas rurales del país. Como resultado de esta impunidad, continuamos contemplando estas violaciones de los derechos humanos en una infinidad de comunidades rurales que se encuentran totalmente desprotegidas.

1. ¿Ha condenado o piensa condenar la Vicepresidenta/Alta Representante dicha matanza y exigir al Gobierno colombiano una investigación independiente de la misma?

2. ¿No considera la Vicepresidenta/Alta Representante necesario que el Gobierno de Colombia implemente con urgencia medidas efectivas en la lucha y desarticulación de los grupos paramilitares existentes en Colombia?

3. ¿Piensa la Vicepresidenta/Alta Representante presionar al Gobierno de Colombia en el cumplimiento y garantía de los derechos humanos a través del aplazamiento de la ratificación del Acuerdo de Asociación?

4. ¿No considera la Vicepresidenta/Alta Representante que un Acuerdo de Asociación en estas condiciones, sin la existencia de las garantías necesarias para el ejercicio de los derechos más básicos, empeora la situación y supone una contradicción a la supuesta labor en defensa de los derechos humanos y de la democracia en la EU?

Respuesta de la Alta Representante/Vicepresidenta Ashton en nombre de la Comisión
(21 de enero de 2013)

La AR/VP está informada de los hechos que expone Su Señoría. La UE siempre ha condenado la violencia en Colombia y plantea regularmente las cuestiones relativas a los derechos humanos en su diálogo con las autoridades colombianas.

La AR/VP entiende que los actos atroces ocurridos en la finca «La España» están relacionados con la extorsión realizada por el grupo criminal aludido y que las autoridades han incoado rápidamente una investigación, a raíz de la cual se detuvo, días después de perpetrados los asesinatos, a varias personas sospechosas de haberlos cometido.

La AR/VP considera que el acuerdo comercial negociado con Colombia y Perú es un elemento fundamental del compromiso de la Unión Europea con Colombia, que cuenta entre sus prioridades fundamentales fomentar el respeto de los derechos humanos en el país. Las disposiciones sobre los derechos humanos y el desarrollo sostenible que figuran en el acuerdo constituyen un instrumento suplementario para alcanzar ese objetivo.

(English version)

Question for written answer E-010544/12
to the Commission (Vice-President/High Representative)
Willy Meyer (GUE/NGL)
(19 November 2012)

Subject: VP/HR — Killing of ten peasants in the municipality of Santa Rosa de Osos (Colombia)

On 7 November 2012, one of the paramilitary groups operating in northern Colombia murdered ten peasants in the municipality of Santa Rosa de Osos (department of Antioquia), thereby aggravating the intimidation of the country's rural population.

In the Antioquia area (where the *Autodefensas Unidas de Colombia* (AUC) — one of the most criminal paramilitary groups in Colombia's history — was active), small groups are continuing the 'work' of the Autodefensas after what was supposed to be a disarmament process. Intimidation, murder of political and trade-union leaders, violent extortion, threats and attacks on men and women who stand up for human rights, etc. are the acts of these paramilitary groups, who have now murdered ten peasants: nine men and one woman.

These killings are known as the 'tree-tomato massacre', because they were carried out on the 'La España' estate, which grows tree tomatoes. Perpetrated, according to the government, by a criminal group known as '*Los Rastrojos*', the massacre referred to above is yet further confirmation of the failure of the alleged disarmament agreed between paramilitary groups and the government which led to the disbanding of the AUC in 2006. That process of disarmament and disbanding — widely called into question by numerous international organisations — has led to paramilitary activity by small-scale groups which continue to operate with total impunity in rural parts of the country. As a result of that impunity, we continue to witness such breaches of human rights in any number of rural communities that are totally defenceless.

1. Has the Vice-President/High Representative condemned this murder or does she intend to do so and to demand the Colombian Government have an independent investigation conducted?

2. Does the Vice-President/High Representative not consider that the Colombian Government must take effective measures as a matter of urgency to combat and dismantle the paramilitary groups that exist in Colombia?

3. Does the Vice-President/High Representative intend to press the Colombian Government to uphold and safeguard human rights by deferring ratification of the Association Agreement?

4. Does the Vice-President/High Representative not take the view that, in these circumstances, when the safeguards necessary to exercise the most basic rights do not obtain, an Association Agreement makes matters worse and is at odds with the supposed effort in the EU to uphold human rights and democracy?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(21 January 2013)

The HR/VP is aware of the events mentioned by the Honourable Member. The EU has consistently condemned violence in Colombia, and regularly raises human rights-related issues in its dialogue with the Colombian authorities.

It is the understanding of the HR/VP that the heinous acts at the La España estate are related to an extortion racket operated by the criminal group in question, and that an investigation has promptly been launched by the authorities which, some days after the killings, led to the arrest of a number of persons suspected of perpetrating these crimes.

The HR/VP considers that the Trade Agreement negotiated with Colombia and Peru is an essential building block of the EU's engagement with Colombia, which counts amongst its key priorities to promote the respect for human rights in the country. The provisions on human rights and sustainable development included in the Agreement constitute an additional tool to further this objective.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010547/12
a la Comisión
Willy Meyer (GUE/NGL)
(19 de noviembre de 2012)

Asunto: Abusos fiscales de las grandes multinacionales en Europa

Una de las principales conclusiones de la reunión del pasado lunes 5 de noviembre entre los Ministros de Finanzas y los Gobernadores de los Bancos Centrales de los países miembros del G-20 fue el malestar por los abusos fiscales que cometen las compañías multinacionales.

Dichas compañías poseen la capacidad de cambiar su residencia fiscal para optimizar sus obligaciones tributarias, llegando a pagar tipos irrisorios. Así, grandes empresas como Google o Apple han declarado haber sido capaces de tributar a tipos menores del 3 y el 2 por ciento respectivamente. Teniendo en cuenta que nos referimos a empresas con volúmenes de actividad multimillonarios y ante la crisis de ingresos fiscales que enfrentan la mayoría de los países europeos, dichos tipos resultan verdaderos actos económicos criminales.

Además de afectar gravemente a los ingresos de los Estados, esta práctica de las multinacionales está haciendo quebrar a la competencia gracias a que supone una subvención efectiva de su actividad al tributar decenas de puntos porcentuales menos que sus pequeñas competidoras.

Las flexibles normativas fiscales y la perfecta movilidad del capital, medidas promovidas durante años por organismos como el FMI, el Banco Mundial o incluso foros similares al G-20, han supuesto la verdadera liberación de las obligaciones fiscales de estas compañías. En la Unión Europea existen numerosas diferencias entre las diferentes legislaciones tributarias nacionales que permiten el acceso a un mercado común desde una tributación dividida, lo que, sumado a las numerosas exenciones y formas de tributación en paraísos fiscales, constituye el marco en el que estas transnacionales pueden alcanzar las injustas tasas de tributación antes citadas.

¿Considera la Comisión que las multinacionales que tributan menos de un 3 % de sus beneficios compiten en igualdad de condiciones con el resto de las empresas europeas?

¿Está la Comisión informada de los abusos fiscales cometidos por multinacionales europeas y de terceros países en territorio europeo?

¿Existe un informe en el que se disponga tal información?

¿Tiene la Comisión planeado realizar alguna regulación sobre el tema?

¿Ha desarrollado, hasta ahora, la Comisión algún tipo de acción para asegurar que estas empresas multinacionales respondan a la necesaria redistribución fiscal de las riquezas y que su esfuerzo fiscal sea igual o incluso superior (dada las ventajas competitivas existentes) al de las pequeñas y medianas empresas europeas?

Respuesta del Sr. Šemeta en nombre de la Comisión
(10 de enero de 2013)

La Comisión comparte algunas de las inquietudes planteadas por Su Señoría. Los grupos multinacionales de empresas, en general, parecen tener más margen para reducir su tipo impositivo efectivo global que las pequeñas empresas. Ello se debe, principalmente, a su presencia en varias jurisdicciones fiscales y a las posibilidades de aprovechar los desajustes entre ellas: la interacción imperfecta entre los diferentes regímenes fiscales nacionales puede ofrecer una ventaja unilateral.

La Comisión no dispone de información cuantitativa definitiva sobre el posible fraude fiscal de los sistemas impositivos nacionales por parte de multinacionales individuales. Sin embargo, a fin de subsanar algunas carencias actuales en materia de fiscalidad internacional, acaba de presentar un Plan de Acción y dos Recomendaciones para reforzar la lucha contra el fraude y la evasión fiscal. La Recomendación C (2012) 8806 final sobre la planificación fiscal agresiva recomienda a los Estados miembros que incluyan una norma general anti fraude en su legislación nacional y una cláusula sobre un tipo específico de doble no imposición en sus convenios sobre doble imposición. Si los Estados miembros aplican dicha Recomendación, será mucho más difícil que las empresas recurran a estratagemas artificiales para evitar el pago de impuestos. Por último, la planificación fiscal agresiva y la evasión fiscal son esencialmente problemas internacionales. Por lo tanto, la Comisión se esforzará por impulsar una acción más ambiciosa en estos ámbitos en foros internacionales como la OCDE, el G20 y el G8.

(English version)

Question for written answer E-010547/12
to the Commission
Willy Meyer (GUE/NGL)
(19 November 2012)

Subject: Tax abuse by large multinationals in Europe

One of the main conclusions reached during the meeting of Monday 5 November between the Finance Ministers and the Central Bank governors of the G20 countries was that the tax abuses perpetrated by multinational companies are cause for considerable concern.

Such companies are able to change their residence for tax purposes in order to optimise their tax obligations, thereby paying taxes at a rate so low as to be derisory. Thus, large companies such as Google or Apple have declared that they are able to pay tax at rates lower than 3 and 2% respectively. Given that these companies generate many millions in turnover, and given the tax revenue crisis facing most European countries, these tax rates are nothing short of criminal.

As well as having serious repercussions for the revenue generated for the countries concerned, this practice on the part of the multinationals is destroying competition: by paying tax at a rate far lower than that of their smaller competitors they are, in effect, receiving a subsidy for their activities.

The flexible tax regulations and the perfect mobility of capital — measures promoted for years by bodies such as the IMF and the World Bank as well as fora such as the G20 — have resulted in such companies being almost entirely relieved of their tax responsibilities. In the European Union the numerous differences between the various bodies of tax law have enabled access to a common market under differing taxation arrangements and this, on top of the numerous exemptions and forms of taxation in tax havens, creates an environment where these multinationals are able to pay taxes at the unfair rates cited above.

Does the Commission believe that multinationals that pay less than 3% tax on their profits are competing under equal conditions with the rest of the companies in Europe?

Is the Commission aware of the tax abuses being perpetrated by European and third-country multinationals on European territory?

Is there any report containing this information?

Does the Commission plan to draw up any regulations to address this issue?

Has the Commission taken any steps to date to ensure that these multinational companies contribute sufficiently to the necessary redistribution of wealth through tax, and that their tax contributions are equal to or — given their competitive advantage — greater than those made by Europe's small and medium-sized enterprises?

Answer given by Mr Šemeta on behalf of the Commission
(10 January 2013)

The Commission shares some of the concerns raised by the Honourable Member. Multinational groups of companies generally appear to have more scope to decrease their overall effective tax rate than small businesses. This is mainly due to their presence in several tax jurisdictions and the corresponding opportunities for exploiting mismatches — the imperfect interaction of different national tax systems which can give rise to one-sided advantages.

The Commission does not have definitive quantitative information on possible tax abuse of national tax systems by individual multinationals. However, in order to address some current weaknesses in international taxation, it has very recently presented an Action Plan ([1]) and two Recommendations ([2]) to strengthen the fight against tax fraud and tax evasion. Recommendation C(2012)8806 final on aggressive tax planning recommends Member States to include a general anti abuse rule in their national legislation and to include a clause addressing a specific type of double non-taxation in their double tax conventions. In case Member States implement this recommendation, it will be considerably more difficult for businesses to use artificial arrangements to avoid taxes. Finally, aggressive tax planning and tax evasion are essentially global problems. Therefore, the Commission will push for more ambitious action in these areas in international fora such as the OECD and the G20/G8.

([1]) COM(2012)722 final (An Action Plan to strengthen the fight against tax fraud and tax evasion) of 6.12.2012.

([2]) C(2012)8805 final (Commission Recommendation regarding measures intended to encourage third countries to apply minimum standards of good governance in tax matters) and C(2012)8806 final (Commission Recommendation on aggressive tax planning).

(Versión española)

Pregunta con solicitud de respuesta escrita E-010548/12
a la Comisión
Willy Meyer (GUE/NGL)
(19 de noviembre de 2012)

Asunto: Ley española de desahucios

Según una decisión prejudicial con respecto al asunto C-415/11 publicada el pasado 8 de noviembre por la abogada general del Tribunal de Justicia de la Unión Europea, Juliane Kokott, la ley española de desahucios vulnera la normativa europea al no garantizar la protección de los consumidores frente a cláusulas abusivas en los contratos de hipoteca.

El drama de las ejecuciones hipotecarias en España es un problema que está conduciendo al incremento de la pobreza en el país y, según la citada decisión prejudicial, podría considerarse un proceso de expropiación ilegal en detrimento de los clientes de préstamos hipotecarios.

El dictamen pronunciado por la abogada general se debe a la petición presentada por el juzgado mercantil n° 3 de Barcelona ante la denuncia contra Catalunyacaixa de un ciudadano que fue expulsado de su casa en enero de 2011 por impago de hipoteca. Dicho dictamen propone al Tribunal que existe una incompatibilidad jurídica entre la ley española de desahucios y la Directiva Europea 93/13/CEE del Consejo, de 5 de abril de 1993. La citada incompatibilidad se basa en la escasa protección del consumidor ante potenciales cláusulas abusivas y a que se le restringen las posibilidades de oposición frente a la ejecución.

Todo ello viene a confirmar que el sistema bancario español ejecuta sus hipotecas bajo cláusulas abusivas y, por lo tanto, que debería decretarse la nulidad de miles de ejecuciones hipotecarias que se han realizado bajo un claro abuso.

En respuesta a la pregunta parlamentaria E-006861/2011, el Sr. Barnier informaba sobre la previsión de iniciar investigaciones para «identificar las principales características de los distintos marcos jurídicos de un número representativo de Estados miembros de la UE por lo que respecta al uso de la dación en pago».

Dicha investigación no ha sido publicada y hemos tenido que esperar a esta decisión prejudicial para confirmar la ilegalidad de la barbarie hipotecaria que el sector financiero español está ejerciendo en el país.

¿Cuáles son las medidas que la Comisión propone para resolver la incompatibilidad de la ley de desahucios española con la Directiva 93/13/CEE del Consejo?

¿Cómo piensa la Comisión resolver las miles de ejecuciones hipotecarias realizadas en España bajo posibles cláusulas abusivas?

¿Considera la Comisión que puede existir un trato diferenciado al sector financiero español gracias a la posibilidad de imponer cláusulas abusivas en este tipo de contratos?

Respuesta de la Sra. Reding en nombre de la Comisión
(25 de enero de 2013)

Es cierto que el asunto C-415/11 se refiere a la compatibilidad de las normas españolas sobre la ejecución hipotecaria con la Directiva 93/13/CEE del Consejo, de 5 de abril de 1993, sobre las cláusulas abusivas en los contratos celebrados con consumidores. En su dictamen de 8 de noviembre de 2012, el Abogado General propuso, entre otras cosas, considerar que la legislación española es incompatible con la Directiva 93/13/CEE, en la medida en que los consumidores no pueden obtener la suspensión de la ejecución, incluida la expulsión de su domicilio, hasta que un tribunal pueda evaluar el carácter abusivo de las cláusulas de su contrato de préstamo.

Sin embargo, como Su Señoría debe saber, el Tribunal aún tiene que dictar sentencia en este asunto. Por consiguiente, la Comisión no estudiará las medidas apropiadas hasta que dicha sentencia haya sido dictada.

Como se indica en la respuesta a la pregunta E-6861/2011, en toda la Unión están vigentes diversos regímenes y leyes en materia de procedimientos de liquidación de deudas. Estos procedimientos se tratan a escala nacional y siguen estando dentro del ámbito de competencia de las autoridades nacionales correspondientes. La Comisión no interviene instando a España o a cualquier Estado miembro en particular a adoptar legislación que regule la dación en pago.

No obstante, el año pasado, la Comisión, junto con la propuesta de Directiva sobre los contratos de crédito hipotecario ([1]), publicó un documento de trabajo ([2]) dirigido a los Estados miembros en el que se incluía una relación de posibles alternativas a la ejecución hipotecaria.

([1]) COM(2011) 142.
([2]) SEC(2011) 357 final.

(English version)

Question for written answer E-010548/12
to the Commission
Willy Meyer (GUE/NGL)
(19 November 2012)

Subject: Spain's law on evictions

According to a preliminary ruling in case C-415/11, issued on 8 November by the Advocate-General of the Court of Justice of the European Union, Juliane Kokott, Spain's law on evictions is in breach of European legislation as it does not ensure consumer protection against unfair terms in mortgage contracts.

The deplorable foreclosure proceedings currently ongoing in Spain are exacerbating poverty in the country and, according to the preliminary ruling cited above, could be considered unlawful expropriation to the detriment of mortgage holders.

The Advocate-General's ruling followed a reference made by Commercial Court No 3 of Barcelona in response to a complaint filed against Catalunyacaixa by a citizen who was evicted from his home in January 2011 for defaulting on his mortgage. The ruling suggested to the Court that there is a legal incompatibility between the Spanish law on evictions and Council Directive 93/13/EEC of 5 April 1993. This incompatibility is based on the almost complete absence of protection for consumers against potentially unfair terms and their limited possibilities of appealing against foreclosures.

This all confirms that the Spanish banking system allows mortgage foreclosures on unfair terms and, accordingly, that thousands of foreclosures carried out under clearly unfair conditions should be declared null and void.

In response to Parliamentary Question E-006861/2011, Mr Barnier reported that there were plans to open an investigation with a view to 'identifying the main characteristics of the various legal frameworks of a representative number of EU Member States with regard to the use of datio in solutum'.

The said investigation has not been published and we have had to wait for this preliminary ruling to confirm that the inhumane foreclosures being carried out throughout Spain by the financial sector are unlawful.

What measures does the Commission propose in order to address the lack of compatibility between Spain's law on evictions and Council Directive 93/13/EEC?

How does the Commission propose to address the thousands of foreclosures carried out in Spain under possibly unfair contractual terms?

Does the Commission consider that the Spanish financial sector may be receiving differential treatment, given that it is able to include unfair terms in contracts of this type?

Answer given by Mrs Reding on behalf of the Commission
(25 January 2013)

It is correct that Case C-415/11 concerns the compatibility with Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts of the Spanish rules of procedure on the enforcement of mortgages. In her opinion of 8 November 2012, the Advocate General proposed, amongst other things, to consider that Spanish law is incompatible with Directive 93/13/EEC insofar as consumers may not obtain the suspension of the enforcement, including their eviction from their home, so that a court may assess the unfairness of terms in the loan contract.

However, the Honourable Member might be aware that the court is still to hand down its judgment in this matter. Therefore, the Commission will consider any appropriate measures only after the delivery of the judgment.

As pointed out in the reply to Question E-6861/2011 different systems and laws are currently in force throughout the Union regarding debt settlement procedures. These procedures are dealt with at national level and remain within the jurisdiction of the national authorities concerned. The Commission does not have a role in urging Spain or any individual Member State to adopt legislation to regulate dation in payment.

Nevertheless, last year, the Commission, together with the proposal of the Mortgage Credit Directive ([1]) published a Staff Working Paper ([2]) addressed to Member States listing a number of potential alternatives to the foreclosure procedure.

([1]) COM(2011) 142.
([2]) SEC 2011/357 final.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010549/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(19 Νοεμβρίου 2012)

Θέμα: Στήριξη της προσχολικής φροντίδας και αγωγής στην Ελλάδα

Τον Μάιο του 2009, το Συμβούλιο ενέκρινε το σημείο αναφοράς του πλαισίου «Εκπαίδευση και κατάρτιση 2020», σύμφωνα με το οποίο, έως το 2020, τουλάχιστον το 95% των παιδιών μεταξύ 4 ετών και της υποχρεωτικής ηλικίας για την πρωτοβάθμια εκπαίδευση θα πρέπει να συμμετέχει στην προσχολική εκπαίδευση.

Ερωτάται η Επιτροπή:

1. Είναι σε θέση να μου παραθέσει τα τελευταία διαθέσιμα στοιχεία σχετικά με το ποσοστό συμμετοχής των παιδιών στην προσχολική εκπαίδευση στην ΕΕ και στην Ελλάδα;

2. Στο πλαίσιο των πόρων που διατίθενται από το Ευρωπαϊκό Κοινωνικό Ταμείο γι' αυτόν τον σκοπό, η Επιτροπή παρατηρεί πως η Ελλάδα κάνει επαρκή και αποτελεσματική χρήση των πόρων για την στήριξη της πρόσβασης των παιδιών στην προσχολική αγωγή και φροντίδα;

Απάντηση της κ. Βασιλείου εξ ονόματος της Επιτροπής
(17 Ιανουαρίου 2013)

Σύμφωνα με τα τελευταία διαθέσιμα στοιχεία UOE (συλλογή στοιχείων από την Υπηρεσία Στατιστικών της UNESCO, τον ΟΟΣΑ και την EUROSTAT) για το έτος 2010, το ποσοστό συμμετοχής των παιδιών στην προσχολική εκπαίδευση (στην ηλικία των τεσσάρων ετών — δηλαδή, ένα έτος πριν εισαχθούν στην υποχρεωτική πρωτοβάθμια εκπαίδευση) ήταν 73,5% για την Ελλάδα, σε σύγκριση με το 92,4% κατά μέσο όρο για την ΕΕ.

Με σκοπό την προώθηση του συνδυασμού της επαγγελματικής και της οικογενειακής ζωής, καθώς και την ενίσχυση της πρόσβασης των γυναικών στην απασχόληση, το επιχειρησιακό πρόγραμμα «Ανάπτυξη ανθρώπινου δυναμικού» του ΕΚΤ συγχρηματοδοτεί μία παρέμβαση με στόχο να υποστηρίξει την πρόσβαση στις υποδομές της προσχολικής εκπαίδευσης. Η εν λόγω ενέργεια απευθύνεται σε γυναίκες οι οποίες είτε εργάζονται (με εξαίρεση τις εργαζόμενες στο δημόσιο τομέα), ή είναι άνεργες, ή συμμετέχουν σε ενεργά μέτρα για την αγορά εργασίας. Ο συνολικός προϋπολογισμός αυτού του προγράμματος ανέρχεται σε περίπου 506 εκατομμύρια ευρώ και εκτιμάται ότι 133 062 γυναίκες μέχρι στιγμής έχουν επωφεληθεί από αυτό.

(English version)

Question for written answer E-010549/12
to the Commission
Georgios Papanikolaou (PPE)
(19 November 2012)

Subject: Support for preschool care and education in Greece

In May 2009, the Council adopted the reference point of the Education and Training 2020 strategic framework according to which, by 2020, at least 95% of children between 4 years old and the mandatory age for starting primary education should participate in preschool education.

In view of the above, will the Commission say:

1. Can it provide the latest available data on the proportion of children in preschool education in the EU and in Greece?

2. Within the framework of the resources available for this purpose from the European Social Fund, would the Commission say that Greece makes efficient and effective use of the resources to support children's access to preschool education and care?

Answer given by Ms Vassiliou on behalf of the Commission
(17 January 2013)

According to the latest available UOE data (Unesco-UIS/OECD/Eurostat joint data collection) for the year 2010 the participation rate in early childhood education (at the age of 4 — a year before the start of compulsory primary education) was 73.5% for Greece, as compared to 92.4% on average for the EU.

With a view to promoting the reconciliation of professional and family life and enhancing women's access to employment, the ESF 'Human Resource Development' Operational programme is co-funding an intervention aiming to support access to pre-school childcare facilities. This intervention is addressed to women who are either employed (with the exception of public sector employees), unemployed or participating in active labour market measures. The total budget of this operation is approximately EUR 506 million and it is estimated that so far 133 062 women have benefited from this operation.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010550/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(19 Νοεμβρίου 2012)

Θέμα: Ελληνικό σχέδιο δράσης στο πλαίσιο της πρωτοβουλίας «Ευκαιρίες για τους νέους» (YOI)

Είναι σε θέση να με ενημερώσει η Επιτροπή για το σύνολο των πόρων από τα διαρθρωτικά ταμεία και ιδίως από το Ευρωπαϊκό Κοινωνικό Ταμείο που τελικώς κινητοποιεί η Ελλάδα στο πλαίσιο της δράσης για την πρωτοβουλία «Ευκαιρίες για τους νέους» (YOI) το οποίο κατέθεσε στην Επιτροπή στο τέλος του Οκτωβρίου;

Σε ποιους τομείς δίνεται το μεγαλύτερο βάρος;

Είναι σε θέση να με ενημερώσει η Επιτροπή αν στο πλαίσιο αυτής της πρωτοβουλίας η ίδια προτίθεται να κινητοποιήσει περισσότερους πόρους από το ΕΚΤ για την στήριξη της νεολαίας, ιδίως στον τομέα ενίσχυσης της απασχόλησης στην Ελλάδα;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(21 Ιανουαρίου 2013)

Έως σήμερα, 747 εκατομμύρια ευρώ έχουν διατεθεί σε δράσεις που εστιάζουν στην απασχόληση και την επιχειρηματικότητα των νέων, μέσω των οποίων έχουν επωφεληθεί 180 000 νέοι. Για την αντιμετώπιση της συνεχούς αύξησης της ανεργίας των νέων, οι ελληνικές αρχές επεξεργάζονται ένα σχέδιο δράσης, το κόστος του οποίου ανέρχεται στα 490 εκατομμύρια ευρώ και η εφαρμογή του οποίου αναμένεται να αρχίσει τον Ιανουάριο του 2013. Από το ποσό των 490 εκατομμυρίων, τα 430 εκατομμύρια ευρώ προέρχονται από το Ευρωπαϊκό Κοινωνικό Ταμείο (ΕΚΤ). Συγκεκριμένα, 310 εκατομμύρια, 90 εκατομμύρια και 30 εκατομμύρια θα καταβληθούν από τα επιχειρησιακά προγράμματα «Ανάπτυξη ανθρωπίνων πόρων», «Εκπαίδευση και διά βίου μάθηση» και «Εθνικό αποθεματικό για απρόβλεπτα», αντίστοιχα. Το υπόλοιπο των πόρων θα καλυφθεί από το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης (ΕΠ «Ανταγωνιστικότητα»). Τα εν λόγω ποσά θα διατεθούν σε δράσεις, οι οποίες θα περιλαμβάνουν, μεταξύ άλλων, την προώθηση της επιχειρηματικότητας των νέων, τη δημιουργία νέων θέσεων εργασίας ανάλογα με τα προσόντα, προγράμματα μαθητείας σε συνδυασμό με την κατάρτιση στο χώρο εργασίας, ή την έγκριση προγραμμάτων για τη μετάβαση των νέων από το σχολείο στην εργασία.

(English version)

Question for written answer E-010550/12
to the Commission
Georgios Papanikolaou (PPE)
(19 November 2012)

Subject: Greek action plan as part of the Youth Opportunities Initiative (YOI)

Can the Commission provide information about the total amount of Structural Fund resources, in particular European Social Fund resources, which Greece is finally mobilising under the action plan relating to Youth Opportunities Initiative (YOI), which it submitted to the Commission at the end of October?

What areas are given the most importance?

Can the Commission say whether, within the framework of this initiative, it intends to mobilise more resources from the ESF to support young people, particularly in order to support youth employment in Greece?

Answer given by Mr Andor on behalf of the Commission
(21 January 2013)

Up to now about EUR 747 million have been allocated to actions focusing on the youth employment and entrepreurship, benefiting to some 180000 young people. To tackle the continuously raising youth unemployment, the Greek authorities are working on an action plan worth 490 million euros, which should start to be implemented in January 2013. Of these 490 million, 430 million euros will come from the European Social Fund (ESF), namely 310 million, 90 million and 30 million from the Operational Programmes 'Human Resources Development', 'Education and Lifelong Learning', and 'National Contingency Reserve' respectively. The rest of the resources are provided by the European Regional Development Fund (OP 'Competitiveness'). These amounts will be dedicated to actions which will include, among others, the promotion of youth entrepreneurship, the creation of new jobs depending on qualifications, apprenticeship schemes combined with on-the-job training or the adoption of school-to-work programmes.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010551/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(19 Νοεμβρίου 2012)

Θέμα: Καθυστέρηση εφαρμογής της τραπεζικής ένωσης

Σύμφωνα με δημοσιεύματα της εφημερίδας FT Deutschland, η τραπεζική ένωση αναμένεται να καθυστερήσει πέρα του προγραμματισμένου στο Συμβούλιο και αποφασισμένου χρονοδιαγράμματος (2014) καθώς πολλές κυβερνήσεις δεν έχουν κάνει καμία πρόοδο σε κρίσιμους τομείς. Αναφέρεται για παράδειγμα πως ότι δεν έχει επιτευχθεί κάποια πρόοδος στον τομέα κοινής ευθύνης κεντρικής και εθνικής εποπτείας του ευρωπαϊκού τραπεζικού συστήματος.

Ερωτάται η Επιτροπή:

1. Διαπιστώνει σοβαρές καθυστερήσεις των κρατών μελών στην υλοποίηση των συμφωνηθέντων;

2. Εκτιμά ότι το χρονοδιάγραμμα για την τραπεζική ένωση πιθανόν να μην επιτευχθεί εξαιτίας των καθυστερήσεων αυτών;

3. Είναι σε θέση να με ενημερώσει ποια κράτη μέλη παρουσιάζουν την χαμηλότερη πρόοδο προς αυτή την κατεύθυνση;

Απάντηση του κ. Barnier εξ ονόματος της Επιτροπής
(1 Φεβρουαρίου 2013)

Τον Σεπτέμβριο του 2012, η Επιτροπή υπέβαλε δέσμη προτάσεων σχετικά με έναν ενιαίο εποπτικό μηχανισμό (ΕΕΜ), οι οποίες περιλαμβάνουν ανακοίνωση για το συνολικό όραμα της Επιτροπής για την τραπεζική ένωση.

1. Στο πλαίσιο του Συμβουλίου ECOFIN, στις 13 Δεκεμβρίου 2012, επετεύχθη ομόφωνη πολιτική συμφωνία σχετικά με την πρόταση της Επιτροπής για την ανάθεση ειδικών καθηκόντων στην ΕΚΤ όσον αφορά τις πολιτικές τις σχετικές με την προληπτική εποπτεία των πιστωτικών ιδρυμάτων. Η συμφωνία στο Συμβούλιο παρέχει στην Προεδρία τη δυνατότητα να διαπραγματευθεί με το Ευρωπαϊκό Κοινοβούλιο κατά τη διάρκεια των ερχόμενων εβδομάδων με στόχο «να καταλήξουν γρήγορα σε συμφωνία ώστε να καταστεί δυνατή η εφαρμογή του το ταχύτερο δυνατό» σύμφωνα με τα συμπεράσματα του Ευρωπαϊκού Συμβουλίου του Δεκεμβρίου.

2. Η Επιτροπή είναι πεπεισμένη ότι το προτεινόμενο χρονοδιάγραμμα μπορεί να τηρηθεί, αρχής γενομένης από το 2013, και ότι η ΕΚΤ θα αναλάβει πλήρως τα καθήκοντά της το 2014. Όπως αναφέρεται στην ανακοίνωση της Επιτροπής με τίτλο *«Σχέδιο στρατηγικής για μια βαθιά και ουσιαστική οικονομική και νομισματική ένωση — Έναρξη συζήτησης σε ευρωπαϊκό επίπεδο»*, η Επιτροπή «θα υποβάλει πρόταση για έναν ενιαίο μηχανισμό εξυγίανσης, ο οποίος θα αναλάβει την αναδιάρθρωση και την εξυγίανση των τραπεζών των κρατών μελών που συμμετέχουν στην τραπεζική ένωση.»

3. Η πρόταση αναθέτει στην ΕΚΤ ειδικά καθήκοντα σχετικά με τις πολιτικές που αφορούν την προληπτική εποπτεία των πιστωτικών ιδρυμάτων. Όλες οι εθνικές εποπτικές αρχές των κρατών μελών που συμμετέχουν στον ΕΕΜ θα συνεργάζονται πλήρως στο πλαίσιο του ΕΕΜ που απαρτίζεται από την ΕΚΤ και τις αρμόδιες εθνικές αρχές.

(English version)

Question for written answer E-010551/12
to the Commission
Georgios Papanikolaou (PPE)
(19 November 2012)

Subject: Delay in achieving banking union

According to articles in the newspaper FT Deutschland, banking union is expected to be delayed beyond the planned timeframe decided in the Council (2014) since many governments have made no progress in critical areas. For example, no progress has been made in the area of the joint responsibility of central and national supervisory authorities for the European banking system.

In view of the above, will the Commission say:

1. Has it noted serious delays by Member States in implementing the agreed arrangements?

2. Does it believe that the schedule for banking union may be in doubt because of these delays?

3. Can it say which Member States have made the least progress in this connection?

Answer given by Mr Barnier on behalf of the Commission
(1 February 2013)

In September 2012, the Commission put forward a set of proposals regarding a single supervisory mechanism (SSM) including a communication on the Commission's overall vision for the banking union.

1. A unanimous agreement was reached in the Ecofin Council on 13 December 2012 on the Commission's proposal conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions. Agreement in the Council enables the Presidency to negotiate with the European Parliament over the coming weeks with the aim being 'to rapidly agree so as to allow its implementation as soon as possible' in line with the December European Council's conclusions.

2. The Commission is confident that the envisaged timetable can be met, starting from 2013, and that the ECB will assume its tasks fully in 2014. As mentioned in the Commission Communication '*A blueprint for a deep and genuine economic and monetary union — Launching a European Debate*', the Commission 'will make a proposal for a Single Resolution Mechanism, which will be in charge of the restructuring and resolution of banks within the Member States participating in the Banking Union.'

3. The proposal confers specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions. All the National supervisory authorities in the Member States participating in the SSM will be cooperating fully within the SSM which is composed of the ECB and national competent authorities.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010552/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(19 Νοεμβρίου 2012)

Θέμα: Πρόοδος στη διαδικτυακή διάθεση των δημόσιων υπηρεσιών στην Ελλάδα και στην εξυπηρέτηση των πολιτών.

Το 2010, και σύμφωνα με την ανακοίνωση της Επιτροπής «Ψηφιακό Θεματολόγιο: περισσότεροι πολίτες της ΕΕ ωφελούνται από διαδικτυακές δημόσιες υπηρεσίες», η Ελλάδα βρέθηκε στην τελευταία θέση στην ηλεκτρονική διάθεση υπηρεσιών προς τους πολίτες, με ποσοστό λιγότερο από 50%, και μάλιστα σημειώνοντας ελάχιστη βελτίωση στις επιδόσεις της σε σχέση με το 2009 και σε σύγκριση με τους εταίρους της.

Ερωτάται η Επιτροπή:

1. Είναι σε θέση να με ενημερώσει κατά πόσον η Ελλάδα αύξησε τις επιδόσεις της στον συγκεκριμένο τομέα; Διαθέτει συγκριτικά στοιχεία μεταξύ των κρατών μελών;

2. Ποιο είναι το ύψος των πόρων από τα ευρωπαϊκά διαρθρωτικά ταμεία που η χώρα δεν έχει ακόμα αξιοποιήσει προς αυτήν την κατεύθυνση;

Απάντηση της κ. Kroes εξ ονόματος της Επιτροπής
(16 Ιανουαρίου 2013)

Δυστυχώς, δεν έγινε καμία μέτρηση σχετικά με τη διαθεσιμότητα επιγραμμικών υπηρεσιών το 2011. Η μέτρηση του 2012, η οποία καλύπτει το σύνολο των 27 κρατών μελών της ΕΕ, εξακολουθεί να διεξάγεται και τα πρώτα αποτελέσματα θα είναι διαθέσιμα γύρω στο Μάρτιο του 2013. Αυτή η νέα μέτρηση, ωστόσο, έγινε σύμφωνα με νέα μεθοδολογία. Για περισσότερες λεπτομέρειες σχετικά με τη νέα μεθοδολογία μπορείτε να ανατρέξετε στο έγγραφο «Εγχειρίδιο μεθοδολογίας για το βασικό πλαίσιο ηλεκτρονικής διακυβέρνησης 2012-2015» που είναι διαθέσιμο στον ακόλουθο σύνδεσμο: http://ec.europa.eu/digital-agenda/en/pillar-7-ict-enabled-benefits-eu-society υπό την επικεφαλίδα: Documents 2011 — Additional documents.

Η Επιτροπή θα δημοσιεύσει στην ίδια σελίδα τη συγκριτική έκθεση για την ηλεκτρονική διακυβέρνηση κατά το 2012, μόλις θα είναι διαθέσιμη (το Μάρτιο του 2013).

Στο πλαίσιο του Ευρωπαϊκού Ταμείου Περιφερειακής Ανάπτυξης για την Ελλάδα κατά την περίοδο 2007-2013, διατίθεται ποσό 711 764 706 ευρώ για το επιχειρησιακό πρόγραμμα ψηφιακής σύγκλισης, σε ό,τι αφορά το σκέλος των δημόσιων δαπανών (η συνεισφορά της Ένωσης ανέρχεται σε 605 000 000 ευρώ). Για τον άξονα προτεραιότητας 2 του εν λόγω προγράμματος, το οποίο περιλαμβάνει δράσεις που παρέχουν ψηφιακές υπηρεσίες στους πολίτες, διατίθεται ποσό 394 000 000 ευρώ, από το οποίο έχουν εκταμιευθεί 239 εκατομμύρια ευρώ. Συνεπώς, οι διαθέσιμες πιστώσεις ανέρχονται σε περίπου 155 εκατομμύρια ευρώ. Επιπλέον, υπάρχει ποσό περίπου 103 εκατομμυρίων ευρώ που χορηγείται στα περιφερειακά επιχειρησιακά προγράμματα.

(English version)

Question for written answer E-010552/12
to the Commission
Georgios Papanikolaou (PPE)
(19 November 2012)

Subject: Progress in online availability of public services in Greece for the benefit of citizens

The Commission's press release 'Digital Agenda: more EU citizens benefitting from online public services' ranked Greece last in 2010 as regards the online availability of services to citizens, with a figure of less than 50%, and with minimal improvements in its performance compared to 2009 and compared to its partners.

In view of the above, will the Commission say:

1. Can it say whether Greece has improved its performance in this area? Does it have any comparative data concerning Member States?

2. What is the amount of European Structural Fund resources which Greece has not yet used for this purpose?

Answer given by Ms Kroes on behalf of the Commission
(16 January 2013)

Unfortunately, no measurement of the availability of online services was done in 2011. The 2012 measurement, covering all EU-27 Member States, has been ongoing and the first results will be available around March 2013. This new measurement, however, has been conducted according to a new methodology. You will find more details about the new methodology in the document 'Method paper on eGovernment Benchmark Framework 2012-2015' available at the following link: http://ec.europa.eu/digital-agenda/en/pillar-7-ict-enabled-benefits-eu-society under the heading : Documents 2011 — Additional documents.

In the same page the EC will publish the 2012 eGovernment Benchmark report when available (March 2013).

In the context of the European Regional Development Fund (2007-2013) for Greece, the Operational Programme on Digital Convergence is allocated with EUR 711 764 706 in terms of public expenditure (EUR 605 000 000 of EU contribution). The priority axis 2 of this programme, which contains actions that provide digital services to citizens, is allocated with EUR 394 000 000 out of which EUR 239 000 000 have been paid out. Hence, the available credit amounts to about EUR 155 million. In addition to that, there is an amount of about EUR 103 million allocated to the regional operational programmes.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010554/12
alla Commissione
Mara Bizzotto (EFD)
(19 novembre 2012)

Oggetto: Divieto di transito notturno in Tirolo per i veicoli Euro 5 adibiti al trasporto merci

Il governo del Tirolo, con il regolamento n. 119 del 25 ottobre 2012, ha stabilito che dal 1° novembre 2012 è vietato il transito notturno dei mezzi adibiti al trasporto merci con massa superiore a 7,5 t e con omologazione Euro 5 sulla tratta autostradale A12 «Inntalautobahn» Kufstein — Innsbruck — Zirl; potranno transitare senza restrizioni i veicoli di classe EEV sino al 31 ottobre 2013 e gli Euro 6 fino al 31 dicembre 2015.

Considerando:

— che per la sua conformazione geografica l'Italia vive una situazione di oggettivo svantaggio competitivo rispetto agli altri Stati membri per quanto riguarda l'accesso agli altri mercati Europei delle sue merci,

— che l'Italia è costretta al trasporto delle merci su strada servendosi delle infrastrutture transalpine esistenti, in quanto il potenziamento dell'asse ferroviario del Brennero sarà ultimato solo nel 2025 e la linea TAV Torino-Lione nel 2030,

— che l'imposizione del divieto di transito notturno sulla A12 in Austria per i trasporti con omologazione Euro 5 andrà a detrimento soprattutto degli autotrasportatori italiani,

1. la Commissione ritiene che effettivamente ricorrano circostanze di tale urgenza e gravità da richiedere il blocco del transito notturno come prescritto dal regolamento n. 119 emanato dal governo del Tirolo? Non ritiene che tale regolamento favorisca una forte distorsione delle dinamiche della concorrenza nel mercato dei trasporti?

2. La Commissione ritiene sia possibile concedere una deroga per gli autotrasportatori italiani, che sarebbero quelli maggiormente colpiti da questa norma e che perderebbero ulteriori posizioni rispetto ai concorrenti degli altri Stati membri?

Risposta di Siim Kallas a nome della Commissione
(21 gennaio 2013)

Per quanto riguarda la prima domanda, la Commissione invita l'onorevole parlamentare a consultare la risposta fornita all'interrogazione scritta P-10180/12 ([1]).

Per quanto riguarda la seconda domanda, una deroga per gli autotrasportatori di uno Stato membro sarebbe difficilmente conciliabile con i principi fondamentali dell'UE, quale il principio di non discriminazione di cui all'articolo 18 del TFUE.

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-010554/12
to the Commission
Mara Bizzotto (EFD)
(19 November 2012)

Subject: Ban on night driving in Tyrol for Euro 5 heavy goods vehicles

The Tyrol government, by Regulation No 119 of 25 October 2012, has ordered that from 1 November 2012 the night driving of heavy goods vehicles with a total mass exceeding 7.5 tonnes and equipped with Euro 5 engines is to be prohibited on the A12 'Inntalautobahn' Kufstein — Innsbruck — Zirl motorway. Class EEV vehicles may be used without restriction until 31 October 2013 and Euro 6 vehicles until 31 December 2015.

Due to its geographical position, Italy has therefore been put in a situation of objective competitive disadvantage compared to other Member States as regards the access of its goods to other European markets.

Italy is forced to transport its goods by road, using existing transalpine infrastructure, since the expansion of the Brenner railway line will be completed only in 2025 and the Turin-Lyon line in 2030.

Imposing a ban on night driving on the A12 in Austria for Euro 5 vehicles will be to the detriment of Italian road hauliers, above all.

In the light of the above:

1. Does the Commission believe that current circumstances are so urgent and serious as to require the ban on night driving as prescribed by the Tyrol government's Regulation No 119? Does it not think that this regulation facilitates a strong distortion of competition dynamics in the transport market?

2. Does the Commission think it might be possible for an exemption to be granted to Italian hauliers, who would be those most affected by this rule and would have more to lose than their competitors in other Member States?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

As regards the first question, the Commission would refer the Honourable Member to its answer to Written Question P-10180/12 ([1]).

As regards the second question, an exemption for hauliers from one Member State would be difficult to reconcile with basic EU principles such as the non-discrimination principle of Art. 18 TFEU.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010555/12
alla Commissione
Mara Bizzotto (EFD)
(19 novembre 2012)

Oggetto: Pesca di frodo al largo delle coste dell'Africa occidentale

L'ONG «Environmental Justice Foundation», nel corso di un'inchiesta portata avanti al largo delle coste dell'Africa occidentale, si è imbattuta in una vera e propria flotta fantasma di pescherecci che portano avanti quasi in maniera indisturbata un'attività illecita di pesca di frodo, con equipaggi stipati in condizioni inumane e tenuti in stato di schiavitù.

I natanti in questione imbarcano dai 20 ai 200 uomini di equipaggio, non pagati, ai quali vengono sequestrati i documenti al momento dell'imbarco, costretti a turni massacranti e a vivere e lavorare nella totale mancanza delle condizioni igieniche e di sicurezza di base. Questi pescherecci sono registrati sotto bandiere di convenienza che cambiano all'occorrenza, sono privi del Sistema di controllo satellitare dei pescherecci (SCP) e praticano attività di pesca con reti illegali che devastano i fondali. Si stima che il pescato di frodo si attesti attorno a 11 milioni di t/anno, per un valore di circa 10 miliardi di dollari, e che gran parte di esso venga commercializzato all'interno del mercato dell'UE. Alcuni di questi pescherecci sono dotati delle necessarie licenze e trovano un canale diretto di vendita nel porto spagnolo di Las Palmas, più volte criticato dalle autorità europee a causa delle carenze del suo sistema di ispezioni.

1. La Commissione è a conoscenza dei fatti sopra esposti?

2. Considerando lo stato di illegalità in cui si svolge questo tipo di pesca, gli enormi danni causati all'ecosistema, le violazioni dei diritti dell'uomo cui sono sottoposti i marinai imbarcati e i danni economici che subisce il mercato regolamentato dei pescatori europei, come intende agire la Commissione per contrastare questa situazione?

3. Quali misure intende mettere in campo per certificare il pesce pescato secondo le normative europee, rispettose dell'ambiente e dei diritti dell'uomo?

4. Intende rivedere il sistema sanzionatorio, che non dissuade la pesca di frodo in quanto i guadagni delle attività illegali coprono senza difficoltà le multe comminate?

Risposta di Maria Damanaki a nome della Commissione
(21 gennaio 2013)

Il regolamento UE sulla pesca illegale, non dichiarata e non regolamentata (regolamento INN) ([1]) costituisce una piattaforma per contrastare le attività di pesca illegale nelle acque unionali e in altre acque al di fuori dell'Unione.

La Commissione è a conoscenza di quanto dichiarato in merito alla portata delle attività di pesca INN negli Stati costieri dell'Africa occidentale e dei relativi danni arrecati alle risorse e ai mezzi di sostentamento della popolazione locale. È inoltre molto preoccupata per le possibili violazioni dei diritti umani a bordo di molte navi.

Al fine di combattere ogni tipo di attività fraudolenta, la Commissione ha rafforzato la propria cooperazione con altre organizzazioni intergovernative come l'Interpol. In linea con la risoluzione adottata dal Parlamento europeo nel 2011 ([2]), l'Interpol ha creato un gruppo di lavoro permanente sulla criminalità nel settore della pesca per contrastare la pesca illegale e tutte le attività criminali ad essa collegate (ad esempio, frode doganale, corruzione e violazioni del diritto del lavoro). La Commissione partecipa al gruppo di lavoro in qualità di osservatore e promuove azioni contro la pesca illegale e i crimini connessi a un'attività di pesca (ad esempio, chiedendo agli Stati membri di condurre indagini su presunte attività di pesca INN che possono rivelare la presenza di altre attività fraudolente collegate).

Nell'ambito del regolamento INN, la Commissione e gli Stati membri dell'UE applicano tutte le disposizioni pertinenti al fine di impedire l'importazione di pesce catturato illegalmente. La Commissione si adopera costantemente per individuare le attività di pesca INN e identificare i pescherecci che operano illegalmente.

([1]) Regolamento (CE) n. 1005/2008 del Consiglio, che istituisce un regime comunitario per prevenire, scoraggiare ed eliminare la pesca illegale, non dichiarata e non regolamentata (GU L 286 del 29.10.2008, pag. 1).
([2]) Risoluzione 2010/2210 (INI), «Lotta contro la pesca illegale a livello internazionale — il ruolo dell'UE».

Il regolamento INN ha armonizzato il sistema di sanzioni in tutti gli Stati membri e ne ha rafforzato l'efficacia dissuasiva. In particolare, esso impone che le sanzioni siano calcolate in modo da privare gli operatori dei vantaggi economici derivanti dal loro comportamento illecito.

(English version)

Question for written answer E-010555/12
to the Commission
Mara Bizzotto (EFD)
(19 November 2012)

Subject: Fish poaching off the coast of West Africa

During an investigation carried out off the coast of West Africa, the NGO 'Environmental Justice Foundation' came across a ghost fleet of fishing vessels that are carrying out, almost undisturbed, the illegal activity of fish poaching, with crews that are crammed into boats in inhuman conditions and kept in slavery.

The vessels in question take on board between 20 and 200 crew members, who are not paid and who have their documents seized on boarding. They are forced to work exhausting shifts and to live and work in totally unsanitary conditions, with a lack of basic security. These fishing vessels fly flags of convenience that change where necessary; they have no satellite-based monitoring system (VMS) and fish with illegal nets that destroy the seabed. It is estimated that the poachers catch around 11 million tonnes of fish per year, worth approximately USD 10 billion, and that most of it is sold on the EU market. Some of these vessels have the necessary licences and find a direct sales channel in the Spanish port of Las Palmas, which has been repeatedly criticised by the EU authorities because of shortcomings in its inspection system.

1. Is the Commission aware of these facts?

2. Given the state of lawlessness in which such fishing takes place, the enormous damage done to the ecosystem, the human rights violations against the seamen on board and the economic damage to the EU fishermen's regulated market, what action will the Commission take to deal with this situation?

3. What measures will it put in place to certify the fish caught in accordance with EU legislation, which respects the environment and human rights?

4. Will it revise the system of sanctions, which does not deter illegal fishing given that the earnings from these illegal activities easily cover the fines imposed?

Answer given by Ms Damanaki on behalf of the Commission
(21 January 2013)

The EU Regulation on illegal, unreported and unregulated fishing (IUU Regulation) ([1]) provides the platform to combat illegal fishing activities in EU waters and in waters outside the EU.

The Commission is aware of allegations on the extent of IUU fishing in West African coastal States and related damage to the resource and local population livelihood. It is also very concerned with the possible human rights violations on board many vessels.

In order to combat any kind of fraudulent activities, the Commission has reinforced its cooperation with other intergovernmental organisations like Interpol. In line with the resolution adopted by the European Parliament in 2011 ([2]), Interpol has set up a permanent Fisheries Crime Working Group in order to address illegal fishing and all related criminal activities (e.g. customs fraud, corruption and breaches of labour law). The Commission participates as observer to the Working Group and promotes actions against illegal fishing and crimes connected to a fishing activity (e.g. Member States are requested by the Commission to conduct investigations into presumed IUU fishing activities that can reveal other linked fraudulent activities).

Under the IUU Regulation, the Commission and the EU Member States implement all relevant provisions in order to prevent import of fish caught illegally. The Commission continuously endeavours to detect IUU fishing activities and identify those vessels that operate illegally.

The IUU Regulation has harmonised the system of sanctions across Member States and has reinforced their dissuasiveness. In particular, it imposes that sanctions shall be calculated in such a way to deprive the operators from the economic benefits derived from their illegal behaviour.

([1]) Council Regulation (EC) No 1005/2008 to prevent, deter and eliminate illegal, unreported and unregulated fishing , OJ L 286/1, 29.10.2008.
([2]) Resolution 2010/2210(INI) on 'Combating illegal fishing at the global level — the role of the EU'.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-010556/12
do Komisji
Marek Henryk Migalski (ECR)
(19 listopada 2012 r.)

Przedmiot: Kobiety w radach nadzorczych spółek giełdowych

14 listopada Komisja Europejska przyjęła propozycje legislacyjną, która zakłada, że do 2020 r. kobiety powinny stanowić co najmniej 40 % członków rad nadzorczych spółek notowanych na giełdzie. Wydaje się, że taka decyzja wprowadza w życie rozwiązania, które nie są determinowane rachunkiem ekonomicznym i zdrowym rozsądkiem. Dlatego zwracam się z następującym pytaniem:

1. Czy Komisja nie uważa, że taka regulacja jest sprzeczna z zasadą wolnego rynku i prawa właściciela przedsiębiorstwa do zatrudniania osób ze względu na kompetencje? Czy – w ogóle – jest sprawą ciał politycznych i urzędniczych decydować o tym, czym kieruje się właściciel w procesie rekrutacji?

2. Czy Komisja przewiduje także wprowadzenie podobnych kwot w innych grupach zawodowych niż członkowie rad nadzorczych?

3. Czy Komisja przewiduje także wprowadzenie podobnych kwot w odniesieniu do mężczyzn w innych niż tradycyjnie męskie zawodach?

4. Czy Komisja rozważa także wprowadzenie innych, niż płciowe, kwot w radach nadzorczych?

5. Czy Komisja dysponuje badaniami, że spółki nadzorowane przez większą ilość kobiet są lepiej zarządzane i przynoszą wyższe zyski? Jeśli tak, to czy nie uważa, że kwoty dla kobiet nie powinny być ograniczone tylko do 40 %, ale rozszerzone do np. 80 %?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(21 stycznia 2013 r.)

Komisja przeprowadziła ocenę skutków w sprawie wspomnianego wniosku legislacyjnego ([1]). Na podstawie jej wyników Komisja uważa, że wniosek jest zgodny z Kartą praw podstawowych UE, w szczególności w odniesieniu do proporcjonalności ograniczeń wolności działalności gospodarczej oraz ograniczeń praw własności.

Spółki wciąż będą podejmowały własne decyzje w sprawie rekrutacji. Zgodnie z proponowaną dyrektywą będą one zobowiązane do przeprowadzania rekrutacji w sposób bardziej przejrzysty i neutralny pod względem płci, ale naturalnie to kwalifikacje pozostaną najważniejszym kryterium przy podejmowaniu decyzji o zatrudnieniu.

W proponowanej dyrektywie ustanowiono cel ilościowy obejmujący dyrektorów niewykonawczych w spółkach giełdowych, nie wprowadzono jednak parytetu płci w innych grupach zawodowych. Na chwilę obecną Komisja nie zamierza występować z takimi propozycjami.

Wniosek Komisji jest neutralny pod względem płci: cel ilościowy odnosi się do płci niedostatecznie reprezentowanej, którą mogą stanowić zarówno mężczyźni, jak i kobiety. Aktualnie Komisja nie planuje wprowadzać kwot w odniesieniu do mężczyzn w tradycyjnie damskich zawodach.

Komisja nie rozważa także wprowadzenia innych niż płciowe kwot w radach nadzorczych.

Przeprowadzona przez Komisję ocena skutków dostarcza argumenty natury ekonomicznej i biznesowej przemawiające za równością płci w organach spółek notowanych na giełdzie. W ocenie tej przedstawione są wyniki wielu badań dowodzące, że istnieje pozytywna zależność pomiędzy różnorodnością płci w organach spółki – tj. obecnością zarówno kobiet, jak i mężczyzn – a jej wynikami.

([1]) Zob.: http://ec.europa.eu/justice/gender-equality/files/womenonboards/impact_assesment_quotas_en.pdf

(English version)

Question for written answer E-010556/12
to the Commission
Marek Henryk Migalski (ECR)
(19 November 2012)

Subject: Women on publicly listed companies' non-executive boards

On 14 November 2012, the Commission adopted a legislative proposal asserting that women should make up at least 40% of the members of the non-executive boards of publicly listed companies by 2020. This decision seems to enforce solutions that do not take account of economic considerations or common sense.

1. Does the Commission not believe that such a rule is contrary to the principles of the free market and the right of a business owner to employ staff on the basis of their competencies? Is it really a matter for political and government bodies to decide how a business owner carries out recruitment?

2. Does the Commission plan to introduce similar quotas in professions other than that of non-executive director?

3. Does it also plan to introduce quotas for men in traditionally female professions?

4. Is it considering the introduction of other non-gender-based quotas for non-executive boards?

5. Do studies exist that demonstrate that companies supervised by a larger number of women are better-run and more profitable? If so, does the Commission not agree that such quotas should not be limited to a mere 40% but expanded, for instance, to 80%?

Answer given by Mrs Reding on behalf of the Commission
(21 January 2013)

The Commission carried out an impact assessment for the proposal ([1]). On the basis of the results of this impact assessment, the Commission considers that the proposal is compatible with the Charter of Fundamental Rights of the EU, in particular as regards the proportionality of the limitations on the freedom to conduct business and on ownership rights.

A company will still make their own recruitment decisions. The proposed Directive requires companies to make their selection procedures more transparent and gender-neutral but clearly guarantees that qualifications remain a decisive criterion in a company's recruitment decision.

The proposed Directive sets a quantitative objective for non-executive directors in listed companies but does not impose gender quotas for any professions. Currently, the Commission does not intend to make such proposals.

The Commission's proposal is gender-neutral: the quantitative objective applies to the under-represented sex, which could be either men or women. Currently, the Commission does not plan to introduce quotas for men in traditionally female professions.

Currently, the Commission does not consider introducing other non-gender-based quotas for non-executive boards.

The Commission's impact assessment provides the economic and business arguments for gender equality on boards of listed companies and shows that there are many studies providing evidence that there is a positive correlation between gender diversity on boards — i.e. presence of both women and men — and company performance.

([1]) See http://ec.europa.eu/justice/gender-equality/files/womenonboards/impact_assesment_quotas_en.pdf

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010557/12
à Comissão
Maria do Céu Patrão Neves (PPE)
(19 de novembro de 2012)

Assunto: Simplificação da livre circulação e igualdade no acesso aos produtos médico-veterinários utilizados em aquacultura dentro da União Europeia

O registo de produtos médico-veterinários utilizados em aquacultura é atualmente uma prerrogativa dos Governos dos Estados-Membros da UE. O número de produtos deste tipo registados em Portugal é muito reduzido, sendo o seu processo de registo bastante moroso e dispendioso. Devido à reduzida dimensão do mercado português e o consequente baixo volume de negócios, as indústrias farmacêuticas não obteriam qualquer rentabilidade de um investimento em estudos e licenças requeridos nos processos de licenciamento destes produtos médico-veterinários, pelo que não o fazem. Por este motivo, os aquacultores portugueses têm dificuldades acrescidas no acesso a determinados produtos farmacêuticos para aquacultura, facto que os coloca numa evidente e muito prejudicial desvantagem competitiva face aos concorrentes europeus.

Numa pergunta sobre este assunto colocada em 13 de julho de 2010 e respondida em 18 de agosto de 2010, a Comissão informou que «tem conhecimento do problema da disponibilidade dos medicamentos veterinários na UE, em especial os destinados às espécies menores ou os de menor utilização, e dos encargos administrativos resultantes do procedimento de autorização de medicamentos veterinários e da manutenção dos medicamentos existentes no mercado. Por conseguinte, a Comissão deu início a uma revisão do quadro jurídico relativo aos medicamentos veterinários. Durante a consulta pública efetuada no âmbito desta revisão, foram assinalados os principais problemas com que se deparam os produtores de alimentos de origem aquática. Em 2011, a Comissão publicará a Avaliação de Impacto desta revisão com vista, se adequado, à apresentação de propostas legislativas.»

Perante o exposto, e tendo em consideração que, cerca de dois anos após esta resposta da Comissão, a situação dos produtores aquícolas portugueses se mantém inalterada, pergunto:

1. Tendo a Comissão, já em 2010, dado início à revisão do quadro jurídico relativo aos medicamentos veterinários e tendo procedido, em 2011, à respetiva Avaliação de Impacto, quais foram as deliberações desde então tomadas? Quando as divulgará?

2. A Comissão vai regulamentar a simplificação da livre circulação e a igualdade no acesso aos produtos médico-veterinários utilizados em aquacultura por parte de todos os aquacultores comunitários? Se sim, quando e em que termos prevê apresentar propostas legislativas sobre esta matéria?

Resposta dada por Joe Borg em nome da Comissão
(18 de janeiro de 2013)

A Comissão remete a Senhora Deputada para a resposta à pergunta E-007267/2012 ([1]).

Além disso, a Comissão gostaria de sublinhar que os Estados-Membros podem utilizar as disposições da legislação em vigor para preencher as lacunas existentes em matéria de disponibilidade de medicamentos (por exemplo, permitindo a importação, a partir de outros países da UE, de medicamentos veterinários autorizados).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010557/12
to the Commission
Maria do Céu Patrão Neves (PPE)
(19 November 2012)

Subject: Simplification of free circulation and equal access to medical-veterinary products used in aquaculture within the EU

At present, the registration of medical-veterinary products used in aquaculture is a prerogative of the Governments of the Member States. The number of such products registered in Portugal is very small, as the procedure is tedious and time-consuming. Owing to the small size of the Portuguese market and low business turnover, pharmaceutical companies are unable to make a profit from investing in the studies and permits required in order to licence these products, so they make no effort to do so. This makes it particularly difficult for Portuguese fish-farmers to gain access to certain pharmaceutical products for aquaculture, placing them at a clear and markedly unfavourable competitive disadvantage in relation to their European rivals.

In its answer of18 August 2010 to a question on this subject presented on 13 July 2010, the Commission said that it 'is aware of the problem of availability of veterinary medicines in the EU, in particular for minor species and minor use, and the administrative burden involved in the authorisation procedure of veterinary medicines and of keeping existing products on the market. Therefore, the Commission has initiated a review of the legal framework for veterinary medicines. In the public consultation of this review the significant problems for producers of aquatic food have been pointed out. In 2011 the Commission will publish the impact assessment of this review with a view to making, where appropriate, legal proposals'.

In light of the above, and bearing in mind that some two years on from the Commission's reply the situation of Portuguese fish-farmers remains unchanged, could the Commission answer the following:

1. Given that the Commission initiated a review of the legal framework for veterinary medicines in 2010 and carried out an impact assessment of said review in 2011, what decisions has it reached since then? When will it publish them?

2. Does the Commission intend to regulate to simplify the free circulation of and equal access to medical-veterinary products for use in aquaculture by all EU fish-farmers? If so, when and in what form does it plan to present a legislative proposal on this matter?

Answer given by Mr Borg on behalf of the Commission
(18 January 2013)

The Commission would refer the Honourable Member to its answer to Question E-007267/2012 ([1]).

Moreover, the Commission would like to underline that Member States may use the provisions of the legislation in force to fill existing gaps on availability of medicines (e.g. by allowing the importation of authorised veterinary medicinal products from other EU countries).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010558/12
à Comissão
Alda Sousa (GUE/NGL) e Marisa Matias (GUE/NGL)
(19 de novembro de 2012)

Assunto: Exploração de ouro em sítio da Rede Natura 2000 no Alentejo, Portugal

A empresa canadiana «Colt Resources», formada em 2007, obteve autorização para a prospeção a céu aberto de um filão de ouro no Alentejo, tendo em vista a extração a partir de 2014. As suas subsidiárias em Portugal são a Eurocolt Resources Unipessoal Ld.a («Eurocolt») e a Aurmont Resources Unipessoal Ld.a («Aurmont»). O contrato foi assinado a 2 de novembro de 2011 para uma área que compreende várias freguesias de Évora e de Montemor-o-Novo. Parte desta área tem o estatuto de Zona de Proteção Especial (Plano de Intervenção no Espaço Rural do Sítio Monfurado) e integra a Rede Natura 2000.

A 28 de maio de 2012, a Eurocolt Resources Unipessoal Ld.ª cedeu à Aurmont Resources Sociedade Unipessoal Ld.ª a posição contratual derivada do contrato celebrado em 2 de novembro de 2011 entre a cedente e o Estado. Assim, toda a atividade de prospeção está agora reunida na Aurmont, que tem um capital social de cinco mil euros. O contrato é válido por um total de cinco anos: 3 anos com duas renovações de um ano. Após este período, o contrato de exploração tem que ser convertido em contrato de mineração. O contrato de exploração contém já os termos para um potencial contrato de mineração, que estipula o pagamento de direitos sobre o minério de apenas 4 %. O pagamento dos impostos regulares em Portugal não pode justificar que o valor do minério de propriedade pública seja atribuído em 96 % à empresa extratora.

Uma alteração da legislação ocorreu em fevereiro de 2011, isentando a empresa de interdições gerais na exploração dos recursos geológicos, nomeadamente no que se refere à movimentação de terras, escavações, extração e acumulação de inertes e zonas protegidas.

Face ao exposto, solicitamos à Comissão as seguintes informações:

1. Considera a Comissão que a exploração de ouro a céu aberto é compatível com as proteções ambientais a nível europeu, especificamente a Rede Natura 2000?

2. Considera a Comissão que podem ser permitidas atividades com explosivos e sistemas intensivos de perfuração num sítio da Rede Natura 2000, para mais numa área como esta, que apresenta um alto índice de dispersão hidrológica subterrânea?

Resposta dada por Janez Potočnik em nome da Comissão
(21 de janeiro de 2013)

A Comissão não tinha ainda conhecimento das informações apresentadas pelas Senhoras Deputadas. As atividades de mineração, tal como qualquer outro plano ou projeto que afete as espécies ou as áreas protegidas pela legislação da UE, têm de respeitar disposições específicas das diretivas relativas à natureza. A Comissão elaborou igualmente orientações específicas sobre a extração de minerais não energéticos e a Rede Natura 2000 («*Non-energy mineral extraction and Natura 2000*») ([1]).

Com base nas informações agora apresentadas, a Comissão solicitará às autoridades portuguesas informações adicionais sobre o projeto e as condições em que foi autorizado.

([1]) http://ec.europa.eu/environment/nature/natura2000/management/docs/neei_n2000_guidance.pdf

(English version)

Question for written answer E-010558/12
to the Commission
Alda Sousa (GUE/NGL) and Marisa Matias (GUE/NGL)
(19 November 2012)

Subject: Gold prospecting at a Natura 2000 site in the Alentejo (Portugal)

The Canadian company Colt Resources, which was set up in 2007, has obtained a permit to carry out open-cast prospection of a gold seam in the Alentejo, with a view to starting mining activities in 2014. The company's subsidiaries in Portugal are Eurocolt Resources Unipessoal Lda. (Eurocolt) and Aurmont Resources Unipessoal Lda. (Aurmont). The contract was signed on 2 November 2011 and applies to an area which includes parts of the municipalities of Evora and Montemor-o-Novo. Part of the area belongs to a Special Protection Area (Intervention Plan for the Monfurado Rural Area) included in the Natura 2000 network.

On 28 May 2012, Eurocolt Resources ceded to Aurmont Resources the contractual rights acquired under the contract it had signed with the Portuguese State on 2 November 2011. Aurmont, which has a social capital of EUR 5 000, is now responsible for all the prospecting activity. The contract is valid for a total of five years: three years initial duration with two one-year renewal periods. At the end of this period, the prospecting contract must be replaced with a mining contract. The prospecting contract already contains the terms of the future mining contract, and establishes the payment of mining rights of just 4%. Payment of standard taxes in Portugal is no justification for assigning 96% of the value obtained from mining public property to the mining company.

The law was changed in February 2011, exempting the company from general prohibitions covering the exploitation of geological resources, particularly with regard to earthmoving, excavation, extraction and dumping of residues in protected areas.

In light of the above, can the Commission provide the following information:

1. Does the Commission consider open-cast gold mining to be compatible with environmental protection measures at European level, particularly the Natura 2000 network?

2. Does the Commission consider that activities involving explosives and intensive drilling are permissible in a Natura 2000 site, particularly in view of the fact that this is a site with extensive underground water reserves?

Answer given by Mr Potočnik on behalf of the Commission
(21 January 2013)

The Commission was not yet aware of the information provided by the Honourable Members. Mining activities, as any other plan or project affecting species or sites protected under the EU legislation, have to abide by specific provisions of the Nature Directives. The Commission has also issued specific guidelines on 'Non-energy mineral extraction and Natura 2000' ([1]).

On the basis of the information now received, the Commission will ask the Portuguese authorities for further information on the project and the conditions under which it was authorised.

([1]) http://ec.europa.eu/environment/nature/natura2000/management/docs/neei_n2000_guidance.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010559/12
an die Kommission
Hans-Peter Martin (NI)
(19. November 2012)

Betrifft: Rechtliche Bewertung amerikanischer Drohnenangriffe

Die Vereinigten Staaten von Amerika führen, vor allem in Pakistan, mit unbemannten Drohnen gezielte Tötungen von mutmaßlichen Terroristen durch. Eine amerikanische Studie zu Drohnenangriffen der USA in Pakistan kommt zu dem Ergebnis: „the research conducted for this study raises serious concerns about the compliance of particular strikes, and targeted killing trends and practices, with International Humanitarian Law" (S. 113) und benennt im Zusammenhang mit dem Einsatz von Drohnen durch die USA eine große Anzahl möglicher Verstöße gegen internationale Menschenrechtsstandards.

1. Wie bewertet die Kommission die internationale Rechts- und Menschenrechtslage betreffend den Einsatz von Drohnen zu gezielten Tötungen (a) in einem bewaffneten Konflikt und (b) in Fällen, in denen kein bewaffneter Konflikt besteht?

2. Wie bewertet die Kommission die Rechtslage und Menschenrechtskonformität der Drohnenangriffe durch die Vereinigten Staaten von Amerika in (a) Pakistan, (b) Jemen und (c) Somalia?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(28. Februar 2013)

Die EU hat auf weltweiter Ebene immer wieder betont, dass die Bekämpfung des Terrorismus unter uneingeschränkter Achtung des Völkerrechts und der Menschenrechte erfolgen muss. Im Einklang mit der Weltweiten Strategie der Vereinten Nationen zur Bekämpfung des Terrorismus vertritt die EU die Auffassung, dass die wirksame Terrorismusbekämpfung sowie der Schutz und die Förderung der Menschenrechte keine miteinander konkurrierenden, sondern sich gegenseitig stärkende Ziele sind.

1a. Die Thematik der gezielten Tötung mutmaßlicher Terroristen in einem bewaffneten Konflikt ist komplex. Es müssen die genauen Umstände jedes einzelnen Falls berücksichtigt werden. In diesem Zusammenhang enthält das Kriegsvölkerrecht spezifische Voraussetzungen für die Anwendung von Gewalt; dabei gelten unter anderem die Grundsätze der Notwendigkeit, der Verhältnismäßigkeit sowie der Unterscheidung zwischen militärischen und zivilen Zielen.

1b. Die EU hat außergerichtliche Hinrichtungen stets abgelehnt. Solche Hinrichtungen stehen nicht nur im Widerspruch zum humanitären Völkerrecht, sondern untergraben auch das Konzept der Rechtsstaatlichkeit, das ein Schlüsselelement im Kampf gegen den Terrorismus ist. Dies gilt unabhängig von den eingesetzten Mitteln.

2. Die EU und ihre Mitgliedstaaten führen mit den USA regelmäßige Gespräche über die rechtlichen Aspekte der Bekämpfung des internationalen Terrorismus.

(English version)

Question for written answer E-010559/12
to the Commission
Hans-Peter Martin (NI)
(19 November 2012)

Subject: Legal assessment of US drone attacks

The US is carrying out targeted killings of suspected terrorists, in particular in Pakistan, by means of drones. An American study on US drone attacks in Pakistan comes to the conclusion that 'the research conducted for this study raises serious concerns about the compliance of particular strikes, and targeted killing trends and practices, with International Humanitarian Law' (p. 113) and lists, in the context of the US deployment of drones, a large number of possible breaches of international standards in human rights.

1. In the context of international law and human rights, what is the Commission's view on the use of drones for targeted killings in (a) armed conflict and (b) situations where no armed conflict is taking place?

2. What is the Commission's view on the legality of US drone attacks in (a) Pakistan, (b) Yemen and (c) Somalia, and on whether such attacks are compatible with human rights?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(28 February 2013)

The EU has consistently argued the case internationally that combating terrorism must be conducted in full respect of international law and human rights law. In line with the UN Global Strategy on Counter Terrorism, the EU believes that effective counter terrorism and the protection and promotion of human rights are mutually reinforcing and not competing goals.

1a. The issue of targeting suspected terrorists in an armed conflict situation is complex. Situations must be judged on the exact circumstances of the case. In that regard, the law of armed conflict sets specific requirements to the use of force, including the principles of necessity, proportionality and distinction.

1b. The EU has consistently opposed extra-judicial killings. Not only are extra-judicial killings contrary to international human rights law, they undermine the concept of the rule of law which is a key element in the fight against terrorism. This applies regardless of the means used.

2. The EU and its Member States have regular discussions with the US about the legal aspects of combating international terrorism.

(English version)

Question for written answer E-010560/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 November 2012)

Subject: VP/HR — Barbaric practice of the forced harvesting of organs from innocent Falun Gong practitioners in China

On 7 November 2011, in response to my parliamentary question relating to Falun Gong's struggle for basic human rights in China, the European External Action Service (EEAS) informed me that 'the EU is concerned that the extensive restrictions imposed upon members of the Falun Gong movement are incompatible with freedom of conscience as recognised under Article 18 of the Universal Declaration of Human Rights'. I was also informed that 'the EU has repeatedly raised its concerns with the Chinese authorities regarding reports of persistent intimidation, harassment, arbitrary imprisonment and torture of members of the Falun Gong movement'.

1. In light of this, and on behalf of many of my concerned London constituents, would the EU please continue to raise the issue of the treatment of Falun Gong practitioners at all appropriate opportunities with the Chinese authorities?

2. In doing so, can the EEAS specifically mention the recent allegations from overseas and domestic media and advocacy groups who report the barbaric practice of the forced harvesting of organs from innocent Falun Gong practitioners?

3. In responding, could the EEAS also please take account of the fact that these reports indicate that state institutions are heavily implicated in this horrific practice, and that organs are sometimes unwittingly sold to patients who make the highest bid.

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(9 January 2013)

As stated previously, the EU is concerned that the extensive restrictions imposed upon members of the Falun Gong movement are incompatible with freedom of conscience as recognised under Article 18 of the Universal Declaration of Human Rights.

In its contacts with the Chinese authorities, the EEAS will continue to raise the issue of the treatment of Falun Gong practitioners. The EEAS will also mention the practice of the forced removal of organs and the possible implication of state institutions involved in this practice.

(English version)

Question for written answer E-010561/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 November 2012)

Subject: VP/HR — Allegations of state-sponsored forced child labour in Uzbekistan's cotton industry

On 19 January 2012, in response to my parliamentary question relating to allegations of state-sponsored forced child labour (involving children as young as nine years old) in Uzbekistan's cotton industry, the European External Action Service (EEAS) informed me that 'the issue remains high on the EU's agenda in political dialogue with Uzbekistan', and that 'the EU will continue to urge Uzbekistan to comply fully with all provisions of the conventions on child labour and to closely cooperate with the International Labour Organisation (ILO) and Unicef on the matter'.

1. In response to this, and on behalf of many of my concerned London constituents, would the EEAS please continue to raise the unacceptable issue of state-sponsored forced child labour at all appropriate opportunities with the Uzbek authorities?

2. In responding, could the EEAS please comment specifically on the following:

— As referred to in the EEAS response, has there been an agreement to accept a high-level ILO monitoring mission in accordance with the conclusions of the ILO Committee on Application of Standards?

— What assistance and support, with a breakdown of financial figures, does the EU provide to agricultural reforms in Uzbekistan, particularly in the cotton sector, despite the acknowledged widespread persistence of child labour in this industry?

— Are EU agricultural reforms proving successful in reducing the number of children illegally working in the Uzbek cotton sector? Is so, could the EU please provide the number of children who still work in this sector relative to the start date of EU assistance and support?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(31 January 2013)

As the Honourable Member rightly points out, this issue remains high on the EU's agenda and the EU is making a serious effort to favour ILO-Uzbekistan rapprochement, notably by helping organise a seminar on ILO Conventions in Tashkent with the ILO (May 2012). This issue has also been raised at every opportunity, most recently during the EU-Uzbekistan Cooperation Committee of July 2012 and the dedicated Human Rights' dialogue in November 2012.

Although the ILO and Uzbekistan have not been able yet to agree on the modalities of a monitoring mission, the EU will continue to push for the resumption of cooperation between them, including on monitoring aspects.

As regards cooperation, the aim of the EU funded sustainable Rural Development programme is to develop income generation in the agro-food sector and promote the diversification of agriculture production. By diminishing reliance on cotton monoculture, this programme will also have a positive side-effect on forced labour in cotton fields. This EUR10 million programme, officially approved by Uzbekistan in August 2012, is now in its preparatory phase.

Estimates vary considerably as to the number of children employed during the cotton harvest. In 2012, the findings of the Unicef monitoring exercise clearly suggest that the school children (until 16 years old) have been seen only very exceptionally in the fields, while college students have continued to be mobilised.

(English version)

Question for written answer E-010562/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 November 2012)

Subject: VP/HR — Update on the safety of Balwant Singh Rajoana

On 31 May 2012 the European External Action Service (EEAS) informed me that 'the execution of Balwant Singh Rajoana, which had previously been scheduled for 31 March 2012, had been put on hold pending a decision on the mercy plea presented to the President of India by the Chief Minister of Punjab', and that the EEAS was 'following the case of Balwant Singh Rajoana very closely and is approaching the Indian Government on it'.

In light of these comments, and at the express request of some of my London constituents, could the EEAS please provide an update on the safety of Balwant Singh Rajoana, and the current state of affairs in relation to the outcome of the mercy plea presented to the President of India?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(9 January 2013)

The HR/VP shares the concern raised by of the Hon. Member regarding the case of Balwant Singh Rajoana. His execution for the assassination of former Punjab Chief Minister Beant Singh in 1995, pending since 2007 and scheduled for 31 March 2012 but was stayed after interventions by the Sikh community and the Punjab State Government. The Chief Minister of Punjab pleaded mercy for Singh Rajoana with the President of India, who transmitted it to the Union Home Ministry for recommendation. The matter is still pending with the Home Ministry.

The HR/VP continous to actively ensure that the EU's position of opposition to the death penalty under all circumstances is well known to the Indian Government. It has regular exchanges (the last of which in April) with the Government of India to support the continuation of the *de facto* moratorium on executions which was in place since 2004 and lasted eight years. The EU regularly reaffirms its position in the framework of the Human Rights Dialogue with the Indian authorities and in its statements related to the death penalty; the latest instance being the HR/VP's statement on 22 November following the breach in the de facto moratorium on executions on 21 November through the execution of Mohammed Ajmal Kasab, the sole surviving gunman in the 2008 Mumbai terror attacks.

(English version)

Question for written answer E-010563/12
to the Commission
Marina Yannakoudakis (ECR)
(19 November 2012)

Subject: Avoidable carbon monoxide deaths and injuries continue unabated

As the Commission no doubt knows, there is a lack of awareness about carbon monoxide (CO) poisoning that causes much unnecessary misery across the European Union. The highly toxic gas that is emitted when any carbonaceous fuel (gas, oil, coal, wood, etc.) is burned can cause deaths and injuries. Despite the measures that are currently in place, senseless and avoidable carbon monoxide deaths and injuries are continuing, unabated.

With this in mind, what measures has the Commission taken, or what measures will it take, to provide guidance, raise awareness and ensure the exchange of good practice across the Member States of the European Union with a view to helping to prevent unintentional deaths and injuries from CO poisoning and other gas-related dangers?

In answering could the Commission please take account of the need for the following points:

1. The non-binding recommendation that CO awareness be promoted in schools as an excellent means of raising awareness among the young of the different dangers, whether this be smouldering barbeques near to tents, or gas water heaters/boilers in homes, rented property, hotels or holiday flats.

2. Arrangements with governments and independent registered charities that seek to raise awareness about the dangers amongst the wider general public.

3. An increase in awareness among doctors and medics with regard to detecting the signs of CO exposure.

4. Collaborative voluntary agreements with industry that possibly incorporate safety features (such as CO detectors) into household appliances such as gas water heaters and boilers.

5. Improving safety standards and promoting compliance with them, through the need for more certified engineers who can correctly install and service appliances.

6. Support for the victims of CO poisoning and their families.

Answer given by Mr Borg on behalf of the Commission
(18 January 2013)

The Commission would like to refer the Honourable Member to its answers to written questions E-002018/2012 and E-000967/2011 ([1]) for points 1, 2, 3 and 6 of the present question.

It falls under the responsibility of Member States' authorities to regulate the installation of carbon monoxide detectors and to inform their citizens of the dangers of CO leaks e.g. from household appliances. Information campaigns exist in several Member States.

Regarding points 4 and 5, the Commission has started discussions with Member States about a possible future harmonised European standard for self-standing battery operated CO detectors which would foresee third party product certification. Such a standard would be expected to be delivered by CEN within an acceptable timeframe.

Where CO detectors do not provide the necessary level of safety, such as when they are not sensitive enough, Member State authorities notify their corrective action to the EU rapid alert system for dangerous products RAPEX. The relevant information is published on the web ([2]) and thus available to consumers.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html#sidesForm.
([2]) http://ec.europa.eu/consumers/safety/rapex/index_en.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010564/12
alla Commissione
Roberta Angelilli (PPE)
(19 novembre 2012)

Oggetto: Il caso di Marian Price

Marian Price è una cittadina dell'Irlanda del nord e leader di un movimento repubblicano. È stata tenuta in isolamento per nove mesi, senza essere accusata di alcun reato, nel carcere maschile di massima sicurezza di Maghaberry, dove altri detenuti hanno a lungo protestato contro le condizioni carcerarie umilianti.

Nel febbraio 2012 è stata trasferita al carcere femminile di Hydebank Wood, continua a essere tenuta in isolamento, nonostante il suo stato di salute preoccupante, causato dall'alimentazione forzata cui è stata sottoposta durante il suo primo periodo di reclusione nel 1980 dopo aver guidato uno sciopero della fame (in cui il suo peso era sceso a 30 chili), per protestare contro le condizioni di detenzione, allora imposte ai detenuti repubblicani. Per questo primo periodo di detenzione le era stato concesso un perdono reale, che però, a quanto pare si è smarrito.

Solo alla fine del mese di giugno — dopo quasi un anno — è stata trasferita a un'unità di sicurezza di un ospedale di Belfast, ma era ancora tenuta sotto sorveglianza da agenti di polizia penitenziaria.

Il protrarsi della detenzione di Marian Price, anche se in ospedale, è motivo di seria preoccupazione, dato che il suo stato di salute si è notevolmente deteriorato, a quanto pare a causa della mancanza di cure nel precedente periodo di ingiustificato isolamento in carcere.

Il caso di Marian Price è considerato dall'opinione pubblica un caso di «detenzione senza processo».

Può la Commissione pertanto far sapere:

1. se è a conoscenza di questa situazione?

2. alla luce di detto caso, quale seguito sta pianificando nel contesto del lavoro relativo al «Libro verde sull'applicazione della legislazione penale UE nel settore della detenzione»?

Risposta di Viviane Reding a nome della Commissione
(22 gennaio 2013)

La Commissione invita l'onorevole parlamentare a consultare le risposte fornite alle interrogazioni scritte E-2438/2012 dell'onorevole Stoyanov, E-6882/2012 dell'onorevole Childers, E-7035/2012 dell'onorevole Romero López, E-007488/2012 dell'onorevole Griesbeck ed E-009607/2012 dell'onorevole Particiello ([1]).

La Commissione è a conoscenza del caso di Marian Price. Le condizioni detentive sono però di competenza degli Stati membri, a loro volta vincolati alle norme internazionali definite in materia dal Consiglio d'Europa. Ciononostante, lo scorso anno la Commissione ha pubblicato un Libro verde sul rafforzamento della fiducia reciproca nel settore della detenzione ([2]). Sul sito della Commissione è possibile consultare la sintesi delle risposte fornite in merito ([3]), dalle quali emerge che, nonostante l'ampio consenso sui problemi relativi al ricorso eccessivo alla custodia cautelare, la maggior parte degli Stati membri non è favorevole a interventi legislativi particolarmente incisivi a livello dell'UE.

In base ai risultati del Libro verde, la Commissione intende concentrarsi sulla corretta attuazione degli strumenti di riconoscimento reciproco esistenti nel settore della detenzione ([4]) prima di elaborare nuove proposte legislative e pubblicherà, entro la metà del 2013, relazioni sull'attuazione delle tre decisioni quadro.

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

([2]) Libro verde: Rafforzare la fiducia reciproca nello spazio giudiziario europeo — Libro verde sull'applicazione della normativa dell'UE sulla giustizia penale nel settore della detenzione, COM/2011/0327 definitivo.

([3]) http://ec.europa.eu/justice/newsroom/criminal/opinion/110614_en.htm

([4]) Decisione quadro 2008/909/GAI del Consiglio, del 27 novembre 2008, relativa all'applicazione del principio del reciproco riconoscimento alle sentenze penali che irrogano pene detentive o misure privative della libertà personale, ai fini della loro esecuzione nell'Unione europea, GU L 327 del 5.12.2008, pag. 27; decisione quadro 2008/947/GAI del Consiglio, del 27 novembre 2008, relativa all'applicazione del principio del reciproco riconoscimento alle sentenze e alle decisioni di sospensione condizionale in vista della sorveglianza delle misure di sospensione condizionale e delle sanzioni sostitutive, GU L 337 del 16.12.2008, pag. 102; decisione quadro 2009/829/GAI del Consiglio, del 23 ottobre 2009, sull'applicazione tra gli Stati membri dell'Unione europea del principio del reciproco riconoscimento alle decisioni sulle misure alternative alla detenzione cautelare, GU L 294 dell'11.11.2009, pag. 20.

(English version)

Question for written answer E-010564/12
to the Commission
Roberta Angelilli (PPE)
(19 November 2012)

Subject: The case of Marian Price

Marian Price is a citizen of Northern Ireland and leader of a republican movement. She was held in solitary confinement for nine months, without being charged with any offence, in the male maximum security prison of Maghaberry, where other prisoners had long been protesting about the humiliating prison conditions.

In February 2012 she was transferred to the Hydebank Wood women's prison, continuing to be held in solitary confinement despite being in poor health as a result of the force feeding she had undergone during her first term of imprisonment in the 1980s, after she had led a hunger strike (when her weight dropped to 30 kilos) in protest at the prison conditions then being imposed on republican prisoners. In respect of that first term of imprisonment, she was granted a royal pardon which, however, apparently 'got lost'.

Only at the end of June — after nearly a year — was she transferred to a secure unit of a Belfast hospital, but she was still kept under surveillance by prison officers.

The continued detention of Marian Price, albeit in hospital, is a cause for serious concern, given that her state of health has deteriorated considerably, apparently due to the lack of care during her previous period of unjustified solitary confinement in prison.

The case of Marian Price is being regarded by the public as imprisonment without trial.

Can the Commission therefore say:

1. Whether it is aware of this situation?

2. What follow-up it is planning, in the light of this case, in the context of work related to the 'Green Paper on the application of EU criminal justice legislation in the field of detention'?

Answer given by Mrs Reding on behalf of the Commission
(22 January 2013)

The Commission would refer the Honourable Member to the answers to the Written Questions E-2438/2012 by Mr Stoyanov, E-6882/2012 by Ms Childers, E-7035/2012 by Ms Romero López, E-007488/2012 by Ms Griesbeck and E-009607/2012 by Mr Particiello ([1]).

The Commission is aware of the case of Marian Price. However, detention conditions come under the competence of Member States who are bound by the existing Council of Europe standards on the matter. Nevertheless, last year the Commission published a Green Paper on strengthening mutual trust in the field of detention ([2]). A summary of the replies has been published on the website ([3]). It follows from these replies that although there is a broad consensus on the problems related to excessive pre-trial detention, most Member States however do not support strong legislative intervention at EU level.

Based on the outcome of the Green Paper, the Commission intends to focus on the proper implementation of the existing mutual recognition instruments adopted in the field of detention ([4]) before developing any new legislative proposals and will publish implementation reports on the three Framework Decisions by mid-2013.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

([2]) Green Paper Strengthening mutual trust in the European judicial area — A Green Paper on the application of EU criminal justice legislation in the field of detention, COM/2011/0327 final .

([3]) http://ec.europa.eu/justice/newsroom/criminal/opinion/110614_en.htm

([4]) The framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, OJ 5.12.2008, L 327/27, the framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions, OJ 16.12.2008, L 337/102, and the framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention, OJ 11.11.2009, L 294/20.

(English version)

Question for written answer E-010565/12
to the Commission
Mairead McGuinness (PPE)
(19 November 2012)

Subject: The '*de minimis*' measure under the Rural Development Programme

1. Can the Commission clarify what the '*de minimis*' measure is in relation to the state aid limit of EUR 200 000 for a rolling three-year period as part of the Rural Development Programme, and what the purpose of this measure is?

2. Can the Commission clarify whether an applicant can be exempted from the '*de minimis*' measure in order to apply for further funding under the programme?

3. Is the Commission currently reviewing or considering a future review of this measure that might allow an applicant to apply for further funding within the same period?

Answer given by Mr Cioloş on behalf of the Commission
(14 January 2013)

De minimis aid is small aid deemed not to affect trade between Member States, as referred to in Article 107(1) TFEU, and is therefore not regarded as state aid within the meaning of that article. Such aid is exempted from the notification requirement provided for in Article 108(3) TFEU. *De minimis* aid for the industrial sector in general as well as for processing and marketing of agricultural products is aid of no more than EUR 200 000 per undertaking granted over three fiscal years ([1]). For the production of agricultural goods however, a lower threshold of EUR 7 500 per undertaking over three fiscal years is applicable ([2]).

Aid granted above this ceiling is classified as state aid and must receive a state aid clearance on the basis of a notification in accordance with Article 108(3) TFEU or an exemption from notification under an exemption Regulation, before the measure is implemented.

As for aid granted within the Rural Development Programmes (RDP), aid to the production of and trade in agricultural products does not need state aid clearance due to the specific position given to agricultural products ([3]) in Article 42 TFEU. Aid to other sectors within the RDP must have a state aid clearance. The simplest way for the Member States to receive such state aid clearance is to keep the aid below EUR 200 000 per undertaking over three fiscal years and refer to Regulation 1998/2006.

If a Member State would like to give aid in excess of EUR 200 000 the aid must receive a state aid clearance as mentioned in paragraph 2 above.

The Commission is currently reviewing several of its state aid rules as many of them are set to expire before the end of 2013. This review also includes the *de minimis* Regulation. A public consultation on the *de minimis* Regulation took place earlier in 2012.

([1]) Regulation (EC) 1998/2006, OJ L 379, 28.12.2006, p. 5.
([2]) Regulation (EC) 1535/2007, OJ L 337, 21.12.2007, p. 35.
([3]) Agricultural products are those products listed in Annex I to the Treaty.

(Svensk version)

Frågor för skriftligt besvarande P-010566/12
till kommissionen
Carl Schlyter (Verts/ALE)
(20 november 2012)

Angående: Batteridirektivet och byte av batterier

Enligt artikel 11 i batteridirektivet (2006/66/EG) framgår det att batterier ska vara lätta att ta ut. Jag minns förhandlingarna om denna text och syftet var att underlätta återvinning, men även där är det möjligt att förlänga livstiden för produkter. I EU 2020 ingår en resurseffektiv ekonomi där man inte i onödan ska slänga saker. På senare tid har skrivplattor / ”tablets” blivit mycket vanliga men många av dem når ej målen med lätt utbytbara batterier. Man kan knappast hävda att kravet på dataintegritet gäller, då flashminnen inte tappar lagrad data vid strömbrist.

Vill också påminna om min tidigare fråga om kapacitetsmärkning som utlovats till juni 2012, hur går det med detta?

Vad avser kommissionen vidta för åtgärder för att förhindra produkter som ej följer direktivet?

Svar från Janez Potočnik på kommissionens vägnar
(16 januari 2013)

Enligt artikel 11 i direktiv 2006/66/EG ([1]) om batterier och ackumulatorer och förbrukade batterier och ackumulatorer är det viktigt att ”tillverkare utformar apparater på ett sådant sätt att förbrukade batterier och ackumulatorer lätt kan avlägsnas”. Denna skyldighet har blivit föremål för olika tolkningar, i synnerhet när det gäller vilka aktörer (slutanvändare, servicecentraler för apparater, anläggningar för avfallshantering osv.) den riktar sig till. Mot bakgrund av detta uppmanade kommissionen medlemsstaterna i kommittén för teknisk anpassning om batterier vid ett möte som hölls den 5 november 2012 att lämna ytterligare upplysningar om tillämpningen av artikel 11 inom deras jurisdiktioner och om planerna på att uppdatera de dokument med de vanligaste frågorna om direktiv 2006/66/EG för att visa hur artikel 11 tolkas.

Med tanke på att det är tekniskt komplicerat att utforma ett enhetlig och meningsfull etikett för bärbara icke-laddningsbara batterier och ackumulatorer gav kommissionen mandat till Cenelec ([2]) för att undersöka möjligheten att inrätta en standardiserad kapacitetsetikett. På grundval av denna genomförbarhetsstudie, vars slutversion kommer att överlämnas till kommissionen i februari 2013, kommer kommissionen att fatta beslut om hur den ska föra ärendet vidare.

([1]) EUT L 266, 26.9.2006.

([2]) Europeiska kommittén för elektroteknisk standardisering.

(English version)

Question for written answer P-010566/12
to the Commission
Carl Schlyter (Verts/ALE)
(20 November 2012)

Subject: Batteries Directive and changing batteries

It states in Article 11 of the Batteries Directive (2006/66/EC) that batteries should be easy to remove. I remember the negotiations on this text and the aim was to facilitate recycling, but even in that case it is possible to extend a product's life. EU 2020 includes a resource-efficient economy where nothing is thrown away unnecessarily. Since then, tablets have become very common but many of them do not meet the objective of batteries that can be changed easily. One can hardly assert that there is a need for data integrity if the flash memory cannot access stored data because there is no power.

I would also like to draw attention to my earlier question on capacity labelling, where a study was promised for June 2012. What is happening on that?

What does the Commission intend to do, to put a stop to products that do not comply with the directive?

Answer given by Mr Potočnik on behalf of the Commission
(16 January 2013)

Article 11 of Directive 2006/66/EC ([1]) on batteries and accumulators and waste batteries and accumulators provides that 'manufacturers design appliances in such a way that batteries and accumulators can be readily removed'. This obligation has been subject to different interpretations, notably with respect to which actors (end users, appliances service centers, waste treatment facilities etc) it is addressed. In view of this the Commission asked Member States at the Technical Adaptation Committee on Batteries held on 5 November 2012 for further information on the application of Article 11 in their jurisdictions and also plans to update the Frequently Asked Questions document on Directive 2006/66/EC to reflect its interpretation of Article 11.

Given the high technical complexity to design a single and meaningful label for portable non-rechargeable batteries and accumulators, the Commission issued a mandate to CENELEC ([2]) to study the feasibility of establishing a standardised capacity label. On the basis of this feasibility study, the final version of which will be submitted to the Commission in February 2013, the Commission will take a decision on how to take this matter forward.

([1]) OJ L 266, 26.9.2006.
([2]) European Committee for Electrotechnical Standardisation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010567/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(20 de noviembre de 2012)

Asunto: Tarjeta europea de estacionamiento para personas con discapacidad

Los países que integran la Unión Europea pusieron en marcha desde el 1 de enero de 2000 la tarjeta europea de estacionamiento para personas con discapacidad, destinada a que este distintivo sea válido y reconocido en todo el territorio europeo. Este gran avance en materia de movilidad para las personas discapacitadas se completa con una ficha técnica elaborada por la Comisión Europea que resume las condiciones de utilización de la tarjeta en los Estados miembros para facilitar a los titulares el uso de la misma en todo el territorio de la Unión. Los indudables beneficios que han aportado estas decisiones podrían fortalecerse si el mismo nivel de estandarización se aplicase a las condiciones de concesión de las tarjetas.

En efecto, a la vista de que la definición de discapacidad y los procedimientos de atribución de las tarjetas son competencia de cada uno de los Estados miembros para su territorio, el reconocimiento europeo del distintivo de estacionamiento no es consecuente con la dispersión de las condiciones para la concesión del mismo. En la recomendación del Consejo (98/376/CE) se incluye en el apartado 3 una recomendación genérica que señala que se concederán las tarjetas de estacionamiento «a las personas cuya discapacidad les origine una movilidad reducida» pero no se profundiza en otros detalles sobre niveles de limitación de movilidad mínimos u otros aspectos vinculados a la concesión de las tarjetas, como titularidad o grado de adaptación de los vehículos que puedan utilizarlas, etc. El resultado es que un distintivo válido para todo el continente tiene unas condiciones de concesión muy variables en cada uno de los Estados de la Unión. A la vista de estos hechos:

1. ¿Dispone la Comisión de estadísticas sobre el número de tarjetas europeas de estacionamiento en vigor en este momento en el territorio europeo?

2. ¿Existen datos que permitan determinar qué Estados de la Unión conceden más tarjetas en relación con su población e índice de discapacidad?

3. ¿Hay algún estudio comparado sobre las condiciones de concesión de tarjetas en el seno de la Unión Europea? Si existe, ¿podría afirmarse que es una tendencia mayoritaria asociar la concesión de la tarjeta no solo a la discapacidad del titular sino a la titularidad del vehículo y condiciones de adaptación de este?

4. ¿Se ha planteado la Comisión proponer alguna otra recomendación en torno a las normas de concesión de estas tarjetas europeas de estacionamiento?

Respuesta de la Sra. Reding en nombre de la Comisión
(25 de enero de 2013)

La Recomendación 98/376/CE ([1]) del Consejo que introduce en la EU el modelo uniforme de tarjeta de estacionamiento para personas con discapacidad se basa en el principio de reconocimiento mutuo. En virtud de este principio, la concesión de las tarjetas de estacionamiento es competencia de las administraciones nacionales y locales, que son las que deciden las condiciones aplicables y las normas de concesión de dichas tarjetas, lo que incluye si la concesión de la tarjeta se asocia a una persona o a un vehículo. La Comisión no recopila datos sistemáticamente sobre la concesión de tarjetas de estacionamiento para personas con discapacidad en los Estados miembros, ni ha encargado estudio alguno sobre este asunto. No obstante, el Grupo de alto nivel en materia de discapacidad, constituido por expertos nacionales en la materia, analiza regularmente los asuntos generales que afectan a las tarjetas de estacionamiento para personas con discapacidad.

Por el momento la Comisión no se plantea proponer una mayor armonización de las tarjetas de estacionamiento para personas con discapacidad.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31998H0376:es:HTML.

(English version)

Question for written answer E-010567/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(20 November 2012)

Subject: European parking card for disabled people

Since 1 January 2000 the European Union Member States have operated the European parking card for disabled people, which is intended to be valid and recognised throughout Europe. This great advance in mobility for disabled people is supported by a technical brochure drawn up by the European Commission which gives an overview of the conditions of use of the card in the Member States in order to make it easier for holders to use it throughout the European Union. The unquestionable benefits which these decisions have brought could be reinforced if the same level of standardisation were applied to the conditions for granting the cards.

The fact is that the Member States use their own definitions of disability and define the procedures for granting the card on their own territory, so the uniform recognition of the parking card across Europe is not matched by the range of conditions on which it is granted. Paragraph 3 of the Council Recommendation (98/376/EC) includes a general recommendation indicating that parking cards will be granted 'to people whose disability leads to reduced mobility' but goes into no further detail on minimum levels of limitation of mobility or other aspects linked to the granting of the cards, such as ownership or the degree of adaptation of the vehicles which may be used, etc. The result is that a card that is valid across the continent is granted on very variable conditions in each of the Member States. In the light of these facts:

1. Has the Commission statistics on the number of European parking cards in use on European territory at present?

2. Are there any data by which it can be determined which Member States grant more cards in relation to their populations and disability indexes?

3. Has there been any comparative study of the conditions for granting cards within the European Union? If so, could it be said that the predominant tendency is towards associating the granting of the card not only to the owner's disability but to the ownership of the vehicle and how it is adapted?

4. Has the Commission considered proposing any other recommendation concerning the rules for the granting of these European parking cards?

Answer given by Mrs Reding on behalf of the Commission
(25 January 2013)

The Council Recommendation 98/376/EC ([1]) introducing the standard EU model is based on the principle of mutual recognition. Under this principle, issuing the parking cards is in the competence of national and local authorities. They decide the rules of eligibility and issuance of Parking Cards, including whether the Cards are linked to a person or to a vehicle. The Commission does not systematically gather data on issuance of disability parking cards in the Member States, neither has it commissioned any studies on the subject. However, general issues concerning disability parking cards are regularly discussed in the High Level Group on Disability, which is a platform of national disability experts.

The Commission is not at this moment actively considering further harmonisation of the disability parking cards.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31998H0376:en:HTML.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010568/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(20 Νοεμβρίου 2012)

Θέμα: Αφορολόγητο όριο ατομικού εισοδήματος στην Ευρωζώνη και την «Ευρώπη των 27»

Το αφορολόγητο όριο είναι ένα βασικό μέτρο κοινωνικής αλληλεγγύης και προστασίας των εισοδηματικά ασθενέστερων ομάδων, καθώς περιορίζει τη «συνεισφορά» τους στα δημόσια έσοδα μόνο μέσω της έμμεσης φορολογίας. Η θεσμοθέτηση του βασίστηκε στην αποτροπή της οριστικής οικονομικής εξουθένωσης για τους πολίτες που -σύμφωνα με τα εισοδήματά τους- αδυνατούν να καλύψουν τις στοιχειώδεις ανάγκες τους. Στο πλαίσιο των προτεινόμενων πολιτικών δημοσιονομικής εξυγίανσης παρατηρούμε μια συνεχή τάση μείωσης ή ακόμα και κατάργησης του αφορολόγητου ορίου. Με δεδομένο το διακηρυγμένο στόχο της ΕΕ για ενίσχυση της προστασίας των Ευρωπαίων πολιτών από τη φτώχεια και τον κοινωνικό αποκλεισμό, ερωτάται η Επιτροπή:

1. Πώς τοποθετείται απέναντι στη αναγκαιότητα διατήρησης του αφορολογήτου ορίου στα κράτη μέλη, ως μέσο στήριξης των οικονομικά ασθενέστερων ομάδων;

2. Αν υποστηρίζει τη διατήρησή του, τότε η θέση αυτή θα αποτυπωθεί και ως πρόταση από τους εκπροσώπους της στην Τρόικα, ενόψει της κατάρτισης του νέου φορολογικού νομοσχεδίου στην Ελλάδα;

3. Ποιό είναι το ύψος του αφορολογήτου ορίου που ισχύει στα κράτη μέλη της Ευρωζώνης και της «Ευρώπης των 27» και ποιά η σχέση του με το εκάστοτε εθνικό όριο φτώχειας;

Απάντηση του κ. Šemeta εξ ονόματος της Επιτροπής
(17 Ιανουαρίου 2013)

1-2) Δεν υφίσταται ενωσιακή νομοθεσία για το συγκεκριμένο θέμα, και ως εκ τούτου το εφαρμοζόμενο κατώτατο όριο καθορίζεται μεμονωμένα από κάθε κράτος μέλος.

Γενικά, ωστόσο, και σύμφωνα με τους στόχους της καταπολέμησης της φτώχειας και του κοινωνικού αποκλεισμού, αλλά και της προαγωγής της κοινωνικής δικαιοσύνης, της οικονομικής, κοινωνικής και εδαφικής συνοχής και της αλληλεγγύης μεταξύ των κρατών ([1]), η Επιτροπή στηρίζει, όσον αφορά τη φορολογία των φυσικών προσώπων, προσεγγίσεις που διασφαλίζουν δίκαιη αναδιανομή του εισοδήματος, προσαρμοσμένες στις ειδικές περιστάσεις εκάστου κράτους μέλους. Ενθαρρύνει τη χρήση φορολογικών βάσεων οι οποίες είναι λιγότερο επιζήμιες για την ανάπτυξη και τη δημιουργία απασχόλησης.

3) Πληροφορίες για τα υφιστάμενα όρια διατίθενται στη βάση δεδομένων Taxes in Europe Database, η οποία είναι προσβάσιμη μέσω του διαδικτύου στη διεύθυνση ([2]).

([1]) COM(2012)750 τελικό: Ανακοίνωση της Επιτροπής με τίτλο «Ετήσια Επισκόπηση της Ανάπτυξης 2013» http://ec.europa.eu/europe2020/pdf/ags2013_en.pdf

([2]) http://ec.europa.eu/taxation_customs/taxation/gen_info/info_docs/tax_inventory/index_en.htm.

(English version)

Question for written answer E-010568/12
to the Commission
Konstantinos Poupakis (PPE)
(20 November 2012)

Subject: Tax-free threshold for personal income in the Eurozone and EU-27

The tax-free threshold is a basic measure of social solidarity and protection for lower-income groups, since it limits their 'contribution' to public revenue only through indirect taxation. The adoption of this measure was intended to prevent the financial ruin of citizens who — according to their incomes — are unable to meet their basic needs. Under the proposed fiscal consolidation policies, a continuing trend can be discerned towards reducing or even abolishing the tax-free threshold. Given the declared intention of the EU to give European citizens greater protection from poverty and social exclusion, will the Commission say:

1. What is its position on the need to maintain the tax-free threshold in Member States as a means of supporting lower-income groups?

2. If it supports the maintenance of this measure, will this position also be reflected in a proposal by its representatives in the Troika, ahead of the drafting of the new tax legislation in Greece?

3. What is the tax-free threshold applicable in the Eurozone Member States and EU-27 and how does it relate to the national poverty threshold in each case?

Answer given by Mr Šemeta on behalf of the Commission
(17 January 2013)

1-2. No EU legislation exists in the matter, so that the applicable threshold is determined individually by each Member State.

Generally speaking, however, and in line with the aims of combating poverty and social exclusion and of promoting social justice, economic, social and territorial cohesion and solidarity among Member States ([1]), the Commission supports, in regard to personal taxes, approaches that ensure equitable redistribution, adapted to individual Member States' circumstances. It encourages the use of tax bases that are the less detrimental to growth and job creation.

3. Information on the existing thresholds can be found in Taxes in Europe Database which is accessible online ([2]).

([1]) COM(2012) 750 final: Communication from the Commission 'Annual Growth Survey 2013', http://ec.europa.eu/europe2020/pdf/ags2013_en.pdf
([2]) http://ec.europa.eu/taxation_customs/taxation/gen_info/info_docs/tax_inventory/index_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010569/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(20 Νοεμβρίου 2012)

Θέμα: Σοβαρά προβλήματα στις μετακινήσεις των μαθητών στα πρωτοβάθμια και δευτεροβάθμια σχολεία της Ελλάδας

Κατόπιν των πρόσφατων συγχωνεύσεων σχολείων στην Ελλάδα παρατηρούνται έντονες δυσλειτουργίες και σημαντικές αδυναμίες των μαθητών — κυρίως της περιφέρειας — όσον αφορά την καθημερινή προσέλευσή τους στις σχολικές μονάδες με συνέπεια είτε την απώλεια μαθημάτων που θέτει σε μεγάλο κίνδυνο την επιτυχία της εκπαιδευτικής διαδικασίας, είτε ακόμη και την απειλή διακοπής της φοίτησης των παιδιών αυτών. Ταυτόχρονα εγείρονται σοβαρά ζητήματα για την ασφάλεια της μεταφοράς των παιδιών, καθώς πολλές από τις μετακινήσεις πραγματοποιούνται με ΙΧ αυτοκίνητα χωρίς να διασφαλίζεται η τήρηση των απαραίτητων προδιαγραφών ασφαλείας. Σε πολλές περιπτώσεις, μάλιστα, εντοπίζεται η οικονομική και πραγματική αδυναμία των γονέων να ανταποκριθούν στην καθημερινή μετακίνηση των παιδιών τους — λόγω εισοδηματικής στενότητας ή έλλειψης απαραίτητου χρόνου — αφενός όταν πρόκειται για μεγάλες αποστάσεις και αφετέρου όταν οι μαθητές καλούνται να καλύψουν οι ίδιοι τη δαπάνη του εισιτηρίου για τη μεταφορά τους. Ιδιαίτερα προβλήματα προκύπτουν για τα άτομα με αναπηρία και την πρόσβασή τους στις σχολικές μονάδες ειδικής αγωγής. Σε αυτό το πλαίσιο και με δεδομένη την ευρωπαϊκή στόχευση τόσο για την καταπολέμηση της σχολικής διαρροής, όσο και για την περιφρούρηση του καθολικού δικαιώματος στην εκπαίδευση, ερωτάται η Επιτροπή:

1. Προτίθεται να προχωρήσει σε συστάσεις ώστε να διασφαλιστεί το αναφαίρετο δικαίωμα στην εκπαίδευση;

2. Υπάρχουν διαθέσιμα κονδύλια από τα Ευρωπαϊκά Διαρθρωτικά Ταμεία που μπορούν να διατεθούν για την επαρκή κάλυψη των δαπανών μετακίνησης των μαθητών στις σχολικές μονάδες;

3. Πώς αξιολογεί την υιοθέτηση της επιχορήγησης κατά 100% των μαθητικών εισιτηρίων αποκλειστικά για τις διαδρομές από και προς τη σχολική μονάδα;

4. Υπάρχουν βέλτιστες πρακτικές επίλυσης του συγκεκριμένου ζητήματος από κράτη μέλη; Αν ναι, προτίθεται να προωθήσει τη σχετική ανταλλαγή απόψεων;

5. Ποιο είναι το πλαίσιο διασφάλισης της μετακίνησης που ισχύει στα κράτη μέλη για τους μαθητές των υπερτοπικών σχολείων (π.χ. μουσικά, καλλιτεχνικά, επαγγελματικές σχολές);

Απάντηση της κ. Βασιλείου εξ ονόματος της Επιτροπής
(18 Ιανουαρίου 2013)

Ο κ. βουλευτής γνωρίζει ότι σύμφωνα με το άρθρο 165 της Συνθήκης για τη λειτουργία της Ευρωπαϊκής Ένωσης, το περιεχόμενο και η οργάνωση των συστημάτων εκπαίδευσης και κατάρτισης είναι αποκλειστική ευθύνη των κρατών μελών. Τα ίδια τα κράτη μέλη αποφασίζουν για τους κανόνες που διέπουν την οικονομική υποστήριξη στα σχολεία και τους μαθητές.

Ο ρόλος της Επιτροπής αφορά την υποστήριξη των δράσεων των κρατών μελών, μέσω χρηματοδοτικών προγραμμάτων, όπως το πρόγραμμα εκπαίδευσης και διά βίου μάθησης, καθώς και μέσω εθελοντικών πολιτικών ανταλλαγής για ζητήματα κοινού ενδιαφέροντος. Το πρόβλημα του κόστους μεταφοράς από και προς το σχολείο δεν έχει προκύψει ως κοινή πρόκληση στο πλαίσιο των εν λόγω πολιτικών ανταλλαγής· συνεπώς, η Επιτροπή δεν έχει δρομολογήσει ένα συγκεκριμένο πρόγραμμα ή δράση και ούτε σκοπεύει να προτείνει στα κράτη μέλη συστάσεις για αυτό το θέμα.

(English version)

Question for written answer E-010569/12
to the Commission
Konstantinos Poupakis (PPE)
(20 November 2012)

Subject: Serious travel problems for primary and secondary school pupils in Greece

Following recent mergers between schools in Greece, pupils — especially in the provinces — face serious shortcomings and considerable difficulty travelling to school every day and, as a result, miss classes, thereby either seriously jeopardising the success of the education process or putting themselves at risk of leaving school altogether. At the same time, serious questions are being asked about the safety of children travelling to and from school, as private cars used for the school run do not guarantee compliance with the necessary safety specifications. In fact, it is often financially and practically impossible for parents to make arrangements for their children's daily travel to and from school, because they have neither the time nor the money, especially where long distances are involved or where pupils have to pay their travel costs themselves. Disabled persons face particular problems, including access to special-needs schools. This being so and given European targets both in terms of reducing school drop-out rates and protecting the universal right to education, will the Commission say:

1. Does it intend to table recommendations to safeguard the inalienable right to education?

2. Do the European Structural Funds have money available that could be used to cover the cost of pupils' travel to and from school.

3. What does it think about a 100% grant towards pupils' travel costs to and from school?

4. Are there any best practices for resolving this particular issue in the Member States? If so, does it intend to support an exchange of views on the matter?

5. What is the framework for travel arrangements in the Member States for pupils attending non-local schools (e.g. music conservatories, art schools, vocational schools)?

Answer given by Ms Vassiliou on behalf of the Commission
(18 January 2013)

The Honourable Member will be aware that in accordance with Article 165 of the Treaty on the Functioning of the European Union, the responsibility for the content and organisation of education and training systems rests entirely with Member States. Member States themselves decide on the rules for the financial support to schools and pupils.

The Commission's role is to support the actions of Member States, through funding programmes such as the Life Long Learning Programme and through voluntary policy exchanges about issues of common interest. The issue of the cost of transport to and from school has not been raised as a shared challenge within these policy exchanges; accordingly the Commission does not have a specific programme or action nor would it propose to table recommendations to Member States on this issue.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010570/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(20 Νοεμβρίου 2012)

Θέμα: Σημαντική μείωση του μέσου επιπέδου θέρμανσης στην Ελλάδα. Κίνδυνος «ενεργειακής φτώχειας» για τα μεσαία και χαμηλά εισοδήματα

Σύμφωνα με έρευνα 5 Ελληνικών Πανεπιστημίων (Πανεπιστήμια Αθηνών, Πειραιώς & Δυτικής Ελλάδας, Πολυτεχνεία Κρήτης & Θεσσαλονίκης) σε συνεργασία με το Εθνικό Αστεροσκοπείο Αθηνών για τον τρόπο με τον οποίο αντιμετώπισαν τα ελληνικά νοικοκυριά τις ανάγκες θέρμανσης του περσινού χειμώνα (ο πιο βαρύς των τελευταίων 50 ετών στην Ελλάδα) προκύπτει πραγματική μέση μείωση ενεργειακής κατανάλωσης για θέρμανση, άρα μέση μείωση του επιπέδου θέρμανσης των κατοικιών, κατά 35%. Πιο συγκεκριμένα, για τα χαμηλά εισοδήματα (βάσει έρευνας έως 10 000 ευρώ ετησίως), καθώς και στα μεσαία (βάσει έρευνας: 20-30 000 ευρώ ετησίως) οι μειώσεις ήταν 42,5% και 21% αντίστοιχα, ενώ για πρώτη φορά καταγράφεται ένα ποσοστό 3% των νοικοκυριών που δεν χρησιμοποίησε κανένα σύστημα θέρμανσης ολόκληρο το χρόνο. Ένα από τα βασικότερα συμπεράσματα της εν λόγω έρευνας είναι η διαμόρφωση μιας ευθείας σχέσης μεταξύ μείωσης εισοδήματος και μείωσης κατανάλωσης ενέργειας για θέρμανση. Η οξεία οικονομική κρίση που πλήττει την Ελλάδα και η επακόλουθη ραγδαία μείωση των εισοδημάτων οδηγούν ένα μεγάλο μέρος του πληθυσμού — και μάλιστα με έντονους ρυθμούς — σε «ενεργειακή φτώχεια», με ιδιαίτερα επώδυνες επιπτώσεις για τη ζωή ή ακόμη και την υγεία των πολιτών. Σε αυτό το πλαίσιο ερωτάται η Επιτροπή:

1. Διαθέτει αντίστοιχες έρευνες ή σταθμισμένα στατιστικά στοιχεία για τη διακύμανση της κατανάλωσης ενέργειας για θέρμανση στα κράτη μέλη την περίοδο της οικονομικής κρίσης;

2. Πώς αξιολογεί τον κίνδυνο εξάπλωσης της «ενεργειακής φτώχειας» ως συνέπεια της οικονομικής κρίσης και τις δυσμενείς επιπτώσεις της στη διαβίωση των ευρωπαίων πολιτών;

3. Με δεδομένη και τη συμμετοχή της στην Τρόικα, θα συμφωνούσε ή θα πρότεινε φορολογικά μέτρα για την αποκλιμάκωση της τιμής πώλησης του πετρελαίου θέρμανσης;

4. Υπάρχουν διαθέσιμα κονδύλια από τα Ευρωπαϊκά Διαρθρωτικά Ταμεία που θα μπορούσαν να χρησιμοποιηθούν για την περαιτέρω επιδότηση της θέρμανσης των ευπαθών κοινωνικά ομάδων;

5. Ποιά είναι τα ποσοστά απορροφητικότητας της Ελλάδας και των άλλων κρατών-μελών στα προγράμματα ενεργειακής αναβάθμισης κτιρίων, που θα μπορούσαν να περιορίσουν το κόστος θέρμανσης των νοικοκυριών παράγοντας θετικά αποτελέσματα στην προστασία του περιβάλλοντος;

Απάντηση του κ. Oettinger εξ ονόματος της Επιτροπής
(28 Ιανουαρίου 2013)

1. Η Επιτροπή δεν γνωρίζει μελέτη ή μελέτες παρόμοιες με εκείνες που αναφέρονται στην ερώτηση του Αξιότιμου μέλους σε σχέση με τη κατάσταση σε άλλο(α) κράτος(η) μέλος(η).

2. Το πρόβλημα της «ενεργειακής φτώχειας» υφίσταται, σε διαφορετικούς βαθμούς, σε όλα τα κράτη μέλη ([1]). Η Επιτροπή διερευνά την ενεργειακή τρωτότητα των καταναλωτών και τα αίτιά της, μεταξύ άλλων, στο πλαίσιο δεικτών αυξημένης ενεργειακής φτώχειας σε ορισμένα κράτη μέλη ([2]).

3. Η σταδιακή κατάργηση του φορολογικού πλεονεκτήματος είναι ένα από τα μέτρα που περιλαμβάνονται στην απόφαση 200/734/ΕΕ του Συμβουλίου. Η Επιτροπή αξιολογεί τα υφιστάμενα φορολογικά μέτρα τόσο σε όρους δημοσιονομικής εξυγίανσης και κοινωνικού αντίκτυπου. Προτάσεις για νέα φορολογικά μέτρα μπορούν να υποβληθούν μόνο στο πλαίσιο του ελληνικού προγράμματος οικονομικής προσαρμογής, μετά από συνεννόηση με τις ελληνικές αρχές.

4. Στόχος των διαρθρωτικών ταμείων είναι η ενίσχυση της οικονομικής, κοινωνικής και εδαφικής συνοχής με τη μείωση των ανισοτήτων στα επίπεδα ανάπτυξης μεταξύ των διαφόρων περιοχών και των κρατών μελών. Στο πλαίσιο αυτό, μπορούν να στηριχθούν πολιτικές στους τομείς της ενεργειακής απόδοσης και των ανανεώσιμων πηγών ενέργειας, γεγονός το οποίο θα συμβάλει σε ένα βιώσιμο ενεργειακό μέλλον.

([1]) Έγγραφο εργασίας των υπηρεσιών της Επιτροπής SEC(2010)1407 τελικό.
([2]) Το έργο αυτό διεξάγεται κυρίως στο πλαίσιο του Ενεργειακού Φόρουμ Πολιτών το οποίο οργανώνεται από την Επιτροπή σε ετήσια βάση.

5. Η Ελλάδα έχει αναφέρει την ύπαρξη ενός ειδικού προγράμματος για την βελτίωση της ενεργειακής απόδοσης των κτιρίων, με την ονομασία «ΕΞΟΙΚΟΝΟΜΩ ΚΑΤ' ΟΙΚΟΝ» και με τη στήριξη του Ευρωπαϊκού Ταμείου Περιφερειακής Ανάπτυξης. Ωστόσο, οι εκταμιεύσεις από το ταμείο έχουν σταματήσει λόγω της οικονομικής κατάστασης στην Ελλάδα. Επί του παρόντος, η Επιτροπή συνεργάζεται με τις ελληνικές αρχές προκειμένου να βελτιωθεί η απορροφητικότητα των κονδυλίων από το εν λόγω ταμείο. Σε ορισμένα άλλα κράτη μέλη, τα ποσοστά απορροφητικότητας ήταν ιδιαίτερα υψηλά.

(English version)

Question for written answer E-010570/12
to the Commission
Konstantinos Poupakis (PPE)
(20 November 2012)

Subject: Considerable reduction in heating levels in Greece — risk of 'fuel poverty' for mid- to low-income families

According to a survey conducted by five universities and polytechnics in Greece (Athens, Piraeus, Western Greece, Crete and Thessaloniki), in collaboration with the National Observatory of Athens, into how Greek households met their heating needs last winter (which was the coldest on record in Greece for 50 years), there appears to have been an actual mean reduction in energy consumption for heating, with average heating levels in homes falling by 35%. More specifically, low-income families (earning up to EUR 10 000 per annum according to the survey) and mid-income families (earning EUR 20 000 to 30 000 per annum according to the survey) reported reductions of 42.5% and 21% respectively and, for the first time, 3% of households reported that they used no form of heating at any time during the year. One of the most basic findings of the survey in question was the direct correlation between a reduction in income and a reduction in energy consumption for heating. The acute economic crisis gripping Greece and the resultant plummeting incomes are rapidly pushing a large section of the population into 'fuel poverty' and this is having painful consequences on the lives and health of its citizens. In light of this, will the Commission say:

1. Does it have similar survey results or weighted statistics on fluctuations in energy consumption for heating in the Member States during the economic crisis?

2. How does it view the risk of 'fuel poverty' spreading as a result of the economic crisis and its repercussions on European living standards?

3. Given its participation in the Troika, would it agree to or would it propose tax measures to reduce the price of heating oil?

4. Do the European Structural Funds have money available that could be used to further subsidise the heating bills of vulnerable social groups?

5. What are the take-up rates in Greece and the other Member States under programmes to improve the energy performance of buildings that could reduce household heating bills while at the same time generating positive results in terms of environmental protection?

Answer given by Mr Oettinger on behalf of the Commission
(28 January 2013)

1. The Commission is not aware of a study or studies similar to the one referred to in the MEP's question conducted with respect to the situation in other Member State(s).

2. The problem of energy poverty exists, to different degrees, in all Member States ([1]). The Commission is looking into energy consumers' vulnerability and its drivers, including in the context of indications of rising energy poverty in some Member States ([2]).

3. Gradual abolition of the tax advantage for heating oil is one of the measures included in Council Decision 2011/734/EU. The Commission is evaluating existing tax measures both in terms of fiscal consolidation and social impact. Any proposals on new tax measures can be made only within the framework of the Greek economic adjustment programme, after discussion with the Greek authorities.

4. Structural Funds aim to strengthen economic, social and territorial cohesion by reducing disparities in the levels of development among regions and Member States. In this context, policies in the areas of energy efficiency and renewable energy sources, which will contribute to a sustainable energy future, can be supported.

([1]) Commission Staff Working Paper SEC(2010)1407 final.
([2]) The work is conducted mainly within the framework of the Citizens' Energy Forum organised by the Commission on an annual basis. .

5. Greece has reported on a dedicated fund for energy efficiency in buildings, named 'ΕΞΟΙΚΟΝΟΜΩ ΚΑΤ' ΟΙΚΟΝ' (Saving at Home) and supported by the European Regional Development Fund. However, the disbursement of the fund has stalled due to the economic situation in Greece. The Commission is currently working with the Greek authorities on improving the take-up of this Fund. In some other Member States take-up rates have been particularly high.

(Versión española)

Pregunta con solicitud de respuesta escrita E-010617/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE), Nikos Chrysogelos (Verts/ALE) y Rui Tavares (Verts/ALE)
(21 de noviembre de 2012)

Asunto: Incumplimiento por parte de la troika de la negociación colectiva y del diálogo social

El Comité de Libertad Sindical de la OIT ha examinado una queja en relación con una serie de medidas de austeridad adoptadas en Grecia en los últimos dos años en el marco del mecanismo internacional de préstamos acordado con la troika (Comisión, BCE y FMI). La denuncia fue presentada por la Confederación General del Trabajo de Grecia, la Confederación de Funcionarios Públicos, la Federación General de Trabajadores de la Empresa Nacional de Energía Eléctrica y la Federación de Trabajadores del Sector Privado, y cuenta con el apoyo de la Confederación Sindical Internacional. El Comité de Libertad Sindical es un comité establecido por el Consejo de Administración y está compuesto por un presidente independiente y seis representantes de los gobiernos, los empresarios y los trabajadores.

El Comité consideró que las medidas de austeridad suponían una serie de interferencias repetidas e importantes en la negociación colectiva libre y voluntaria y un importante déficit en materia de diálogo social. Las recomendaciones de la troika interfieren en asuntos relativos a los derechos en materia de libertad sindical y la negociación colectiva, que revisten una importancia fundamental para la esencia misma de la democracia y la paz social.

La libertad de asociación y la negociación colectiva figuran entre los principios fundamentales de la OIT. Grecia ha ratificado los Convenios de la OIT números 87 (La libertad sindical y la protección del derecho de sindicación) y 98 (El derecho de sindicación y de negociación colectiva). Los otros 26 Estados de la UE miembros han ratificado también estos convenios.

La UE reconoce la negociación colectiva y el diálogo social en el artículo 28 de la Carta de los Derechos Fundamentales de la Unión Europea («Derecho de negociación y de acción colectiva») y en el artículo 12 de la Carta Comunitaria de los Derechos Sociales Fundamentales de los Trabajadores de 1989.

1. ¿Conoce la Comisión el dictamen del Comité de Libertad Sindical de la OIT?

2. ¿Podría indicar la Comisión cómo tiene intención de reaccionar?

3. ¿Cuál es la posición de la Comisión en el seno de la troika en relación con la negociación colectiva y el diálogo social?

4. ¿Considera la Comisión que las recomendaciones de la troika violan el artículo 28 de la Carta de los Derechos Fundamentales y el principio de subsidiariedad de la UE?

5. ¿Tiene intención la Comisión de retirar su apoyo a estas recomendaciones y de proteger la negociación colectiva y el diálogo social en los países que han sido objeto de un rescate?

Respuesta conjunta del Sr. Rehn en nombre de la Comisión
(20 de febrero de 2013)

La Comisión está obligada a respetar los derechos de los trabajadores, como se establecen en el Derecho de la UE, y especialmente en el Tratado y en la Carta de los Derechos Fundamentales de la UE, así como la autonomía de la negociación colectiva. Asimismo, reconoce que un diálogo social fructífero puede ser crucial para el éxito de las reformas, sobre todo de aquellas que tienen consecuencias para las relaciones laborales. En este aspecto, la Comisión fomenta el desarrollo de instituciones de diálogo social que propicien un mejor funcionamiento de los mercados de trabajo y apoya las recomendaciones del Comité de Libertad Sindical de la OIT.

En consonancia con estas ideas, en los memorandos de acuerdo se insiste en que las reformas del mercado de trabajo se adopten por principio en consulta con los interlocutores sociales y de conformidad con el Derecho de la UE y con las normas fundamentales del trabajo. La Comisión, el FMI y el BCE procuran reunirse periódicamente con los interlocutores sociales de los países que están aplicando un programa de ajuste económico.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010571/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(20 Νοεμβρίου 2012)

Θέμα: Συμπεράσματα της ΔΟΕ σχετικά με την προσφυγή των κοινωνικών εταίρων για τις μεταρρυθμίσεις στις εργασιακές σχέσεις στην Ελλάδα

Σύμφωνα με τα συμπεράσματα της «Επιτροπής για την Ελευθερία του Συνεταιρίζεσθαι» της Διεθνούς Οργάνωσης Εργασίας (Committee on Freedom of Association) αναγνωρίζονται εκτενείς και επανειλημμένες παρεμβάσεις από κυβερνητικής πλευράς στο Σύστημα Συλλογικών Διαπραγματεύσεων της Ελλάδας. Η εφαρμογή των δεσμεύσεων του 2ου Μνημονίου φαίνεται να παραβιάζει την αρχή της ελεύθερης και εθελοντικής συλλογικής διαπραγμάτευσης, σύμφωνα και με τη Σύμβαση 98 (άρθρο 4) της ΔΟΕ την οποία έχει κυρώσει η Ελλάδα, η οποία θεμελιώνεται και στην Ευρωπαϊκή Χάρτα των Θεμελιωδών Δικαιωμάτων του Ανθρώπου. Πιο συγκεκριμένα η ακύρωση της συμφωνίας των κοινωνικών εταίρων με την κατάργηση — στην πράξη — προβλεπομένων ρυθμίσεων στην Εθνική Γενική Συλλογική Σύμβαση Εργασίας, αλλά και η επανειλημμένη επιβολή νομοθετικών περιορισμών στο καθεστώς των συλλογικών διαπραγματεύσεων αποτελούν «προάγγελο» αποσταθεροποίησης των εργασιακών σχέσεων, μια και αφαιρούν από τους εργαζόμενους θεμελιώδη δικαιώματα, καθώς και μέσα προάσπισης των οικονομικών και κοινωνικών τους συμφερόντων. Μάλιστα, όπως αναφέρεται στη σχετική έκθεση, τέτοιου είδους παρεμβάσεις έχουν αποβεί ιδιαίτερα επιβλαβείς για το πλαίσιο των εργασιακών σχέσεων στο παρελθόν.

Με δεδομένο αφενός ότι η ΔΟΕ αποτελεί εταίρο της Ευρωπαϊκής Ένωσης, και αφετέρου το ρόλο της Επιτροπής ως θεματοφύλακα των ευρωπαϊκών κεκτημένων, ερωτάται η Επιτροπή:

1. Πώς σχολιάζει την εν λόγω έκθεση;

2. Προτίθεται να δώσει σε συγκεκριμένες κατευθύνσεις στους εκπροσώπους της στην Τρόικα, ώστε να τροποποιηθούν όροι ή δεσμεύσεις των Μνημονίων, που παραβιάζουν θεμελιώδη κοινωνικά δικαιώματα;

3. Καθώς στην Ελλάδα οι μεταρρυθμίσεις στο πεδίο των εργασιακών σχέσεων κινούνται στο όριο της νομιμοποίησης σε ευρωπαϊκό επίπεδο, με ποιό τρόπο προτίθεται να κινηθεί έτσι ώστε να διασφαλιστεί ότι συνάδουν με τις ευρωπαϊκές αρχές και αξίες; Πρόκειται να προχωρήσει σε σχετικές συστάσεις;

4. Η ΔΟΕ καλεί την ελληνική κυβέρνηση να ενισχύσει το θεσμικό πλαίσιο του κοινωνικού διαλόγου που — όπως προκύπτει — τίθεται υπό αμφισβήτηση. Ποιά είναι, λοιπόν, η άποψη της Επιτροπής επ' αυτού και σε ποιές ενέργειες πρόκειται να προβεί προς αυτή την κατεύθυνση;

Ερώτηση με αίτημα γραπτής απάντησης E-010617/12
προς την Επιτροπή
Raül Romeva i Rueda (Verts/ALE), Nikos Chrysogelos (Verts/ALE) και Rui Tavares (Verts/ALE)
(21 Νοεμβρίου 2012)

Θέμα: Καταπάτηση από την τρόικα των συλλογικών διαπραγματεύσεων και του κοινωνικού διαλόγου

Η Επιτροπή για την Ελευθερία του Συνεταιρίζεσθαι (CFA) της Διεθνούς Οργάνωσης Εργασίας (ILO) έχει ολοκληρώσει την εξέταση καταγγελίας σχετικά με την πληθώρα των μέτρων λιτότητας που έχουν ληφθεί στην Ελλάδα την τελευταία διετία στο πλαίσιο του διεθνούς δανειοδοτικού μηχανισμού που συμφωνήθηκε με την τρόικα (την Επιτροπή, την ΕΚΤ και το ΔΝΤ). Την καταγγελία υπέβαλαν η Γενική Συνομοσπονδία Εργατών Ελλάδας, η Ανώτατη Διοίκηση Ενώσεων Δημοσίων Υπαλλήλων, η Γενική Ομοσπονδία Προσωπικού Κλάδου Ηλεκτρικής Ενέργειας και η Ομοσπονδία Ιδιωτικών Υπαλλήλων Ελλάδος με την στήριξη της Διεθνούς Συνδικαλιστικής Συνομοσπονδίας. Η CFA είναι επιτροπή διευθυντικού οργάνου και αποτελείται από ανεξάρτητο Πρόεδρο και από έξι για κάθε κατηγορία αντιπροσώπους κυβερνήσεων, εργοδοτών και εργαζομένων.

Η Επιτροπή κατέληξε στο συμπέρασμα ότι στα μέτρα λιτότητας περιλαμβάνονται επανειλημμένες και εκτεταμένες παρεμβάσεις σε τομείς που διέπονται από ελεύθερες και ανεξάρτητες συλλογικές διαπραγματεύσεις και ότι παρατηρείται σημαντικό έλλειμμα κοινωνικού διαλόγου. Με τις συστάσεις της, η τρόικα επεμβαίνει σε ζητήματα που άπτονται της ελευθερίας του συνεταιρίζεσθαι και του δικαιώματος των συλλογικών διαπραγματεύσεων, έννοιες που θεμελιώνουν την ίδια την δημοκρατία και την κοινωνική ειρήνη.

Η ελευθερία του συνεταιρίζεσθαι και το δικαίωμα των συλλογικών διαπραγματεύσεων συμπεριλαμβάνονται στις ιδρυτικές αρχές της ILO. Η Ελλάδα έχει κυρώσει την Σύμβαση περί συνδικαλιστικής ελευθερίας και προστασίας συνδικαλιστικού δικαιώματος (αριθ. 87) και την Σύμβαση περί συνδικαλιστικού δικαιώματος και συλλογικών διαπραγματεύσεων (αριθ. 98). Τα υπόλοιπα 27 κράτη μέλη έχουν επίσης κυρώσει αυτές τις Συμβάσεις.

Οι συλλογικές διαπραγματεύσεις και ο κοινωνικός διάλογος αναγνωρίζονται από την ΕΕ με το άρθρο 28 του Χάρτη Θεμελιωδών Δικαιωμάτων της Ευρωπαϊκής Ένωσης («Δικαίωμα διαπραγμάτευσης και συλλογικών δράσεων») και με το άρθρο 12 του Κοινοτικού Χάρτη των Θεμελιωδών Κοινωνικών Δικαιωμάτων των Εργαζομένων, του 1989.

1. Έχει υπόψη της η Επιτροπή την γνωμοδότηση της Επιτροπής για την Ελευθερία του Συνεταιρίζεσθαι της ILO;

2. Πως προτίθεται να απαντήσει η Επιτροπή;

3. Ποια θέση τηρεί η Επιτροπή εντός της τρόικας σχετικά με τις συλλογικές διαπραγματεύσεις και τον κοινωνικό διάλογο;

4. Παραβιάζουν οι συστάσεις της τρόικας το άρθρο 28 του Χάρτη Θεμελιωδών Δικαιωμάτων της Ευρωπαϊκής Ένωσης και την αρχή της επικουρικότητας της ΕΕ;

5. Προτίθεται άραγε η Επιτροπή να πάψει να συντάσσεται με τις εν λόγω συστάσεις και να προστατεύσει τις συλλογικές διαπραγματεύσεις και τον κοινωνικό διάλογο στις χώρες στις οποίες εφαρμόζεται πρόγραμμα διάσωσης;

Κοινή απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(20 Φεβρουαρίου 2013)

Η Επιτροπή είναι υποχρεωμένη να σέβεται τα δικαιώματα των εργαζομένων, όπως αναφέρεται στο δίκαιο της ΕΕ, κυρίως από τη Συνθήκη και τον Χάρτη των Θεμελιωδών δικαιωμάτων της ΕΕ, καθώς και την αυτονομία των συλλογικών διαπραγματεύσεων. Αναγνωρίζει επίσης ότι ο παραγωγικός κοινωνικός διάλογος μπορεί παίξει καθοριστικό ρόλο στην επιτυχή πορεία των μεταρρυθμίσεων, ιδίως εκείνων που ενέχουν επιπτώσεις για τις εργασιακές σχέσεις. Εν προκειμένω, η Επιτροπή, ενθαρρύνει την ανάπτυξη θεσμών κοινωνικού διαλόγου που οδηγούν στην καλύτερη λειτουργία των αγορών εργασίας και στηρίζει τις συστάσεις της επιτροπής της ΔΟΕ για την ελευθερία του συνεταιρίζεσθαι.

Στο πνεύμα αυτό, δίνεται έμφαση στα μνημόνια συμφωνίας ότι οι μεταρρυθμίσεις στην αγορά εργασίας πρέπει να αναλαμβάνονται, κατά κανόνα, μετά από διαβούλευση με τους κοινωνικούς εταίρους και σε συμφωνία με τους νόμους και τους βασικούς εργασιακούς κανόνες της ΕΕ. Η Επιτροπή, το ΔΝΤ και η ΕΚΤ επιδιώκουν την τακτική επαφή με κοινωνικούς εταίρους σε χώρες που εφαρμόζουν πρόγραμμα οικονομικής προσαρμογής.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-010617/12
à Comissão
Raül Romeva i Rueda (Verts/ALE), Nikos Chrysogelos (Verts/ALE) e Rui Tavares (Verts/ALE)
(21 de novembro de 2012)

Assunto: Violação pela «troika» da negociação coletiva e do diálogo social

O Comité da Liberdade Sindical da OIT («ILO Committee on Freedom of Association», CFA) analisou uma queixa relativa a um leque variado de medidas de austeridade tomadas na Grécia ao longo dos últimos dois anos, no contexto do mecanismo de empréstimo internacional acordado com a «troika» (Comissão, BCE e FMI). A queixa foi apresentada pela Confederação Geral do Trabalho da Grécia, pela Confederação dos Funcionários Públicos, pela Federação Geral dos Trabalhadores da Empresa Nacional de Energia Elétrica e pela Federação dos Trabalhadores do Setor Privado, tendo sido apoiada pela Confederação Internacional de Sindicatos Livres. O CFA é um comité que coadjuva o Conselho de Administração da OIT, composto por um presidente independente e por três grupos, de seis representantes cada um, dos governos, das entidades empregadoras e dos trabalhadores.

O Comité da Liberdade Sindical apurou que as medidas de austeridade ocasionaram uma série de intromissões repetidas e profundas na negociação coletiva livre e voluntária e um défice importante de diálogo social. As recomendações da «troika» interferem em questões relacionadas com os direitos atinentes à liberdade de associação e à negociação coletiva, que são fundamentais para os próprios fundamentos da Democracia e da paz social.

A liberdade de associação e a negociação coletiva fazem parte dos princípios fundamentais da OIT. A Grécia ratificou a Convenção 87 (sobre a Liberdade Sindical e a Proteção do Direito Sindical) e a Convenção 98 (sobre o Direito de Organização e de Negociação Coletiva) da OIT. Os demais 26 Estados-Membros da UE também ratificaram estas convenções.

A negociação coletiva e o diálogo social são reconhecidos pela UE no quadro do artigo 28.° da Carta dos Direitos Fundamentais da União Europeia («Direito de negociação e de ação coletiva») e do artigo 12.° da Carta Comunitária dos Direitos Sociais Fundamentais dos Trabalhadores, de 1989.

1. Estará a Comissão a par do parecer do Comité da Liberdade Sindical da OIT?

2. Como tenciona a Comissão reagir?

3. Qual é a posição defendida pela Comissão no seio da «troika» em matéria de negociação coletiva e diálogo social?

4. Violarão as recomendações da «troika» o disposto no artigo 28.° da Carta dos Direitos Fundamentais e o princípio de subsidiariedade da UE?

5. Tenciona a Comissão retirar o seu apoio a estas recomendações e defender a negociação coletiva e o diálogo social nos países sob resgate?

Resposta conjunta dada por Olli Rehn em nome da Comissão
(20 de fevereiro de 2013)

A Comissão é obrigada a respeitar os direitos dos trabalhadores, conforme estabelecido no direito europeu, nomeadamente no Tratado e na Carta dos Direitos Fundamentais da União Europeia, assim como a autonomia dos parceiros sociais. A Comissão reconhece igualmente que um diálogo social frutuoso pode constituir um fator essencial para o êxito das reformas, designadamente das que têm implicações nas relações laborais. Nesse contexto, a Comissão incentiva a promoção do diálogo social institucional, que conduz a um melhor funcionamento dos mercados de trabalho, e apoia as recomendações do Comité da OIT sobre a liberdade de associação.

Neste espírito, os memorandos de entendimento insistem nas reformas do mercado de trabalho a realizar, por regra, em consulta com os parceiros sociais e no respeito do direito europeu e das normas laborais fundamentais. A Comissão, o FMI e o BCE procuram reunir-se regularmente com os parceiros sociais nos países que estão a aplicar um programa de ajustamento económico.

(English version)

Question for written answer E-010571/12
to the Commission
Konstantinos Poupakis (PPE)
(20 November 2012)

Subject: ILO findings on the appeal by the social partners regarding labour relation reforms in Greece

In its findings, the ILO's Committee on Freedom of Association recognises that the government has intervened extensively and repeatedly in the collective bargaining system in Greece. The implementation of the commitments contained in the second Memorandum would appear to violate the principle of free and voluntary collective bargaining, in accordance *inter alia* with ILO Convention 98 (Article 4) ratified by Greece, which is also enshrined in the European Charter of Fundamental Rights. More specifically, the cancellation of the agreement between the social partners with the repeal — in practice — of arrangements provided for in the National General Collective Labour Agreement and the repeated imposition of legal restrictions on the collective bargaining regime point to a destabilisation of labour relations, since they deprive workers of fundamental rights and means of defending their economic and social interests. Indeed, as noted in the report, such interventions have proved particularly harmful to the general framework of labour relations in the past.

Given that the ILO is a partner of the European Union, and given also the Commission's role as guardian of the European *acquis*, will the Commission say:

1. How does it view this report?

2. Will it give specific instructions to its representatives in the Troika to ensure that any terms or commitments of the Memoranda that violate fundamental social rights are amended?

3. Since in Greece labour relation reforms are of questionable legality at European level, what action does it intend to take to ensure that they are consistent with European principles and values? Will it make recommendations to this effect?

4. The ILO is urging the Greek Government to strengthen the institutional framework of the social dialogue, which, it now emerges, is being undermined. What, then, is the Commission's position on this, and what action does it intend to address this issue?

Question for written answer E-010617/12
to the Commission
Raül Romeva i Rueda (Verts/ALE), Nikos Chrysogelos (Verts/ALE) and Rui Tavares (Verts/ALE)
(21 November 2012)

Subject: Troika violation of collective bargaining and social dialogue

The ILO Committee on Freedom of Association (CFA) has examined a complaint concerning a variety of austerity measures taken in Greece over the past two years in the framework of the international loan mechanism agreed upon with the Troika (the Commission, the ECB and IMF). The complaint was submitted by the Greek General Confederation of Labour, Civil Servants' Confederation, General Federation of Employees of the National Electric Power Corporation, and Federation of Private Employees, and is supported by the International Trade Union Confederation. The CFA is a Governing Body committee, and is composed of an independent chairperson and six representatives each of governments, employers, and workers.

The Committee found that the austerity measures involved a number of repeated and extensive interventions into free and voluntary collective bargaining and an important deficit of social dialogue. The Troika's recommendations interfere in matters concerning the rights of freedom of association and collective bargaining which are fundamental to the very basis of democracy and social peace.

Freedom of association and collective bargaining are among the founding principles of the ILO. Greece has ratified ILO conventions 87 (Freedom of Association and Protection of the Right to Organise) and 98 (Right to Organise and Collective Bargaining). The other EU 26 Member States have also ratified these conventions.

Collective bargaining and social dialogue are recognised by the EU in Article 28 of the Charter of Fundamental Rights of the European Union ('Right of Collective Bargaining and Action') and in Article 12 of the Community Charter of the Fundamental Social Rights of Workers of 1989.

1. Is the Commission aware of the opinion of the ILO's CFA ?

2. How will the Commission react?

3. What is the Commission position inside the Troika on collective bargaining and social dialogue?

4. Do the Troika's recommendations violate Article 28 of the Charter of Fundamental Rights and the EU's principle of subsidiarity?

5. Will the Commission withdraw its support for these recommendations and protect collective bargaining and social dialogue in the bail-out countries?

Joint answer given by Mr Rehn on behalf of the Commission
(20 February 2013)

The Commission is bound to respect the rights of workers, as set out in EC law, notably by the Treaty and the Charter of Fundamental Rights of the EU, and the autonomy of collective bargaining. It also recognises that a fruitful social dialogue can be key for successful reforms, notably for those with implications for industrial relations. In this respect, the Commission encourages the development of social dialogue institutions that lead to better functioning labour markets and supports the recommendations by the ILO's Committee on Freedom of Association.

In this spirit, the Memoranda of Understanding insist on labour market reforms to be taken in consultation with social partners as a rule and in compliance with EC laws and Core Labour Standards. The Commission, the IMF and the ECB seek to regularly meet social partners in countries that are implementing an economic adjustment programme.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010572/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(20 Νοεμβρίου 2012)

Θέμα: Ευρωπαϊκή Γερμανία ή Γερμανική Ευρώπη

Ο κ. Hans Joachim Fuchtel, υφυπουργός Εργασίας της Γερμανίας, προκάλεσε την οργή των Ελλήνων, δηλώνοντας στην Ελλάδα ότι «3 000 εργαζόμενοι στην Τοπική Αυτοδιοίκηση στην Ελλάδα κάνουν τη δουλειά που στη Γερμανία την κάνουν μόνο 1 000 άτομα».

Με δεδομένο ότι, στο παρελθόν, στη Γερμανική Βουλή αλλά και στο γερμανικό τύπο, υπήρξαν χαρακτηρισμοί και ανάλογες συγκρίσεις για τους Έλληνες εργαζόμενους αλλά και για τους εργαζόμενους των άλλων χωρών του ευρωπαϊκού νότου, και ότι, η Ευρωπαϊκή Επιτροπή έχει εμπειρία λόγω των Γερμανών υπαλλήλων που εργάζονται στα θεσμικά όργανα της Ευρωπαϊκής Ένωσης.

Ερωτάται η Επιτροπή:

1. Από τα στοιχεία που διαθέτει, πόσες φορές πιο παραγωγικοί είναι οι Γερμανοί υπάλληλοι από τους υπόλοιπους εργαζόμενους της Ευρωπαϊκής Ένωσης, στους ευρωπαϊκούς θεσμούς;

2. Είναι δίκαιο αυτοί οι τόσο παραγωγικοί άνθρωποι να αμείβονται το ίδιο με τους υπόλοιπους;

3. Η παραγωγικότητα είναι η αιτία που οι διάφοροι υπάλληλοι των θεσμικών οργάνων της Ευρωπαϊκής Ένωσης, και ιδιαίτερα οι επικεφαλής των περισσότερων «ομάδων επίβλεψης» στην Ελλάδα, όπως ο εκπρόσωπος της Ευρωπαϊκής Επιτροπής και ο εκπρόσωπος της Ευρωπαϊκής Κεντρικής Τράπεζας στην Τρόικα ή ο επικεφαλής της task force, είναι Γερμανοί;

4. Μήπως αυτή είναι η αιτία που ενώ πολλές γερμανικές εταιρίες έχουν καταδικαστεί για δωροδοκίες δεκάδων κυβερνήσεων, για να παίρνουν έργα που χρηματοδοτούνται από τον κοινοτικό προϋπολογισμό, η Ευρωπαϊκή Επιτροπή, ως δίκαιη ανταπόδοση, δεν έχει ανοίξει καμία έρευνα σε βάρος γερμανικών επιχειρήσεων;

5. Αυτή είναι η αιτία που η υπερδραστήρια, όπως είναι φυσικό, κυβέρνηση της Γερμανίας έχει υποκαταστήσει τους ευρωπαϊκούς θεσμούς και τίποτα δεν κινείται εάν δεν δοθεί σήμα από το Βερολίνο;

6. Μπορεί η Επιτροπή να βεβαιώσει ότι θα συμβάλλει στη διατήρηση της όποιας συνοχής διαθέτει ακόμη η Ευρωπαϊκή Ένωση, μέχρι τις εκλογές στη Γερμανία, μετά τις οποίες, ελπίζουμε, θα υπάρχει η δυνατότητα λήψης των απαραίτητων αποφάσεων που έχει ανάγκη η Ευρώπη;

Απάντηση του κ. Šefčovič εξ ονόματος της Επιτροπής
(7 Ιανουαρίου 2013)

Ερωτήσεις 1 και 2. Η Ευρωπαϊκή Επιτροπή δεν διαθέτει στοιχεία όσον αφορά την παραγωγικότητα ανά εθνικότητα. Οι αμοιβές των υπαλλήλων δεν σχετίζονται με την εθνικότητα και καθορίζονται, μεταξύ άλλων, στο άρθρο 62 του κανονισμού υπηρεσιακής κατάστασης του προσωπικού.

Οι ερωτήσεις 3 έως 6 αφορούν, πράγματι, πολιτικές δηλώσεις για τις οποίες η Επιτροπή δεν μπορεί να πάρει θέση.

(English version)

Question for written answer E-010572/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(20 November 2012)

Subject: European Germany or German Europe

The German Deputy Minister for Labour, Hans-Joachim Fuchtel, has infuriated Greeks by stating that it only takes 1 000 people in Germany to do the work of 3 000 local government employees in Greece.

Given that Greek workers have been labelled and subjected to similar comparisons in the German Parliament and in the German press in the past, as have workers of other countries in southern Europe, and that the European Commission has experience of German officials employed by the institutions of the European Union,

Will the Commission say:

1. According to data available to it, how many times more productive are German officials than other officials of the European institutions?

2. Is it fair for these very productive officials to be paid the same as other officials?

3. Is productivity the reason why the various officials of the EU institutions, especially the heads of most monitoring groups in Greece such as the representative of the European Commission and the representative of the European Central Bank in the Troika or the head of the task force, are German?

4. Is this perhaps the reason why, although many German companies have been convicted of bribing dozens of governments in order to obtain projects financed from the Community budget, the European Commission has not, in return, begun investigating any German undertakings?

5. Is this the reason why the — naturally — hyperactive German Government has replaced the European institutions and nothing happens unless Berlin gives the signal?

6. Perhaps the Commission can confirm that it will help to maintain any cohesion still remaining in the European Union until after German elections, when we hope that it will be possible to take the decisions that Europe needs?

Answer given by Mr Šefčovič on behalf of the Commission
(7 January 2013)

1 and 2. The European Commission has no data available as regards productivity per nationality. Remuneration of officials is not limited to nationality and derives from *inter alia* Article 62 of the Staff Regulations.

Questions 3 to 6 are in fact political statements on which the Commission cannot take position.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010573/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(20 novembre 2012)

Oggetto: VP/HR — Fatwa su Malala Yousafzai

Il 19 novembre 2012, fonti di informazione britanniche riferivano che musulmani fondamentalisti residenti nel Regno Unito hanno in programma di annunciare una fatwa sulla 15enne Yousafzai Malala che è stata colpita con armi da fuoco dai talebani in Pakistan. La quindicenne si sta riprendendo in un ospedale di Birmingham, Regno Unito, eppure dei musulmani intransigenti nella famigerata Moschea Rossa di Islamabad hanno intenzione di denunciare a fine mese Yousafzai come apostata. È stata anche accusata di girare le spalle all'Islam.

Secondo il quotidiano del Regno Unito Telegraph, uno dei fondatori del gruppo musulmano fondamentalista britannico al-Muhajiroun, Anjem Choudary, ha dichiarato che la conferenza nella capitale pakistana pronuncerà la fatwa.

Choudary ha accusato la ragazza di agire da «strumento di propaganda per Stati Uniti e Pakistan, e per i crimini che stanno commettendo».

1. La Vicepresidente/Alto Rappresentante è a conoscenza delle notizie secondo cui gli islamisti in Pakistan si preparano ad emettere una fatwa contro Malala Yousafzai?

2. Quali passi intende effettuare la Vicepresidente/Alto Rappresentante onde garantire la protezione delle giovani come Yousafzai e delle altre giovani pakistane in situazione analoga?

3. Quali passi ha in programma di effettuare l'UE a sostegno dei piani del Presidente pakistano Asif Ali Zardari per risolvere l'analfabetismo e contrastare la militanza in Pakistan?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(18 gennaio 2013)

1. L'Alta Rappresentante/Vicepresidente è a conoscenza della notizia del novembre 2012, tuttora non confermata, secondo cui religiosi islamici pakistani residenti nel Regno Unito potrebbero emettere una fatwa contro Malala Yousafzai. È al corrente però anche di una fatwa, lanciata in Pakistan nell'ottobre 2012 da un gruppo di 50 religiosi islamici, contro i talebani che hanno tentato di uccidere Malala.

2. Per informazioni concernenti la protezione prevista dall'UE per le giovani pakistane, si rinvia l'onorevole parlamentare alle risposte fornite alle interrogazioni scritte E-009523/2012 e E-009132/2012 ([1]).

3. Esiste una correlazione diretta tra fattori quali la povertà, la disoccupazione e l'analfabetismo e la diffusione della militanza e di idee estremiste. In tutti i suoi interventi in Pakistan l'UE presta particolare attenzione all'istruzione, che è in effetti una componente fondamentale dell'assistenza allo sviluppo dell'UE nel paese. Le iniziative in corso sono volte a sostenere le province del Sindh e del Khyber pakhtunkwa nella lotta contro la radicalizzazione, migliorando l'accesso all'istruzione per tutti i bambini (senza distinzione di religione, etnia o sesso) e promuovendo la tolleranza nelle scuole. L'UE sostiene inoltre progetti destinati a migliorare l'accesso alla giustizia, a contribuire a iniziative per il consolidamento della pace tramite la mediazione, e infine a migliorare la qualità dell'applicazione della legge in Pakistan, in particolare in collaborazione con la polizia e i pubblici ministeri, anche nella provincia del Khyber pakhtunkwa, in cui si trova la valle dello Swat.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html?tabType=wq#sidesForm.

(English version)

Question for written answer E-010573/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(20 November 2012)

Subject: VP/HR — Fatwa on Malala Yousafzai

On 19 November 2012, British media sources reported that British-based radicals are planning to announce a fatwa on 15-year-old Malala Yousafzai, who was shot by the Taliban in Pakistan. She is in recovery in a hospital in Birmingham, UK, yet Muslim hardliners at the infamous Red Mosque in Islamabad plan later this month to denounce Ms Yousafzai as an apostate. She has also been accused of turning her back on Islam.

According to the UK newspaper *The Telegraph*, one of the founders of the radical UK-based Muslim group al-Muhajiroun, Anjem Choudary, has said that the conference in the Pakistani capital would announce the fatwa.

Mr Choudary has accused the girl of acting as a 'tool for propaganda by the US and Pakistan, and for the crimes they are committing'.

1. Is the Vice-President/High Representative aware of reports that Islamists in Pakistan are preparing to issue a fatwa against Malala Yousafzai?

2. What steps is the Vice-President/High Representative prepared to take in order to ensure the protection of girls such as Ms Yousafzai, and of other Pakistani girls in a similar position?

3. What steps is the EU planning to take in order to support Pakistani President Asif Ali Zardari's plans to tackle illiteracy and militancy in Pakistan?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(18 January 2013)

1. The High Representative/Vice-President is aware of reports in November 2012, as yet unconfirmed, of a possible fatwa against Malala Yousafzai by British/Pakistani Islamic clerics. She is aware also of a fatwa against the Taliban gunmen who tried to kill Malala, issued by a group of 50 Islamic clerics in Pakistan in October 2012.

2. For information concerning the EU's protection for Pakistani girls, the Honourable Member is invited to consult the replies to previous written questions E-009523/2012 and E-009132/2012 ([1]).

3. There is a direct correlation between factors such as poverty, unemployment and illiteracy and the spread of militancy and extremist ideas. In all its work in Pakistan the EU pays particular attention to education which is indeed a major component of the EU's development assistance to Pakistan. Ongoing initiatives are aimed at supporting Sindh and Khyber Pakhtunkwa provinces in combating radicalism, by improving access to education for all children (irrespective of their religion, ethnicity or gender) and promoting tolerance in school. The EU is also supporting projects which are intended to improve access to justice, contribute to peace-building initiatives through mediation, and also to improve the quality of law enforcement in Pakistan, not least with the police and prosecution services, including in Khyber Pakhtunkwa province where the Swat valley is located.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html?tabType=wq#sidesForm.

(English version)

Question for written answer E-010575/12
to the Commission
Nirj Deva (ECR)
(20 November 2012)

Subject: Violence against vaccination campaigns in Pakistan

In October 2012 a medical worker was shot dead during the administration of polio vaccines to small children in the western Pakistani city of Quetta. Three months earlier a doctor administering polio vaccines to children was shot dead in Karachi while another was wounded. Police statements and media reports have linked Taliban extremists to these attacks, and in the past the Taliban has voiced its opposition to foreign-led vaccination campaigns in Pakistan.

1. To what extent is the Commission coordinating or supporting vaccination campaigns in Pakistan?

2. What is the Commission's assessment of the polio problem in Pakistan?

3. How concerned is the Commission about the effect this violence could have on the administration of public health programmes by external organisations in Pakistan, and the subsequent effect on public health?

4. To what factors does the Commission attribute this violence, which is directed specifically against external medical assistance providers, and what efforts can the Commission suggest to prevent such violence and safeguard the lives of both healthcare professionals and children?

Answer given by Mr Piebalgs on behalf of the Commission
(25 January 2013)

1. The EU does not provide financial support for vaccination campaigns in Pakistan. In the spirit of division of labour, the Commission currently focuses EU assistance on education, rural development, governance and trade assistance and covers the health sector under the EU humanitarian aid budget, with focus on humanitarian assistance.

2. According to the Global Polio Eradication Initiative, Pakistan has active and widespread transmission of polio, but Pakistan's chances of success have greatly improved over the last year. The 2013 elections and the overall complex security situation are considered as determining factors for the implementation of Pakistan's National Polio Emergency Action Plan in 2013.

3, 4. Violence against aid workers is of very serious concern to the Commission. It affects health workers, but also other sectors and mostly foreign aid workers. An important factor is violent extremism. The alleged involvement of a polio vaccination team in the CIA ([1]) raid on Bin Laden's compound is believed to have had a negative effect on Pakistan's polio programme. The EU takes the security issue up in the political dialogue with the Government of Pakistan, and has called on the authorities to adopt measures to ensure the physical security of all Pakistani citizens. The Commission also includes specific clauses in its contracts and agreements with implementing partners that provide for the financing of special security measures and allow reduced or no EU visibility to decrease the risks for personnel on the ground. Finally, the EU provides specific support to strengthen the rule of law and counter violent radicalization and in other sectors that have a long term stabilising effect on the country, e.g. reform of the education system and access to justice.

([1]) CIA = Central Intelligence Agency.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010576/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(20 novembre 2012)

Oggetto: VP/HR — Ribelli siriani attivi sul confine israeliano

Il 13 novembre 2012, come riferito da numerose fonti di informazione, 200 soldati ribelli hanno assunto il controllo di alcuni villaggi situati nella zona cuscinetto tra Siria e Israele, in particolare le aree a nord e a sud della città di Quneitra. Un armistizio risalente al 1974 vieta al governo siriano di intraprendere qualsivoglia attività militare all'interno di una striscia larga poco meno di dieci chilometri che corre lungo il confine israeliano.

Secondo quanto riportato dai militari israeliani, Quneitra sarebbe nelle mani di alcuni membri di una fazione salafita radicale chiamata «Aquile del Golan». La fazione sarebbe composta da combattenti stranieri, tra cui militanti di al-Qaeda provenienti dall'Iraq, e vanterebbe l'intenzione di rivolgere la propria attenzione verso Israele, una volta soppiantato il regime di al-Assad.

Una fonte militare israeliana avrebbe riferito quanto segue al quotidiano *The Telegraph*: «Siamo abituati a un clima di guerra fredda tra Israele e Siria, ma quella a cui assistiamo attualmente lungo il confine è una situazione simile a quella del Libano o del Sinai, dove uno stato sovrano debole non riesce a esercitare la propria autorità su un'area che potrebbe essere utilizzata da diversi gruppi di ribelli per attaccare Israele.»

1. Qual è la posizione del Vicepresidente/Alto Rappresentante in merito al movimento di ribelli all'interno dell'area demilitarizzata a nord delle alture del Golan?

2. Qual è la valutazione del Vicepresidente/Alto Rappresentante circa la portata delle incursioni dei militanti nella Siria meridionale?

3. Alla luce dell'impegno di Israele con Hamas a Gaza, ritiene possibile il Vicepresidente/Alto Rappresentante che Israele resti coinvolto in un secondo conflitto lungo il suo confine settentrionale?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(5 febbraio 2013)

L'Unione europea appoggia la missione della Forza delle Nazioni Unite incaricata di sorvegliare il disimpegno (UNDOF), che dal 1974 assicura con successo il cessate il fuoco e il disimpegno tra forze armate israeliane e siriane. Inoltre l'Alta Rappresentante/Vicepresidente si compiace per la risoluzione adottata dal Consiglio di sicurezza dell'ONU lo scorso 19 dicembre che esprime preoccupazione per la presenza dell'esercito siriano, di gruppi armati di opposizione e di armamenti non autorizzati nella cosiddetta zona di separazione.

L'AR/VP è al corrente che alcuni villaggi situati all'interno della zona smilitarizzata sono sotto il controllo di forze ribelli siriane e che si sono verificati di recente incidenti lungo la linea del cessate il fuoco, e segue con attenzione tutti gli sviluppi del conflitto interno in Siria. Come dichiarato nelle conclusioni del 10 dicembre 2012 del Consiglio «Affari esteri», presieduto dall'Alta Rappresentante/Vicepresidente, l'UE è profondamente preoccupata per gli effetti di ricaduta della crisi siriana sui paesi limitrofi. In assenza di una soluzione globale per una pace duratura in Medio Oriente, tutti i conflitti in corso rischiano di alimentare le tensioni già presenti nella regione, comprese quelle tra Israele e Siria.

L'AR/VP è costantemente in contatto con i principali partner internazionali per cercare una soluzione politica alla crisi siriana e sostiene l'impegno del rappresentante speciale congiunto Brahimi.

(English version)

Question for written answer E-010576/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(20 November 2012)

Subject: VP/HR — Syrian rebels active on the Israeli border

On 13 November 2012, various media sources reported that 200 rebel soldiers had taken control of villages located in the buffer zone between Syria and Israel. The rebels have seized control of areas to the north and south of the city of Quneitra. A 1974 armistice prohibits the Syrian Government from engaging in military activity inside a strip that runs along the edge of the Israeli border, with a width of just under six miles.

Israeli military officials have said that those in control of Quneitra are members of a radical Salafist faction calling themselves 'Eagles of the Golan'. It is composed of foreign fighters, including al-Qaeda militants from Iraq, and has boasted that once it has ousted the al-Assad regime it will turn its attention to Israel.

An Israeli military source told the *Telegraph* newspaper that: 'We are used to a Cold War situation between Israel and Syria but what we are seeing along the border now is a situation similar to that of Lebanon or Sinai, where a weak sovereign state is failing to exert over an area that different rebel groups can use to attack Israel.'

1. What is the position of the Vice-President/High Representative regarding the movement of rebels into the demilitarised zone north of the Golan Heights?

2. What is the assessment of the Vice-President/High Representative regarding the extent of militant incursions into southern Syria?

3. In light of Israel's engagement with Hamas in Gaza, does the Vice-President/High Representative believe that Israel could become engaged in a second conflict on its northern borders?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(5 February 2013)

The EU supports the mission of the United Nations Disengagement Observer Force (UNDOF), which has successfully maintained the ceasefire and disengagement between Israeli and Syrian armed forces since 1974. The HR/VP also welcomes the UNSC resolution, adopted on 19 December, which expresses concern at the presence of the Syrian army, armed opposition groups and unauthorised military equipment in the so-called area of separation.

HR/VP is aware of the reported capture by some Syrian rebel forces of villages within the demilitarised zone (DMZ) and of recent incidents across the ceasefire line. HR/VP pays attention to all the ramifications of the internal conflict in Syria. As the Foreign Affairs Council, chaired by the HR/VP, stated in its conclusions of 10 December 2012, the EU remains deeply concerned by the spill-over effects of the Syrian crisis in neighbouring countries. In the absence of the comprehensive solution to bring about lasting peace in the Middle East, all ongoing conflicts risk adding fuel to the already existing regional tensions, including between Israel and Syria.

The HR/VP is in regular contact with key international partners in trying to find a political solution to the Syrian crisis and supports JSR Brahimi in his endeavours.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010577/12
alla Commissione
Francesco Enrico Speroni (EFD)
(20 novembre 2012)

Oggetto: Rilancio delle PMI e interventi normativi

La Commissione europea ha elaborato nel proprio «piano d'azione per migliorare l'accesso delle PMI ai finanziamenti» una serie di misure che paiono all'interrogante di limitata efficacia ed inadeguate, da sole, a garantire il sostegno e il rilancio delle PMI europee, ed un più sicuro accesso delle stesse al credito.

Recentemente la BCE ha posto in essere misure per l'immissione di liquidità nel sistema bancario europeo. Tale liquidità è stata recepita dagli istituti di credito a tassi di interesse estremamente vantaggiosi e riutilizzata per l'acquisto di titoli di Stato a tassi positivi di interesse fino a 6-7 volte superiori rispetto a quelli praticati loro dalla BCE.

Ritiene la Commissione utile intervenire normativamente affinché in futuro il sistema bancario sia orientato ad effettuare investimenti a favore delle PMI e a concedere credito alle stesse, anziché permettere alle banche facili e sproporzionati guadagni in forme di investimento meramente speculative e di nessuna utilità per il rilancio ed il sostegno delle PMI europee e dell'occupazione?

Non ritiene la Commissione di dover prevedere la sanzione della revoca della licenza bancaria per quegli istituti che con il denaro a basso costo immesso dalla BCE si limitano ad operare forme di investimento meramente speculative e di nessuna utilità sistemica?

Risposta di Olli Rehn a nome della Commissione
(18 gennaio 2013)

La politica monetaria nella zona euro è di competenza esclusiva della BCE, la cui indipendenza è sancita dal trattato. La Commissione non interferisce negli obblighi che il trattato o lo statuto impongono alla BCE.

Le operazioni di liquidità e le misure non convenzionali della BCE contribuiscono a creare le condizioni per un graduale miglioramento dei mercati interbancari e obbligazionari, il che agevolerà il flusso di credito verso l'economia reale della zona euro, comprese le PMI. Le misure della BCE in materia di liquidità devono essere completate da sforzi significativi di ristrutturazione da parte delle banche con problemi di bilancio, sforzi che dovrebbero consentire al settore bancario di aumentare la dotazione di capitale e di accrescere la resilienza e che dovrebbero migliorare ulteriormente le condizioni per favorire il flusso di credito alle imprese private e alle famiglie.

Nel quadro dei negoziati sulla direttiva e sul regolamento in materia di requisiti patrimoniali (CRDIV/CRR), che attuano l'accordo di Basilea III, il Parlamento europeo e il Consiglio stanno discutendo possibili approcci per agevolare le condizioni di credito alle PMI a fronte dell'attuale difficile clima economico.

(English version)

Question for written answer E-010577/12
to the Commission
Francesco Enrico Speroni (EFD)
(20 November 2012)

Subject: Legislative action to boost SMEs

The European Commission has drawn up a series of measures in its 'Action plan to improve access to finance for SMEs' which seem to me of little effect; these measures alone will not be enough to support and revitalise European SMEs and secure them better access to credit.

The ECB has recently put in place measures to inject liquidity into the European banking system. The banks have received this liquidity at extremely favourable rates of interest, and have used it to buy government bonds at positive interest rates up to six or seven times higher than charged them by the ECB.

Does the Commission think it would be useful to pass legislation to ensure that in future, the banking system is geared towards investing in lending to SMEs, instead of making it easy for banks to make vast profits from purely speculative investments which are of no use in revitalising European SMEs and boosting jobs?

Does the Commission not think that it should be possible to penalise those banks which simply use the cheap money issued by the ECB to make investments which are purely speculative and of no use to the economy as a whole, by withdrawing their banking licences?

Answer given by Mr Rehn on behalf of the Commission
(18 January 2013)

Monetary policy in the euro area is the exclusive competence of the ECB, whose independence is enshrined in the Treaty. The Commission does not interfere with the ECB's Treaty or statutory obligations.

The ECB's liquidity operations and non-standard measures help to set conditions for a gradual improvement of interbank and bond markets, which will facilitate the flow of credit to the euro-area real economy, including to SMEs. The ECB's liquidity measures need to be complemented by significant restructuring efforts by banks with weak balance sheets, which should result in a better capitalised and more resilient banking sector and should further improve the conditions for credit to flow into private companies and households.

In the framework of the negotiations on the Capital Requirements Directive and Regulation (CRDIV/CRR) for the implementation of the Basel III agreement, possible approaches are being discussed by Parliament and Council to ease lending conditions for SMEs in the current difficult economic climate.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010578/12
alla Commissione
Aldo Patriciello (PPE)
(20 novembre 2012)

Oggetto: Dumping fotovoltaico

Il 25 luglio 2012 un gruppo di imprese europee che lavorano nel settore dell'energia solare, riunite in un consorzio chiamato Eu ProSun, ha presentato denuncia nei confronti dei produttori cinesi di pannelli solari con l'accusa di vendere i pannelli fotovoltaici in Europa a prezzi ben al di sotto del loro costo di produzione, con margini di dumping che vanno addirittura dal 60 all'80 per cento. Questo implica che le imprese cinesi del settore subiscono perdite enormi, ma finora non hanno mai rischiato la bancarotta poiché tali perdite vengono compensate dal governo cinese.

In seguito a tale denuncia, il 6 settembre 2012 la Commissione europea ha aperto un'inchiesta antidumping sull'importazione di pannelli solari provenienti dalla Cina, con lo scopo di accertare se le accuse di concorrenza sleale, mosse dalla suddetta associazione di industriali europei, siano fondate e in particolare se i prodotti cinesi vengano venduti a prezzi inferiori al valore di mercato.

Prima di cinque anni fa, i cinesi erano quasi del tutto assenti dal mercato del fotovoltaico, ma approfittando degli incentivi offerti nei paesi occidentali per lo sviluppo di questo mercato sono diventati, a partire dal 2007, i primi produttori mondiali di pannelli. A fronte dei prezzi molto bassi imposti dalla Cina, l'industria solare europea si trova in grande difficoltà.

Alla luce di quanto precede può la Commissione rispondere ai seguenti quesiti:

1. Considerando che l'indagine si dovrà concludere entro 15 mesi, ma già tra 9 mesi, se l'UE verificherà l'esistenza di sufficienti prove che confermino i sospetti sulla vendita sotto costo del prodotti cinesi, potrebbe adottare misure di difesa commerciale provvisorie, la Commissione prevede l'eventuale applicazione di dazi o altri limiti sulle importazioni della Cina?

2. Tenendo presente la nuova strategia europea Energia 2020, nell'ambito della quale l'industria solare europea dovrebbe svolgere un ruolo strategico, producendo entro il 2020 il 20 per cento dell'energia da fonti rinnovabili, in che modo la Commissione intende tutelare il mercato europeo e incoraggiare l'industria solare in questo momento di difficoltà?

Risposta di Karel De Gucht a nome della Commissione
(4 gennaio 2013)

La Commissione ha deciso di avviare indagini antidumping e antisussidi basate sulle denunce corredate di sufficienti prove *prima facie* che sono state presentate dall'industria UE dei pannelli solari. Per poter imporre eventuali misure si deve procedere alla determinazione del dumping e del conseguente danno e si deve inoltre accertare se le misure non vadano contro gli interessi generali dell'Unione. Ove tali condizioni siano soddisfatte la Commissione può contemplare l'opportunità di imporre misure provvisorie entro nove mesi dall'inizio, vale a dire entro il giugno 2013, per il procedimento antidumping, ed entro l'agosto 2013, per il procedimento antisussidi.

La Commissione non ha però adottato nessuna posizione sinora. Siamo ancora all'inizio delle indagini e stiamo analizzando la situazione di fatto in questo settore, oltre a verificare le informazioni ricevute, tra l'altro, dai produttori cinesi e unionali.

(English version)

Question for written answer E-010578/12
to the Commission
Aldo Patriciello (PPE)
(20 November 2012)

Subject: Photovoltaic dumping

On 25 July 2012 a group of European companies working in the solar energy industry, members of a consortium called Eu ProSun, lodged a complaint against Chinese solar panel manufacturers regarding the sale of solar panels in Europe at prices well below their cost of production, with dumping margins as high as 60-80%. This implies that Chinese firms in the sector are suffering huge losses, but so far they have never risked bankruptcy since those losses are being compensated by the Chinese Government.

Following this complaint, on 6 September 2012, the Commission opened an anti-dumping investigation into imports of solar panels from China, with the aim of determining whether the allegations of unfair competition made by that association of European manufacturers were founded and, in particular, whether the Chinese products were being sold at prices below market value.

Until five years ago, the Chinese were almost entirely absent from the photovoltaic market, but, taking advantage of the incentives offered in Western countries for the development of this market, since 2007 they have become the world's leading solar panel producers. Given the extremely low prices imposed by China, the European solar industry is now in great difficulty.

Can the Commission therefore answer the following questions:

1. Given that the investigation will have to be concluded within 15 months, but already within 9 months if the EU ascertains that there is sufficient evidence to confirm suspicions regarding the below-cost sale of Chinese products, and since it could adopt provisional trade protection measures, will the Commission consider applying duties or other limitations on imports from China?

2. In view of the new European Energy 2020 strategy, under which the European solar industry is supposed to play a strategic role, producing 20% of energy from renewable sources by 2020, how does the Commission intend to protect the European market and encourage the solar industry in these difficult times?

Answer given by Mr De Gucht on behalf of the Commission
(4 January 2013)

The Commission has decided to initiate anti-dumping and an anti-subsidy investigations based on complaints with sufficient *prima facie* evidence which were lodged by the EU solar panel industry. For any measures to be imposed a determination of dumping and resulting injury has to be made and it also has to be established that measures would not be against the overall Union interest. In case such conditions are met, the Commission may consider imposing provisional measures within 9 months of initiation, i.e. by June 2013 on the anti-dumping proceeding and by August 2013 on the anti-subsidy proceeding.

However the Commission has taken no position so far. We are still at the beginning of the investigations and are currently analysing the factual situation in this sector, including verifying information received from, *inter alia*, the Chinese and the European Union producers.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010579/12
alla Commissione
Aldo Patriciello (PPE)
(20 novembre 2012)

Oggetto: Contratto di rete

Il contratto di rete è l'innovativo strumento finalizzato al competitivo ingresso nel mercato di imprese che, seppur alleate tra loro, mantengono la propria autonomia sotto il profilo giuridico.

L'ideazione delle reti d'impresa è avvenuta al fine di far fronte in maniera dinamica alla crisi economica che attanaglia gli Stati membri. L'Italia ha fin da subito accolto con favore la progettualità del contratto di rete, intuendone la fruibilità ai fini di una esemplificata promozione del «made in Italy». Tale progetto è stato fortemente apprezzato dalle PMI che, in ragione della struttura libera del contratto e delle agevolazioni economiche destinate all'implementazione della rete, hanno trovato nello stesso il mezzo da adattare alle proprie esigenze pur mantenendo il perseguimento dell'obiettivo comunitario.

I benefici accordati dalla Commissione a tale proposito riguardano una sospensione d'imposta che permette alle imprese di accantonare temporaneamente le somme da includere nella base imponibile al termine del contratto. In tal modo la Commissione si propone di incentivare la dinamicità in un mercato in cui il ruolo delle PMI e dell'artigianato diviene sempre meno incisivo, soggiogato dallo standardizzato prodotto globalizzato.

In ragione di quanto sopra esposto, può dire la Commissione se, vista la dinamica e ben organizzata progettualità connessa alle reti d'impresa, considerato il periodo di forte crisi economica in cui versiamo e l'ingente numero di PMI costrette alla liquidazione, reputa possibile ridisegnare il programma in ordine agli aiuti di stato, nel caso specifico ci si riferisce alla sospensione d'imposta, al fine di incidere concretamente sulla possibilità di adesione delle PMI al contratto di rete?

Risposta di Joaquín Almunia a nome della Commissione
(24 gennaio 2013)

La misura di sostegno, che consiste in un differimento d'imposta per le imprese intenzionate a collaborare e costituire una rete, è stata notificata alla Commissione a norma dell'articolo 108, paragrafo 3, del TFUE ed è stata approvata dalla Commissione il 26 gennaio 2011 con la decisione protocollata con il numero SA. 31388 (N 343/2010) ([1]).

Con tale decisione, in assenza di selettività a livello delle imprese beneficiarie, la Commissione ha valutato il differimento d'imposta come una misura generale, che non comporta quindi aiuti di Stato ai sensi dell'articolo 107, paragrafo 1, del TFUE. Le autorità italiane hanno la facoltà di modificare la misura esistente ma è loro responsabilità notificare alla Commissione le eventuali modifiche che potrebbero determinare la presenza di aiuti di Stato.

([1]) GU C 60 del 25.2.2011, pag. 5.

(English version)

Question for written answer E-010579/12
to the Commission
Aldo Patriciello (PPE)
(20 November 2012)

Subject: Network contracts

Business network contracts are an innovative tool for the competitive entry into the market of firms which, though allies, maintain their legal autonomy.

Business networks were designed to deal, in a dynamic manner, with the current economic crisis afflicting the Member States. Italy immediately welcomed the business network contract idea, sensing that it could be used to promote Italian-made products. This project has been highly appreciated by SMEs, which, because of the free structure of the contract and the financial aid for the implementation of the network, have been able to adapt it to their own requirements whilst maintaining the pursuit of the Community objective.

One of the benefits granted by the Commission in this regard is a tax suspension that allows companies to temporarily set aside the amounts to be included in the basic taxable amount at the end of the contract. In this way, the Commission aims to encourage dynamism in a market in which the role of SMEs and small-scale craft industries is becoming ever less significant, subdued as it is by standardised globalised products.

Can the Commission therefore say whether, given the dynamic and well-organised business network project, given the severe economic crisis we are currently undergoing and the large number of SMEs forced into liquidation, it might be possible to redesign the programme as far as state aid is concerned, more specifically with reference to the tax suspension, in order to have a tangible effect on the possibility SMEs have of taking part in such network contracts?

Answer given by Mr Almunia on behalf of the Commission
(24 January 2013)

The support measure, which consists of a tax deferral for companies willing to cooperate and set up a network, was notified to the Commission in accordance with Article 108(3) TFEU and was approved by Commission decision of 26 January 2011 under case number SA. 31388 (N 343/2010) ([1]).

In that decision, the Commission considered the tax deferral as a general measure, since there was no selectivity at the level of the beneficiary companies, and thus as not entailing state aid within the meaning of Article 107(1) TFEU. Whilst the Italian authorities remain free to modify the existing measure, it is their responsibility to notify any alterations that are likely to entail the presence of state aid to the Commission.

([1]) OJ C 60, 25.2.2011, p. 5.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-010580/12
an die Kommission
Michael Cramer (Verts/ALE)
(20. November 2012)

Betrifft: Kontaminierte Kabinenluft bei Flugzeugen

In seiner Sitzung vom 29. Oktober 2012 setzte sich der Rat der Verkehrsminister mit der Problematik kontaminierter Kabinenluft in Flugzeugen auseinander. Dabei wurde die Forderung erhoben, die Kommission sowie die Europäische Flugsicherheitsagentur (EASA) sollten Maßnahmen auf EU-Ebene ergreifen. Bezug nehmend auf meine Anfrage zur schriftlichen Beantwortung E-010702/2011 vom 21. November 2011 frage ich die Kommission, mit der Bitte um einzelne Beantwortung jeder Frage:

1. Wie bewertet die Kommission die vorgebrachten Bedenken hinsichtlich der Auswirkungen kontaminierter Kabinenluft auf die Sicherheit des Flugbetriebs sowie auf die Gesundheit der Besatzungen und der Passagiere?

2. Welche Maßnahmen werden die Kommission und die EASA als Reaktion auf die Forderungen der Verkehrsminister ergreifen, um das Problem kontaminierter Kabinenluft auf EU-Ebene anzugehen?

3. Wie geht die Kommission gegen das Problem der mangelhaften Erfassung („underreportings“) im Zusammenhang mit Artikel 9 der Verordnung (EU) Nr. 996/2010 sowie mit § 5 der deutschen Luftverkehrs-Ordnung (LuftVO) vor?

Antwort von Herrn Kallas im Namen der Kommission
(21. Januar 2013)

Die Kommission wird bei ihren Risikomanagement in Bezug auf kontaminierte Kabinenluft von der EASA (Europäische Agentur für Flugsicherheit) unterstützt, die ihre Empfehlungen auf der Grundlage von Studien und weltweiten Erfahrungen entwickelt. Nach Auswertung der vorliegenden Studien und Berichte sowie der Analyse von Informationen, die im Rahmen einer öffentlichen Aufforderung zur Informationsübermittlung im Jahre 2009 gesammelt wurden, kam die EASA im Januar 2012 zu dem Schluss, dass kein Sicherheitsproblem mit unmittelbarem Handlungsbedarf vorliegt, und dass ein kausaler Zusammenhang zwischen Krankheits-symptomen und einer Kontamination der Kabinenluft nicht nachgewiesen werden konnte.

Die Kommission und die EASA werden die laufenden Forschungen und Bewertungen verschiedener Stellen aufmerksam verfolgen, um im Rahmen ihrer Zuständigkeiten rasch und zielführend handeln zu können, falls dies erforderlich werden sollte.

Um eine bessere Sensibilisierung für dieses Problem zu erreichen, wurden die Mitgliedstaaten auf der Ratstagung Verkehr vom 29. Oktober 2012 daran erinnert, dass Fälle von Kontaminationen der Kabinenluft über Ereignismeldesysteme mitgeteilt werden sollten. Die Kommission bereitet derzeit eine Revision der Richtlinie (EG) Nr. 42/2003 ([1]) vor.

([1]) Richtlinie 2003/42/EG des Europäischen Parlaments und des Rates vom 13. Juni 2003 über die Meldung von Ereignissen in der Zivilluftfahrt, ABl. L 167 vom 4.7.2003.

(English version)

Question for written answer E-010580/12
to the Commission
Michael Cramer (Verts/ALE)
(20 November 2012)

Subject: Contaminated cabin air in planes

At its meeting of 29 October 2012, the Transport, Telecommunications and Energy Council discussed the issue of contaminated cabin air in planes. It urged the Commission and the European Aviation Safety Agency (EASA) to take action at EU level. Further to my Question for written answer E-010702/2011 of 21 November 2011, I would appreciate if the Commission would answer each of the following questions separately:

1. What is the Commission's view on the concerns that contaminated cabin air is a problem for air safety and for the health of the crew and passengers?

2. In response to the demands of the Transport Council, what measures will the Commission and EASA take at EU level in order to address the problem of contaminated cabin air?

3. What is the Commission doing about the problem of underreporting in connection with Article 9 of Regulation (EU) No 996/2010 and with Article 5 of the German air traffic rules (LuftVO)?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

With regard to the risk management of cabin air contamination, the Commission is assisted by the European Aviation Safety Agency (EASA) which bases its recommendations on studies and worldwide experience. According to the existing study reports and after the analysis of the information collected by a public call for information launched in 2009, EASA concluded in January 2012 that there was no safety case that would recommend an immediate action and that a causal relationship between health symptoms and cabin air contamination could not been established.

The Commission and EASA continue to follow carefully ongoing research and assessment done by different bodies in this area in order to ensure timely and appropriate actions under its remit which could be necessary.

With a view to allowing a better awareness of this issue, Member States were reminded during the Transport Council of 29 October 2012 that events of cabin air contamination should be reported through occurrence reporting systems. The Commission is currently preparing a revision of the directive (EC) No 42/2003 ([1]).

([1]) Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation , Official Journal L 167 , 04/07/2003.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010581/12
προς την Επιτροπή
Nikos Chrysogelos (Verts/ALE)
(20 Νοεμβρίου 2012)

Θέμα: Κίνδυνος διακοπής της λειτουργίας μονάδων ψυχικής υγείας

Η Ελληνική Κυβέρνηση έχει μειώσει φέτος — χωρίς προειδοποίηση — κατά 50% την οικονομική ενίσχυση από τον Τακτικό Προϋπολογισμό του αρμόδιου Υπουργείου ([1]) για τις Μονάδες Ψυχικής Υγείας. Με τον τρόπο αυτό τίθεται σε κίνδυνο η συνέχιση της υλοποίησης των προγραμμάτων Ψυχοκοινωνικής Αποκατάστασης (Κανονισμός (ΕΟΚ) αριθ.815/84 — Κοινοτικό Πρόγραμμα «ΨΥΧΑΡΓΩΣ»), που έχουν στόχους την αποσυμφόρηση των Ψυχιατρικών Νοσοκομείων, την ψυχιατρική μεταρρύθμιση, την αποασυλοποίηση και επανένταξη των ψυχικά ασθενών, με βάση και τις πολιτικές της Ευρωπαϊκής Ένωσης. Οι Μονάδες Ψυχικής Υγείας καλύπτουν ολόκληρες γεωγραφικές περιοχές, κυρίως νησιωτικές, που κινδυνεύουν να μείνουν χωρίς καμία δημόσια ψυχιατρική παρακολούθηση και περίθαλψη. Επιπλέον, πολλοί ψυχικά ασθενείς που εξυπηρετούνται από τις Μονάδες Ψυχικής Υγείας έχουν βγει πρόσφατα από ψυχιατρεία (άσυλα) που έκλεισαν. Ήδη μέλη του Δικτύου Μονάδων Ψυχικής Υγείας έχουν προβεί σε εξώδικες διαμαρτυρίες και προσωρινή αναστολή λειτουργίας, χωρίς ανταπόκριση από το αρμόδιο Υπουργείο. Η υποβάθμιση λειτουργίας των μονάδων παραβιάζει τον Ευρωπαϊκό Χάρτη Θεμελιωδών Δικαιωμάτων, τη Σύμβαση για τα Δικαιώματα των Ατόμων με Αναπηρία και την Ευρωπαϊκή Σύμβαση Δικαιωμάτων του Ανθρώπου, θέτοντας σε κίνδυνο την ψυχική υγεία, την υγεία και τη ζωή των 35 000 ψυχικά πασχόντων, παιδιών και εφήβων που εξυπηρετούνται, και μάλιστα σε μια δυσμενή ιστορική συγκυρία που οι πολίτες το έχουν ανάγκη.

Ερωτάται η Επιτροπή:

1. Υπάρχει κίνδυνος διακοπής της χρηματοδότησης από το Ευρωπαϊκό Κοινωνικό Ταμείο, βάσει των προβλέψεων του Συμφώνου «Spidla» και του Προγράμματος «ΨΥΧΑΡΓΩΣ» Γ, αλλά και επιστροφής κονδυλίων;

2. Σκοπεύει η Επιτροπή και ο εκπρόσωπός της στην τρόικα να συνεργαστεί με τις ελληνικές αρχές προκειμένου να εξασφαλιστούν κατά προτεραιότητα οι πόροι, ώστε η ελληνική κυβέρνηση, με βάση τις υποχρεώσεις της, να δεσμευτεί εγγράφως για τη συνέχιση της λειτουργίας των μονάδων για το 2013 και για την υπογραφή συμβάσεων πενταετούς διάρκειας με τους φορείς τους για τη λειτουργία των Μονάδων Ψυχικής Υγείας με αμοιβαίες δεσμεύσεις;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(31 Ιανουαρίου 2013)

1. Η Ευρωπαϊκή Ένωση και ιδιαίτερα η Ευρωπαϊκή Επιτροπή έχουν υποστηρίξει τα κράτη μέλη της ΕΕ για την ανάπτυξη πολιτικών που αφορούν την ψυχική υγεία, οι οποίες δίνουν έμφαση στην καλύτερη ποιότητα περίθαλψης στην κοινότητα και εστιάζονται λιγότερο στην περίθαλψη σε ιδρύματα. Το 2011 η Ελλάδα δεσμεύτηκε στα συμπεράσματα του Συμβουλίου για «*Το Ευρωπαϊκό Σύμφωνο για την πνευματική υγεία και ευημερία: αποτελέσματα και μελλοντικές δράσεις*», με σκοπό να θέσει ως προτεραιότητα την ψυχική υγεία και την ευεξία στις πολιτικές για την υγεία και «να προωθήσει, όταν και όπου είναι δυνατό, μοντέλα περίθαλψης και φροντίδας που να βασίζονται στην κοινότητα και την κοινωνική ένταξη». Η ενοποίηση της αναδιάρθρωσης του τομέα ψυχικής υγείας εξακολουθεί να συνιστά προτεραιότητα για την Επιτροπή και υποστηρίζεται από το Ευρωπαϊκό Κοινωνικό Ταμείο βάσει του άξονα προτεραιότητας 5 (περίπου 328 εκατομμύρια ευρώ) του επιχειρησιακού προγράμματος (ΕΠ) «Ανάπτυξη ανθρώπινου δυναμικού (ΑΑΔ) 2007-2013». Δυστυχώς, σύμφωνα με τα πιο πρόσφατα στοιχεία (Οκτώβριος 2012) η απορρόφηση του εν λόγω άξονα προτεραιότητας είναι 5,18%. Για λόγους χρηστής δημοσιονομικής διαχείρισης και για να αποφευχθεί η απώλεια διαρθρωτικών ταμείων για την Ελλάδα, 60 εκατομμύρια ευρώ περίπου μεταφέρθηκαν από τον 5ο στον 3ο άξονα προτεραιότητας του ΕΠ ΑΑΔ, προκειμένου να ενισχυθούν παράλληλα τα μέτρα καταπολέμησης της ανεργίας των νέων, ένα πρόβλημα το οποίο αυξάνεται ραγδαία στην Ελλάδα αυτή την στιγμή.

2. Η Επιτροπή εξακολουθεί να παρακολουθεί προσεκτικά την κατάσταση στην οποία αναφέρεται ο κ. βουλευτής και θα παρακολουθεί την εφαρμογή των πολιτικών στο πεδίο της υγειονομικής περίθαλψης ως μέρος του προγράμματος οικονομικής προσαρμογής στην Ελλάδα.

([1]) Για το οικονομικό έτος (2012), η εγγεγραμμένη πίστωση (ΚΑΕ2544) ανέρχεται στο ποσό των 40 000 000 ευρώ, συν την παρακράτηση του ποσού των 4 500 000 ευρώ από το 2% και δεν επαρκεί να καλύψει τις ανάγκες για την ομαλή λειτουργία των Μονάδων που, σύμφωνα με τους εγκεκριμένους προϋπολογισμούς τους, ανέρχονται στο ποσό των 90 000 000 ευρώ περίπου.

(English version)

Question for written answer E-010581/12
to the Commission
Nikos Chrysogelos (Verts/ALE)
(20 November 2012)

Subject: Risk of closure of psychiatric units

Without giving any warning, the Greek Government has this year cut financial support in the regular budget of the ministry responsible [1] for psychiatric units by 50%. This jeopardises the continued implementation of the psychosocial rehabilitation programmes (Regulation (EEC) 815/84 — Community Programme 'PSYCHARGOS'), which are intended to decongest psychiatric hospitals, introduce psychiatric health reform and deinstitutionalise and reintegrate the mentally ill in society, in accordance with EU policies. The mental health units provide cover for entire geographic regions, mainly island regions, which now risk being left without any public psychiatric care and treatment facilities. Furthermore, many psychiatric patients who are being cared for by the mental health units have recently been discharged from psychiatric hospitals (asylums) that have closed. Already members of the network of mental health units have staged unofficial protests and temporarily suspended work, but without eliciting any response from the relevant ministry. The operational downgrading of these units is in breach of the European Charter of Fundamental Rights, the Convention on the Rights of Persons with Disabilities and the European Convention on Human Rights, since it puts at risk the mental and physical health and the lives of 35 000 mentally ill persons, including children and teenagers, who are in care, coming as it does at a time when people need these units more than ever, due to the historically unfavourable circumstances obtaining today.

In view of the above, will the Commission say:

1. Is there any risk that European Social Fund funding under the provisions of the 'Spidla' Covenant and the 'PSYCHARGOS' C Programme will be cut and that the funds will have to be returned?

2. Will the Commission and its representative in the Troika work with the Greek authorities to ensure that necessary resources are secured as a matter of priority so that the Greek Government honours its obligations and commits itself in writing to continue operating the units in 2013 and sign five-year contracts with their representatives for the operation of mental health units underpinned by reciprocal commitments?

Answer given by Mr Andor on behalf of the Commission
(31 January 2013)

1. The European Union and the European Commission in particular have supported EU Member States in the development of mental health policies which emphasise more quality care at the community and less focus at the institutional care. In 2011, Greece committed itself in the Council conclusions on 'The European Pact for Mental Health and Well-being: results and future action' to making mental health and well-being a priority of their health policies and to 'promote, where possible and relevant, community-based, socially inclusive treatment and care models'. The consolidation of the mental health reform continues to be a priority for the Commission supported from the European Social Fund under the Priority Axis 5 (approximately EUR 328 million) of the Operational Programme of 'Human Resource Development 2007-13'. Unfortunately, according to the most recent data (October 2012), the absorption of this Priority Axis is 5.18%. For reasons of sound financial management and in order to avoid a loss of Structural Funds for Greece, approximately EUR 60 million were transferred from the 5th to the 3rd Priority Axis of the HRD OP to reinforce at the same time measures to combat youth unemployment, a soaring problem for Greece at the moment.

2. The Commission remains attentive to the situation the Honourable Member refers to and will be monitoring policy implementation in the healthcare field as part of the Economic Adjustment Programme to Greece.

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[1] For the financial year 2012, the appropriation entered in the budget as KAE2544 amounts to 40 000 000 euros, plus the deduction of the sum of 4 500 000 from 2%. This is not enough to ensure requirements for the smooth functioning of the units, which, in accordance with their approved budgets, amount to approximately 90 000 000 euros.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-010582/12
προς την Επιτροπή
Nikos Chrysogelos (Verts/ALE)
(20 Νοεμβρίου 2012)

Θέμα: Συνέπειες από ημιτελή έργα οδοποιίας στην κοιλάδα των Τεμπών

Από το Μάρτιο του 2008, εκτελούνται έργα οδοποιίας στην Περιφέρεια Θεσσαλίας που περιλαμβάνουν την κατασκευή 3 μεγάλων σηράγγων. Οι δύο εξ αυτών, μήκους 1,9 χλμ. και 6,0 χλμ. κατασκευάζονται επί του όρους Κίσσαβος, στις παρυφές της κοιλάδας των Τεμπών και η τρίτη, μήκους 2,8 χλμ. επί του όρους Όλυμπος, στην περιοχή Πλαταμώνα-Ν. Παντελεήμονα. Τα έργα αυτά έχουν ολοκληρωθεί κατά περίπου 70%, αλλά παραμένουν ημιτελή εδώ και 2 χρόνια. Υπάρχουν όμως μια σειρά ανοιχτές πληγές, όπως εκσκαφές, τεράστιοι σωροί υλικών εκσκαφής που θα χρησιμοποιούνταν στην εξέλιξη του έργου, σήραγγες χωρίς ολοκληρωμένη επένδυση και φρεάτια εξαερισμού. Έτσι, προκαλούνται σοβαρότατοι κίνδυνοι για το περιβάλλον στην ιδιαίτερα ευαίσθητη και με διεθνή σημασία τοποθεσία της κοιλάδας των Τεμπών και των πλαγιών του Ολύμπου. Σημειώνεται ότι οι δύο πρώτες σήραγγες διέρχονται μέσα από περιοχή Natura 2000 (GR 1420005), SCI & SPA ([1]) που αποτελεί και Αισθητικό Δάσος και Χώρο ιδιαίτερης Φυσικής Ομορφιάς, ενώ η χάραξη όπου βρίσκεται η τρίτη σήραγγα, διέρχεται μέσα από το Τοπίο Ιδιαίτερου Φυσικού Κάλλους «Πλαταμώνας» (ΑΤ 4011043).

Επίσης, λόγω της μη ολοκλήρωσης της εσωτερικής επένδυσης των σηράγγων υπάρχει κίνδυνος εισροής υδάτων κατά τη χειμερινή περίοδο, που μπορεί να προκαλέσει κατάρρευση. Επιπλέον, η συνεχιζόμενη χρήση της παλαιάς εθνικής οδού μέσα στην κοιλάδα των Τεμπών από όλα τα οχήματα και κυρίως τα βαρέα, παρατείνει τους κινδύνους κατολισθήσεων με απρόβλεπτες συνέπειες για την οδική ασφάλεια. Η ανάδοχος εταιρεία, «Αυτοκινητόδρομος Αιγαίου ΑΕ», επισημαίνει ότι οι εργασίες σταμάτησαν εξαιτίας της παύσης της χρηματοδότησης από τις τράπεζες, από τον Οκτώβριο του 2010, καθώς θεωρούν ότι το έργο δεν είναι βιώσιμο. ([2])

Ερωτάται η Ευρωπαϊκή Επιτροπή:

1. Σκοπεύει να ζητήσει ενημέρωση από τις ελληνικές αρχές σχετικά με την πορεία των έργων;

2. Προτίθεται να συνεργαστεί με τις ελληνικές αρχές και την ΕΤΕπ ([3]) για τη διαμόρφωση μιας λύσης στο πρόβλημα χρηματοδότησης, με δεδομένες τις περιορισμένες δυνατότητες των ελληνικών τραπεζών, με στόχο να ολοκληρωθούν άμεσα τα έργα που επηρεάζουν το ευαίσθητο περιβάλλον της περιοχής και να αποκατασταθεί η περιβαλλοντική ζημιά;

Απάντηση του κ. Hahn εξ ονόματος της Επιτροπής
(25 Ιανουαρίου 2013)

Η Επιτροπή βρίσκεται σε επαφή με τις ελληνικές αρχές σχετικά με την εξέλιξη της κατασκευής των εν λόγω έργων. Οι τρεις σήραγγες αποτελούν μέρος του έργου «Συμφωνία παραχώρησης για τη μελέτη-κατασκευή-χρηματοδότηση-λειτουργία-συντήρηση και εκμετάλλευση του αυτοκινητοδρόμου Μαλλιακός-Κλειδί». Το έργο αυτό ξεκίνησε την περίοδο 2000-2006 και συνεχίστηκε κατά τη διάρκεια της περιόδου 2007-2013.

Η τρέχουσα οικονομική κατάσταση οδήγησε μερικές δανειοδοτικές τράπεζες στη διακοπή της χρηματοδότησης του έργου, η οποία είχε ως αποτέλεσμα την προσωρινή διακοπή της κατασκευής των τεσσάρων από τις πέντε παραχωρήσεις αυτοκινητοδρόμων στην Ελλάδα.

Η Επιτροπή υποστηρίζει τις συζητήσεις για την εύρεση μιας βιώσιμης λύσης μεταξύ των ελληνικών αρχών και των παραχωρησιούχων και για τις τέσσερις παραχωρήσεις αυτοκινητοδρόμων, οι οποίες αντιμετωπίζουν επί του παρόντος προβλήματα. Η ολοκλήρωση αυτών των εμβληματικών έργων, σύμφωνα με την εθνική και ευρωπαϊκή νομοθεσία, θα μειώσει τη διάρκεια του ταξιδιού και θα βελτιώσει την οδική ασφάλεια, προστατεύοντας ταυτόχρονα το περιβάλλον και ενισχύοντας την ελληνική οικονομία. Το ποσοστό της συγχρηματοδότησης της ΕΕ θα αποφασιστεί όταν θα ληφθούν οι επίσημες αιτήσεις για τη συγχρηματοδότηση αυτών των έργων.

([1]) http://ornithologiki.gr/page_iba.php?aID=58&loc=en.
([2]) SOS για την Κοιλάδα των Τεμπών, Καθημερινή, 16.10.2012.
([3]) ΕΤΕπ: Ευρωπαϊκή Τράπεζα Επενδύσεων.

(English version)

Question for written answer E-010582/12
to the Commission
Nikos Chrysogelos (Verts/ALE)
(20 November 2012)

Subject: Impact of unfinished road works in the Vale of Tempe

Since March 2008 road works, which include the construction of three large tunnels, have been under way in the region of Thessaly. Two of these, 1.9 km and 6.0 km in length, respectively, are being constructed on Mount Kissavos near the Vale of Tempe, while the third, 2.8 km in length, is being constructed on Mount Olympus, in the area of Platamonas — Neos Panteleimonas. These projects are about 70% complete, but have remained unfinished for two years. This has left a number of 'open wounds': excavation work, huge piles of excavated material which was set aside for use in the project and tunnels for which the cladding and ventilation shafts have not been completed. This poses a serious threat to the environment in the Vale of Tempe and the slopes of Mount Olympus, particularly fragile sites of international significance. It should be borne in mind that the first two tunnels pass through a Natura 2000 (GR 1420005), SCI & SPA area ([1]) which includes a scenic forest and an Area of Outstanding Natural Beauty, while work on the third tunnel passes through 'Platamonas', an Area of Outstanding Natural Beauty (AT 4011043).

Furthermore, because of the failure to complete the internal cladding of the tunnels, there is a risk of flooding in winter, which may cause them to collapse. Furthermore, the continued use of the old highway through the Vale of Tempe by all vehicles, but especially lorries, means that there is a continuing risk of landslides, a potential threat to road safety. The contractor company, 'Aegean Motorway Ltd', notes that the work was stopped because banks ceased funding in October 2010, feeling that the project was not viable ([2]).

In view of the above, will the Commission say:

1. Will it seek information from the Greek authorities on the state of progress of the project?

2. Will it collaborate with the Greek authorities and the EIB ([3]) to work out a solution to the funding problem, given the limited resources of Greek banks, in order forthwith to complete the project which, in its unfinished state, is damaging the fragile regional environment and to repair any damage to this environment?

Answer given by Mr Hahn on behalf of the Commission
(25 January 2013)

The Commission is in contact with the Greek authorities about the progress of the construction works concerned. The three tunnels are part of the project 'Concession Agreement Study-Construction-Financing-Operation-Upkeep and Exploitation of the Malliakos-Kleidi Motorway'. It is a project from the 2000-2006 period which has been continued in the 2007-2013 period.

The current financial situation led to the interruption of the financing of the project by some lending banks, which resulted in a temporary stoppage of the construction of four out of the five motorway concessions in Greece.

The Commission is supporting discussions to find a sustainable solution between the Greek authorities and the concession holders for all four motorway concessions which are currently facing difficulties. The completion of these emblematic projects, in accordance with national and EU legislation, will reduce travel times and improve road safety, while protecting the environment and boosting the Greek economy. The level of EU co-financing will be decided once the formal applications for the co-financing of these projects are received.

([1]) http://ornithologiki.gr/page_iba.php?aID=58&loc=en.
([2]) Article in Kathimerini newspaper of 16 October 2012: SOS for the Vale of Tempe.
([3]) European Investment Bank.

(English version)

Question for written answer E-010583/12
to the Commission
Catherine Stihler (S&D)
(20 November 2012)

Subject: European tax avoidance

Does the Commission intend to take action with regard to tax avoidance by companies? What action can be taken to prevent companies from basing their European businesses outside the UK to avoid paying full UK tax?

Starbucks paid 0% tax in the UK on GBP 365 million in earnings, and Amazon paid a rate of 2.5% tax in the UK on earnings of GBP 309 billion. Will the Commission take action in response to the growing public anger on this matter?

Answer given by Mr Šemeta on behalf of the Commission
(10 January 2013)

The Commission is aware of some of the current weaknesses in international taxation leading to tax avoidance. In this context and taking into account concerns about tax fraud and evasion, it presented an Action Plan ([1]) and two Recommendations ([2]) on 6 December 2012 to strengthen the fight against tax fraud, evasion and aggressive tax planning. These include proposals to strengthen anti-abuse provisions in bilateral tax treaties, the inclusion of a general anti abuse rule in national legislation and a review of anti-abuse clauses in corporate tax Directives. It also includes common criteria for identifying third countries not complying with minimum standards on transparency, exchange of information and fair tax competition and a series of measures to improve compliance by these third countries. When implemented, it will be considerably more difficult for businesses to use artificial arrangements to avoid taxes.

Finally, aggressive tax planning and tax evasion are essentially global problems. Therefore, the Commission will also push for action in these areas in international fora such as the OECD and the G20 / G8.

([1]) COM(2012)722 final (An Action Plan to strengthen the fight against tax fraud and tax evasion) of 6/12/2012.
([2]) C(2012)8805 final (Com Recommendation regarding measures intended to encourage third countries to apply minimum standards of good governance in tax matters) and C(2012)8806 final (Com Recommendation on aggressive tax planning).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010584/12
alla Commissione
Vito Bonsignore (PPE)
(20 novembre 2012)

Oggetto: Incidente su Treno Frecciarossa in Italia

Nel pomeriggio di giovedì 18 novembre, un passeggero del treno AV Frecciarossa Torino-Roma delle 16.37 è stato colpito da infarto. Secondo le prime ricostruzioni, la vittima avrebbe avvertito il malore all'inizio del viaggio; il capotreno, avvisato dell'emergenza alle ore 17.03, avrebbe tentato di amministrare i soccorsi con un kit di bordo, con materiale di medicazione superficiale, non comprendenti il defibrillatore.

La prima fermata di emergenza è stata effettuata a Rho, pochi minuti prima della fermata regolamentare a Milano Centrale, oltre 40 minuti dalla denuncia dell'emergenza. Tale ritardo è stato fatale al passeggero.

Ciò premesso, si chiede alla Commissione se:

1. a suo giudizio il diritto a un livello minimo di presidio sanitario e di prevenzione delle emergenze non sia ricompreso tra i diritti fondamentali dei passeggeri in tutti i modi di trasporto, di cui alla recente relazione approvata dal Parlamento (P7_TA(2012/0371);

2. non ritenga che, sotto questo profilo, i protocolli operativi dei treni AV a lunga percorrenza o su tratte primarie debbano avvicinarsi a quelli del trasporto aereo sulle medesime rotte, modalità trasportistica che è in esplicita competizione sui medesimi segmenti di mercato;

3. e, in particolare, non dovrebbe essere obbligatoria sui detti vettori la dotazione di un defibrillatore e il personale di bordo non dovrebbe essere formato per l'amministrazione delle prime procedure di emergenza, e quali urgenti misure possano essere adottate, a prevenzione di tali ricorrenti emergenze, nelle more di un adeguamento delle regolamentazioni e dei protocolli operativi in materia.

Risposta di Siim Kallas a nome della Commissione
(21 gennaio 2013)

I protocolli operativi dei treni ad alta velocità a lunga percorrenza sono stabiliti dagli operatori ferroviari. I requisiti relativi ai sistemi di gestione della sicurezza a livello di Unione europea si concentrano sulla definizione di procedure per la necessaria collaborazione tra i soggetti del settore ferroviario (imprese ferroviarie e gestori dell'infrastruttura) e i soggetti esterni, come le organizzazioni di soccorso. Le norme dell'UE non contengono alcun obbligo esplicito riguardante le emergenze mediche. In base alle specifiche tecniche di interoperabilità adottate dalla Commissione ai sensi della direttiva 2008/57/CE ([1]) relativa all'interoperabilità del sistema ferroviario, le imprese ferroviarie devono disporre di sistemi per informare i passeggeri in merito alle procedure di emergenza e di sicurezza a bordo, comprese le emergenze mediche.

La Commissione osserva che spetta a ciascun operatore ferroviario stabilire quali debbano essere le opportune attrezzature di bordo e i relativi programmi di formazione che potrebbero essere necessari. La Commissione ricorda che la pertinente normativa dell'UE applicabile al settore del trasporto aereo non definisce specificamente le procedure per le emergenze mediche, ma contiene determinati requisiti relativi alle attrezzature di emergenza di bordo e alla formazione sull'uso delle stesse, e stabilisce che la necessità di trasportare un defibrillatore dipende da una valutazione del rischio caso per caso che deve essere effettuata dall'operatore.

I dieci diritti fondamentali dei passeggeri in tutti i modi di trasporto di cui alla relazione P7_TA (2012/0371), indicati per la prima volta nella comunicazione della Commissione sui diritti dei passeggeri in tutti i modi di trasporto ([2]), non comprendono il diritto ad un livello minimo di tutela della salute e di prevenzione delle emergenze. I problemi di salute che non sono connessi all'esercizio del vettore non sono coperti dal regolamento 1371/2007 relativo ai diritti dei passeggeri nel trasporto ferroviario ([3]).

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:191:0001:0045:IT:PDF.
([2]) Comunicazione della Commissione al Parlamento europeo e al Consiglio — Una visione europea per i passeggeri: Comunicazione sui diritti dei passeggeri in tutti i modi di trasporto, COM(2011)898 del 19.12.2011.
([3]) Regolamento (CE) n. 1371/2007 del Parlamento europeo e del Consiglio, del 23 ottobre 2007, relativo ai diritti e agli obblighi dei passeggeri nel trasporto ferroviario, GU L 315 del 3.12.2007.

(English version)

Question for written answer E-010584/12
to the Commission
Vito Bonsignore (PPE)
(20 November 2012)

Subject: Incident on the Frecciarosa train in Italy

In the afternoon of Thursday 18 November, a passenger on the 16.37 high-speed Turin-Rome train, *Frecciarossa*, had a heart attack. According to preliminary reports, the victim felt ill at the beginning of the journey. The conductor, alerted to the emergency at 17.03, apparently attempted to administer first aid with an on-board kit containing material for superficial medication, not including a defibrillator.

The first emergency stop was made in Rho, a few minutes before the normal stop at Milan Central Station and over 40 minutes from the declaration of emergency. This delay was fatal to the passenger.

Can the Commission therefore answer the following questions:

1. In its view, is the right to a minimum level of health protection and prevention of emergencies not included among the fundamental rights of passengers in all modes of transport, mentioned in the recent report adopted by Parliament (P7_TA (2012/0371)?

2. Does it not agree that, in this respect, the operating protocols of high-speed long-distance trains, or those on main routes, should be similar to those for the same routes in the aviation sector, since the latter mode of transport explicitly competes for the same market segments?

3. In particular, should it not be compulsory for the carriers in question to be equipped with defibrillators, and should on-board staff not be trained to carry out initial emergency procedures? What urgent measures can be taken to prevent such emergencies from recurring, pending an adjustment of the relevant rules and operating protocols?

Answer given by Mr Kallas on behalf of the Commission
(21 January 2013)

The operating protocols of high speed long distance trains are established by rail operators. EU-level requirements regarding safety management systems focus on setting procedures for the necessary collaboration between railway actors (railway undertakings and infrastructure managers) and external entities such as rescue organisations. EU rules contain no explicit requirement related to medical emergencies. Under technical specifications for interoperability for operations adopted by the Commission under the directive 2008/57/EC ([1]) on the interoperability of the rail system, railway undertakings must have processes to inform passengers about onboard emergency and safety procedures which would include medical emergencies.

The Commission notes that it is the responsibility of each rail operator to determine the appropriate equipment to be carried on board and any associated training that may be necessary. The Commission would point out that the relevant EU legislation applicable to the aviation sector does not specifically set out procedures for medical emergencies but includes certain requirements about emergency equipment on board, training in the use of the equipment, establishing that the need to carry a defibrillator is dependent on a case-by-case risk assessment by the operator.

The 10 fundamental rights of passengers in all transport modes referred to in Report P7_TA (2012/0371) and first mentioned in the Commission's Communication on the rights of passengers in all modes of transport ([2]) do not include a right to a minimum level of health protection and prevention of emergencies. Health issues which are not related to the operation of the carrier are not covered by Regulation 1371/2007 on rail passenger rights ([3]).

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:191:0001:0045:EN:PDF.
([2]) Communication from the Commission to the European Parliament and the Council. A European vision for Passengers: Communication on Passenger Rights in all transport modes, COM(2011) 898 of 19.12.2011.
([3]) Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations, OJ L315, 3.12.2007.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-010585/12
alla Commissione
Clemente Mastella (PPE)
(20 novembre 2012)

Oggetto: Nuovi limiti per i tempi di volo dei piloti europei

L'ECA, il sindacato europeo che rappresenta oltre 38 mila di piloti, ha recentemente pubblicato i dati preoccupanti di un'indagine condotta sul barometro della fatica in volo dei piloti in Europa.

Lo studio ha considerato oltre seimila comandanti di Austria, Danimarca, Francia, Germania, Paesi Bassi, Norvegia, Svezia e Regno Unito operativi tra il 2010 ed il 2012. Secondo i risultati, alla metà è successo di viaggiare così stanchi da compromettere la propria capacità di pilotare: uno su tre si è addormentato in cabina o ha avuto un colpo di sonno.

Si chiede, pertanto, alla Commissione:

se alla luce della nuova regolamentazione che è in procinto di produrre, non ritenga opportuno verificare la possibilità di fissare nuove limitazioni per le ore di volo nei cieli d'Europa e del mondo intero, in quanto l'esigenza pur legittima di ridurre i costi non può assolutamente mettere a rischio la sicurezza dei passeggeri.

Risposta di Siim Kallas a nome della Commissione
(23 gennaio 2013)

La Commissione è impegnata a garantire la sicurezza aerea, un aspetto di assoluta rilevanza, ed è pienamente consapevole dell'importanza di assicurare che abilità e capacità di valutazione degli equipaggi dei velivoli non siano compromesse dalla stanchezza.

L'Agenzia europea per la sicurezza aerea (AESA) ha trasmesso di recente alla Commissione il suo parere formale in merito al riesame delle attuali norme sulla limitazione dei tempi di volo. La Commissione ha fornito informazioni supplementari in merito alla proposta dell'AESA nella risposta all'interrogazione scritta E-009003/2012 ([1]).

Al momento la Commissione sta valutando accuratamente la proposta dell'Agenzia e in questo contesto, consapevole delle opinioni positive e negative in merito a detta proposta, sta analizzando con attenzione tutti i pareri espressi prima di decidere quali azioni intraprendere.

Tuttavia, i risultati dell'indagine sulla stanchezza dei piloti in volo in Europa, pubblicata di recente dall'Associazione europea dei piloti, per vari motivi non dimostrano un rischio di sicurezza associato a particolari elementi delle norme UE in materia di limitazione dei tempi di volo. Nella relazione inerente l'indagine manca un approccio scientifico analitico e comparativo che comprovi i motivi alla base degli incidenti imputati alla stanchezza, della loro frequenza e dei rischi oggettivi.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-010585/12
to the Commission
Clemente Mastella (PPE)
(20 November 2012)

Subject: New flight time limitations for European pilots

The ECA, the European union that represents more than 38 000 pilots, has recently released alarming data from a survey on the in-flight fatigue of pilots in Europe.

The study looked at over 6000 flight commanders from Austria, Denmark, France, Germany, the Netherlands, Norway, Sweden and the United Kingdom, working between 2010 and 2012. According to the results, half of the pilots have been so tired when flying as to impair their ability to fly the aircraft, while one in three has fallen asleep or dozed off in the cabin.

Can the Commission therefore say whether, in the light of the new regulations it is about to produce, it does not think it should set new flight time limitations for the skies of Europe and the world, since the — albeit legitimate — need to reduce costs should under no circumstances endanger passenger safety.

Answer given by Mr Kallas on behalf of the Commission
(23 January 2013)

The Commission is committed to aviation safety, which is paramount, and it is fully aware of the importance of ensuring that the skill and judgment of aircrews is not impaired by fatigue.

The European Aviation Safety Agency (EASA) has recently provided to the European Commission its formal Opinion concerning the revision of the current rules on flight time limitations (FTL). Further information concerning this EASA proposal has been provided by the Commission in its answer to Written Question E-009003/2012 ([1]).

The Commission is currently assessing in detail the EASA proposal. In this context, the Commission is aware of both positive as well as negative views on this proposal and it is analysing carefully all the views expressed before deciding on the way forward.

However, the results of the survey on the in-flight fatigue of pilots in Europe published recently by ECA do not provide evidence of a safety risk associated with particular elements of the EU FTL rules, and this for various reasons. The survey report lacks a scientific analytical and comparative approach providing evidence of the root causes of alleged fatigue incidents, of their frequency and of objective risks.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-010586/12
a la Comisión
Esther Herranz García (PPE)
(20 de noviembre de 2012)

Asunto: Productos alimenticios para celíacos

La intolerancia al gluten es una enfermedad que padece, por término medio, 1 de cada 80 personas en Europa. Las personas que la padecen deben asumir directamente el coste, más elevado, de los alimentos exentos de gluten, debido a que estos están catalogados como productos dietéticos. Además, la cuantía del Impuesto sobre el Valor Añadido (IVA) de los productos exentos de gluten no es homogénea en la Unión Europea y varía de un Estado miembro a otro.

El pasado 1 de enero de 2012 entró en vigor el Reglamento (CE) n° 41/2009 de la Comisión, sobre la composición y etiquetado de los productos alimenticios para personas con intolerancia al gluten. Sin embargo, no hay un organismo europeo que controle el cumplimiento de este Reglamento y hay Estados miembros que no lo están cumpliendo, con el consiguiente riesgo de intoxicación para los celíacos.

1. ¿Cómo puede asegurar la Comisión que los estándares de etiquetado se están cumpliendo y que son homogéneos en todos los Estados miembros para asegurar la libre circulación de las personas celíacas dentro de la Unión?

2. ¿Prevé la Comisión considerar los productos alimenticios para celíacos como productos farmacológicos y no como productos dietéticos, como están actualmente catalogados?

3. ¿No considera la Comisión que sería necesario unificar el coste del Impuesto sobre el Valor Añadido para estos productos dentro de la Unión Europea?

4. Teniendo en cuenta que una persona celíaca, en tres productos básicos como el pan, las galletas y la pasta, se gasta de media al año 408,20 € más que una persona no celíaca, ¿qué medidas considera la Comisión que se podrían tomar para paliar en parte esa situación?

Respuesta del Sr. Borg en nombre de la Comisión
(15 de enero de 2013)

Además del Reglamento (CE) n° 41/2009 ([1]), que establece normas armonizadas sobre la composición y el etiquetado de los productos alimenticios apropiados para personas con intolerancia al gluten, el Reglamento (UE) n° 1169/2011 ([2]), sobre la información alimentaria facilitada al consumidor, establece la obligación de indicar en el etiquetado de todos los alimentos los ingredientes que provocan las alergias o intolerancias más comunes, incluidos los ingredientes que contengan gluten.

La Comisión no tiene conocimiento de los casos de incumplimiento del Reglamento (CE) n° 41/2009 comunicados por Su Señoría. Los Reglamentos de la UE son directamente aplicables en los Estados miembros, y las autoridades nacionales son responsables de garantizar el cumplimiento del Derecho de la UE. Si la Comisión tiene conocimiento de que un Estado miembro incumple el Derecho de la UE, puede tomar medidas para intentar poner fin a esa infracción y, si procede, puede recurrir al Tribunal de Justicia de la Unión Europea.

La Comisión no tiene previsto considerar los alimentos para celíacos como productos farmacéuticos. La propuesta de la Comisión de un Reglamento sobre alimentos para lactantes y niños de corta edad y los alimentos para usos médicos especiales ([3]) suprime el concepto de alimentos dietéticos y propone transferir las normas vigentes del Reglamento (CE) n° 41/2009 a otras medidas más adecuadas de la legislación alimentaria de la UE.

([1]) DO L 16 de 21.1.2009, p. 3.
([2]) DO L 304 de 22.11.2011, p. 18.
([3]) COM(2011) 353 final.

En lo que respecta a las normas relativas al IVA aplicado a los productos alimenticios, la Comisión remite a Su Señoría a su respuesta a la pregunta escrita E-003100/2012 ([4]). La última etapa del proceso destinado a armonizar el régimen del IVA fue la adopción de una comunicación sobre el futuro del IVA ([5]), que anuncia en particular una revisión de los tipos reducidos de dicho impuesto ([6]). Sin embargo, en dicha revisión no está previsto uniformizar en toda la UE los tipos de IVA de determinados productos.

([4]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

([5]) COM(2011) 851 final — Comunicación sobre el futuro del IVA — Hacia un sistema de IVA más simple, robusto, eficaz y adaptado al mercado único.

([6]) http://ec.europa.eu/taxation_customs/common/consultations/tax/2012_vat_rates_en.htm

(English version)

Question for written answer E-010586/12
to the Commission
Esther Herranz García (PPE)
(20 November 2012)

Subject: Food products for coeliacs

Gluten intolerance is a medical condition which, on average, affects one European in eighty. Those who suffer from it must directly pay the higher cost of gluten-free food products, which are more expensive on account of the fact that they are classed as dietary products. Furthermore, the amount of value-added tax (VAT) charged on gluten-free products is not uniform within the European Union — it varies from one Member State to another.

Commission Regulation (EC) No 41/2009 concerning the composition and labelling of foodstuffs suitable for people intolerant to gluten came into force on 1 January 2012 . However, no European body monitors compliance with that regulation and certain Member States are failing to comply with it. This puts coeliacs at risk of poisoning.

1. How can the Commission ensure that labelling standards are being met and are uniform in all the Member States, thus enabling coeliacs to move freely within the EU?

2. Is the Commission planning to regard food products for coeliacs as pharmaceutical products and not as dietary products, as they are currently classed?

3. Does the Commission not consider that the value-added tax charged on such products should be made uniform within the European Union?

4. Given that a coeliac spends on average EUR 408.20 more per year on basic products such as bread, biscuits and pasta than does a non-coeliac, what measures does the Commission think could be taken in order to alleviate this state of affairs?

Answer given by Mr Borg on behalf of the Commission
(15 January 2013)

In addition to Regulation (EC) No 41/2009 ([1]) which sets harmonised rules on the composition and labelling of foodstuffs for people intolerant to gluten, Regulation (EU) No 1169/2011 ([2]) on food information to consumers requires for all food the mandatory labelling of ingredients causing the most common allergies or intolerances, including gluten-containing ingredients.

The Commission is not aware of the cases of non-compliance with Regulation (EC) No 41/2009 reported by the Honourable Member. EU Regulations are directly applicable in Member States and national authorities are responsible to ensure that EC law is complied with. If the Commission becomes aware of a Member State's failure to comply with EC law, it can take action to try to bring the infringement to an end and, where necessary, may refer the case to the Court of Justice of the European Union.

The Commission does not intend to regard foods for coeliacs as pharmaceutical products. The Commission's proposal for a regulation on food for infants and young children and food for special medical purposes ([3]) abolishes the concept of dietetic foods and proposes to transfer the existing rules of Regulation (EC) No 41/2009 under other more appropriate measures of EU food law.

For the VAT rules applied to foodstuffs, the Commission would refer the Honourable Member to its answer to Written Question E-003100/2012 ([4]). The latest step in the process aiming at harmonising VAT arrangements was the adoption of a communication on the future of VAT ([5]), which announces notably a review of the VAT reduced rates ([6]). Making the VAT rates uniform across the EU for certain products is however not envisaged within this review.

([1]) OJ L 16, 21.1.2009, p. 3.
([2]) OJ L 304, 22.11.2011, p.18.
([3]) COM(2011) 353 final.
([4]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([5]) COM(2011) 851 final — Communication on the future of VAT — Towards a simpler, more robust and efficient VAT system tailored to the single market.
([6]) http://ec.europa.eu/taxation_customs/common/consultations/tax/2012_vat_rates_en.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-010588/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(20 de noviembre de 2012)

Asunto: Regeneración democrática en Europa

En la Decisión del Consejo 2008/913/JAI, relativa a la lucha contra determinadas formas y manifestaciones de racismo y xenofobia mediante el Derecho penal, se pone de manifiesto la voluntad del Consejo Europeo de que los Estados miembros tengan en pie legislación adecuada para perseguir penalmente aquellas acciones que sean dirigidas a incitar al odio, el racismo y la xenofobia. El franquismo, es decir, la época de gobierno dictatorial en España encabezada por el general Francisco Franco, tuvo una especial fijación política contra Cataluña y contra los catalanes ([1]). Durante su gobierno, miles de personas fueran asesinadas, perseguidas y torturadas por el mero hecho de ser catalanas o utilizar como lengua de expresión el catalán. Actualmente, la Fundación Francisco Franco existe en España. Esta fundación, dirigida a enaltecer la memoria del difunto dictador, ha pedido recientemente que se proclame «el Estado de guerra contra Cataluña» ([2]), tal y como se puede leer en su editorial de octubre. El Consejo observará que el último párrafo está íntegramente dirigido al enaltecimiento del dictador. ([3])

1. ¿Cree la Comisión que la Fundación Francisco Franco incumple el artículo 1 de la mencionada Decisión en cuanto a la incitación al odio y al enaltecimiento de crímenes a través de la figura de Francisco Franco?

2. ¿Cree la Comisión que España debería aplicar los artículos 5 y 6 de dicha Decisión con el objetivo de aplicar sanciones penales y, si cabe, disolver judicialmente la Fundación Francisco Franco por el enaltecimiento de crímenes contra la humanidad?

Respuesta de la Sra. Reding en nombre de la Comisión
(30 de enero de 2013)

Corresponde a las autoridades nacionales, como la policía, el ministerio fiscal y los tribunales, investigar situaciones concretas y apreciar si pueden considerarse incitación pública intencionada al odio racista o xenófobo, o la apología pública intencionada, negación o trivialización flagrante de crímenes de genocidio, crímenes contra la humanidad y crímenes de guerra, tal como se definen en los artículos 6, 7 y 8 del Estatuto del Tribunal Internacional, en el sentido indicado por las legislaciones nacionales que transponen la Decisión marco 2008/913/JAI.

La Comisión publicará el primer informe de aplicación de la Decisión marco 2008/913/JAI, en 2013.

([1]) http://www20.gencat.cat/portal/site/culturacatalana/menuitem.be2bc4cc4c5aec88f94a9710b0c0e1a0/?vgnextoid=841c5c43da896210VgnVCM1000000b0c1e0aRCRD&vgnextchannel=841c5c43da896210VgnVCM1000000b0c1e0aRCRD&vgnextfmt=detall2&contentid=0e613c084ded7210VgnVCM1000008d0c1e0aRCRD&newLang=es_ES.
([2]) http://www.elplural.com/2012/10/28/la-fundacion-franco-pide-%E2%80%9Cproclamar-el-estado-de-guerra%E2%80%9D-a-cataluna/.
([3]) http://www.fnff.es/Editorial_de_Octubre_de_2012_540_c.htm

(English version)

Question for written answer E-010588/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(20 November 2012)

Subject: Democratic regeneration in Europe

In Council Decision 2008/913/JAI on combating certain forms and expressions of racism and xenophobia by means of criminal law, it is clear that the EU Council wishes to ensure that the Member States have adequate legislation in place to pursue under criminal law those acts which are intended to incite hatred, racism and xenophobia. In the Franco years, the period of the dictatorship of General Francisco Franco in Spain, policy was particularly directed against Catalonia and the Catalans ([1]). During his rule, thousands of people were assassinated, persecuted and tortured merely because they were Catalan or spoke the Catalan language. Today the Fundación Francisco Franco (Francisco Franco Foundation) exists in Spain. This foundation, which exists to glorify the memory of the dead dictator, recently called for a declaration of 'a state of war on Catalonia' ([2]), as stated in its editorial for October. The Council will note that the purpose of the last paragraph is entirely that of glorifying the dictator. ([3])

1. Does the Commission believe that the Francisco Franco Foundation is in breach of Article 1 of the above Decision in so far as it incites hatred and glorifies crimes through the figure of Francisco Franco?

2. Does the Commission believe that Spain must apply Articles 5 and 6 of that Decision for the purpose of imposing criminal penalties and, if necessary, dissolve the Francisco Franco Foundation on the grounds of glorification of crimes against humanity?

Answer given by Mrs Reding on behalf of the Commission
(30 January 2013)

It is for national authorities, such as the police, public prosecutor and courts, to investigate concrete situations and to determine whether they can be considered as intentional public incitement to racist or xenophobic hatred, or intentional public condoning, denial or gross trivialisation of crimes of genocide, crimes against humanity and war crimes — as defined in Articles 6, 7 and 8 of the Statute of the International Court — in the sense stipulated by the national laws transposing Framework Decision 2008/913/JHA.

The Commission will publish the first implementation report of this framework Decision 2008/913/JHA in 2013.

([1]) http://www20.gencat.cat/portal/site/culturacatalana/menuitem.be2bc4cc4c5aec88f94a9710b0c0e1a0/?vgnextoid=841c5c43da896210VgnVCM1000000b0c1e0aRCRD&vgnextchannel=841c5c43da896210VgnVCM1000000b0c1e0aRCRD&vgnextfmt=detall2&contentid=0e613c084ded7210VgnVCM1000008d0c1e0aRCRD&newLang=es_ES.

([2]) http://www.elplural.com/2012/10/28/la-fundacion-franco-pide-%E2%80%9Cproclamar-el-estado-de-guerra%E2%80%9D-a-cataluna/.

([3]) http://www.fnff.es/Editorial_de_Octubre_de_2012_540_c.htm

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