

Ethiopia requested that this instrument be modified, pointing out that it differed from its predecessors in a number of aspects. The Algerian OAU Presidency is in contact with both parties with a view to reaching an agreement. The European Union expects that the OAU peace package will be accepted unconditionally and implemented as soon as possible jointly by both Ethiopia and Eritrea, which has already accepted a first version of the technical provisions.

Last December, Italy's State Secretary for Foreign Affairs, Senator Rino Serri, was appointed as the EU Presidency Special Representative for the Ethiopia-Eritrea conflict. His mandate is focused on support for the OAU peacemaking effort. Senator Serri is continuously in contact with the mediating Algerian OAU Presidency, and he has already visited the two countries' capitals to help in settling the conflict.

With respect to the Honourable Member's question regarding the application of the Lomé Convention to Ethiopia and Eritrea, the Council proceeds on the assumption that the two countries concerned are aware of the provisions of Article 5 of the revised Lomé Convention. The Council reserves the right to review co-operation with these two countries as the situation develops, especially in relation to respect for human rights.

(2000/C 374 E/017)

WRITTEN QUESTION E-2784/99

by Alexandros Alavanos (GUE/NGL) to the Commission

(18 January 2000)

Subject: Compensation for relatives of victims following air crash

Following the crash in northern Greece on 17 December 1997 of a Ukrainian Yakovlev belonging to Aerosweet Airlines, which caused huge loss of life, the committee of inquiry into air accidents concluded that responsibility lay with the airline, a fact that was not contested. To date no compensation or advance on compensation has been paid to the victims' relatives since the victims were identified, as required under Council Regulation 2027/97⁽¹⁾.

Not only does the airline appear reluctant to compensate them, it is even holding them in contempt in various ways. In a letter to the Minister for Transport dated 23 April 1999, the Director-General of the airline and a Ukrainian Government spokesman stated that unless Aerosweet flights to Greece continued, its insurance company (Sedgewick Aviation Limited) would not pay out compensation to the victims' relatives.

In the light of this crude blackmailing of the victims' relatives, will the Commission say:

1. Whether Aerosweet runs scheduled flights or charter flights to other Member States of the Union?
2. What Aerosweet's obligations are under Council Regulation 2027?
3. In what way it may intervene, pursuant to Council Regulation 2027, to persuade the airline to compensate the victims' relatives, given that they are unable to meet the cost of a lengthy and expensive legal battle?

⁽¹⁾ OJ L 285, 17.10.1997, p. 1.

Answer given by Mrs de Palacio on behalf of the Commission

(10 March 2000)

1. According to available information, Aerosweet Airlines currently operates scheduled services from Ukraine to Athens several times each week using Boeing 737 aircraft. The Commission has no information about charter flights performed by Aerosweet Airlines.

2. Regulation (EC) 2027/97 of 9 October 1997 on air carrier liability in the event of accidents was published in the Official Journal on 17 October 1997, but did not enter into force until 17 October 1998. Moreover, the main provisions of the Regulation, including the requirements for advance payment of compensation and the application of unlimited liability for death and injury, are not obligatory for carriers from outside the Community. In this particular accident, therefore, the Regulation is not applicable and the Warsaw Convention of 1929 is likely to govern and will probably limit the amount of compensation for which the carrier is liable.

3. The Commission is not in a position to intervene in this case. Faced with a clear conclusion in the investigation of the accident, it would be usual for the airline to reach a settlement with the families of the victims, however, if it proves impossible to reach such a settlement, there may be no option other than to bring the matter before a court. It is understood that the families of some victims have taken this step.

(2000/C 374 E/018)

WRITTEN QUESTION E-2785/99

by Alexandros Alavanos (GUE/NGL) to the Commission

(18 January 2000)

Subject: Destruction of a Natura 2000 protected area by an EU-funded project

It is claimed that the Aliakmon Gorge area, which is protected under the Habitat's Directive, 92/43⁽¹⁾ (Natura 2000) as a priority habitat, is being devastated by a series of works being carried out in the course of the construction of the Veria-Polymylos section of the Egnatia highway. More specifically, the contractor for this project is, in breach of environmental regulations, extensively dumping spoil on the hillsides above the river, although it is required to deposit the spoil at specially designated points.

As this is destroying an area of exceptional beauty by virtue of the wealth of its flora and fauna, what action does the Commission intend to take to halt the destruction of the environment by this contractor? What action will it take against those responsible to oblige them to restore the site to its original state?

⁽¹⁾ OJ L 206, 22.7.1992, p. 7.

Answer given by Mr Barnier on behalf of the Commission

(20 March 2000)

The Greek authorities have informed the Commission that human error caused a landslide during the construction of a small access road to the works site for the Veria-Lefkopetra section of the Egnatia motorway.

Under the terms of the contract in force, the contractor (the Aktor — Mechaniki — Olympiaki Techniki — Korontzis construction consortium) is required to apply the environmental impact statement approved by the Greek authorities for the project in question and to dump spoil away from the banks of the Aliakmon river.

The Commission has reminded the company responsible for the Egnatia project, Egnatia Odos ITS, of the need to comply with all the terms of the contract.
