

2. The Trade, Development and Cooperation Agreement (TDCA) with South Africa was concluded in 1999. At this juncture, the state of negotiations for a fisheries agreement with South Africa should affect neither the provisional application nor the full entry into force of the TDCA. Council Decision 1999/753/EC of 29 July 1999 establishes provisional and partial application of the TDCA as of 1 January 2000, pending ratification by the parties of the Agreement. As this is a mixed agreement, it also requires ratification by the Member States. As of 22 October 2001, only Denmark, the Netherlands and Sweden have ratified the TDCA.

3. Following the second meeting of the South Africa-EU Cooperation Council on 26 June 2001, a group of high level officials met on 25 July 2001, to tackle the outstanding wine and spirits issues in the framework of the negotiations for wine and spirits agreement. At that meeting, the experts agreed on a memorandum of understanding on outstanding issues, which will be the basis for the conclusion of the wine and spirits agreement.

(2002/C 134 E/094)

WRITTEN QUESTION E-2747/01

by Jonas Sjöstedt (GUE/NGL) to the Council

(10 October 2001)

Subject: Loopholes in Schengen checks

The police in Södermalm, Stockholm, report that in the summer of 2001 a number of individuals were caught who had entered the Schengen area via Paris but without entry stamps in their passports. For example, a policeman stopped two people from Chile who had flown from Santiago via Paris to Arlanda airport by Air France. They only had exit stamps from Santiago. One of them had been barred from entry to the Schengen area. At the checkpoints in Arlanda there have also been cases of US citizens arriving in Sweden via Paris without having been checked at Charles de Gaulle airport.

According to information obtained by the Stockholm police, Paris and Milan lack both the staff, equipment and procedures to comply with the Schengen agreement. It is quite likely that international criminals have noted and exploited this fact.

What is the Council doing to deal with this problem?

Reply

(12 February 2002)

The Council informs the Honourable Member that measures to improve the effectiveness of Member States' control of external borders have mostly been drawn up within the framework of the Schengen cooperation which, since the entry into force of the Treaty of Amsterdam, has been incorporated into EU legislation. These measures are carried out by the Member States themselves, but the Council monitors actual implementation through its relevant subordinate bodies.

The Schengen acquis, as part of EU legislation, contains provisions on the control of external borders. These provisions are contained in the Common Manual for border control. However, it does not include provisions regarding the number of personnel or the type of equipment required for efficient border control which is left to the competence of the Member States.

The Council can, however, monitor Member States' implementation of the Schengen acquis via the 'Standing Committee on the evaluation and implementation of Schengen' created by a decision of the

former Schengen Executive Committee on 16 September 1998. One of the tasks of this Committee is to ensure that the Schengen acquis is properly applied by all Member States implementing the Schengen convention. The Committee will undertake an evaluation of the Schengen acquis in France early in 2002.

(2002/C 134 E/095)

WRITTEN QUESTION E-2760/01

by Jonas Sjöstedt (GUE/NGL) to the Commission

(9 October 2001)

Subject: Mandatory local authority waste plans and noise mapping

In November 1999 it was reported Örkelljunga and Perstorp local authorities might be hauled before the Court of Justice of the European Communities. The two local authorities were the only ones in Sweden which had not yet submitted a waste plan as detailed as required by the EU directive. The two local councils were expected to adopt their waste plans in January 2000. The first waste plans they submitted to the EU were described as too brief as long ago as 1998. In Sweden it is not enough simply to draw up a plan. Before the Commission receives the plan, under the Swedish procedure it has had to be posted locally and put through both the executive board and the Council. The Perstorp and Örkelljunga waste plans were drawn up by a local authority sanitation company. According to the managing director of the company the plans had been ready since summer of 1999 but had not actually been sent to the communes for further processing. The head of the Örkelljunga environment department said that there had been other matters which were regarded as more urgent than the waste plan. In other countries waste management is reported on a national basis, but in Sweden the Environmental Protection Agency sends local authority waste plans to Brussels. The local authorities can then be responsible for providing all the information the EU wants within the deadlines.

In November 1999 it was not however clear how the Commission was going to react to the failure by the two local authorities to meet their obligations. What action has the Commission taken in response to the failure of Örkelljunga and Perstorp local authorities to produce their waste plans?

Answer given by Mrs Wallström on behalf of the Commission

(30 November 2001)

The Swedish Government has notified to the Commission a national waste management plan and municipal waste plans in order to fulfil the requirements under Article 7 of Council Directive 75/442/EEC of 15 July 1975 on waste⁽¹⁾, as amended by Council Directive 91/156/EEC of 18 March 1991⁽²⁾, Article 6 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste⁽³⁾ and Article 14 of Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste⁽⁴⁾.

The municipal waste plans for Örkelljunga and Perstorp, to which the Honourable Member refers, were notified by the Swedish Government after the Commission had dispatched a reasoned opinion. Following the notification of those waste plans, Sweden has notified plans covering the entire Swedish territory. In December 2000, the Commission therefore decided to close the case concerning failure to notify the waste plans in question.

⁽¹⁾ OJ L 194, 25.7.1975.

⁽²⁾ OJ L 78, 26.3.1991.

⁽³⁾ OJ L 377, 31.12.1991.

⁽⁴⁾ OJ L 365, 31.12.1994.