

Is the Commission aware of the reforms under way in Taipei aimed at abolishing the death penalty? What initiatives has the Commission taken or will it take to support the efforts of the Taiwanese Government and Parliament to abolish the death penalty? Does the Commission feel it could offer support to the concrete steps taken by Taipei in order to further bolster the efforts of the Taiwanese authorities and people to abolish the death penalty?

**Answer given by Mr Patten on behalf of the Commission**

*(24 September 2002)*

The Union is working towards the universal abolition of the death penalty, which is one of the pillars of its human rights policies. To this end and in accordance with the Union-guidelines on the abolition of the death penalty of 1998, the Union calls for its use to be progressively restricted, and insists that it be carried out according to minimum standards.

In this context, the Commission has welcomed the Parliament's resolution of 13 June 2002 on the abolition of the death penalty in Japan, the Republic of Korea and Taiwan. It follows closely the situation in Taiwan, and is aware of the developments to which the Honourable Member refers.

In particular, the Commission has noted that statements made by Taiwanese officials on a possible abolition of capital punishment have made this contingent on popular support for such a step. According to information at the Commission's disposal, support for the death penalty remains high both within the population, and in the Legislative Yuan. The Commission hopes that the impending establishment of a Taiwanese National Human Rights Commission, and the increased awareness of human rights issue both in political circles and in the population at large which it expects to result from it, will contribute to creating a climate which will be conducive to an eventual abolition of the death penalty.

In order to support efforts towards an abolition of the death penalty, the Commission has launched, in April 2002, a specific call for proposals worth EUR 7 million under the European Initiative for Democracy and Human Rights. Non-governmental organisations (NGOs) throughout the world were eligible to apply. The results of this call for proposals are currently being evaluated by EuropeAid.

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(2003/C 110E/058)

**WRITTEN QUESTION E-2446/02**

**by Nirj Deva (PPE-DE) to the Commission**

*(29 August 2002)*

*Subject:* GATS negotiations

Will the Commission publish its views on how it would like to see GATS reformed before the European Parliament debates the issue in November 2002? In particular, will the Commission make available to Members what its requests are and how its requests were formulated?

**Answer given by Mr Lamy on behalf of the Commission**

*(23 September 2002)*

The Community submitted sectoral proposals to the World Trade Organisation (WTO) in December 2000 setting out its negotiating objectives in 12 services sectors covered by the General Agreement on Trade in Services (GATS) and a Communication on the Community's general objectives for the negotiations was submitted in March 2001. These documents have been publicly available since the spring of 2001 through the Community and WTO web sites.

In addition, an extensive summary of the Union's requests to third countries has been published on the Commission's (DG Trade's) web site since July 2002<sup>(1)</sup>. This summary describes the importance of these negotiations and provides an overview of the Community's negotiating objectives.

Although the Parliament has no formal role in the formulation of trade policy under the existing Treaties, it is in accordance with the Framework Agreement of 5 July 2000, regularly briefed on trade policy issues and consulted on key questions. Furthermore, in keeping with the Commission's desire to keep Members fully abreast of developments in the trade policy area, the initial requests to other WTO Members for improved market access on services have recently been made available to the Committee on Industry, External Trade, Research and Energy. Given their restricted status, special arrangements have been worked out with the Parliament to secure the appropriate treatment of these documents.

For the reasons clearly explained in the recent reply by the Member of the Commission responsible for Trade to an open letter from non-governmental organisations (NGOs) regarding the services negotiations — also available on the Commission's (DG Trade's) web site —, that although the Commission intends to be as transparent as possible with all stakeholders, it has no intention of making the initial requests available to the general public.

(<sup>1</sup>) [http://europa.eu.int/comm/trade/wto\\_overview/index\\_en.htm](http://europa.eu.int/comm/trade/wto_overview/index_en.htm).

(2003/C 110E/059)

**WRITTEN QUESTION E-2477/02**

**by Chris Davies (ELDR) to the Commission**

(6 September 2002)

*Subject:* Implementation of legislation

The Commission recently confirmed that not one single Member State had informed it by the due date that the End-of-Life Vehicle Directive 2000/53/EC (<sup>1</sup>) had been transposed into national legislation, and that letters were accordingly being sent to every Member State about this matter.

On what other occasions has the Commission been forced to initiate infringement proceedings against every single Member State?

Given that the failure of any Member State to comply with the requirements of the End-of-Life Vehicles Directive in accordance with the legislative timetable makes the entire EU legislative process look like a complete farce, is it the intention of the Commission to enter this issue on the agenda of the next Environment Council (or of any other Council)? If not, why not?

Why has the Commission indicated, when answering my previous questions about this matter, that, despite the comprehensive failure of Member States to comply with the legislative timetable, it is not proposing to seek to enhance its enforcement procedures?

(<sup>1</sup>) OJ L 269, 21.10.2000, p. 34.

**Answer given by Mrs Wallström on behalf of the Commission**

(25 October 2002)

The Commission has already had occasion to institute infringement proceedings against all the Member States for failure to communicate the national measures transposing other directives. It would refer the Honourable Member to the reports on monitoring the application of Community law which it sends to Parliament each year (<sup>1</sup>), and in particular Annex IV thereof.

The EC Treaty provides the Commission with the competences necessary to ensure that Community law is properly observed by Member States. To this end, the EC Treaty lays down fundamental rules for infringement procedures against Member States (Articles 226 and 228 in particular). A number of substantial and procedural requirements have been developed by the jurisprudence of the European Court of Justice.