

According to the information available, the national economic and social framework and, consequently, the national approaches on minimum services from banks differ from one Member State to another. In other words, this is a matter best left to national regulation.

In the absence of harmonisation, Member States are free to adopt or maintain laws such as the Belgian one provided the national measures comply with the general principles of the EC Treaty and fulfil the requirements of proportionality and non-discrimination.

(<sup>1</sup>) COM(2003) 270 final.

(2004/C 65 E/126)

**WRITTEN QUESTION E-2163/03**

**by Joan Vallvé (ELDR) to the Commission**

(30 June 2003)

*Subject:* European Union-Iraq relations

The Catalan Football Federation had planned to hold a friendly international match on 25 June in Barcelona between the Catalan and Iraqi teams. The purpose of the match, as stated by the Federation President, was to help raise funds for the reconstruction of a country – Iraq – which has been devastated by war.

According to media reports, the Spanish Foreign Ministry did not grant visas to the Iraqi players who were to take part in this match in Barcelona.

Will the Commission look into the Spanish Government's reasons for preventing this football match between Catalunya and Iraq, which would doubtless have helped to improve relations and foster greater understanding between European citizens and the Iraqi people?

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

(3 September 2003)

The Commission agrees with the Honourable Member that the football match in question and its objectives are to be welcomed.

It would though point out that decisions on the entry of third-country nationals into the territory of the Schengen States (<sup>1</sup>) fall within the remit of the national administrations concerned, which take their decision on the basis of the relevant provisions of the Schengen acquis.

To gain entry into the territory of the Schengen States for a stay not exceeding three months, nationals must satisfy the entry conditions laid down in Article 5 of the Schengen Convention (<sup>2</sup>). They must be in possession of a valid travel document, must produce, if necessary, documents justifying the purpose and conditions of the intended stay, must not be persons for whom an alert has been issued for the purposes of refusing entry and must not be considered a threat to public policy, national security or the international relations of one of the Schengen States. For third-country nationals who must be in possession of a visa pursuant to Regulation (EC) No 539/2001 (<sup>3</sup>), verification of compliance with the entry conditions is initially carried out when the visa application is being vetted. If one or other of the entry conditions is found not to have been met, the application for a Schengen visa is normally rejected. In exceptional cases, a Schengen State may, if it deems necessary, derogate from this principle on humanitarian grounds, on grounds of national interest or because of international obligations. In such cases, it issues a visa that is restricted to its territory.

In the matter referred to by the Honourable Member, the Commission does not have any information regarding the circumstances or grounds that led to the Iraqi players' visa applications being rejected.

In view of the discretion enjoyed by the Spanish authorities under the Schengen acquis in deciding on the visa applications in question, the Commission considers that the matter does not require it to undertake any further investigations or measures.

<sup>(1)</sup> All the Member States, except Ireland and the United Kingdom, as well as Iceland and Norway.

<sup>(2)</sup> OJ L 239, 22.9.2000.

<sup>(3)</sup> Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of a visa when crossing the external borders and those whose nationals are exempt from that requirement, OJ L 81, 21.3.2001. Iraq appears in Annex I to the Regulation, which contains the list of third countries whose nationals must be in possession of a visa.

(2004/C 65 E/127)

**WRITTEN QUESTION E-2171/03**

**by Johanna Boogerd-Quaak (ELDR) to the Council**

*(30 June 2003)*

*Subject:* Support for rural development

With reference to the resolution adopted by the European Parliament on 5 June 2003 on the proposal for a Council regulation amending Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and repealing Regulation (EC) No 2826/2000, and bearing in mind the opinion of the European Parliament set out in paragraph 1 thereof, can the Council answer the following questions:

1. Is it planning to introduce new objective criteria for rural areas?
2. If so, does it agree with me that, to date, little attention has been paid to a category of rural areas in the vicinity of conurbations as a specific category?
3. Does it acknowledge the very specific problems which have to be solved in order to strike a balance between the requirements of the urban population and the changes to the countryside required for that purpose, such as more land for leisure activities, short-stay tourism and nature development?
4. Does it agree with me that, when new criteria are being drawn up, a specific type of rural area needs to be developed in the vicinity of major conurbations?

**Reply**

*(17 November 2003)*

1. No objective criterion for the definition of rural areas has been established in the draft Regulation on rural development on which the Council has just given its political agreement as part of the reform of the CAP. The diversity of features of rural areas in the EU and the lack of homogeneity make it difficult to establish objective criteria for rural areas in the EU. That is why no definition of rural areas has been established to date at European level.

The reform introduces new measures intended directly for farmers in charge of holdings and for producer organisations. These measures are conditional upon the maintenance of certain obligations regarding crops and breeding, and include measures to encourage afforestation and finally the financing of counselling on the quality of products and production processes.

2. Classifying rural areas in the vicinity of conurbations as a specific category has certainly been raised during recent Council discussions but no decision has thus far been taken. It is therefore up to the Member States — by means of national rural development programmes — to define rural areas as regards their own territory.