

**Joint answer
to Written Questions P-2334/97, P-2369/97, E-2389/97, E-2390/97, E-2391/97 and E-2392/97
given by Mrs Bonino on behalf of the Commission**

(29 July 1997)

Under Article 9 § 2 of Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture ⁽¹⁾, Member States inform the Commission each year of the criteria they have adopted for distribution and of the detailed rules for the use of the fishing availabilities allocated to them, in accordance with Community law and the common fisheries policy. Therefore, Member States are competent for the adoption of licensing conditions, in so far as these conditions are not governed by Community law, but in the exercise of their competence they have to respect Community law and to inform the Commission.

In this framework the Commission is empowered to take a position on the compatibility of proposed national measures with Community law and to convey its opinion to each Member State which requests confirmation of such compatibility by the Commission.

The Court of justice has accepted that the aim of the quota system may in fact justify conditions designed to ensure that there is a real economic link between the vessel and the Member State in question if the purpose of such conditions is that the populations dependent on fisheries and related industries should benefit from the quotas.

The United Kingdom, like the other Member States, is competent to adopt measures to ensure the existence of a real economic link with the fishing vessel flying its flag. The United Kingdom asked for confirmation whether certain measures could be compatible with Community law.

The President of the Commission replied in his letter to Mr Blair, that the requirements proposed could be compatible with Community law if they are non-discriminatory, proportionate to their aim and alternative, offering the fishing operators the option to comply with one or more of these requirements or possible other elements, to prove the existence of an economic link with the flag state.

The exchange of letters with Mr Blair was preceded by technical discussions between the British authorities and the Commission, and the Spanish authorities were informed of their outcome in a timely manner.

In any case, the Commission will scrutinise any specific measure that the United Kingdom may decide to enact regarding the allocation of quotas, as it has done before and will continue to do with respect to all Member States' legislation, as guardian of the treaties.

The Commission will accept the compatibility of any definitive measures with Community law only if these are non-discriminatory, proportionate, alternative and fully consistent with the case-law of the Court of justice, taking into account, as it is its duty, the legitimate interest of all Member States.

⁽¹⁾ OJ L 389, 31.12.1992.

(98/C 76/198)

**WRITTEN QUESTION E-2343/97
by Hedy d'Ancona (PSE) to the Commission**

(10 July 1997)

Subject: Anti-Semitism in a Slovakian school textbook

1. Is the Commission aware of the existence of a textbook on Slovakian history for Slovakian primary schools which glosses over the mass deportation of Jews to the extermination camps?
2. Can the Commission confirm that this textbook, written by Milan Durica, a Catholic priest, has been published with money from the European Union?