

(2004/C 78 E/0863)

WRITTEN QUESTION E-3444/03
by Ilda Figueiredo (GUE/NGL) to the Commission

(20 November 2003)

Subject: Teaching Portuguese language and culture in the Netherlands

Various Portuguese immigrants to the Netherlands have informed me that the Dutch Government wishes to abolish the subsidy for teaching Portuguese language and culture from 1 August 2004, thus jeopardising the teaching of the children of Portuguese residents of that country.

Portuguese is an official language of the European Union, and has one of the largest numbers of speakers in the world. What measures does the Commission intend to take in order to take due account of this situation, and guarantee that Portuguese citizens and their children are not discriminated against, and can continue to have free access to the teaching of Portuguese language and culture in the Netherlands?

Answer given by Mrs Reding on behalf of the Commission

(16 December 2003)

Article 149 of the EC Treaty stipulates that the Member States are responsible 'for the content of teaching and the organisation of education systems'. The Commission is therefore unable to take any action regarding the situation referred to by the Honourable Member.

However, by virtue of the powers conferred on it, the Commission is committed to promoting linguistic diversity and language learning. In July 2003, it adopted an action plan setting out the measures to be put in place at Community level in the period from 2004 to 2006⁽¹⁾.

⁽¹⁾ COM(2003) 449 final.

(2004/C 78 E/0864)

WRITTEN QUESTION E-3452/03
by Mihail Papayannakis (GUE/NGL) to the Commission

(20 November 2003)

Subject: Exclusion of environmental NGOs from environmental education

Under the terms of a decision (47587/G7/15.05.03) by the Greek Ministry of Education, NGOs are not authorised to engage in any teaching or coordination activities and are thereby excluded from environmental education, an area in which many of them have for many years been making an effective contribution in Greece, as is the case in other Member States of the Union. The NGOs affected are the Arktouros Organisation, the Greek Association for the Protection of the Environment and Cultural Heritage, the Wild Life Protection Association, the Leftist Ecological Library, Medasset, SOS Mediterranean, the Association for the Study and Protection of the Mediterranean Seal, the Ecological Recycling Association and WWF-Greece. Many of the educational programmes and initiatives launched by these organisations are funded by the Community. Under the above ministerial decision these associations are now directly answerable to the Ministry of Education, which is not the case in other Member States of the Union. Does the Commission consider that the above decision complies with the letter and spirit of the environment and environmental education programmes funded by it and in which NGOs are fully entitled to participate?

Answer given by Mrs Wallström on behalf of the Commission

(19 December 2003)

Environmental education is very important and environmental non-governmental organisations (NGOs) often play a significant part in this field. In the 'Community action programme promoting non-governmental organisations primarily active in the field of environmental protection' one of the priority areas eligible for funding is environmental education.

It does not, however, fall within the competence of the Commission to comment on the policies and practices of individual Member States in this field.

(2004/C 78 E/0865)

WRITTEN QUESTION E-3463/03

by Christos Folias (PPE-DE) to the Commission

(21 November 2003)

Subject: Fixing maximum profit margins for sales of fresh produce

In Greece maximum profit margins in the trade in fresh vegetable and fruit are laid down by Market Decree 14/1989, as amended by Market Decrees 16/1991 and 2/1992. These range from 7 % to 12 % for wholesale and 25 % to 40 % for retail prices.

In view of the above, will the Commission say:

- Is it aware of the existence of the above market decrees and the implementation thereof by the Greek authorities?
- Is it permissible to establish a maximum profit margin for products for the wholesale and the retail trade?
- Under these conditions, how can fair competition be guaranteed and the law of supply and demand maintained?

Answer given by Mr Monti on behalf of the Commission

(28 January 2004)

The Commission has not been informed by the Greek authorities about the specific measures introduced by Market Decree 14/1989⁽¹⁾. However, Member States may and do adopt national legal measures to render the enforcement of a domestic policy applicable to a specific sector or industry more efficient, even though the sector is covered by a common organization of the market (a so-called 'CMO').

As the Honourable Member is aware, in 1972 the Council adopted a common organization of the market in fruit and vegetables⁽²⁾. In sectors where a CMO applies, Member States are in principle no longer entitled to freely interfere with the price mechanisms of the CMO by, for example, implementing unilateral domestic laws having the direct or indirect effect of fixing prices in a certain sector. This, however, does not prohibit Member States such as Greece from adopting measures relating to price formation at the retail and consumption stages as long as such measures do not jeopardize the objectives or functioning of the CMO⁽³⁾.

However, the Commission wishes to point out that it has to be differentiated between price fixing agreed on by undertakings and a price legislation adopted by public authorities. In the latter case, Member States have the responsibility to respect Articles 3, 10(2) and 81 et seq. of the EC Treaty.

The EC Treaty competition rules (Articles 81-86) apply to concerted practices between undertakings such as direct or indirect price fixing. According to Article 36 of the EC Treaty competition rules apply to agriculture to the extent determined by the Council within the framework of the requirements of the Common Agricultural Policy. Subject to certain exceptions, Council Regulation (EEC) No 26/62⁽⁴⁾ in substance also permits application of the competition rules to agricultural products.