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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 3086/85**by Mrs Anne-Marie Lizin (S—B)****to the Commission of the European Communities***(21 March 1986)**(87/C 82/01)**Subject:* Action programme on cancer prevention

The Commission has submitted a proposal for a Council resolution on a European Communities' action programme on cancer prevention ⁽¹⁾.

The action programme proposed by the Commission aims to increase knowledge about the causes of cancer and possible means of prevention and treatment.

As tobacco addiction is one of the main causes of cancer, an obvious preventive measure would be not to encourage tobacco production.

1. Is it true that in 1984 the Communities paid Bfrs 45 000 000 in subsidies to tobacco planters, as published by the European Bureau of Consumers' Unions? If not, what amount was paid?
2. What is the amount of subsidies for 1985?
3. What subsidies are forecast for the years covered by the action programme on cancer prevention?
4. Does not the Commission take the view that there is a flagrant contradiction between its desire to combat cancer and the aid granted to tobacco planters?
5. By what means does it intend to harmonize the common agricultural policy and the requirements of public health?

⁽¹⁾ COM(85) 628 final (OJ No C 336, 28.11.1985, p. 11).

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

(25 August 1986)

There is indeed a system of premiums which are granted on certain conditions to persons who buy leaf tobacco directly from Community growers.

As trade in tobacco is conducted on a world scale, this system was introduced to permit the sale of Community-produced tobacco and hence guarantee Community tobacco producers a minimum income.

1 and 2. EAGGF Guarantee Section expenditure in respect of premiums to purchasers of leaf tobacco in Belgium was as follows:

in 1984: Bfrs 310,2 million,

in 1985: Bfrs 300,6 million.

3. These amounts can vary depending on the quantities of tobacco produced in Belgium. Since Belgian tobacco production is steadily declining, the corresponding expenditure will necessarily be reduced in consequence.

4 and 5. The Honourable Member is asked to refer to the Commission's answer to Written Question No 2988/85 by Mrs Weber ⁽¹⁾.

⁽¹⁾ OJ No C 306, 1.12.1986.

WRITTEN QUESTION No 45/86**by Mr Fernand Herman (PPE—B)****to the Commission of the European Communities***(10 April 1986)**(87/C 82/02)**Subject:* Repayment of State aid

The Commission has decided to make certain Member States or undertakings pay back the State aid granted in violation of Treaty provisions.

To how many undertakings in how many Member States has this procedure been applied so far?

What is the approximate amount of the repayments demanded?

Is the Commission making a distinction between the lawful aid which was not notified to it and unlawful aid which was notified?

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

(2 July 1986)

Since instituting its policy on recovery of State aids, such recovery has been demanded in thirteen individual cases in five Member States.

The total amount of money involved in these cases was approximately 250 million ECU. It should be pointed out, however, that this sum is made up of a considerable number of different forms of aid, i.e. outright grants, loans given at reduced rates of interest, State participations, etc. It should be taken, therefore, only as indicative of the importance of the Commission's action.

The Commission considers illegal any aid paid out without notification or before the Commission has taken its final decision in its examination of the aid either in terms of Article 93 (3) or Article 93 (2) of the EEC Treaty. Such aids may be subject to a demand for repayment for this reason alone.

In all the above cases the Commission considered after detailed examination that the aids in question were fundamentally incompatible with the common market. In addition they had been illegally granted in that they were paid either without notification pursuant to Article 93 (3) of the EEC Treaty or had been paid out by the Member State in question before the Commission took its final decision in the course of an Article 93 (2) procedure.

WRITTEN QUESTION No 409/86

by Mr Alfons Boesmans (S—B)

to the Commission of the European Communities

(28 May 1986)

(87/C 82/03)

Subject: The ECU

Is it true that the World Bank does not yet consider the ECU as a currency? Is it also true that the United States shares this view?

If so, what has the Commission done to change the situation and what results have been achieved?

WRITTEN QUESTION No 426/86

by Mrs Marijke Van Hemeldonck (S—B)

to the Commission of the European Communities

(28 May 1986)

(87/C 82/04)

Subject: Recognition of the ECU by the World Bank

Recently, the World Bank refused to accept the successful tender submitted by an Italian company for a project in

Hungary it was financing because the costs of the Italian company were denominated in ECU. According to a spokesman for the Hungarian National Bank, that position is supported by the United States' representatives in the World Bank.

Was the Commission aware of this?

Does the Commission share my view that this attitude taken by the World Bank discriminates against European undertakings and, in the long run, could become an obstacle to European integration?

What steps will the Commission take to ensure that the ECU is given full recognition as an international currency?

**Joint answer to Written Questions Nos 409/86
and 426/86**

given by Mr Delors on behalf of the Commission

(25 August 1986)

The departments of the World Bank responsible for examining projects financed by that institution recently rejected a tender submitted in ECU by an Italian company for a chemicals project in Hungary.

On receiving this information, the Commission immediately contacted the World Bank. It pointed out in particular that a refusal to accept the ECU could be regarded as discrimination against the Community since European residents are making more and more use of the ECU in their foreign transactions.

A relatively satisfactory solution has now been found in this matter since the IBRD, while still not recognizing the ECU as a currency in its own right, has decided to raise no further objections in the immediate future to its use in invitations to tender and payments connected with the Bank's lending operations.

WRITTEN QUESTION No 431/86

by Mrs Anne-Marie Lizin (S—B)

to the Commission of the European Communities

(28 May 1986)

(87/C 82/05)

Subject: Restructuring of Cockerill-Sambre

What is the Commission's current view of the financial state and the restructuring of Cockerill-Sambre?

Does it believe that they warrant the continuation of closures and job losses?

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

(1 December 1986)

Cockerill-Sambre has carried out all the closures required by the Commission under the aids code.

Most of the improvements envisaged under the restructuring plan to reduce production costs have also been implemented, although there has been some delay in cutting wage costs as planned (especially because of the staggered reductions in the workforce).

However, the failure of selling prices to match the levels assumed in drawing up the restructuring plan is largely responsible for the fact that Cockerill-Sambre's financial results for 1985 were worse than initially forecast.

This shows that Cockerill-Sambre is still highly vulnerable to any adverse market trend, as the Commission suggested at the end of 1984 and then again in July 1985 when it pointed out that viability might only just be achieved in 1986.

Overall, there is still overcapacity on the Community market, and companies will have to continue to adapt their production facilities as market forces are gradually restored and no State aids are available other than those provided for in Commission Decision No 3484/85/ECSC of 27 November 1985. Since 1 January 1986, it has therefore been for steel companies alone to decide, in the light of their market prospects, on further capacity reductions and other cost-cutting measures needed to restore or maintain their financial equilibrium.

Finally, the Commission is aware that continued restructuring and the further redundancies which that inevitably entails aggravate and prolong the social and economic problems of the regions concerned. It will continue to finance back-up social measures, partly in the form of redeployment aid for workers affected by restructuring and partly in the form of ECSC conversion loans.

In July the Commission introduced an action programme to reinforce Community structural measures to assist steel restructuring areas ⁽¹⁾. The programme covers in particular the areas most seriously affected (including the Liège and Charleroi areas, where a substantial proportion of Cockerill-Sambre's activities are located).

⁽¹⁾ COM(86) 422.

**WRITTEN QUESTION No 488/86
by Mr Luc Beyer de Ryke (LDR—NL)
to the Commission of the European Communities**

(5 June 1986)

(87/C 82/06)

Subject: Imports into the Community of Australian kangaroo skins

The press and the media have given extensive coverage to the slaughter of several hundreds of thousands of kangaroos (1,8 million in the State of Queensland alone in 1986), an animal which is a symbol of the Australian State.

According to some sources, a proportion of the skins of these animals are exported 'illegally' to the member countries, notably Italy.

Is the Commission aware of this situation?

In addition, kangaroo meat is used in the preparation of tinned meat for dogs and cats. How many tonnes of this meat are imported into the member countries by the industry concerned?

Finally, could not the Commission give careful consideration to the measures that should be adopted — as in the case of the Canadian baby seals — to prevent the disappearance of the various species of kangaroo, which are now slaughtered on a scale that animal protection organizations have described as 'genocide'?

**Answer given by Mr Clinton Davis
on behalf of the Commission**

(2 December 1986)

The Commission is aware that the Australian Government operates a kangaroo management programme. Under this programme, a commercial hunting quota is fixed for each relevant State.

These quotas have been set by the Australian authorities on the basis of the scientific evidence available to them and should, according to those same authorities, pose no threat to the survival of the species concerned.

Exports to the Community of kangaroo meat and skins have in recent years been as follows ⁽¹⁾:

	Meat (kilograms)	Skins
1980/81	1 137 402	951 953
1981/82	1 197 156	1 119 940
1982/83	344 271	1 397 107
1983/84	22 921	884 757
1984/85	50 176	1 150 875

The Commission is not aware of any illegal imports.

Finally, the Commission notes that the relevant Australian wildlife protection legislation contains safeguards aimed at

ensuring the survival of the species. The Commission is, however, sensitive to the concerns expressed by the Honourable Member and the situation is kept under continuous review.

⁽¹⁾ Source: Australian authorities.

WRITTEN QUESTION No 516/86

by Mr Luis Perinat Elio (ED—E)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(5 June 1986)

(87/C 82/07)

Subject: The exercise of their basic rights by the indigenous populations of Brazil, Nicaragua and Paraguay

As an expression of its constant concern for the protection of human rights and fundamental freedoms as defined in the United Nations Universal Declaration of 10 December 1948, the European Parliament has condemned on various occasions the scorn which the political regimes in power have shown towards the indigenous populations of Brazil, Nicaragua and Paraguay in the exercise of their basic rights.

Since Parliament made these statements, new political circumstances have arisen and from one side or another the balance of political events has produced a new scenario clearly different from that in which Parliament's abovementioned statements were made.

Could the Council state what information it possesses on the current situation regarding the exercise of their basic rights by the indigenous populations of the three American countries referred to in relation to the possibilities offered by the political regimes in power?

Answer

(5 February 1987)

This question has not been discussed in the framework of European Political Cooperation.

WRITTEN QUESTION No 578/86

by Mr Andrew Pearce (ED—GB)

to the Commission of the European Communities

(9 June 1986)

(87/C 82/08)

Subject: Immigration from outside the Community

Will the Commission publish figures showing the number of people who have come into each of the Member States of the European Community to live there from outside the Community in 1985?

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

(22 September 1986)

Information on numbers of immigrants is not available on a uniform basis for all Member States, being dependent on the source from which the data are derived. In no case are the results sufficiently up-to-date to provide 1985 figures.

The latest available data on numbers of persons resident outside the Community who came to live in the respective Member States are shown in the following table. These figures include immigrants from Spain and Portugal, which countries did not enter the Community until 1 January 1986. It should be noted also that many of the persons coming from abroad to take up residence were, in fact, returning nationals; their numbers are distinguished where possible.

Number of persons coming to reside in Member States from outside the Community

Country	Year	Number of persons
Germany	1983	263 265 (of whom 61 151 German nationals)
France	1982	89 000
Italy	1983	43 700
Netherlands	1984	45 124 (of whom 19 871 Dutch nationals)
Belgium	1983	22 360
Luxembourg	1983	1 829
United Kingdom	1984	164 000
Denmark	1984	22 344 (of whom 12 603 Danish nationals)
Ireland		Data not available
Greece		Data not available

WRITTEN QUESTION No 608/86

by Mrs Marijke Van Hemeldonck (S—B)

to the Commission of the European Communities

(9 June 1986)

(87/C 82/09)

Subject: State aid to Belgian coordinating centres

The Commission has ruled that Belgian tax concessions for multinational companies' coordinating centres ⁽¹⁾ is contrary to Article 92 of the EEC Treaty even after amendment of the Belgian law ⁽²⁾ ⁽³⁾.

Will the Commission demand, in accordance with its communication of November 1983 ⁽⁴⁾, that the companies concerned repay the Belgian State the tax concessions held to constitute illegal State aid?

If so:

Will the Commission carry out a proper check to verify payment or will it be satisfied with a statement from the competent Belgian minister to the effect that the required amount has been repaid, as in the Fabelta-Beaulieu case?

What interest should be charged on the amount to be repaid?

What position should the Belgian State adopt if any of the companies ordered to make repayment has become voluntarily or involuntarily bankrupt ⁽⁵⁾? In such a case, is it possible to claim back the money from the coordinating centres' parent company (which may be established outside Community territory)?

⁽¹⁾ Introduced by Royal Decree No 187 of 30 December 1982.

⁽²⁾ Amendment to Article 47 of the Law of 27 December 1984.

⁽³⁾ Commission notice under Article 93 (2) (OJ No C 104, 2.5.1986, p. 3).

⁽⁴⁾ OJ No C 318, 24.11.1983, p. 3.

⁽⁵⁾ See the Boch case, Court of Justice judgment, 15 January 1986.

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

(23 September 1986)

In its notice announcing the initiation of the procedure laid down in Article 93 (2) of the Treaty in respect of the scheme of assistance to which the Honourable Member refers, the Commission did not state that the tax arrangements applicable to coordination centres under current legislation, namely the Law of 27 December 1984, were contrary to Article 92.

It did, however, consider that the facility available under that Law to certain coordination centres to continue, if they so wished, to be governed by the tax arrangements originally provided for in Royal Decree No 187 of 30 December 1982 was incompatible with Article 92.

Following the decision to initiate the above procedure, the Belgian Government has informed the Commission that it has taken the necessary legislative steps to bring all coordination centres established in Belgium within the scope of the tax rules introduced by the Law of 27 December 1984.

Only when it comes to take a final decision on the scheme, after examining the Law amending the relevant tax legislation, will the Commission consider whether or not to require repayment of the aid.

**WRITTEN QUESTION No 613/86
by Mr François Roelants du Vivier (ARC—B)
to the Commission of the European Communities**

(9 June 1986)

(87/C 82/10)

Subject: AMC-MIC limits for the main heavy metals

1. Does not the Commission think that it would be advisable to set maximum concentrations for emissions of all the main heavy metals, in particular the MIC limits (maximum admissible emission of the metal concerned in everyday life) and the AMC limits (maximum admissible emission of the metal concerned at places of work)?

2. Does the Commission consider that the following MIC expressed in micrograms per cubic metre of air are acceptable?

Arsenic: 2,0.
Beryllium: 0,5.
Cadmium: 40.
Chrome: 25.
Mercury: 50.
Nickel: 15.
Lead: 100.
Zinc: 5 000.

3. Does the Commission consider that the following AMC expressed in micrograms per cubic metre of air are acceptable?

Arsenic: 500.
Chrome: 100.
Mercury: 100.
Nickel: 7 000.
Lead: 200.
Zinc: 15 000.

**Answer given by Mr Clinton Davis
on behalf of the Commission**

(6 January 1987)

1. The Honourable Member seems to have confused the MIC values to which he refers in his question with ambient air concentrations which have nothing to do with emission standards as such.

The Commission cannot agree that it is advisable to use either the air quality standards or the emission limits mentioned in the question. Emission limits must be viewed in relation to particular industries and the technical possibilities for the limitation of their emissions. There is insufficient information available, either in the Commission or elsewhere, to be certain that the suggested values are necessary or applicable.

2. Concerning the MIC values, it seems to the Commission that these suggested ambient air quality

standards are much less strict than the guide values given in a recent (draft) survey by the World Health Organization (WHO); they differ by a factor of about 10. The Commission is, therefore, of the opinion that the suggested MIC values are unacceptable.

3. The Honourable Member is asked to refer to the Commission's answer to his Written Question No 612/86 ⁽¹⁾.

Lead is the only heavy metal listed by the Honourable Member on which there is a Directive ⁽²⁾. This lays down a maximum concentration of 150 micrograms of lead per cubic metre of air as weighted average over forty hours a week.

AMC values are generally established by measuring and calculating methods defined in terms of these values. As the Honourable Member has not stated the measuring and evaluation conditions applied to the other substances he lists, the Commission cannot give a precise answer.

⁽¹⁾ OJ No C 337, 31.12.1986, p. 15.

⁽²⁾ Council Directive 82/884/EEC (OJ No L 378, 13.12.1983, p. 15).

WRITTEN QUESTION No 708/86

by Mr Bram van der Lek (ARC—NL)

to the Commission of the European Communities

(1 July 1986)

(87/C 82/11)

Subject: Loans from Community institutions for the construction of nuclear power stations

How much money have Euratom, the European Investment Bank and any other Community institutions loaned each year since they were established for the construction of nuclear installations for electricity generation (nuclear power stations, reprocessing plants and the like)?

On what terms and at what rates of interest were the loans granted, and to what extent did they differ from the terms and interest rates laid down at the time by commercial financial institutions for similar projects?

What is the Commission's assessment of the impact of this assistance from Community institutions on the profitability of nuclear power electricity supplies compared with electricity generation using other technologies?

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

(13 November 1986)

The European Investment Bank and Euratom loans towards the construction of nuclear plants related to electricity generation each year are as follows:

<i>(million ECU)</i>		
Year	EIB	Euratom
1967	6,25	—
1968	6,25	—
1969	—	—
1970	16,00	—
1971	—	—
1972	100,56	—
1973	134,68	—
1974	123,27	—
1975	121,84	—
1976	101,61	—
1977	265,71	96,9
1978	241,10	70,2
1979	301,66	152,4
1980	432,60	181,3
1981	700,58	357,6
1982	419,41	361,8
1983	442,10	366,4
1984	719,23	186,0
1985	955,93	211,0
1986 (-end June)	405,14	72,8
Total	5 493,93	2 056,4

These loans are disbursed in one or more currencies with interest rates set for each to the currencies with which the Bank or Euratom work.

EIB rates are regularly adapted to reflect conditions on capital markets where the Bank raises the bulk of its funds. Euratom rates, on the other hand, correspond exactly to the cost of the related borrowing, to which is added the agency fee of the EIB.

As the Community institutions have a first class credit rating, they are able to raise funds at the finest conditions available. There is generally no subsidy element involved in these loans ⁽¹⁾.

The impact of EIB or Euratom loans on the economic return of nuclear energy is broadly similar to their impact on other means of electricity production. In financing energy projects that meet the European Community's energy policy objective, the Community institutions make loans on the same terms to nuclear energy as to any other form of electricity generation such as coal, hydro-power and geothermal power stations.

As far as projects for electricity generation using other technologies are concerned, it is to be noted that the Commission grants loans for the construction of coal-fired power stations under Article 54 (2) of the ECSC Treaty. These loans also are granted at market conditions, without subsidy element.

⁽¹⁾ With regard to the EIB loans in Italy, in 1981 a total of 89,23 million ECU and in 1983 of 45 million ECU, attracted 3 % interest subsidies granted, under the Regulation enacted by the Council on 3 August 1979 ⁽²⁾ in conjunction with the European Monetary System (EMS) set up by the Regulation of 18 December 1978 ⁽³⁾ and which entered into force on 13 March 1979.

⁽²⁾ OJ No L 200, 8.8.1979, p. 1.

⁽³⁾ OJ No L 379, 30.12.1978, p. 2.

WRITTEN QUESTION No 730/86by **Mr Leen van der Waal (NI—NL)**to the **Commission of the European Communities**

(2 July 1986)

(87/C 82/12)

Subject: Comparative life expectancy of men and women

1. Can the Commission supply comparative figures for the present life expectancy of men and women in the Member States and give the number of women in the working population in these countries as a percentage of the total female population (i.e. women's 'participation rate')?

2. Can the Commission supply figures for the life expectancy of women in the Member States in relation to their family situation (one-parent families, families with a husband, families with children, one-person households) and/or in relation to their category of employment?

3. Does the Commission have comparative age-specific death statistics for the years 1965, 1980 and 1985 for women in the age bracket 25 — 35 and, if possible, in relation to:

(a) the family situation (see question 2),

(b) the category of employment/the 'participation rate'?

4. Has the Commission taken note of the WHO report 'Health 2000' with regard to the future life expectancy of men and women in relation to the emancipation of women?

5. How does the Commission view the relevance of the predictions of the Health 2000 report with regard to the position of women in the Member States?

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

(4 September 1986)

The annexed Table 1 shows male and female life expectancies at birth and at age 40 years in Member States based on their most recent life tables. Table 2 shows the percentages of females economically active, by age group, derived from the 1983 Community labour force sample survey. No information is available on life expectancy in relation to family situation or professional activity.

Figures of age-specific mortality rates for women aged 25 to 34 years are given in Table 3 for the dates nearest to those specified in the question for which data are available. Cross-classifications by household or professional situation are not available.

The Commission is aware of the WHO report 'Targets for health for all, 2 000' and has taken note of the sentiments and objectives expressed. It is not in a position to comment in detail on the feasibility of the various targets contained in the report but notes that, in so far as the target figure of 75 years for expectation of life at birth is concerned, this figure has already been attained in the case of females in all Member States.

Table 1

Expectation of life in years at ages 0 and 40 years

Country	Reference period	Age (years)	Males	Females	Female excess
Germany	1982 - 84	0	70,84	77,47	6,63
		40	33,46	39,21	5,75
France	1983	0	70,7	78,8	8,1
		40	33,7	40,6	7,3
Italy	1980	0	70,60	77,41	6,81
		40	33,43	39,35	5,92
Netherlands	1983 - 84	0	73,0	79,5	6,5
		40	35,0	41,0	6,0
Belgium	1979 - 82	0	70,04	76,79	6,75
		40	32,98	38,82	5,84
Luxembourg	1980 - 82	0	70,0	76,7	6,7
		40	32,4	38,4	6,0
United Kingdom	1982 - 84	0	71,6	77,6	6,0
		40	33,8	39,1	5,3
Ireland	1980 - 82	0	70,1	75,6	5,5
		40	32,6	37,3	4,7

Country	Reference period	Age (years)	Males	Females	Female excess
Denmark	1983 - 84	0	71,5	77,5	6,0
		40	33,9	39,1	5,2
Greece	1980	0	72,15	76,35	4,2
		40	35,58	38,95	3,37
Spain	1980 - 81	0	72,55	78,59	6,04
		40	35,51	40,56	5,05
Portugal	1981	0	68,86	76,55	7,69
		40	33,58	39,56	5,98

Table 2

Activity rates by age groups

Females

Age-group	D	F	I	NL	B	L	UK	IRL	DK	GR	EUR-10
14 - 19	31,3	21,3	25,3	21,8	14,5	33,4	40,7	30,5	37,5	29,6	28,9
20 - 24	69,6	71,0	58,5	71,0	66,3	71,1	68,9	76,8	82,1	49,7	67,1
25 - 29	62,6	72,2	58,8	53,7	74,9	58,7	56,5	55,4	87,9	47,5	62,4
30 - 34	57,8	69,8	54,2	43,1	66,8	50,5	56,1	35,5	88,4	45,8	58,7
35 - 39	59,0	68,3	47,5	45,0	58,5	40,8	64,4	30,6	87,6	45,0	58,5
40 - 44	57,7	66,7	42,6	43,8	49,0	38,0	70,2	31,5	86,9	45,1	57,0
45 - 49	54,7	63,2	38,2	38,5	39,6	30,8	70,8	31,3	79,4	42,3	53,9
50 - 54	47,5	56,2	30,9	27,8	29,9	20,9	63,9	27,9	68,6	37,2	46,7
55 - 59	39,6	40,3	19,9	18,4	16,5	18,4	49,9	22,7	54,6	30,1	35,3
60 - 64	12,4	17,3	9,2	8,2	6,1	10,1	20,3	17,5	28,9	20,1	14,6
65 - 69	4,6	3,4	3,8	1,8	1,8	—	7,0	7,4	10,1	12,7	5,0
70 +	2,0	1,5	1,4	0,6	0,7	—	1,8	2,8	—	5,3	1,7
Total	40,1	45,1	32,3	33,3	35,6	32,1	44,8	33,4	57,3	33,1	39,9

Source: 1983 Community labour force survey.

Table 3

Age-specific mortality rates — females 25—34 years

(deaths per 1000 women aged 25—34)

Country	1960	1980	1984
Germany	1,008	0,715	0,760
France	1,078	0,701	0,653
Italy	0,967	0,550	n.a.
Netherlands	0,633	0,495	0,346
Belgium	0,882	0,764	0,644
Luxembourg	0,992	1,004	0,748
United Kingdom	0,760	0,628	0,488
Ireland	1,116	0,531	0,580
Denmark	0,750	0,616	1,126
Greece	n.a.	0,534	0,509
Spain	1,145	0,577	n.a.
Portugal	1,304	0,834	n.a.

n.a. = not available.

WRITTEN QUESTION No 767/86**by Sir James Scott-Hopkins (ED—GB)****to the Commission of the European Communities***(2 July 1986)**(87/C 82/13)**Subject: Multiple sclerosis*

What research is the Commission currently undertaking into the causes of multiple sclerosis and the effects which it has on the social and economic lives of sufferers? What proposals does it intend to bring forward to increase social, educational and employment opportunities for men and women who suffer from multiple sclerosis?

**Answer given by Mr Marin
on behalf of the Commission***(25 August 1986)*

Under its Fourth Medical Research Programme 1987 — 1989 (currently being prepared), the Commission plans to include the coordination of national research relating to the etiology and pathogenesis of multiple sclerosis together with the development of improved methods of diagnosis and new forms of treatment.

For further information concerning the activities of the Commission in relation to problems concerning multiple sclerosis, the Honourable Member is referred to the Commission's answer to Written Question No 1852/85 by Mr Newman (¹).

(¹) OJ No C 137, 4.6.1986.

WRITTEN QUESTION No 833/86**by Mr Richard Cottrell (ED—GB)****to the Commission of the European Communities***(10 July 1986)**(87/C 82/14)**Subject: Threat to the environment from coal- and oil-burning power stations*

A committee of experts has informed the Senate of the United States that hydrocarbon pollution of the atmosphere has now reached the point where the extinction of human life may be threatened within 500 to 1 000 years. Scientists fear that the pollution of the atmosphere, encouraging the so-called 'greenhouse syndrome', will cause melting of the polar ice-caps, floods, drought, the increase in certain types of cancer, and destruction of the ozone layer. A study completed by these experts identifies a 'hole' in the ozone layer above the Antarctic — suggesting a loss of some 30 to 50 % — which they attribute to the generation of carbon dioxide caused by the combustion of fossil fuels (coal, oil) and degeneration caused by chlorofluorocarbons. Has the Commission monitored the information supplied to the US Senate by the National Aeronautics and Space

Administration? If not, why not, considering past Community action on the chlorofluorocarbon issue? Will the Commission now propose the gradual elimination of coal and oil burning power stations over a phased 10-year period and, in the meantime, draw up an urgent programme for Community action?

**Answer given by Mr Clinton Davis
on behalf of the Commission***(8 December 1986)*

The Commission has no direct knowledge of the particular study to which the Honourable Member refers. However, it would remind the Honourable Member that the Commission is currently conducting a multiannual research programme into all aspects of climatology, including the influence of carbon dioxide. Within this programme consultations take place with the leading international experts in order to keep abreast of the latest developments and thinking. To this end, the Honourable Member may wish to note the Symposium 'CO₂ and other greenhouse gases — the climatological and other impacts' organized by the Commission, in collaboration with leading international experts, on 3 — 5 November 1986.

The symposium reviewed the whole issue of the climatic change that is expected to take place as a consequence of the accumulation of the atmospheric CO₂, due to fossil-fuel burning.

Participants discussed measures which could be taken to avoid as far as possible harmful consequences of this change. These measures include reforestation, improved water resources, improved agricultural techniques, soil protection and rehabilitation, as well as energy-saving and possible renewable energy sources. It was also considered necessary to assess the ecological and social impact that any adopted strategy might have.

The Commission does not believe it to be realistic or desirable to eliminate coal- and oil-burning power stations in the Community and has therefore no intention of drawing up the action programme suggested by the Honourable Member.

WRITTEN QUESTION No 862/86**by Mrs Johanna Maij-Weggen (PPE—NL)****to the Commission of the European Communities***(10 July 1986)**(87/C 82/15)**Subject: Training of interpreters in Community Member States*

1. Can the Commission say how many official interpreting training courses there are in each Member State?

2. Is the Commission aware that Belgium imposes a limit of 2 % on the number of foreign trainees at its interpreting school in Brussels?
3. Does the Commission know whether other interpreting schools in other Community countries have similar restrictions on the numbers of foreign trainees?
4. Does the Commission find such a restriction compatible with the spirit and letter of the Treaty of Rome?
5. Will the Commission ask the Belgian authorities to lift this restriction?

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

(2 September 1986)

According to the Commission's information, the following institutions in the Member States offer training in interpreting at university level:

Belgium: 9,
Denmark: 2,
Federal Republic of Germany: 3,
France: 3,
Italy: 1,
United Kingdom: 4,

Apart from Belgium, the Commission has no information on conditions of admission to these interpreting schools in the Member States. With regard to the situation in Belgium, the Honourable Member is referred to the reply given to written question No 356/86 from Mr Visser ⁽¹⁾.

⁽¹⁾ OJ No C 299, 24.11.1986, p. 60.

**WRITTEN QUESTION No 876/86
by Mr Gene Fitzgerald (RDE—IRL)
to the Commission of the European Communities**

(14 July 1986)

(87/C 82/16)

Subject: Allocation of funds for the elderly

Will the Commission provide details of the recipients of Community aid to date under the budgetary heading 'Measures to assist the elderly, including preparation for retirement' (Item 6443)?

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

(25 August 1986)

The budget line 6443 (elderly) exists since 1984. It has been used in favour of the following actions:

1984: 60 000 ECU

1. Eurolink Age (Mitcham) — Seminar in Köln: 'Housing and the environment of elderly people' (15 000 ECU)
2. Eurolink Age (Mitcham) — Seminar in Dublin 'Training for later life' (15 000 ECU)
3. Eurag (Amsterdam) — Congress in Rome 'Our life in our time' (5 000 ECU)
4. Eurolink Age (Mitcham) — Study 'Concessions for older people in the EEC' (16 890 ECU)
5. Kuratorium Deutsche Altershilfe — Study 'Family resources of older people in the Federal Republic of Germany' (8 020 ECU).

1985: 60 000 ECU

1. Eurolink Age (Mitcham) — Seminar in Luxembourg 'Situation of older women' — Contribution to the UN Conference of Nairobi (15 000 ECU)
2. Institut européen universitaire d'action sociale (Marcinelle) — Congress 'Free time and culture of the Third Age' (1 484 ECU)
3. Scottish Education Community Council — Creation of an information network by the elderly and for the elderly (8 500 ECU)
4. Eurolink Age (Mitcham) — Seminar in Strasbourg 'New technologies and the elderly' (15 154 ECU)
5. Centre of family (Athens) — Translation and publication of a book on the integration of the elderly and the very young (5 000 ECU)
6. AMASDALP (Communality of Marseille) — Operation on home renovation of elderly by young unemployed and pre-retired people (5 000 ECU)
7. Eurolink Age (Mitcham) — Translation of a bulletin on the elderly in Europe (9 918 ECU).

1986:

The budgetary difficulties have excluded any commitment at this moment (10 July 1986).

WRITTEN QUESTION No 887/86

**by Mr Heinz Vetter, Mr Karl-Heinrich Mihr, Mr Johannes Peters, Mr Kurt Vittinghoff and Mr Manfred Wagner
(S—D)**

to the Commission of the European Communities

(14 July 1986)

(87/C 82/17)

Subject: Contravention of the Community Company Law Directive

1. Does the Commission agree that the exemption of public limited companies from the requirement that limited companies publish accounts, which is provided for in Federal German law with effect from 19 December 1985 (*Bundesgesetzblatt I*, pp. 2355 ff.), is a contravention of the Fourth Community Directive on company law?

2. Does the Commission also agree that legislation that came into force in the Federal Republic on 19 December 1985 (*Bundesgesetzblatt* 1, pp. 2355 ff.) contravenes the Seventh Community Directive on company law because:

- the accounts that have to be disclosed by groups of companies headed by an individual or a private company are not set out in accordance with the regulations contained in the Seventh Directive (notably those on valuation, the setting out of balance sheets and profit and loss accounts and the Annex), and
- under pre-existing national law, groups headed by non-limited companies are still required to publish accounts only if they are much larger than is provided for in the Seventh Directive?

3. Does the Commission agree that making the disclosure and publication of balance sheets and valuations optional for large numbers of companies in a Member State is inconsistent with the aims of the Fourth and Seventh Community Directives on company law, despite the fact that the Directives empower the Member States to take such action?

- Does the Commission agree that there is a danger that Member States that have passed stringent regulations complying closely with the Directives could in future be forced by the widespread introduction of optional disclosure of information in other Member States to dilute their regulations and thereby to reduce the level of information required to be disclosed?

**Answer given by Lord Cockfield
on behalf of the Commission**

(13 November 1986)

1. On 5 May 1986, the Commission presented to the Council a proposal for a Directive ⁽¹⁾ concerning the scope of the Fourth Council Directive 78/660/EEC on the annual accounts of limited companies ⁽²⁾ and of the Seventh Council Directive 83/349/EEC on consolidated accounts ⁽³⁾. The aim of the proposal is to ensure the application of the abovementioned Directives to certain forms of partnership, all of whose members with unlimited liability are constituted as one of the forms of limited company. In the Commission's opinion, it would contradict the spirit and the aims of the abovementioned Directives to allow Member States not to apply these Community rules to such partnerships.

2. The Commission is in the process of examining the provisions of the German Law of 19 December 1985 concerning the accounts of groups. Under the Seventh Directive, Member States are free to exempt parent undertakings not established as one of the forms of limited company from the requirement to draw up consolidated accounts. However, if a Member State does impose such a requirement on an individual trader or on a partnership and provided that one or more of the subsidiaries is constituted as

a limited company, the consolidated accounts must also be drawn up, audited and published in full compliance with all the provisions of the Seventh Directive.

3. In the Commission's view, the mere use of the options provided for Member States in the Fourth and Seventh Directives is not contrary to the objectives of these Community rules. Where a Member State has laid down stricter requirements than those provided for in the abovementioned Directives, which are minimum requirements, it is free to maintain such arrangements.

⁽¹⁾ OJ No C 144, 11.6.1986, p. 10.

⁽²⁾ OJ No L 222, 14.8.1978, p. 11.

⁽³⁾ OJ No L 193, 18.7.1983, p. 1.

WRITTEN QUESTION No 889/86

by Mrs Mary Banotti (PPE—IRL)

to the Commission of the European Communities

(14 July 1986)

(87/C 82/18)

Subject: Prison population in Community countries

Can the Commission please provide figures for the number of prisoners per thousand of the population in the following Community countries: Federal Republic of Germany, France, Luxembourg, Denmark, Italy, Belgium, Netherlands?

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

(28 August 1986)

The matter raised by the Honourable Member does not fall within the competence of the Commission.

The Commission does not possess the figures requested and has not published any national statistical information on the matter. Given the differences of definition, any comparison between such figures is very difficult.

WRITTEN QUESTION No 896/86

by Mr Thomas Raftery (PPE—IRL)

to the Commission of the European Communities

(14 July 1986)

(87/C 82/19)

Subject: The status of the Irish language in the Community

1. Will the Commission state the position of the Irish language within Community law and within the various institutions of the Community?

2. What Community publications and documents are available in Irish?

3. Does the Irish version of the Treaties have the same legal standing as the versions in the other official languages?

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

(14 November 1986)

Article 160 of the Text of the Act concerning the conditions of accession of the three new Member States in 1973 provides that the texts of the Treaties establishing the European Economic Community and the European Atomic Energy Community, and the Treaties amending or supplementing them in the Danish, English and Irish languages, 'shall be authentic under the same conditions as the original texts of the Treaties'. It will be remembered that the official text of the Treaty establishing the European Coal and Steel Community is in French only.

There is an authentic Irish-language version of:

- the Treaties establishing the European Economic Community and the European Atomic Energy Community,
- the Convention on certain institutions common to the European Communities of 1957,
- the Treaty establishing a single Council and a single Commission of the European Communities and the Decision on the provisional location of certain institutions and departments of the Communities, both of 1965,
- the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources,
- the Treaty amending certain budgetary provisions of the Treaties establishing the European Communities and of the Treaty establishing a single Council and a single Commission of the European Communities,
- resolutions and declarations recorded in the minutes of the meeting of the Council on 22 April 1970,
- Treaty dated 10 July 1975 amending certain provisions of the Protocol on the Statute of the European Investment Bank,
- Treaty dated 10 July 1975 amending certain financial provisions of the Treaties establishing the European Communities and of the Treaty establishing a single Council and a single Commission of the European Communities,
- Act concerning the election of the representatives of the Assembly by direct universal suffrage annexed to the Council Decision of 20 September 1976,

- Decision of the representatives of the Governments of the Member States of 5 April 1977 on the provisional location of the Court of Auditors,
- the Documents concerning the accession to the European Communities of Denmark, Ireland and the United Kingdom.

There is also an official Irish-language version of the Rules of Procedure of the Court of Justice and Irish is one of the official languages of the Court (Article 29 of the Rules of Procedure).

The *Official Journal of the European Communities* and the Reports of Cases before the Court of Justice are not normally published in Irish.

Irish may be used as a working language in the sessions of the Parliament and at hearings of the Court of Justice if notice is given to allow arrangements for interpretation to be made.

Community publications and documents available in Irish are of two types:

- Occasional issues of the Official Journal are published in Irish because the subject matter either contains additions or modifications to the Treaty texts already in Irish or is of wide importance and interest to all citizens (e.g. the Joint Institutions Declaration on Human Rights). A list of these issues is being sent directly to the Honourable Member and to the Secretariat General of the Parliament.
- Documentation for the general public about Community Institutions and their policies. Booklets, films, posters and stickers have been produced from time to time, principally by the Commission but also by the Parliament and the Court of Justice. The Commission's Press and Information Office in Dublin publishes a monthly newsletter, *Eorascail*, which has a wide circulation and is well-received by the readers, as readership surveys have shown. To facilitate the task of translators, officials and journalists a 'Phraseological Vocabulary' of Community terminology in Irish has been made available and kept up to date.

The Commission adds that the Press and Information Office in Dublin also supports youth activities. Each year a prize is awarded in the *Slogadh* /-all-Irish youth competitions. The Office also participates in the Pan-Celtic meetings held each year in County Kerry. The Pan-Celtic is an Irish/Celtic-language music festival.

The Dublin Office handles queries in Irish, both written and oral. Staff members are also available as required for interviews in Irish on radio and television. The Dublin Office has close contacts with *Bord na Gaeilge*, *Gael Linn*, the Community Bureau for Lesser-Used Languages, which has its headquarters in Dublin, and other similar organizations.

WRITTEN QUESTION No 946/86**by Mr Willy Kuijpers (ARC—B)****to the Commission of the European Communities***(16 July 1986)**(87/C 82/20)*

Subject: Radioactive air filters collected in domestic refuse

The radioactivity in the air since Chernobyl has concentrated in the air filters in buildings.

For example, in a university laboratory caesium and iodine have been discovered in filters.

According to the Ministry of the Environment these filters may be collected with ordinary domestic refuse.

Can the Commission say to what extent this measure, which is contrary to the Belgian law of 23 February 1963, is contrary to the Community Directives and what measures the Commission will take?

**Answer given by Mr Clinton Davis
on behalf of the Commission**

(17 November 1986)

Concentrations of radioactive materials in airfilters in the Community following the Chernobyl accident will have varied widely in accordance with the airborne levels encountered and the operating conditions of the filter systems.

The fact that such activity can be measured does not imply that the levels in question necessarily represent any hazard requiring Member States to impose restrictions, under the terms of the Community Basic Safety Standards ⁽¹⁾, on the handling and disposal of the filters.

While certain Member States have issued precautionary, short-term advice in view of local conditions, it is clear from the information available to the Commission that such precautions will not have been necessary throughout the Community. Information specific to the case raised by the Honourable Member has not been received nor are Member States obliged to provide such information; however, the Commission considers it highly unlikely that the contamination of the filters in question would have called for any special disposal measures in order to comply with the Basic Safety Standards.

⁽¹⁾ OJ No L 246, 17.9.1980; OJ No L 265, 5.10.1984.

WRITTEN QUESTION No 982/86**by Mr Willy Kuijpers (ARC—B)****to the Commission of the European Communities***(23 July 1986)**(87/C 82/21)*

Subject: Notification requirement in the event of accidents in nuclear power stations

The accident at the Chernobyl nuclear power station and the attitude of the Soviet authorities has demonstrated that a system of compulsory notification of accidents in nuclear power stations is inevitable. From the answer to Written Question No 107/85, I understand that there are now 110 nuclear power stations in operation in the Community (1985 figures). Many of these nuclear power stations are located on the border with another Member State which would in many cases also be affected by an accident.

Can the Commission say:

- which nuclear power stations have emergency plans which would be implemented in the event of an accident?
- which of the nuclear power stations located near a border (e.g. Doel, Tihange, Chooz, etc.) have a cross-boundary emergency plan?
- which nuclear power stations are under an obligation to notify their own authorities or those of the neighbouring country in the event of an accident?
- are there any bilateral or trilateral conventions, informal agreements or European standards in this area?
- Is there any European Directive under which notification is compulsory in the event of an accident?

⁽¹⁾ OJ No C 228, 9.9.1985, p. 36.

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

(15 January 1987)

1. Pursuant to Article 45 (4) of Directive 80/836/Euratom laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation ⁽¹⁾, Member States are required to stipulate the measures to be taken and the necessary resources to safeguard the health of the population in the event of an accident; these measures may be taken jointly with other Member States.

2. All the nuclear power stations are therefore covered by emergency plans, but detailed arrangements and provisions specific to plants sited in frontier areas are the responsibility of the individual Member State.

3. The emergency plans include a mandatory provision for the rapid notification of accidents to the competent authorities of the Member State concerned. In addition, Article 45 (5) of the Directive laying down the basic safety standards stipulates that any accident involving exposure of the population must be notified as a matter of urgency to neighbouring Member States and to the Commission.

4. In a number of cases, the arrangements for the communication of information between Member States are covered by bilateral agreements. A Commission report summarizing these agreements has just been published and a copy will be sent to the Honourable Member and to the Secretariat of the European Parliament.

5. At present the Directive laying down the basic standards is the only Directive in force governing the provision of information in the event of a nuclear accident.

Moreover, pursuant to Articles 35 and 36 of the Euratom Treaty, each Member State is required to establish the facilities necessary to carry out continuous monitoring of the level of radioactivity and to communicate information obtained from these checks to the Commission. Although these provisions were not specifically designed to cover emergencies, the Commission did make use of them after the Chernobyl accident to gather information on levels of contamination in the Member States. The Commission suggests that the Honourable Member should refer, on this point, to the answers to Written Questions Nos 581/86 by Mr CiccioMessere⁽²⁾ and 742/86 by Mrs Dury⁽³⁾.

6. Nevertheless, experience has pointed up the inadequacy of the existing machinery for dealing with the consequences of a major nuclear accident. That is why, in its outline communication to the Council on the consequences of the Chernobyl accident⁽⁴⁾, the Commission has undertaken to submit to the Council a proposal for a Community Regulation to remedy this situation, plus a proposal designed to introduce a system for the compulsory reporting of Community incidents.

A draft proposal for a Council Decision on a Community system for the rapid exchange of information in cases of unusually high levels of radioactivity or of a nuclear accident⁽⁵⁾ has already been sent to the Council and to Parliament in the Annex to a communication on the application of Chapter III of the Euratom Treaty 'Health and Safety'.

⁽¹⁾ OJ No L 246, 17.9.1980.

⁽²⁾ OJ No C 337, 31.12.1986.

⁽³⁾ OJ No C 60, 9. 3. 1987, p. 13.

⁽⁴⁾ COM(86) 327 final.

⁽⁵⁾ Annex to COM(86) 434 final.

Will Italy, which has the same legislation, which corresponds, moreover, to the definition in the Codex Alimentarius also be required to amend its legislation? This would represent a retrograde step for Italy that would be detrimental to the development of its dairy industry.

Experience has already shown that only the name of the product has made it possible for the consumer to distinguish a product made with live fermenting agents from a product sterilized with dead fermenting agents.

Prior to the amendment of France's legislation in line with the provisions of the Codex Alimentarius, confusion on the part of the consumer resulted in disappointment and in a consequent drop in consumption.

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

(18 November 1986)

It is true that the Commission has opened infringement proceedings against France following a complaint of Netherlands manufacturers of a pasteurized drink made from yoghurt, fruit juice and fermented milk who were prohibited from selling their product in France because of various objections raised by the French authorities to labelling on the product's packages and in particular the use of a trade name incorporating the first syllable of the word yoghurt. The product is in fact similar to a French manufactured *boisson lactée* already marketed in France under a trade name incorporating the first syllable of the word *yaourt*.

The Commission has not yet dispatched a reasoned opinion in this case and is endeavouring to reach a solution with the French authorities which will reconcile the interests of legitimate consumer protection with the requirements of the rules governing free circulation of goods within the Community.

The Commission was already aware of the Codex Alimentarius definition and of the analogous legislation of certain other Member States. These factors will of course be taken into account in relation to any further decision taken by the Commission concerning conditions on the use of the designation yoghurt.

WRITTEN QUESTION No 998/86

by Mr Michel Debatisse (PPE—F)

to the Commission of the European Communities

(23 July 1986)

(87/C 82/22)

Subject: French legislation on yoghurt

Is it true that the Commission proposes to serve a reasoned opinion on France relating to the French legislation on yoghurt?

WRITTEN QUESTION No 1021/86

by Mr Victor Arbeloa Mura (S—E)

to the Council of the European Communities

(23 July 1986)

(87/C 82/23)

Subject: Failure to ratify the Council of Europe Convention on the Suppression of Terrorism

Which European Community countries have not yet ratified the Council of Europe Convention on the Suppression of

Terrorism and what reasons have been given for their failure to do so?

Answer

(5 February 1987)

The European Convention on the Suppression of Terrorism (1977) has been signed by all Twelve member states of the Community. It has not yet been ratified by France, Greece and Ireland. France and Greece have stated at the Council of Europe meeting of Ministers on 4 — 5 November their intention to legislate soon to ratify. Ireland has also stated its intention to ratify the Convention in the near future. Decisions on ratification are a matter for the Member States concerned.

WRITTEN QUESTION No 1038/86

by Mr Jef Ulburghs (NI—B)

to the Commission of the European Communities

(31 July 1986)

(87/C 82/24)

Subject: Programme of positive measures concerning South Africa (Article 953)

Will the Commission state:

1. How it reacts to the fact that many of its negotiating partners in the framework of Article 953 on positive measures concerning South Africa have been arrested since the state of emergency was declared?
2. Whether it is also considering financing projects in Namibia under Article 953?
3. Whether it recognizes the danger that the Committee of Experts, which is responsible for approving projects, could cause serious delays in the allocation of funds as it meets only at the beginning of July and will not meet again until the beginning of September?
4. Whether, in view of the deterioration of the situation in South Africa and the declaration issued following the European Summit meeting in The Hague, it is considering making a substantial increase in the funds entered under Article 953?

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

(13 November 1986)

1. The Community's aid under its special programme for victims of apartheid (budget Article 953) is implemented through four channels in South Africa, namely the South African Council of Churches (SACC), the South African Catholic Bishop's Conference (SACBC), the trade unions and the Kagiso Trust, being a non-church organization. These

channels in turn cooperate with European NGO partners in implementing projects which have been identified to them. It can be appreciated, therefore, that, owing to the size and broad-ranging nature of the organizations involved in this mechanism, the detention of individuals has little effect. Such detention is nevertheless strongly protested by the Commission, as has most recently been the case with the Commission's declaration concerning the detention and torture of Father Swangalisso Mkatshwa, Secretary of the SACBC.

2. It is hoped that a small number of projects can be financed in Namibia, through the Council of Churches in Namibia. It should be noted, however, that no requests have yet been received by the Commission.

3. The consultation of Member States' experts does not cause delay in the Commission's approval of projects. Their role is advisory and experience to date has proved the flexibility and suitability of this method of consultation, where meetings are held not to a fixed timetable, but in accordance with the availability of projects for consideration.

In this context a first decision was taken by the Commission on 22 July for a first series of projects totalling 4,7 million ECU. A second series is in course of examination.

4. It is intended that budget Article 953 will be increased by 50 % to 15 million ECU in 1987.

WRITTEN QUESTION No 1044/86

by Mrs Dorothee Piermont (ARC—D)

to the Commission of the European Communities

(31 July 1986)

(87/C 82/25)

Subject: Relations between the European Communities and New Caledonia

In its Bulletin No 4329 of 31 May 1986, *Agence Europe* reported that the Socialist Group planned to invite the three Kanaka Presidents of the New Caledonia Regions North, Centre and Islands, where the FLNKS (Kanaka Liberation Movement) won a majority at the elections in September 1985, for a visit to Strasbourg in September 1986. In the light of that article and the fact that the French High Commissioner in New Caledonia refused me entry on 4 March 1986 (when I arrived at Nouméa airport at the start of a fact-finding tour of the North, Centre and Islands regions at the invitation of those same three Presidents):

1. In the light of the statement by the MEPs Mr Glinne and Mr Sutra to the effect that the Fabius plan and the September elections 'had brought peace and calm to the territory', how does the Commission view the grounds advanced for the refusal to admit me, namely that my presence constituted a breach of the peace?

2. Does or does not a demonstrating crowd of between 30 and 50 people, as was apparently the case outside the airport, constitute a 'breach of the peace'?
3. How does the Commission intend to respond to the fact that a Member of the European Parliament, who had been invited by the Presidents of the three regions that support independence, is refused entry, whereas those Presidents are to be received in Strasbourg with all the respect due to them by one of Parliament's political groups?
4. What specific steps does the Commission intend to take to prevent similar insults to the elected representatives of the Kanaka people, i.e. by refusing to admit their invited guests, from recurring in the future?
5. How does the Commission propose to ensure that the European Community honours its obligation to an overseas territory that is associated with it through France, namely to steer that territory towards independence?
6. From what FLNKS document or speech by one of its leaders does it emerge that 'independent status in association with France is the basis of the FLNKS programme', as was claimed in the *Agence Europe* article (possibly on the basis of a statement by Mr Glinne and Mr Sutra)?
7. Financial regional policy aid for the above-mentioned three Kanaka regions will be one of the subjects discussed at the planned meeting in September. In the light of that announcement, how does the Commission view the information I received in answer to my Written Questions Nos 2831/85 to 2838/85, namely that as an overseas territory, New Caledonia was not in receipt of (or eligible to benefit from) Regional Fund resources?

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

(17 November 1986)

1 and 2. Under existing legislation, the High Commissioner in New Caledonia has, among other responsibilities, the task of maintaining public order and security.

He is accordingly empowered to intervene in order to prevent any occurrence likely to disrupt public order.

Clearly, the position taken by the authority in question in the Territory, namely that public order could be disrupted by the demonstration at Nouméa airport, was based on the local situation and cannot be commented on by the Commission.

3 and 4. The Commission is accordingly unable to intervene *vis-à-vis* a Member State or Parliament; it can do no more than regret that the conditions which currently prevail in New Caledonia were deemed to constitute an obstacle to the Honourable Member's visit.

5. Law 86/844 of 17 July 1986 provides that within a period of twelve months from its promulgation, the

population groups concerned in New Caledonia and its dependencies will be consulted regarding the Territory's accession to independence or its continuance within the French Republic with a status based on autonomy and regionalization, the essential elements of which will be communicated to them beforehand.

The Commission has no role to play in the process of consultation on the status of an OCT.

6. *Agence Europe* is not connected with the Commission, which is not therefore responsible for ideas propounded by that agency; nor is it the Commission's task to enquire into what documents such ideas are based on.

7. The facts in the answers given to Written Questions Nos 2831/85 to 2838/85 by the Honourable Member ⁽¹⁾ are as stated. The European Regional Development Fund (ERDF) does not apply to the OCT. New Caledonia could, however, like other OCT, receive financing from the European Development Fund (EDF), pursuant to Council Decision No 86/283/EEC of 1 July 1986 ⁽²⁾ on the association of the overseas countries and territories with the European Community.

⁽¹⁾ OJ No C 214, 25.8.1986.

⁽²⁾ OJ No L 175, 1.7.1986.

WRITTEN QUESTION No 1057/86

by Mrs Colette Gadioux (S—F)

to the Commission of the European Communities

(31 July 1986)

(87/C 82/26)

Subject: Extension of the list of less-favoured areas in the Federal Republic of Germany

How does the Commission justify the extension of the list of less-favoured agricultural areas in the Federal Republic of Germany from 33 to 51 % of usable agricultural land?

Will not the authorization which this will give the German Federal Government to apply Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾ lead to an increase in regional disparities at European level?

Is not resorting to arbitrarily extending this list to enable further regions of Germany to benefit from this type of compensatory allowance for 'permanent natural' handicaps just a way of getting round the overall prohibition in Article 92 of the EEC Treaty?

Against a background of budgetary restrictions, and given the serious problems which the structural funds, particularly the ERDF, will be facing in the next few months, what does the Commission propose to do to ensure that the regions

which actually are among the least-favoured areas according to the synthetic index do not in any way have to put up with unjustified restrictions? What guarantees, in particular, can it give Spain and Portugal that the Community will soon be in a position to pursue a policy of improving structures to their advantage?

(¹) OJ No L 93, 30.3.1985, p. 1.

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

(19 November 1986)

The extension of the less-favoured areas in the Federal Republic of Germany is justified by physical conditions in the areas added. All of the areas in the Federal Republic covered by the terms of Article 3 (4) of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas (¹) and recently added to the Community list by Council Directive 86/465/EEC of 14 July 1986 (²) suffer from the permanent natural handicap of unproductive land and, as a consequence, from income levels markedly below the average. In general the areas added in southern Germany are communes located on the edge or at the foot of mountain masses and those in northern Germany are communes located on sandy soils of the podzolic type. In both cases the ground is unsuitable for intensive crops and there is very little that can be done to improve it.

Given these facts, which are backed up by statistics, the Commission cannot describe the extension of the less-favoured agricultural areas in Germany as arbitrary.

Extension of the areas is a prior requirement for the granting of the compensatory allowance provided for in Article 13 of Council Regulation (EEC) No 797/85 on improving the efficiency of agricultural structures (³). The purpose of the allowance is to compensate for permanent natural handicaps and the incomes of German farmers are in fact markedly lower than the Community average.

The accountancy figures yielded by the Farm Accountancy Data Network show the low position of German farm incomes in the league table of the Member States, a situation felt all the more seriously in a Member State where the average per capita income is very high because of the economic weight of the non-agricultural sectors. Surveys carried out by the German authorities show that the income per person employed in agriculture lagged behind the comparable non-agricultural income in 1984/85 by 30 % in the case of farms producing field crops, by 48 % in the case of livestock enterprises and by 48 % in the case of mixed farms (⁴). Given this gross imbalance between sectors, an

extension of the less-favoured areas and so of the compensatory allowance scheme is a suitable way to reduce, at least as far as farms located in less-favoured areas are concerned, the income gap between agriculture and the other sectors.

The Community and the Member States, while endeavouring to reduce regional disparities in Europe as a whole, cannot remain inactive when faced with a worsening of sectoral imbalances within individual Member States or regions. The Community has often therefore, in very different policy areas, brought in measures to facilitate the adjustment of sectors in decline. The Commission considers that the compensatory allowance paid in the less-favoured agricultural areas is a very effective means of securing the relevant socio-economic objective. It is, moreover, an instrument that is virtually neutral in its effects and should not, unlike increases in the guaranteed prices or investment aids, lead to greater production.

The rules governing the allowance in Germany (prosperity threshold, progressively reducing scale of payment, etc.) guarantee that the money available is concentrated on the farms that most need it.

The compensatory allowance payments to farmers in the less-favoured agricultural areas of Germany account for a very modest proportion of the Community budget. The estimate for expenditure over the period 1986 — 90 is 35,4 million ECU. Extension of the less-favoured agricultural areas and of the compensatory allowance scheme in Germany will certainly not result in a reduction in the structural fund budgets for those regions of the Community that the composite index shows to be the least favoured of all.

On 14 July 1986 the Council, acting on a proposal from the Commission, adopted two Directives classifying 62 % of the UAA in Spain and 76 % of that in Portugal as less-favoured agricultural areas (⁵). In 80 % of the Spanish classified area and in all of the Portuguese area the compensatory allowance is to be reimbursed at the rate of 50 % instead of the more normal 25 %.

The Council, moreover, on 20 December 1985 adopted Regulation (EEC) No 3828/85 on a specific programme for the development for Portuguese agriculture (⁶). This will last for ten years and cost the EAGGF up to 700 million ECU. It covers a very wide range of measures for the improvement of agricultural structure in Portugal.

(¹) OJ No L 128, 19.5.1975, p. 1.

(²) OJ No L 273, 24.9.1986.

(³) OJ No L 93, 30.3.1985, p. 1.

(⁴) Source: *Agrarbericht 1986 der Bundesregierung*.

(⁵) Spain: Directive 86/466/EEC (OJ No L 273, 24.9.1986).
Portugal: Directive 86/467/EEC (OJ No L 273, 24.9.1986).

(⁶) OJ No L 372, 31.12.1985, p. 5.

WRITTEN QUESTION No 1058/86
by Mrs Colette Gadioux (S—F)
to the Council of the European Communities
(31 July 1986)
(87/C 82/27)

Subject: Extension of the list of less-favoured areas in the Federal Republic of Germany

How does the Council justify the extension of the list of less-favoured agricultural areas in the Federal Republic of Germany from 33 to 51 % of usable agricultural land?

Will not the authorization which this will give the German Federal Government to apply Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾ lead to an increase in regional disparities at European level?

Is not resorting to arbitrarily extending this list to enable further regions of Germany to benefit from this type of compensatory allowance for 'permanent natural' handicaps just a way of getting round the overall prohibition in Article 92 of the EEC Treaty?

Against a background of budgetary restrictions, and given the serious problems which the structural funds, particularly the ERDF, will be facing in the next few months, what does the Council propose to do to ensure that the regions which actually are among the least-favoured areas according to the synthetic index do not in any way have to put up with unjustified restrictions? What guarantees, in particular, can it give Spain and Portugal that the Community will soon be in a position to pursue a policy of improving structures to their advantage?

⁽¹⁾ OJ No L 93, 30.3.1985, p. 1.

Answer
(10 February 1987)

1. Since 1975 the Council has amended the lists of less-favoured areas several times on the basis of proposals from the Commission, which had first checked that Member States' requests were justified from the technical and economic standpoint, taking into account the need to adapt the lists in line with the socio-economic development of the regions concerned and amendments made to the basic Regulation, as in the case of the new paragraph 5 of Article 3 of Directive 75/268/EEC introduced in the framework of Regulation (EEC) No 797/85.

2. On 14 July 1986 the Council, on a proposal from the Commission, adopted a new list of less-favoured agricultural

areas in the Federal Republic of Germany, on the basis of new criteria which led to an increase of more than two million hectares in the areas classified as less-favoured on German territory.

3. Within the framework of present budget possibilities, the allocation of the available appropriations between the various structural funds is fixed by the budget procedure and the need to improve structures in Spain and Portugal is taken into consideration in this context; furthermore, on the eve of enlargement in December 1985, the Council adapted by means of Regulation (EEC) No 3769/85 the five-yearly financial framework concerning the total amounts of financial assistance which could be met by the EAGGF (Guidance Section) for the period 1985 to 1989, increasing that framework from 5 250 million ECU to 6 350 million ECU.

WRITTEN QUESTION No 1084/86
by Mr Hemmo Muntingh (S—NL)
to the Commission of the European Communities
(2 September 1986)
(87/C 82/28)

Subject: Access by Parliament to the Commission's Asmodee data base

According to the Commission's reply of 16 June 1986 to Written Question No 20/86 ⁽¹⁾, as from 23 May 1986 institutions other than itself have been allowed partial access, on a trial basis, to Sector 7 of the Celex system. This arrangement is due to a current review, to determine which parts of the system are not confidential.

Following this, I asked an operator in the Secretariat to try to find out what national measures had been taken to apply the Council's Directive of 24 June 1982 on major-accident hazards of certain industrial activities (Seveso Directive). The Member States have to take the necessary measures to comply with this Directive by 8 January 1984 at the latest and to inform the Commission immediately. The Celex system, when interrogated on 1 July 1986, informed the operator that he did not have sufficiently high clearance and so no information could be obtained. When does the Commission envisage really giving Parliament full access to information that might be of public significance?

What criteria has the Commission adopted to determine the confidentiality of the data stored in the Asmodee base?

Does the Commission think that national measures officially taken and published by the Member States and then communicated to the Commission become confidential as soon as it is possible to make use of the fact that they are stored in a single data base to see how far the Member States have complied with Community provisions?

⁽¹⁾ OJ No C 299, 24.11.1986, p. 42.

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

(1 December 1986)

The Commission would confirm that Sector 7 of the Celex system which specifically covers national measures for the implementation of Community Directives has been accessible to the other institutions on a trial basis since 23 May 1986. The stored data concerning these measures, which are published by the Member States and communicated to the Commission, are in no way confidential.

The difficulties described by the Honourable Member in obtaining information must be due to incorrect interrogation of the Celex system, which is now accessible to all Parliament officials who have the appropriate clearance.

WRITTEN QUESTION No 1103/86

by Mr James Elles (ED—GB)

to the Commission of the European Communities

(2 September 1986)

(87/C 82/29)

Subject: Transmigration programme in Indonesia

1. Does the Commission recognize the irreplaceable nature of tropical rainforests in developing countries? Does it support their maintenance?

2. If so, why is the Commission giving financial support to the transmigration programme in Indonesia which is responsible for the overall destruction of over 600 000 hectares of tropical rainforest, as well as the alienation of thousands of tribal peoples from their homelands?

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

(18 December 1986)

1. The need for the protection and maintenance of tropical rainforests in developing countries is recognized by the Commission and is considered in various policy statements, notably the Lomé III Convention and the Commission communication to the Council and the European Parliament⁽¹⁾ — Conservation of Natural Resources — Countering Desertification in Africa.

Article 39 of the Lomé III Convention states that:

'The two parties recognize that halting the deterioration of land and forest potential, re-establishing ecological equilibria, protecting natural resources and exploiting them efficiently constitute *inter alia* fundamental objectives which the ACP States concerned endeavour to obtain with the support of the Community . . . '.

Within the Commission communication, establishment of reserves is identified as a priority action required for 'tropical rainforests with low population density but subject to severe pressure from neighbouring populations . . . '.

The conservation of tropical rain forests is also emphasized in the Commission's Fourth Environmental Action Plan, in preparation.

The Commission intends to undertake significant interventions in this field in the future under the terms of the Lomé III Convention. Such interventions do, of course, require suitable requests for assistance coming from the ACP countries. Examples of major projects under consideration at present are the Regional Programme for the Improvement of Tropical Hardwoods in West and Central Africa and the Natural Forest Management Rehabilitation component of the Uganda Fuelwood/Forestry Project.

The Commission does recognize the irreplaceable nature of tropical rain forests not only as a source of a multitude of renewable resources for the local populations but also as a major factor maintaining environmental stability and as a vast genetic reserve which must be preserved for the benefit of future generations.

2. The European Community has in the past participated in only one transmigration project, namely the SE Sulawesi transmigration and area development project in Indonesia, co-financed with the ADB, for which it provided a grant of 5,0 million ECU in 1977/78.

This project is co-financed jointly with the Islamic Development Bank and the Asian Development Bank, which had responsibility for its implementation.

The selected project area had been under cultivation at an earlier time, and was not primary forest. The objective of the project was to redevelop the land that had been abandoned and to introduce controlled irrigation for food production, with the provision of on-farm development and improved inputs, both for local population settlers and transmigrant farmers.

Because of its isolation, the project has been subject to a number of delays in implementation; however, this project was noteworthy in that a large part of project activities was directed towards improving the agricultural possibilities of the local population as well as for transmigrant farmers, with about 5 200 local families benefiting, and 3 250 transmigrant families.

Since then, the Commission has recognized that, as a relatively small donor, to become involved in the complex and difficult transmigration programme is a considerable challenge, better left to large donors who have sufficient leverage to push for improvements in the overall government policy.

As a result, the Commission has not considered funding of any transmigration project since 1978, and has no intention of considering such projects again in the foreseeable future.

(¹) COM(86) 16 final.

WRITTEN QUESTION No 1124/86

by Mr Karl von Wogau (PPE—D), Mr Fernand Herman (PPE—B), Mr Philipp von Bismark (PPE—D), Mr Efthimios Christodolou (PPE—GR), Mr Raphaël Chanterie (PPE—B), Mr Erik Blumenfeld (PPE—D), Mrs Elise Boot (PPE—NL) and Mr Egon Klepsch (PPE—D)

to the Commission of the European Communities

(2 September 1986)

(87/C 82/30)

Subject: Payment transactions within the Community

Effecting payments within the European Community, as compared to doing the same inside the Member States, is more complicated, more time-consuming, disproportionately dearer and tied down with a great deal of red tape.

When a member of the public issues an order for payment through the intra-Community clearing system, he does not usually know how much he will eventually have to pay in charges, commission and fees after all deductions have been made, in addition to which there are further uncertainties inherent in the exchange rates.

As an improvement it has been proposed by the Eurocheque organization that a clearing system based on Eurocheques, the Eurocheque card and a European credit card be set up in a European payments clearing company to be established.

What is the Commission's view of this suggestion and will it give it its support and encouragement?

How does it propose to make business terms and arrangements governing charges, commission and fees in intra-Community payments, which have hitherto been far from clear to members of the public and undertakings in Europe, more transparent at the level of the credit institutions, so that genuine competition can develop?

In discharging its responsibilities under Articles 85 and 86 of the EEC Treaty, is it also investigating the inter-bank agreements on intra-Community payments?

**Answer given by Lord Cockfield
on behalf of the Commission**

(15 January 1987)

The Commission is following with great interest the discussions taking place between representatives of the Eurocheque Working Group and Eurocard International on

the setting-up of an European Payment Systems Company, particularly as it would appear that the scheme would also be open to other systems. From the viewpoint of an European internal market and the 'People's Europe', the Commission welcomes any move to create a simple and low-cost payment system covering the whole of Europe. It is currently examining ways in which such efforts can be supported (for example, where they are designed to ensure that instruments are compatible, which presupposes some degree of standardization, that systems are reciprocal and that appropriate networks are set up).

The Commission, using its powers under Articles 85 and 86 of the EEC Treaty, is currently examining the agreements between credit institutions on international payment charges and hopes to take decisions in the near future. Incidentally, these agreements make no systematic distinction between transactions with other Member States and those with non-member countries.

With regard to the lack of transparency of existing arrangements concerning charges, the Honourable Members are asked to refer to the Commission's answer to Written Question No 462/86 (¹) and the measures outlined there.

(¹) OJ No C 60, 9. 3. 1987, p. 7.

WRITTEN QUESTION No 1139/86

by Mr François Roelants du Vivier (ARC—B)
to the Commission of the European Communities

(2 September 1986)

(87/C 82/31)

Subject: Electricity and gas prices

An investigation carried out within the Belgian Gas and Electricity Supervisory Board appears to confirm that undertakings and households are paying a surcharge on the cost of buying gas and electricity as compared with the neighbouring countries.

Can the Commission:

- (a) confirm this fact;
- (b) state what action it has taken or is going to take to counter the damaging effects of a national monopoly in gas and electricity production and supply?
- (c) set out the main lines of its price policy as regards gas and electricity?

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

(5 November 1986)

The Council has laid down the general principles of energy pricing in several resolutions and conclusions and issued more specific recommendations on electricity (¹) and gas (²) prices.

By and large, the general principles call for realistic energy prices based on sound economic considerations in terms of costs and market factors.

Electricity prices should reflect the costs relating to the various consumer categories and promote the rational use of electricity. They should not be artificially low for reasons that have nothing to do with energy, and they should be as transparent as possible.

Gas prices should comply with the following principles: they should cover the costs relating to the various types of consumer, they should be set at a competitive level compared with substitutes, they should treat comparable supplies equally and they should be transparent.

The Commission monitors the application of these principles in practice and publishes a Bulletin of energy prices; a copy of issue No 1/1986 will be sent separately to the Honourable Member and to Parliament's Secretariat. This Bulletin shows that the pre-tax prices of electricity and gas paid by the various categories of domestic and industrial consumers in Belgium are generally on a par with the average of prices in the four neighbouring countries (Federal Republic of Germany, France, Luxembourg and the Netherlands). In only a few cases are they amongst the highest. Compared with Community countries as a whole, the relative position of Belgian consumers is even better.

Where Belgian consumers pay more than in neighbouring countries this is not, according to the Commission's information, because in Belgium pricing systems are applied that flout the Community principles mentioned above.

As in other Member States, there are in the electricity and gas sectors in Belgium transport and distribution monopolies at national, regional or local level. Any suspicion of abuse of a dominant position will be handled by the Commission under the competition laws of the EEC Treaty, and in particular Article 86.

(¹) OJ No L 337, 24.11.1981.

(²) OJ No L 123, 11.5.1983.

WRITTEN QUESTION No 1143/86

by Mr François Roelants du Vivier (ARC—B)
to the Commission of the European Communities
(2 September 1986)
(87/C 82/32)

Subject: Implementation of the Regulation on improving the efficiency of agricultural structures

1. Has the Commission yet drawn up proposals in implementation of Articles 3 (2) and 18 (2) of Regulation

(EEC) No 797/85 (¹)? What is its work schedule with regard to these matters?

2. Has the Commission yet financed measures or received applications for financing pursuant to Article 22 of Regulation (EEC) No 797/85? If so, will it give precise details?

(¹) OJ No L 93, 30.3.1985, p. 1.

Answer given by Mr Andriessen on behalf of the Commission

(19 November 1986)

1. The Commission has not drawn up proposals in implementation of Article 3 (2) of the Regulation.

On Commission proposals, the Council adopted, on 6 May 1986, three Regulations relating to specific regional measures that may be taken, in accordance with Article 18 of Regulation (EEC) No 797/85, with a view to promoting agriculture as a whole in regions hampered by structural handicaps or weak infrastructure:

- Council Regulation (EEC) No 1400/86 introducing a common measure for the encouragement of agriculture by improving the rearing of beef cattle in certain less-favoured areas of France (¹),
- Council Regulation (EEC) No 1401/86 introducing a common measure for the encouragement of agriculture in certain less-favoured areas of northern Italy (²),
- Council Regulation (EEC) No 1402/86 introducing a common measure for the encouragement of agriculture in the Scottish islands off the northern and western coasts with the exception of the Western Isles (Outer Hebrides) (³).

The estimated cost of these three measures is 150 million ECU.

The Commission is prepared to study other proposals.

2. The Commission has not yet financed any measures pursuant to Article 22 of Regulation (EEC) No 797/85. But it has adopted a decision concerning the financing of a study on the assessment of the factors influencing changes in agricultural structures in the Community and contributing to the effectiveness of the common policy on agricultural structures at regional level and at the level of the farm.

(¹) OJ No L 128, 14.5.1986, p. 1.

(²) OJ No L 128, 14.5.1986, p. 5.

(³) OJ No L 128, 14.5.1986, p. 9.

WRITTEN QUESTION No 1174/86

by Mrs Anne-Marie Lizin (S—B)
to the Commission of the European Communities
(2 September 1986)
(87/C 82/33)

Subject: Emergency planning

What action does the Commission propose to take to coordinate the emergency planning of the various

administrative levels responsible for the safety of the population around European nuclear power stations?

**Answer given by Mr Clinton Davis
on behalf of the Commission**
(27 October 1986)

Under Article 45 of the Directive 'Basic Safety Standards for the health protection of the general public and workers against the dangers of ionizing radiation' ⁽¹⁾, the individual Member States are responsible for drawing up such plans. In a number of cases a degree of coordination will have resulted from bilateral agreements between Member States which have arisen in recognition of potential transfrontier effects in the event of an accident.

The Commission's activities have focussed on the following aspects which are designed to allow improved coordination:

- (a) A report published in 1982 entitled 'Radiological protection of accidental releases of radioactive material', was prepared by the group of experts established under the terms of Article 31 of the Euratom Treaty; this report will be sent directly to the Honourable Member and to the Secretariat General of the European Parliament. This deals with intervention measures in the form of evacuation, sheltering and the distribution of iodine tablets in the early stages of an emergency.
- (b) A report published in 1986 entitled 'Aims and practices of transfrontier emergency planning within the EC countries in case of an accident in a nuclear installation', was prepared by an *ad hoc* group of experts; this report will be sent directly to the Honourable Member and to the Secretariat General of the European Parliament. This reviews existing bilateral agreements and discusses the provisions which such agreements should make.
- (c) The Article 31 Group of Experts has been asked to provide tolerance levels for contamination of foodstuffs and its report should be finalized before the end of 1986.
- (d) In its framework communication on the consequences of the Chernobyl accident ⁽²⁾, the Commission envisages to conduct a number of consultations in order to develop a proposal for a Community system for mutual assistance in emergencies before the end of the year. Such consultations are soon to take place.

⁽¹⁾ Directive 80/836/Euratom (OJ No L 246, 17.9.1980).

⁽²⁾ COM(86) 327 final.

WRITTEN QUESTION No 1192/86
by Mr Stephen Hughes (S—GB)
to the Commission of the European Communities
(2 September 1986)
(87/C 82/34)

Subject: Funding for tourism in the Durham and Blaydon constituency

Will the Commission give details of the amounts and schemes which have benefited in the Durham and Blaydon constituency from either the Agricultural Guidance and Guarantee Fund, Social Fund or Regional Development Fund in the field of tourism? Could it also state whether any of the other sources of Community finance available for tourism have been utilized in the Durham and Blaydon constituency, and if so can it detail such information as requested above?

**Answer given by Mr Varfis
on behalf of the Commission**
(16 January 1987)

The Durham and Blaydon constituency has essentially received five grants from the ERDF for 'cultural infrastructure' projects (including projects relating to a museum and the town of Durham). The total amount of the grants, the first of which was made in 1981, is around £ 700 000.

It has not received any of the grants which the EAGGF Guidance Section provides for rural tourism.

As far as the Social Fund is concerned, it should be pointed out that tourism as such is not financed since there is no reference to tourism in the rules or management guidelines of the Fund. The Social Fund's various priorities cover a variety of types of vocational training, some of which may lead on to jobs in tourism (for example, sales, marketing, management, public relations and food-related occupations), though they may just as easily involve a different sector. A further difficulty arises from the grouping of applications, which thus cover a variety of sectors and do not allow particular training programmes to be identified. In the circumstances, it is not possible to pick out individual programmes in the tourism sector.

With regard to loans granted by the EIB, no breakdown is available of the final recipients of global loans which would allow borrowers from the tourist industry in the constituency concerned to be identified separately.

WRITTEN QUESTION No 1197/86**by Mr Arturo Escuder Croft (ED—E)****to the Commission of the European Communities***(2 September 1986)**(87/C 82/35)**Subject: Control of national aid*

Through its regional policy programme, the European Community aims to achieve the harmonious and balanced development of diverse Community regions. However, subsidies granted by the Community are sometimes diluted in the programmes and budgets of individual countries.

What progress has the Commission made on its control policy with regard to national aid, with the aim of promoting regional development?

**Answer given by Mr Sutherland
on behalf of the Commission***(5 December 1986)*

The Commission presumes that the Honourable Member is referring primarily to the need for Community assistance to be additional to aid provided by Member States, particularly in the regional policy area. The problem of additionality was dealt with at length in the answer which it gave to Written Question No 2092/84 by Mr Vandemeulebroucke ⁽¹⁾. The Commission would refer the Honourable Member to that answer.

The Commission monitors State regional aid schemes to ensure that they are compatible with the common market, in accordance with Articles 92 and 93 of the EEC Treaty.

When a general regional aid scheme or a specific case of aid is notified to it, the Commission examines the areas eligible and the planned intensity of the aid. In order to be able to take a position on these points, it carries out a socio-economic examination of the areas concerned in the national and Community contexts.

The main indicators used in the socio-economic examination are per capita gross domestic product and the unemployment rate. Limits have been set for differences between these two variables and the national average, so that, if per capita gross domestic product is lower or unemployment higher than a given threshold, the area is considered eligible for the exemption from the ban on aid provided for in Article 92 (3) (c). In addition to the abovementioned variables, use is made of any other indicators that are significant in a particular case.

The Commission has decided that the geographical level to be used in taking decisions in this respect should normally be level III of the nomenclature of territorial units for statistics (NUTS), which, in Spain, is equivalent to the provinces.

As provided for in its programme for 1986, the Commission is currently intensifying its policy of monitoring national regional aid schemes.

⁽¹⁾ OJ No C 214, 26.8.1985, p. 10.**WRITTEN QUESTION No 1251/86****by Mr Ernest Mühlen (PPE—L)****to the Commission of the European Communities***(2 September 1986)**(87/C 82/36)**Subject: Indirect subsidizing of the motor vehicle industry in the European Community*

1. Does the European Commission not consider that the underwriting of operating losses incurred by motor vehicle manufacturers, as currently happens in France, the United Kingdom and Italy, is a disguised subsidy to the motor vehicle industry and thus contrary to the rules of the common market, in that certain models are deliberately sold at less than cost price?
2. What does the Commission propose to do to prevent nationalized motor vehicle industries bending the rules of competition by selling models at less than cost price?

**Answer given by Mr Sutherland
on behalf of the Commission***(14 November 1986)*

1. On 17 September 1984 the Commission sent a letter to Member States setting out the ways in which the rules on State aids apply to public authorities' holdings in company capital. The Commission there stated its view that, where fresh capital was injected into a company, and the capital was contributed in circumstances that would not be acceptable to a private investor operating under normal market economy conditions, there was State aid which was caught by Article 92 (1) of the EEC Treaty. The Commission clarified the specific circumstances in which a public injection of capital had to be considered a State aid measure. This would be the case if a State were to provide capital to a public undertaking to offset an operating loss incurred as a result of below-cost sales of certain goods. It must be borne in mind, however, that not all State aids are incompatible with the common market. Article 92 (2) and (3) of the EEC Treaty determines the classes of aid which are compatible, or which may be held to be compatible, with the common market.

In 1986 the Commission twice initiated the procedure laid down in the first subparagraph of Article 93 (2) of the EEC

Treaty in respect of capital injections provided by the French Government to a car manufacturer making heavy losses and deeply in debt. The Commission will not hesitate to take the same attitude towards any similar cases in the motor industry in any Member State.

2. It is conceivable that a firm holding a large market share in a substantial part of the common market might be enabled by State aid to pursue a policy of below-cost sales aimed deliberately at eliminating competitors from a particular range of vehicles. In such a case it would also be possible to invoke Article 86 of the EEC Treaty, which prohibits the abuse of a dominant position. But the legal requirements for such a finding are rather strict. It is often difficult to distinguish between prices which are abnormally low and prices which are low as a result of legitimate competition. The fact that a firm pursuing an aggressive pricing policy continues a price war for a long period, undisturbed by losses, would be one form of evidence, which would be all the stronger if the reserves used originated in Government subsidies, and thus rested on the financial strength of the State itself.

In any event, application of Article 86 in cases of this kind requires extensive inquiries into the whole cost structure of the firms concerned. There are no proceedings of this kind currently in progress.

WRITTEN QUESTION No 1258/86

by Mr George Patterson (ED—GB)

to the Commission of the European Communities

(2 September 1986)

(87/C 82/37)

Subject: Implementation of the Internal Market White Paper

In its first report to Parliament and Council on the implementation of the Internal Market White Paper, the Commission states that it is still awaiting Parliament's opinion on seventeen proposals. A list of these provided by the Commission includes that on the safety of toys.

Could the Commission confirm that this draft Directive (COM(83) 323) is now to be withdrawn and replaced by one conforming to the 'new approach' to standards?

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

(17 December 1986)

The Commission can confirm its desire to withdraw the proposals for Directives on toy safety which it submitted in 1983.

On 10 October 1986, it adopted a new proposal for a Directive ⁽¹⁾ which approximates more closely to the new approach to standardization. This proposal lays down basic toy safety requirements and provides for reference to harmonized standards in the case of technical specifications and test methods relating to mechanical and physical properties, flammability, chemical properties and electric toys.

⁽¹⁾ COM(86) 541 final.

WRITTEN QUESTION No 1318/86

by Mr Vincenzo Bettiza (LDR—I), Mr Michel Toussaint (LDR—B), Mr Sergio Pininfarina (LDR—I), Mr Jean-Thomas Nordmann (LDR—F), Mr Rosario Romeo (LDR—I), Mr Karel De Gucht (LDR—B), Mr Pedro Pinto (LDR—P), Mr Virgilio Pereira (LDR—P), Mr José Domingos (LDR—P) and Mrs Christiane Scrivener (LDR—F)

to the Commission of the European Communities

(2 September 1986)

(87/C 82/38)

Subject: Relations with the countries of Central and Eastern Europe

Will the Commission explain how it intends to reconcile the development of relations with the countries of Central and Eastern Europe and with Comecon as such?

Will it indicate the outlines of the joint declaration proposed by Comecon?

Will the Commission specify whether the aim of that declaration is essentially political?

In view of the trade difficulties faced by these countries, and aggravated in the case of the USSR by the slump in oil prices, what are the implications of recent events for the future of trade relations between the Community and each of these countries?

**Answer given by Mr De Clercq
on behalf of the Commission**

(17 November 1986)

The Commission wishes to develop its relations with the CMEA (Comecon) in parallel with those with the countries of Central and Eastern Europe, which are members of that organization. The Commission considers that it would be inconsistent, and unlikely to foster a harmonious development of its relations with the CMEA, if they were established in the absence of normal bilateral relations with its member countries. The Commission has accordingly sent letters in this vein to the governments of the European

member countries of the CMEA proposing a normalization of their bilateral relations with the Community, to be carried out in parallel with the establishment of official relations between the Community and the CMEA, as proposed by Mr Sytchov, Secretary of the CMEA.

The proposal for a joint declaration, sent to the Commission by Mr Sytchov, provides for the establishment of official relations between the CMEA and the Community in accordance with the competence of the two organizations. The two parties would accordingly designate representatives to make contacts with a view to determining areas, form and methods of cooperation.

It is not for the Commission to judge the CMEA's aims in proposing this declaration. However, the rather general nature of the text seems to imply that, its adoption would represent to its authors primarily a gesture of reciprocal goodwill.

In response to the replies to the Commission's letters from the governments of the CMEA member countries, the Commission has opened a dialogue with a number of those countries with a view to reaching trade agreements. The precise impact of the conclusion of a series of trade agreements between the Community and the countries concerned is difficult to quantify. The Commission considers, however, that the very existence of such agreements would constitute a useful framework for the discussion of trade matters with the countries in question and for encouraging the expansion and promotion of trade.

WRITTEN QUESTION No 1380/86

by Mr Bran van der Lek (ARC—NL)

to the Commission of the European Communities

(18 September 1986)

(87/C 82/39)

Subject: European Social Fund aid for the province of Groningen

It appears from the Annex to Commission Decision 86/221/EEC of 30 April 1986 on the guidelines for the management of the European Social Fund in the financial year 1987 to 1989⁽¹⁾ that, with the exception of the Oost-Groningen region and the Delfzijl district, the province of Groningen is no longer to be eligible for European Social Fund aid.

Is it true that the annual revenue from the natural gas produced in this province is included in the calculation of the province's gross domestic product?

Is the Commission aware that the proceeds of natural gas production in Groningen go not to the province but to national government and to the oil companies Shell and Esso?

Does the Commission agree that in the light of this the gross domestic product of the province of Groningen should be recalculated, leaving out natural gas production, and the province's continued inclusion in the Annex to the above Decision should be reviewed?

⁽¹⁾ OJ No L 153, 7. 6. 1986, p. 59.

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

(7 January 1987)

In order to draw up the list of priority regions eligible for assistance from the Social Fund, the Commission applies a statistical formula based on data supplied by the Member States on the gross domestic product of the region and unemployment rates.

Of the three Corop⁽¹⁾ regions in the province of Groningen, only Oost-Groningen and Delfzijl E.O. were selected as priority regions for assistance from the Social Fund. The Corop Region of Overig Groningen was not selected because of the very high level of gross domestic product (GDP) per inhabitant. This situation is due to the extraction of natural gas, the added value of which is included in the statistics on the GDP of the region given to the Commission by the Dutch authorities.

These data do not indicate the share of GDP represented by the extraction of natural gas and the share arising from other economic activities. Thus the Commission was unable to exclude the natural gas factor when calculating the GDP per capita. If that share were to be notified, it would have to be applied to all the Netherlands regions.

⁽¹⁾ Areas designed by the Regional Development Planning Commission (COROP).

WRITTEN QUESTION No 1399/86

by Mr Ernest Mühlen (PPE—L)

to the Commission of the European Communities

(18 September 1986)

(87/C 82/40)

Subject: Commission representations to the French Government with a view to deferring the entry into service of the Cattenom nuclear power station

Given the recurrence of serious incidents at the Cattenom nuclear power station, is the Commission of the European Communities prepared to make representations to the French authorities with a view to deferring its entry into

service and, in the meantime, carrying out a serious investigation into the safety procedures applied in this power station, which is situated in a border area and affects an entire region of Europe?

**Answer given by Mr Clinton Davis
on behalf of the Commission**

(13 January 1987)

Problems and difficulties encountered during the pre-operational testing of a nuclear power station cannot be termed serious incidents. The very purpose of testing parts of the equipment prior to commissioning is to check that such equipment is working properly and to make the necessary adjustments.

France has provided that Commission with general data relating to the Cattenom power station as required by the provisions of the Euratom Treaty, in particular Article 37.

The Commission delivered its opinion after consulting the group of experts set up for this purpose pursuant to the Euratom Treaty and has communicated that opinion to the authorities of the Member States concerned.

WRITTEN QUESTION No 1412/86

by Mr Richard Cottrell (ED—GB)

to the Commission of the European Communities

(18 September 1986)

(87/C 82/41)

Subject: Operation of the quota system

It is now abundantly clear that the quota system is failing to check over-production of milk. The question therefore is: how will the Commission attempt to resolve the problem? Will those countries such as the United Kingdom, which have obeyed the regulations honestly and fairly, be penalized by a further reduction in overall quotas? Will the Commission rest all its hopes on purchase of so-called 'surplus output'? What punitive gestures has the Commission in mind for chronic quota-busters like Belgium, the Netherlands, Denmark and France? The alternative to singular answers to such difficult conundrums is for the Commission to order an immediate inquiry into the cumulative failure of the quota system. Will it now do that?

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

(13 November 1986)

The Commission cannot accept the Honourable Member's statement that the milk quota system has failed to check the

overproduction of milk, Community milk deliveries in 1985 amounted to 99,7 million tonnes, a reduction of 4 million tonnes compared with 1983, the last year before the introduction of the quota system. All Member States where quotas have been set at below 1983 delivery levels have contributed to this reduction, which has halted the trend of earlier years when milk deliveries were increasing annually by as much as 4 %.

The Commission carries out a permanent examination, including on-the-spot inspections, of the measures taken by Member States for the application of the levy system in order to ensure that the Community Regulations concerned have been respected and that the additional levy payable on milk delivered in excess of quotas has been properly accounted for. Whilst always ready to investigate any specific complaints that the Community Regulations on the quota system have not been applied correctly and to take the appropriate action, the Commission can inform the Honourable Member that, according to its information, the additional levies for the excess milk recorded for 1985/86 have been collected from producers or purchasers in all the Member States to which he refers.

Whilst the milk quota system has been successful in stabilizing Community milk deliveries at a level significantly below that for 1983, the Commission considers that further action is required to improve the balance between supply and demand. This improvement should be achieved as a result of the Council's decision to introduce a voluntary milk cessation scheme and to reduce the guaranteed total quantities for all Member States by 2 % as from 1 April 1987 and by a further 1 % as from 1 April 1988. In addition, the Commission has recently presented proposals to the Council designed to further strengthen the dissuasive effect of the quota system ⁽¹⁾.

⁽¹⁾ COM(86) final, 11. 9. 1986.

WRITTEN QUESTION No 1435/86

by Mr Louis Eyraud (S—F)

to the Commission of the European Communities

(26 September 1986)

(87/C 82/42)

Subject: Beef and veal market

During his visit to Limousin, Mr Andriessen, Vice-President of the Commission, acknowledged that the beef, veal and sheep meat producers were in an increasingly precarious situation and stated that he was willing to consider any suggestions put forward.

In the light of the facts and the Commissioner's statement, can the Commission give an assurance that the intervention system for whole carcasses will be maintained, on the same conditions as in previous years?

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

(14 November 1986)

For the Community as a whole, much more beef was bought in by the agencies in 1986 than in previous years. In the first seven months of this year, about 280 000 tonnes of beef were bought in.

Buying-in of whole and half carcasses over several weeks, as in previous years, would entail additional buying-in of 100 000 to 200 000 tonnes. This would engender major budgetary problems and would further aggravate the situation with regard to sales of intervention products, which is already a source of serious concern.

This being so, the Commission is not in a position, at the present time, to enter into a commitment along the lines proposed by the Honourable Member. However, it wishes to stress that it adopted in good time, as soon as the cattle were brought in for housing, measures which, all in all, constitute manifest market support: from 1 September the buying-in of forequarters was replaced by the buying-in of hindquarters and also a private storage aid has been granted. This enables the pressure on prices due to more ample seasonal supply to be offset.

WRITTEN QUESTION No 1442/86

by Mr Christopher Jackson (ED—GB)

to the Commission of the European Communities

(26 September 1986)

(87/C 82/43)

Subject: Intellectual property rights

In view of the growing concern about the extent of copyright breaches and counterfeiting in the third world countries (including some ACP States), can the Commission:

1. state what action is being proposed at a Community and multilateral level to introduce measures to eliminate such illicit commercial practices;
2. give an assurance that they will raise the issue during the forthcoming GATT negotiations?

**Answer given by Lord Cockfield
on behalf of the Commission**

(19 November 1986)

1. At Community level, a number of initiatives have already been taken or are in preparation. These include the

Council Regulation of 17 September 1984 on the strengthening of the common commercial policy with regard in particular to protection against illicit commercial practices⁽¹⁾; the proposed Council Regulation on measures to discourage the release for free circulation of counterfeit goods⁽²⁾, now close to adoption; and interventions with the authorities of States in which copyright and trademark infringements are known to pose a particular problem for Community right holders. At the multilateral level, the Commission has consistently supported initiatives designed to eliminate these practices including, for example, those launched within the World Intellectual Property Organization (WIPO), the United Nations Educational Social and Cultural Organization (UNESCO) and the General Agreement on Tariffs and Trade (GATT).

2. The Community actively supported the inclusion of trade-related aspects of intellectual property rights, including trade in counterfeit goods, in the new GATT round. As a result of the ministerial conference held in Uruguay in September 1986, it was agreed that this subject should be included in the new multilateral trade negotiations.

⁽¹⁾ Council Regulation (EEC) No 2641/84 (OJ No L 252, 20. 9. 1984, p. 1).

⁽²⁾ OJ No C 20, 22. 1. 1985, p. 7, as amended by OJ No C 356, 31. 12. 1985, p. 30.

WRITTEN QUESTION No 1457/86

by Mr José Alavarez de Eulate Penaranda (ED—E)

to the Commission of the European Communities

(26 September 1986)

(87/C 82/44)

Subject: Export promotion for small and medium-sized undertakings

One of the best prospects for the development and thus the survival of small and medium-sized undertakings is the export of their products, which could boost their sales volume by up to a third.

One of the main obstacles to achieving this objective is the difficulty of developing a suitable and general export promotion policy that would benefit the small and medium-sized producer.

In view of the need to allocate sufficient resources to enable export promotion campaigns on behalf of small and medium-sized undertakings (SMUs) to be carried out, having regard to their significant contribution to regional development, would it be possible to devote part of the resources available under the European Regional

Development Fund to organizing export promotion campaigns at regional level, particularly with regard to the financing of publications like the 'Export Directory'?

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

(9 December 1986)

The Commission shares the Honourable Member's views on the role of small and medium-sized undertakings in regional development and on the importance of exports to their survival.

SMUs, and business as a whole, will benefit from completion of the internal market. To take account of their special needs, the Commission has transmitted an action programme on SMUs⁽¹⁾ to Parliament which provides for creating certain services (one-stop Community offices, BC-NET, etc.) to promote expansion of SMUs in this respect.

The action programme also considers overseas exports and a variety of options for aiding SMUs in this field are being studied.

In addition, a number of activities to promote exports by SMUs have been aided in recent years under the European Regional Fund, in particular within the framework of specific Community regional development measures (non-quota measures). Furthermore, export promotion activities, including the setting up of an 'export directory', may also be aided under Article 15 of ERDF Regulation (EEC) No 1787/84⁽²⁾ concerning measures to exploit the potential for internally generated development of regions. In fact, export promotion for SMUs is included in certain national programmes of Community interest which are being considered by the Commission under Articles 10 to 14 of the Fund Regulation.

⁽¹⁾ COM(86) 455.

⁽²⁾ OJ No L 169, 28. 6. 1984.

**WRITTEN QUESTION No 1465/86
by Mr Christopher Jackson (ED—GB)
to the Commission of the European Communities**

(26 September 1986)

(87/C 82/45)

Subject: Research into distress suffered by animals during transport

In the 1986 budget under item 3841, 100 000 ECU was reserved for research into distress suffered by animals during transport.

Will the Commission please state;

- (a) what research has been carried out under this heading;
- (b) what research is planned under this heading;
- (c) when the results of this research will be published and made available to members of the European Parliament?

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

(17 November 1986)

The small sum allocated from the 1986 budget, reserved for research on the transportation of farm animals, is being used by the Commission to intensify its efforts.

- (a) Although the main thrust is on research coordination there are some actions, based on shared cost contracts, being carried out for the Community with research institutions in some Member States. The aim is to study, in cattle and pigs, the physiological and behavioural responses to different conditions of loading, transporting and unloading. Progress is slow in developing an appropriate methodology for this type of research. Results already show that, whilst loading density may be critical for cattle, pigs may be more sensitive to the conditions at loading and unloading.
- (b) Further work over a period of years will be necessary to give a comprehensive picture of the needs of farm animals during transport. In order to coordinate this research and to elaborate the priority areas for future work, the Commission has set up a small working group to receive advice. Already the group, with a portion of the 1986 budget reserved, is planning in 1986—1987, a scheme to make it possible to monitor several international journeys involving calves, pigs and possibly horses. As part of its work the group will also elaborate a proposal for future research in the Community on farm animal transport indicating at the same time the costs involved which will have to be met by national budgets unless further Community funds are forthcoming for the Commission.
- (c) The Commission intends to organize a scientific seminar in 1987—1988 covering all aspects of farm animal transport. The proceedings from this meeting will be published by the Commission and, for all interested parties, will contain *inter alia* the reports of the work undertaken specifically as a result of the very small budget reserved in the 1986 budget under item 3841 at the suggestion of the Parliament.

WRITTEN QUESTION No 1497/86**by Mrs Ursula Braun-Moser (PPE—D)****to the Commission of the European Communities***(1 October 1986)**(87/C 82/46)*

Subject: Obstacles to the free movement of capital, more specifically as regards the new Member States, Spain and Portugal

In contrast to a communication from the Commission on the liberalization of capital movements, which indicates that Member States (e.g. France, Italy) cannot simply reintroduce restrictions on capital movements that have been lifted, in some other Member States, such as Spain and Portugal, there is evidence of increased obstacles to capital movements (aggravated by bureaucratic obstruction).

How can such a curtailment of the free movement of capital be explained since it is in sharp contrast to the move towards the liberalization of capital movements announced in the Commission programme for 1986?

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

(17 November 1986)

As things stand, the obligation on Member States to liberalize capital movements is governed by the Council Directives concerning implementation of Article 67 of the Treaty of 11 May 1960⁽¹⁾, 18 December 1962⁽²⁾ and 20 December 1985⁽³⁾. However, the Act of Accession lays down different transitional periods for the two new Member States for adaptation to those provisions, the period for Spain ending on 31 December 1990 and that for Portugal on 31 December 1992. For numerous categories of capital movements, including securities dealt in on a stock exchange, earlier time limits have been set (end of 1988 for Spain and end of 1990 for Portugal). Pursuant to the Act of Accession, both Member States will seek to ensure that the restrictions they have been authorized to apply are removed as far as is possible before expiry of the above time limits.

The Commission has no knowledge of any increased obstacles to capital movements in Spain or Portugal that go beyond the Act of Accession or of any bureaucratic obstruction.

In this connection, however, it would draw the Honourable Member's attention to Article 5 of the first Council Directive of 11 May 1960 for the implementation of Article 67 of the Treaty, the first two paragraphs of which read as follows;

1. The provisions of this Directive shall not restrict the right of Member States to verify the nature and genuineness of transactions or transfers, or to take all requisite measures to prevent infringements of their laws and regulations.

2. Member States shall simplify as far as possible the authorization and control formalities applicable to the conclusion or performance of transactions and transfers and shall where necessary consult one another with a view to such simplification.'

⁽¹⁾ OJ No 43, 12. 7. 1960, p. 921/60.

⁽²⁾ OJ No 9, 22. 1. 1963, p. 62/63.

⁽³⁾ OJ No L 372, 31. 12. 1985, p. 39.

WRITTEN QUESTION No 1499/86**by Mr Hemmo Muntingh (S—NL)****to the Commission of the European Communities***(1 October 1986)**(87/C 82/47)*

Subject: Ecology and development

Further to my Written Questions Nos 1603/85⁽¹⁾ and 21/86⁽²⁾, I should like to put the following questions to the Commission:

In Phase 1 of the tsetse programme, 20 000 square kilometres were sprayed (No 1603/85, paragraph 6). According to the answer to Question No 21/86, the programme covered 'agriculturally productive areas that were previously free of the fly' and the spraying programme in Phase 1 was designed 'to enable farmers to continue their previous way of farming.' The reply suggests that this phase of the spraying programme is not designed to create opportunities to extend livestock farming and thus entails no risk of over-grazing.

The project description (March 1984) states that the first phase covers 20 600 square kilometres of which 12 600 is in North-East Zimbabwe and 8 000 in the Kariba-lake-shore region of Zambia. According to this document, the expected results of the programme are as follows: in Zimbabwe an increase of 83 000 head of cattle to a total of 192 000 and in Zambia a significant expansion from 80 000 to 150 000 head of cattle (paragraph 3.1). The general tenor of the document is that there are major opportunities to expand livestock farming. In Mozambique, for example, there would be room for 4,3 million cattle whereas there are now only 90 000.

1. Can the Commission clarify the sharp discrepancies between its answers to my earlier questions and the expected results set out in project description?

2. Can the Commission also provide a satisfactory answer to the following points:

— how are Zambia and Zimbabwe implementing a land-use planning policy for areas freed of the tsetse fly as a result of Community support (that is how is overgrazing being prevented),

- what practical measures have already been taken in this connection,
- what amount was entered in the budget for the project and is this adequate or not,
- has the timing been geared to the tsetse control programme? (In other words have land-use planning structures already been set up in the areas now being sprayed in order to prevent the doubling in the number of cattle leading to over-grazing and is such planning actually working?)

(¹) OJ No C 99, 28. 4. 1986, p. 9.

(²) OJ No C 256, 13. 10. 1986, p. 14.

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

(13 January 1987)

1. The Commission does not see any contradiction between the project description and the answers to earlier questions submitted by the Honourable Member. When, because of reinvasion by the tsetse fly in certain regions, the number of cattle decreases through illness and death, it is evident that a farmer will try to restore the previous situation. As indicated on earlier occasions, the Commission does not object to larger cattle numbers as long as they are in accordance with the normal grazing potential in the areas concerned. The important role of cattle in agricultural production has already been emphasized. The situation in Mozambique cannot be compared with Zambia or Zimbabwe. No spraying is planned there as the project foresees especially survey work.

2. As already stated in the Commission's answer to Written Question No 21/86, the Food and Agriculture Organization (FAO) has been involved in land use planning in Zimbabwe in the tsetse infested areas. On the basis of this study, a first important rural development programme of 2 600 square kilometres in the mid Zambezi Valley has recently been approved (ca 15 million ECU).

The Commission has been requested to finance a pilot scheme based on the development and sustainable use of the wildlife, agricultural and livestock resources in the Kanyati area (800 square kilometres), also an area previously infested by the tsetse fly. The Commission hopes that the project document can be finalized soon and that this approach can be extended to other areas.

Further, the Commission has been approached to assist in another land use planning exercise in the Omay area (2 900 square kilometres). Negotiations are ongoing about possible future financing of the project from the EDF.

It has to be noted that it is already possible under Zimbabwean legislation for local authorities to exercise control over livestock numbers so as to prevent overgrazing.

However, as population pressure is enormous, the law is sometimes difficult to enforce. The Commission intends to assist the Government of Zimbabwe in its efforts to achieve better land use. The total amount of funds necessary for this purpose is at present difficult to quantify.

In the case of Zambia where spraying has yet to start, the outcome of an envisaged FAO land use study is awaited but the approach will be similar to the one in Zimbabwe.

Land use planning is an essential part of the tsetse control programme and will be geared in accordance with the implementation of this programme.

WRITTEN QUESTION No 1533/86

by Mr David Morris (S—GB)

to the Commission of the European Communities

(13 October 1986)

(87/C 82/48)

Subject: Recognition of qualifications

I have a constituent who has obtained the Council for National Academic Awards postgraduate Diploma in Management Studies with very high grades. This constituent has been refused entry to a Commission competition on the grounds that his Diploma does not meet the minimum educational requirement to be admitted to a Commission A grade competition. At about the same time, he has had this qualification recognized for admission to A grade competitions held by the Council of the European Communities, the European Court of Justice and the Economic and Social Committee.

Can you please explain why the Commission alone refuses to recognize this qualification?

Can you also provide me with a list of those qualifications the Commission will accept for A grade posts?

Also, has the Commission contacted the National Equivalence Centres in Member States in order to produce a comparative table of qualifications?

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

(18 November 1986)

As the Honourable Member is undoubtedly aware, competitions organized by the Commission are open to nationals of all Member States and the conditions of admission set out therein are consequently applicable to persons with very varied academic backgrounds.

As regards the case in point, the Diploma in Management Studies, although entitled 'post graduate', does not necessarily take as its starting point possession of a first degree and is a one-year full-time course which presupposes that 'a candidate aged 27 or over without the necessary academic qualification may offer as an admission qualification evidence of at least four years' substantial experience in a post carrying professional or administrative responsibility' ⁽¹⁾.

At present, and pursuant to its Staff Regulations, the Commission requires candidates for A-grade competitions to be in possession of a first university or equivalent degree. Further qualifications which do not stipulate such a degree as a basic requirement cannot, therefore, be taken into consideration when admitting candidates to competitions.

The problem of comparability of qualifications is a very complex one and one in connection with which the Commission as initiator of Community policy is engaged in considerable research. Meanwhile, and for the purposes of admission to its A-grade competitions, only qualifications recognized by the individual Member States as university or equivalent degrees are accepted by the Commission.

⁽¹⁾ Source: CNA — Directory of Graduate and Post-Experience Courses.

WRITTEN QUESTION No 1539/86

by Mr Ernest Mühlen (PPE—L)

to the Commission of the European Communities

(13 October 1986)

(87/C 82/49)

Subject: System of production quotas for steel and import restrictions on iron and steel products from third countries

1. Has the Commission, as the Governments of Luxembourg and the Saarland announced consecutively at their joint meeting held on 17 September in Saarbrücken, received a letter from the two Governments in which they jointly request:

- (a) that restrictions should be imposed on imports of iron and steel products from third countries;
- (b) that no moves should be made to abandon the quota system;

the stand taken by the two Governments being motivated by serious problems in the steel market, more particularly because of the continued fall of the US dollar and the consequent tendency towards an increase in imports of iron and steel products from third countries?

2. Does the Commission share the fears of these two Governments? Is it, accordingly, disposed to take action, or will it maintain the optimistic position which it assumed

quite recently in its dealings with the European Parliament's Committee on Economic and Monetary Affairs — a position which the latter did not share — with regard to trends on the steel market?

Answer given by Mr Narjes on behalf of the Commission

(26 January 1987)

1. The Commission has been informed of the opinion expressed by the Governments of Luxembourg and the Saarland on imports of iron and steel products from third countries and on the quota systems.

It is true that imports of steel products put considerable pressure on the Community steel market in the first half of 1986. However, by strictly applying the external steel policy measures, the Commission considers that the level of imports for the whole of 1986 will not be very different from the levels we have had since 1978 when this policy was first implemented.

This being the case, the Commission feels that the Community should, for a transitional period, maintain most of its contractual and autonomous commercial policy measures in the steel sector. As to the latter, the Commission will now start to consider how to improve the operation of the Community's present regulations on anti-dumping and countervailing duties based on the GATT codes of conduct. The general policy which the Commission intends to follow was recently set out in document COM(86) 585 final of 3 November 1986 entitled 'External Commercial Policy in the Steel Sector — Stocktaking and Prospects'.

2. As far as the quota system is concerned, the Honourable Member will recall that as early as October 1985 the Council stated that the quota system should gradually be abolished and that the steel industry should rapidly return to a market based on competition.

The transitional period was put at a maximum of three years starting in January 1986. In accordance with this gradual policy advocated by the Council, the Commission, in its document COM(86) 503 final, proposed a further step towards liberalization. The principle of further liberalization had already been agreed upon when Decision No 3485/85/ECSC, and particularly Article 19 thereof, was adopted ⁽¹⁾. This Decision is still in force.

The Council (Industry) first discussed the organization of the market in 1987 on 20 October 1986 and continued its talks on 18 November.

On this occasion a number of decisions were taken on the liberalization of category Ic products and the repeal of Article 15 (b) of the Decision on quotas as of 1 January 1987. The Commission's other proposals will be discussed at the meeting in March 1987.

⁽¹⁾ OJ No L 340, 18. 12. 1985.

WRITTEN QUESTION No 1550/86
by Mr Jaak Vandemeulebroucke (ARC—B)
to the Commission of the European Communities

(13 October 1986)

(87/C 82/50)

Subject: Information for industry on European subsidies

Recently the Dutch firm PNO asked the European Community for a subsidy of some five to six million guilders to set up a series of centres in the Euro-region Oost-Drenthe/Overijssel/Oost-Gelderland and the adjacent region of the Federal Republic of Germany to provide some guidance for industry in the maze of European subsidies. Can the Commission state whether it believes that private initiatives in this area should be supported or whether on the other hand it believes that the governments of the Member States should be taking their responsibilities more seriously? Does the Commission plan to put forward proposals on this matter in the near future?

Answer given by Mr Varfis
on behalf of the Commission

(26 January 1987)

The Commission has not received any requests of the type referred to by the Honourable Member from either the appropriate authorities or the firm in question.

In general, the Commission considers that the task of informing the public and potential recipients about Community financial aids lies mainly with the national authorities responsible for submitting aid applications.

The Commission for its part has published various brochures on Community grants and loans to strengthen socio-economic structures (answer to Written Question No 1200/86 by Mr Escuder Croft) ⁽¹⁾.

As regards the European Regional Development Fund, a project involving the setting up of centres helping to provide the type of information referred to by the Honourable Member would not be eligible for assistance. Moreover, there are no plans to put forward proposals to support such an initiative.

However, under the policy of exploiting internally generated development, the ERDF is helping to finance some of the cost of setting up and running 'bedrijvencenters', whose role partly consists in informing the business community of the grants and services available from the national and Community authorities.

⁽¹⁾ OJ No C 60, 9. 3. 1987, p. 36.

WRITTEN QUESTION No 1575/86
by Mrs Raymonde Dury (S—B)
to the Council of the European Communities

(17 October 1986)

(87/C 82/51)

Subject: Meeting of the EEC-Turkey Association Council

The EEC-Turkey Association Council met on 16 September 1986.

Will the Council state whether the question of respect for human rights in Turkey was discussed and, if so, what the outcome was in practical terms?

Answer

(10 February 1987)

The question of respect for human rights in Turkey was indeed raised at the ministerial meeting of the EEC-Turkey Association Council on 16 September 1986, in particular by Sir Geoffrey Howe, speaking on his own responsibility as President of the Council. In his introductory remarks at the beginning of the meeting he stated, amongst other things, that further progress in Turkey in the process of restoring democracy and in respect for human rights would be an essential part of the continuing normalization of EEC-Turkey relations.

WRITTEN QUESTION No 1594/86

by Mr Ernest Glinne (S—B)
to the Foreign Ministers of the Member States of the
European Community meeting in political cooperation

(26 September 1986)

(87/C 82/52)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France,

Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

is it not essential that the UNIFL be given a more effective role over and above that of an inadequately deployed interposed defensive force or else risk exposing the troops, especially those supplied by the three European governments, as sitting targets, and witnessing the UNIFL being accused of failure to carry out its mission, which has been hampered from the outset and rendered politically and militarily impossible as a result of the inadequate international consensus reached as to its purpose?

WRITTEN QUESTION No 1595/86

by Mr Ernest Glinne (S—B)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(26 September 1986)

(87/C 82/53)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France, Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

- what is the method of calculating financial contributions to the UNIFL,
- to what extent have these contributions been refused in full or in part, and
- what is the current level of international finance needed for the force?

WRITTEN QUESTION No 1596/86

by Mr Ernest Glinne (S—B)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(26 September 1986)

(87/C 82/54)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France, Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

in absolute and relative figures, what financial and military contributions (1985 and 1986) have the three Community countries concerned made to the force with respect to the contributions of other UN countries; what losses have the contingents from our three countries sustained compared to the total number of losses, since the creation of the UNIFL?

WRITTEN QUESTION No 1597/86

by Mr Ernest Glinne (S—B)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(26 September 1986)

(87/C 82/55)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American

support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France, Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

for the UNIFL to be genuinely effective and credible, is it not essential that a decision be obtained from the international community to deploy the interim force along the whole length of the Israeli-Lebanese frontier instead of confining it to an area that is so restricted that no real measure of peace keeping can be achieved in southern Lebanon?

WRITTEN QUESTION No 1598/86

by Mr Ernest Glinne (S—B)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(26 September 1986)

(87/C 82/56)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France,

Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

is the maintenance of the UNIFL compatible with the Israeli refusal to accept and apply the Security Council's resolutions — especially the resolution of 23 September 1986 — calling for the complete withdrawal of Israeli armed forces from the Lebanon?

WRITTEN QUESTION No 1599/86

by Mr Ernest Glinne (S—B)

to the Foreign Ministers of the Member States of the European Community meeting in political cooperation

(26 September 1986)

(87/C 82/57)

Subject: Attitude of the Twelve to the mission of the UNIFL

Originally, when created eight years ago, the UNIFL (United Nations interim force to the Lebanon) met with American support, Israeli indifference and Russian opposition to any financial contribution from Moscow. Today, Washington is apparently indifferent and has reduced its financial support by half, Israel is requesting that the UNIFL continue in its present role and Moscow has started to pay. However, since there have been more than 130 fatalities and numerous casualties in the ranks of the French contingent, the French Government is requesting the UN Security Council, General Assembly and General Secretariat to provide greater protection for the 'blue helmets' in the Lebanon and to alter the UNIFL's status (5 800 troops supplied by France, Ireland, Italy, Norway, Sweden, Finland, Ghana, Nepal and the Fiji Islands).

In view of these circumstances and having regard to the military personnel provided and the human and financial cost borne by the three Member States of the Community, I should like as full a reply as possible to the following question:

do the Foreign Ministers meeting in political cooperation consider that the role of the UNIFL and the western European contribution are justified on account of the fragility of the Lebanese Government and the need to interpose a deterrent force between the pro-Israeli army of southern Lebanon and the Hezbollah radical Shiite party?

**Joint answer to Written Questions Nos 1594/86, 1595/86,
1596/86, 1597/86, 1598/86 and 1599/86**

(5 February 1987)

The Security Council, which has sole authority to decide on all matters concerning UNIFL's mandate, has consistently urged all the parties concerned to cooperate fully with the force in the fulfilment of its mandate. The Twelve have repeatedly stressed their support for the force and made clear their regret that the necessary cooperation has not in all cases been forthcoming.

Following events in the UNIFL area earlier in the year which served to place new obstacles in the way of UNIFL's mission, the Security Council in Resolution 587 of 23 September 1986 called for an end in Southern Lebanon to any military presence which is not accepted by the Lebanese authorities and for preparations to be made for UNIFL to deploy to the southern border of Lebanon. As was made clear in the UN Secretary General's report of 13 October, Israel could not agree to complete withdrawal of the forces from Lebanese territory. Member States of the Twelve have, however, continued to press Israel to do so.

It is the Twelve's view that, despite the difficulties confronting the force, UNIFL is playing a useful role in providing protection for the people of Southern Lebanon and is contributing to peace and stability in the region. It is clear that given its role as a peacekeeping force UNIFL's mandate can be accomplished only with the cooperation of all the parties. In this connection the Twelve are convinced that the full implementation of the mandate would serve the interests of the people of South Lebanon and peace and stability in the region as a whole.

WRITTEN QUESTION No 1638/86

by Mr Dario Antoniazzi (PPE—I)

to the Commission of the European Communities

(22 October 1986)

(87/C 82/58)

Subject: Integrated Mediterranean Programmes

Will the Commission say what progress has been made with the procedures for the IMPs in the Member States concerned?

WRITTEN QUESTION No 1639/86

by Mr Dario Antoniazzi (PPE—I)

to the Commission of the European Communities

(22 October 1986)

(87/C 82/59)

Subject: Integrated Mediterranean Programmes

Will the Commission say how many projects have been submitted by Italy for implementation under the IMPs for which regions?

**Joint answer to Written Questions Nos 1638/86
and 1639/86**

given by Mr Varfis on behalf of the Commission

(12 December 1986)

The IMP Regulation requires the three recipient Member States to present draft programmes to the Commission by the end of 1986; the position at present is as follows:

- France has presented draft IMPs for all the French regions and departments within the scope of the Regulation (in order of presentation Provence-Alpes-Côte d'Azur, Aquitaine, Languedoc-Roussillon, Midi-Pyrénées, Ardèche, Drôme and Corsica). Appraisal of the drafts for Aquitaine, Languedoc-Roussillon and Midi-Pyrénées is almost complete, and these programmes may be adopted by the end of 1986.
- The Italian Government has not yet presented IMPs to the Commission. Seventeen drafts are expected, three of them concerning aquaculture. All the regions concerned have drawn up preliminary drafts, which are currently being studied by the central government. Pending completion of that examination the Italian authorities have sent the preliminary drafts to the Commission for information. Initial contacts are currently being established on this basis between the Commission and the regional authorities who so desire.
- Greece has presented an IMP for the island of Crete, for which a programme contract has just been signed. A second IMP, concerning information technology, was presented at the end of April. Appraisal of this second Greek programme is progressing well. Lastly, in July, the Greek authorities presented the five remaining IMPs: Northern Greece, Eastern and Central Greece, Western Greece and the Peloponnese, Attica and the Aegean Islands. Appraisal of the IMP for Northern Greece has started.

WRITTEN QUESTION No 1680/86

by Mr José Barros Moura (COM—P)

to the Council of the European Communities

(29 October 1986)

(87/C 82/60)

Subject: Air transport

Following the latest meeting of the Council of Transport Ministers (in London on 3 October 1986):

1. Exactly what stage has been reached in discussion of the intended deregulation of air transport?

2. What exactly are the current positions of the various Member States, particularly that of the Portuguese Government?
3. What is the Council's assessment of the experience of the United States, where the complete deregulation of air transport (flights, routes, destinations, frequencies, fares, etc.) led firstly to the weaker airlines going bankrupt and being taken over by the stronger, and then to fares going up under pressure from the newly dominant airlines?
4. What unemployment problems would the Council foresee affecting certain airlines in the Member States as a result of deregulation to the advantage of the strongest airlines?
5. What effects might deregulation have on the status of existing public air transport companies in the Member States?
6. What effects does the Council estimate that the intended deregulations will have on the position of TAP-Air Portugal, on Portugal's autonomy in air transport and, thereby, on Portugal's national independence?

Answer

(10 February 1987)

1. The Council's recent discussions on air transport may be summarized as follows:

At its meeting on 30 June 1986, the Council confirmed the need for a coherent Community air transport system based on a balanced set of instruments promoting increased competition in intra-Community air services as regards tariffs, capacity and market entry, in conformity with the competition rules of the Treaty. The Council agreed that such a system should be established gradually. To that end, it agreed on an initial period of application of three years, during which the Council would review developments and take decisions on further steps in order to achieve the objective of the completion of the internal market by the year 1992.

At its meeting on 10 and 11 November and on 15 and 16 December 1986, the Council made progress on various measures enabling the system described in the previous paragraph to be attained but still did not reach agreement on all aspects of the question.

2. The Council would remind the Honourable Member that under Article 18 of its Rules of Procedure, the Council's discussions are covered by the obligation of professional secrecy.
3. The reply to the Honourable Member's first question shows that the Council has no intention of establishing Community legislation according to the policy followed in this area by the United States of America and that point 3 of the question is therefore not relevant.

4 to 6. It is not for the Council to comment on questions of a hypothetical nature.

WRITTEN QUESTION No 1702/86

by Mrs Sylvie Le Roux (COM—F)

to the Commission of the European Communities

(29 October 1986)

(87/C 82/61)

Subject: New trade negotiations in GATT

In adopting a resolution on 'the next GATT round' ⁽¹⁾, the European Parliament called on the Community to pursue the following objectives:

- a new GATT article on fair labour standards to ensure that the ILO Conventions, particularly those covering freedom of association and collective bargaining, discrimination in employment and forced labour, are observed by GATT member countries,
- an agreement requiring GATT member countries to comply with the ILO Tripartite Declaration on Multinational Enterprises.

Is the Commission resolved to support these objectives in the new round of multilateral trade negotiations in GATT?

⁽¹⁾ OJ No C 120, 20. 5. 1986.

**Answer given by Mr De Clercq
on behalf of the Commission**

(19 January 1987)

At the ministerial meeting in Punta del Este which launched the Uruguay Round of multilateral trade negotiations, the Commission, speaking on behalf of the Community, and certain other industrialized countries raised the question of whether to include improvement of living standards in the participating countries among the aims of the negotiations. This question is very closely linked with greater respect for workers' rights, as defined by the International Labour Organization. This point was raised explicitly.

The move was rejected by the majority of the contracting parties that are developing countries as they regard it as merely another device by which industrialized countries can justify possible restrictions on international trade. Consequently, no reference to the subject was made in the ministerial declaration. Mr Iglesias, who presided at the meeting, did, however, mention in his final summing-up that the problem had been raised, but that at this stage no consensus had been reached on it.

The Commission will continue to urge the Community's trading partners to comply with the ILO Conventions more strictly. By way of example, in its Communication of 15 October 1986 dealing with industrial, social and regional aspects of the shipbuilding industry ⁽¹⁾, the Commission proposed examining with a number of recently industrialized countries to what extent the ILO Conventions on non-discrimination, minimum age, health and safety were being observed.

⁽¹⁾ COM(86) 553 final, p. 5.

WRITTEN QUESTION No 1773/86

by Mr José Álvarez de Paz, Mr José Herrero Merediz and Mr José Bueno Vicente (S—E)
to the Commission of the European Communities

(6 November 1986)

(87/C 82/62)

Subject: Protection of workers exposed to chemical, physical and biological agents at work

Council Directive 82/605/EEC ⁽¹⁾ of 28 July 1982 refers to the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work (first individual Directive within the meaning of Article 8 of Directive 80/1107/EEC ⁽²⁾). Council Directive 83/477/EEC ⁽³⁾ of 19 September 1983 refers to the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC).

Are these Directives being satisfactorily applied throughout the Community?

⁽¹⁾ OJ No L 247, 23. 8. 1982, p. 12.

⁽²⁾ OJ No L 327, 3. 12. 1980, p. 8.

⁽³⁾ OJ No L 263, 24. 9. 1983, p. 25.

Answer given by Mr Marin on behalf of the Commission

(19 January 1987)

1. All Member States should have brought into force by 1 January 1986 the measures necessary for transposing into national law Council Directive 82/605/EEC of 28 July 1982 on the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work (first individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) ⁽¹⁾. Most Member States have not so far communicated to the Commission the texts of their national laws, regulations and/or administrative provisions transposing the Directive, and the Commission is consequently investigating the matter with those Member States under the procedure provided for by Article 169 of the EEC Treaty.

2. The deadline for transposing into national law Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to

asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) ⁽²⁾ is 1 January 1987, and 1 January 1990 in the case of asbestos-mining activities. Nevertheless, most Member States have already transmitted their implementing legislation to the Commission.

⁽¹⁾ OJ No L 247, 23. 8. 1982, p. 12.

⁽²⁾ OJ No L 263, 24. 9. 1983, p. 25.

WRITTEN QUESTION No 1781/86

by Mr José Álvarez de Paz, José Herrero Merediz and Mr José Bueno Vicente (S—E)

to the Commission of the European Communities

(6 November 1986)

(87/C 82/63)

Subject: Statistics of foreign workers

Council Regulation (EEC) No 311/76 ⁽¹⁾ of 9 February 1976 relates to the compilation of statistics of foreign workers.

To what extent is this measure being implemented?

⁽¹⁾ OJ No L 39, 14. 2. 1976, p. 1.

Answer given by Mr Pfeiffer on behalf of the Commission

(15 January 1987)

As provided for by Regulation (EEC) No 311/76, all Member States have compiled statistics on foreign workers since 1981. Spain and Portugal have been contacted with a view to establishing such statistics for their countries as well.

Data on the number of persons in employment at a given date are published regularly in the Eurostat publication 'Employment and Unemployment' (Tab. III/6). Efforts are underway to improve their quality and to speed up transmission.

⁽¹⁾ OJ No L 39, 14. 2. 1976.

WRITTEN QUESTION No 1794/86

by Mrs Undine-Uta Bloch von Blottnitz (ARC—D)
to the Commission of the European Communities

(6 November 1986)

(87/C 82/64)

Subject: France's electricity exports

France's exports of electricity to other Community Member States seem to be increasing rapidly. Underwater cables have

been laid under the Channel to provide additional links between the national grids in France and the United Kingdom.

Can the Commission say how much electrical energy France is currently exporting to other Community Member States and countries outside the Community and what price?

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

(21 January 1987)

1. Physical imports and exports of electrical energy between France and neighbouring countries have shown a net export balance in recent years. These amounted to, in 1983, — 13,4 Terawatthours (TWh = 10⁹ KWh), in 1984 — 24,8 TWh and 1985 — 23,3 TWh ⁽¹⁾. These balances include transfers of electrical energy from power stations jointly-owned by EDF in Belgium, Federal Republic of Germany, Switzerland and Spain.

2. In 1985, net export balances with other countries were: UK (Jersey) — 0,1 TWh; Belgium, Netherlands and Luxembourg — 2,7 TWh; the Federal Republic of Germany — 2,4 TWh; Switzerland — 9,2 TWh; Italy — 7,4 TWh; Spain and Andorra — 1,4 TWh and Monaco — 0,2 TWh. No significant exchanges took place in 1985 over the new UK/France undersea cable; this cable only came into commercial service in late 1985.

3. The Commission does not have information on the prices at which electrical energy is traded across Member State frontiers nor any formal means of obtaining these prices, which are the subject of confidential contracts.

⁽¹⁾ Source: EDF.

WRITTEN QUESTION No 1813/86

by Mr Kenneth Stewart (S—GB)

to the Commission of the European Communities

(7 November 1986)

(87/C 82/65)

Subject: The tragic death of Gary Maher and the paralysis of his sister Sheree Maher in Los Christianos, Tenerife, Spain, on the night of 23/24 February 1985

The Commission is asked to investigate the relevant factors in the above case, the reasons for the lack of information to the bereaved parents, the fact that Gary died as a result of a faulty gas water heater, emitting carbon monoxide. Sheree

has been paralysed ever since. The air vents were screwed to a solid wall, preventing the flow of air in the room.

Will the Commission draw up stricter safety measures for holiday accommodation in Member States and a system of periodic inspections as to suitability? Whilst recognizing that no amount of compensation can make up their tragic loss, will the Commission request the Spanish Government to consider compensation to the parents of Gary and Sheree?

Will it also press the Spanish authorities to bring the perpetrators of this crime to justice?

**Answer given by Lord Cockfield
on behalf of the Commission**

(18 December 1986)

The Commission is aware that a number of cases of fatal and non-fatal carbon monoxide poisoning from flueless gas water heaters have surfaced during the last few years. If these appliances are installed in a well-ventilated room, serviced regularly and used correctly they should operate safely. However, if they are used in a room without adequate ventilation or are incorrectly maintained the appliance can produce dangerous amounts of poisonous carbon monoxide.

Information available to the Commission shows that most accidents that occur, and probably also the accident which led to the tragic death of Gary Maher and the paralysis of his sister, are due to incorrectly installed and insufficiently maintained appliances. This occurs even though installation and inspection requirements are prescribed by national legislation.

The Commission has therefore asked the European Committee for Standardization (CEN) to modify the European Standard relating to gas-fired hot water appliances to which reference is made in Council Directive 84/531/EEC ⁽¹⁾ to stipulate that flueless water heaters have to be fitted with a device which detects carbon monoxide concentration and shuts off the gas supply to the appliance before a dangerous level is reached in the room.

When these specific provisions are incorporated into the European Standard, which is expected to be finalized by the end of 1987, they will effectively become European law through Directive 84/531/EEC relating to gas-fired instant hot water heaters, modified accordingly.

These complementary measures will increase the intrinsic safety of these appliances and hopefully prevent further tragic accidents.

The Commission regrets having to inform the Honourable Member that it would be inappropriate to intervene with the Spanish Authorities in such a case as it is a matter exclusively of private law, and it is open to the aggrieved parties to

initiate legal action for damages against the person responsible for the injuries caused.

(1) OJ No L 300, 19. 11. 1984, p. 106.

The Council, for its part, will support all efforts made to achieve this aim in the context of world trade in agricultural products.

WRITTEN QUESTION No 1892/86

by Mr Richard Cottrell (ED—GB)

to the Council of the European Communities

(13 November 1986)

(87/C 82/66)

Subject: Suspension of farm subsidies in New Zealand

Is the Council aware that the New Zealand Government has suspended all farm subsidies? What lessons does the Council believe this offers for the future of the common agricultural policy?

Answer

(10 February 1987)

The Council has noted the recent decision by the New Zealand Government to suspend a number of support measures for New Zealand agricultural products.

For several years now the Community has been making a sustained effort, by various means, to achieve greater control of agricultural production and to adjust it to the market situation.

The recent decisions of December 1986 on milk and milk products bear witness to the Council's determination to continue this action. The Community will ensure that in the forthcoming international trade negotiations full credit is taken for its adjustments and, particularly in the dairy sector, for the quota reductions already agreed and the planned quota suspensions, in order to ensure that other exporters take equivalent action to achieve the stability of the world market for dairy products.

The Honourable Member will have noted that in the Ministerial Declaration on the Uruguay Round, adopted in Punta del Este on 20 September 1986, the passage on liberalization of trade in agricultural products and rules and disciplines affecting import access and export competition refers to 'improving the competitive environment by increasing discipline on the use of all direct and indirect subsidies and other measures affecting directly or indirectly agricultural trade, including the phased reduction of their negative effects and dealing with their causes'.

WRITTEN QUESTION No 1928/86

by Mr Bryan Cassidy (ED—GB)

to the Commission of the European Communities

(21 November 1986)

(87/C 82/67)

Subject: Angola

How does the Commission propose to ensure that Community aid is not used for the benefit of the military in Angola?

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

(20 January 1987)

Project aid (structural development aid) is implemented under the Commission's direct supervision within the framework of well-defined projects, which in turn are subject to appraisal, monitoring and evaluation procedures and to scrutiny by the Court of Auditors.

With regard to the direct allocations of food aid to the Angolan Government in previous years, the Commission has received satisfactory information from the Government concerning its distribution and utilization, and the corresponding counterpart funds have been placed in a joint Commission-Government account with the National Bank. Since earlier this year (when Angola acceded to the Lomé Convention), the Commission Delegation in Luanda has supervised food aid deliveries and made sure that they have been put to good use, and also that the counterpart funds have been properly administered.

The Commission also provides Angola with indirect aid. This is channelled to the country's needy inhabitants via international organizations or through the agency of NGOs. This procedure avoids the danger of such aid being diverted, since the bodies concerned become responsible for distribution.

WRITTEN QUESTION No 1931/86

by Mr Bryan Cassidy (ED—GB)

to the Commission of the European Communities

(21 November 1986)

(87/C 82/68)

Subject: Angola

What measures is the Commission taking to ensure that Community aid is equitably distributed so that the people

living in the large area controlled by UNITA receive their fair share?

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

(16 January 1987)

The Community, which is linked with Angola by contractual commitments under the Lomé Convention, is clearly not able to have dealings with an armed movement in conflict with the legal government of a ACP country. However, out of humanitarian concern for the civilian population caught up in the conflict, the Commission has granted food aid for distribution among all sections of the population by various organizations, notably the International Committee of the Red Cross (ICRC), NGOs such as Caritas and Oxfam (Belgium), and the World Council of Churches.

In addition, further aid is distributed throughout the country by international organizations such as the World Food Programme (WFP) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

WRITTEN QUESTION No 1954/86

by Mr José Barros Moura (COM—P)

to the Council of the European Communities

(21 November 1986)

(87/C 82/69)

Subject: Impact of the Mediterranean policy on Portuguese agricultural and industrial exports to the Community

Following the agreement reached in the Permanent Representatives' Committee on 16 October 1986 on the terms of the renegotiation of the preferential trade agreements between the Community and the Mediterranean countries (Morocco, Algeria, Tunisia, Egypt, Israel, Jordan, Lebanon, Syria, Turkey, Cyprus, Malta and Yugoslavia):

1. Is it correct to infer that the Community is going to offer these countries more favourable arrangements than those granted for exports from Portugal and Spain up to the end of the transitional period on 31 December 1985?
2. In what specific respects is the proposed new system different, similar or more favourable?
3. How does the Council justify less favourable treatment for the Member States?
4. What effect is the agreement expected to have on the prospects for Portuguese exports of such products as oranges, lemons, tomatoes, grapes, tangerines, wine, olive-oil, dried fruit, vegetables, early produce, etc.?

5. What effect is it expected to have on the prospects for Portuguese exports of industrial goods, such as textiles, clothes, canned fish, food products, etc.?

6. What compensatory measures have been won by Spain? And by Portugal?

Answer

(10 February 1987)

As the Honourable Member knows, the agreements concluded by the Community with most of its Mediterranean partners — which form part of the *acquis communautaire* (Articles 179 and 366 of the Act of Accession) — provide, as far as trade is concerned, for preferential access to the Community market, amounting essentially to free access for industrial products, and the granting of preferences for the main agricultural products.

The Council points out that in the Declaration which it adopted on 30 March 1985, which also constitutes part of the *acquis communautaire* (Articles 2 and 3 of the Act of Accession), it defined the principles and objectives of the enlarged Community's Mediterranean policy. Prominent among these objectives is that of endeavouring to ensure that the traditional patterns of trade of the Mediterranean partners are maintained in order to allay their concern about the impact of enlargement on such traditional exports.

The negotiating directives which the Council approved are designed to put that Declaration into effect. The measures laid down to that end may be outlined as follows.

As far as tariffs are concerned, for agricultural products in which trade has traditionally taken place provision is made for tariff dismantling similar to that laid down in the Act of Accession for Spain and Portugal in respect of the same products in their relations with the 10 other Member States. This tariff dismantling, however, is granted only within a quantitative framework (quotas — reference quantity), beyond which the normal tariff arrangements of the Agreements apply. Moreover, certain Mediterranean partners will benefit from a possible adjustment of the entry price for some products and also within the limits of certain pre-determined quantities as from the 1990 marketing year, whereas such an adjustment will apply to Spain and Portugal automatically. Since, however, under the terms of the Accession Treaty, the adjustment of the entry price for Portugal will, for tomatoes and grapes, come into effect only as from 1991, it is agreed that this fact will be one of the relevant factors to be taken into consideration by the Commission in deciding whether or not to adjust the entry price for Mediterranean third countries.

These arrangements will therefore not lead to the granting of more advantageous arrangements to the Mediterranean partners than those enjoyed by the Member States, although of course, the Mediterranean countries will continue to enjoy on the market of the 10 original Member States the arrangements laid down in their respective Agreements, whereas during the transitional accession period relations between Portugal and Spain and the 10 other Member States are governed by the transitional provisions of the Act of Accession.

The Council stresses that the negotiating directives for the renewal of the financial protocols relating to financial and technical cooperation which expired on 31 October 1986 provide, among the objectives of cooperation, for the development and diversification of the agricultural production of the partner countries in order to increase the extent of their food self-sufficiency and also to promote greater complementarity among the various Mediterranean regions.

The Council accordingly considers that the requisite precautions have been taken to ensure that the arrangements offered to the Mediterranean partners are not likely to affect the export prospects of either Portugal or Spain after their accession.

WRITTEN QUESTION No 2036/86

by Mr Georgios Mavros (S—GR)

to the Commission of the European Communities

(28 November 1986)

(87/C 82/70)

Subject: Visit by a Commission official to Turkey

Is the 'EEC-Turkey labour and trade week' due to take place in 1987 in Istanbul to be held under the auspices of the Commission and, if not, what was the purpose of the visit (8 October 1986) of the Commission Head of Department Mr Schwed to Turkey?

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

(20 January 1987)

The Commission exercises certain responsibilities in respect of relations between the Community and third countries. It is therefore normal that Commission officials visit those countries in the course of their work. The visit referred to in the question falls within this category.

WRITTEN QUESTION No 2047/86

by Mr Arturo Escuder Croft (ED—E)

to the Commission of the European Communities

(28 November 1986)

(87/C 82/71)

Subject: Banana imports into the Community in 1985

Each year the European Community imports large quantities of bananas from various countries.

So as to ascertain the actual level of consumption of bananas in the Community, would the Community state:

the quantity of bananas, in tonnes, imported in 1985 by each Community country and from which countries?

the value of these imports by country?

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

(9 February 1987)

The Commission will send direct to the Honourable Member and to the Secretariat of Parliament a computer print-out containing the information requested.

WRITTEN QUESTION No 2053/86

by Mrs Ludivina Garcia Arias (S—E)

to the Commission of the European Communities

(28 November 1986)

(87/C 82/72)

Subject: Development projects in the Republic of Mexico

Could the Commission provide a detailed report on the development projects financed by the European Community in the Republic of Mexico in 1984, 1985 and 1986?

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

(15 January 1987)

The Community is not financing any development projects in Mexico. The credits available for financial and technical aid to non-associated developing countries are for financing agricultural development and food production operations in the poorest Latin American and Asian countries.

However, the Community is financing various cooperation projects with Mexico in the fields of scientific research, energy programming, trade promotion, production of statistics and forging links between enterprises. The Community is to finance the construction of a general hospital within the Mexico City Federal District, for poor people not covered by health insurance. This is an exceptional operation, decided upon following the earthquake in September 1985.

WRITTEN QUESTION No 2054/86
by Mr Rafael Estrella Pedrola (S—E)
to the Commission of the European Communities

(28 November 1986)

(87/C 82/73)

Subject: Development and cooperation in Central America

Could the Commission provide a detailed report on the development projects financed by the European Community in 1985 and 1986 in Central America and the Caribbean (excluding the ACP countries)?

Answer given by Mr Cheysson
on behalf of the Commission

(15 January 1987)

In 1985, cooperation between the Community and the countries of Central America and the Caribbean (including ACP countries and Mexico) amounted to 82,1 million ECU. This sum divides among the recipient countries as follows:

- a) The signature on 12 November 1985 of the Cooperation Agreement between the Community and the six countries of the Central American Isthmus (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama), which provides for Community aid to these countries to be 'increased substantially', has led to a virtual doubling of Community aid to the countries concerned, reaching 76,9 million ECU in 1985 (as against 41,1 million ECU in 1984);
- b) Aid to the two Caribbean countries concerned in 1985 was maintained at the 1984 level in the case of Haiti (4,4 million ECU) and decreased in the case of the Dominican Republic (0,8 million ECU). The decrease must, however, be seen against the marked increase (6,6 million ECU) the year before.

Mention must also be made of the aid granted to Mexico as part of the projects in support of displaced persons, principally from Guatemala (3,5 million ECU in 1985).

Community aid in 1985 to the Central American and Caribbean region can be divided by category mainly into financial and technical assistance projects (48,1 million ECU) and food aid (25 million ECU) and, to a lesser extent, aid channelled through NGOs (5 million ECU) and aid to displaced persons (5 million ECU), including the aid to Mexico mentioned above; priority is given to development through financial and technical assistance, and bilateral aid for the countries party to the Cooperation Agreement (22 million ECU), while maintaining the approach, already adopted in 1984, of encouraging projects which promote regional integration (27 million ECU), particularly projects concerning rural development, food security, health (protection for children) and small and medium-sized enterprises.

Also to be noted is a contribution of 20 million ECU to the Central American Bank of Economic Integration (CABEI) to provide rotating credit for SMEs in the region, administered by the Bank.

Specific attention was given to assistance for trade promotion, vocational training and cooperation in the energy field, although the amounts involved were smaller.

(million ECU)

Community aid to the Central American region	Total	Cooperation Agreement Countries	Haiti and Dominican Republic
Financial and technical assistance	48,10	47,10	1,0
Food aid	24,60	21,20	3,4
Aid to NGO projects	5,00	4,30	0,7
Aid to displaced persons (including displaced persons from Central America in Mexico)	1,60 (5,10)	1,60	—
Trade promotion	1,91	1,90	0,01
Energy cooperation	0,61	0,61	—
Training ⁽¹⁾	0,41	0,41	⁽¹⁾
Aid for regional integration	0,28	0,28	

⁽¹⁾ Regional total including the Caribbean countries.

For 1986 the approach is similar to that in 1985, but currently available figures are insufficient to provide precise information on all the different Community operations in the region.

WRITTEN QUESTION No 2091/86

by Mr Willy Kuijpers (ARC—B)

to the Commission of the European Communities

(2 December 1986)

(87/C 82/74)

Subject: Forcible admission to a psychiatric institution

In some Community States it is possible for someone to be committed to a psychiatric institution against his will, even if he has not committed a crime and has not been sentenced to enter such an institution by a court of law.

Can the Commission say:

- whether it is aware of this situation;
- whether this state of affairs is in accordance with the Universal Declaration of Human Rights;

— in what circumstances and with what legal protection can individuals be forcibly committed to psychiatric institutions in the various Member States?

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

(12 February 1987)

As the matter in question does not come within its jurisdiction, the Commission is unfortunately unable to supply the information requested.

WRITTEN QUESTION No 2101/86

by Mr Karel de Gucht (LDR—B)

to the Council of the European Communities

(10 December 1986)

(87/C 82/75)

Subject: Majority decisions in the Council

In 1982, under the Belgian presidency, a historic majority vote took place in the Council.

Could the Council give details of the decisions it has since taken by a qualified majority?

Answer

(10 February 1987)

As the Council has already stated in its reply to Written Question No 1121/86 put by Mr Elles⁽¹⁾, the number of acts which the Council has adopted by a qualified majority has risen considerably in the last year or two. Thus during 1986 the Council adopted about a hundred decisions by a qualified majority, which represents a significant increase over 1985.

⁽¹⁾ OJ No C 306, 1. 12. 1986, p. 42.

WRITTEN QUESTION No 2126/86

by Mrs Nicole Fontaine (PPE—F)

to the Commission of the European Communities

(10 December 1986)

(87/C 82/76)

Subject: Failure to apply Community law concerning nationals of Member States of the Community residing in another Member State

The Commission's third annual report on the monitoring of application of Community law points to a whole series of cases in which Community law has not been applied in the

field of the free movement of persons and freedom to provide services. There is a worrying tendency for Community law in this area to be interpreted systematically in a restrictive way. In the report, the Commission states that in 1985 it had to refer almost 30 cases involving the professions to the Court of Justice. The number of cases referred to the Court of Justice is also increasing in the field of employment (in particular the nationality requirement for access to jobs in the public service, denial of access to real-estate loans, denial of the right to open a second practice, etc.), social rights (in particular non-eligibility for election to a staff committee, language of proceedings before a national tribunal, etc.), social security (particularly the granting of child benefit in accordance with the legislation of the country of residence, refusal to pay pensions to nationals residing in another Member State, etc.).

This trend seems particularly unacceptable when major efforts are being made to create a People's Europe.

Does the Commission not consider that severe penalties should be imposed on Member States which deliberately infringe Community law in this way?

What type of penalties does it envisage?

WRITTEN QUESTION No 2127/86

by Mrs Nicole Fontaine (PPE—F)

to the Commission of the European Communities

(10 December 1986)

(87/C 82/77)

Subject: Failure to apply case-law concerning nationals of Member States of the Community residing in another Member State

Many rulings by the Court of Justice concerning the free movement of persons and freedom of establishment relating to migrant workers are still not being applied by the Member States.

There is evidence of a worrying tendency for Community case law in the field of free movement of workers systematically to be interpreted in a restrictive manner or not complied with (for example, judgments 149/70 on jobs in the public sector, 249/83 and 122/84 on the 'means of minimal subsistence', 261/83 on guaranteed income for old people, 293/83 on access to vocational training, 107/83 on the right of a lawyer to have a second practice, etc.).

Such a situation seems particularly unacceptable at a time when efforts are being made to gain support for the concept of a People's Europe among the general public and when the creation of a large internal market requires people to be as mobile as possible.

What type of penalties does the Commission intend to impose to eradicate this attitude on the part of governments, which is undermining European integration?

**Joint answer to Written Questions Nos 2126/86
and 2127/86
given by Mr Delors on behalf of the Commission
(26 January 1986)**

As can be seen from the report referred to by the Honourable Member, the Commission vigorously applies all the legal and political resources at its disposal to induce the Member States to comply fully with the obligations devolving upon them under the Treaties. The Commission regards as particularly serious the fact that it has been obliged to initiate several infringement procedures because of failure to observe Article 171 of the EEC Treaty (non-implementation of judgments of the Court of Justice recording infringements).

However, the EEC Treaty, unlike the ECSC Treaty (Article 88), does not provide for the imposition of any penalty on a Member State which fails to meet its obligations.

The Commission would point out in this context that those individuals who are affected by infringements of directly applicable provisions of Community law may avail themselves before national courts of the rights which Community law confers upon them. The Commission sets great store by the effects of this decentralized form of control.

**WRITTEN QUESTION No 2168/86
by Mr José Alvarez de Paz (S—E)
to the Council of the European Communities
(16 December 1986)
(87/C 82/78)**

Subject: Minimum subsistence level for all Community citizens

According to official sources, approximately 30 million people in the European Community are indigent and a probably equivalent number live below minimum subsistence levels. In addition, new forms of poverty are now manifesting themselves within the Community, whose social fabric is consequently being torn apart.

In view of the fact that legislation concerning minimum subsistence levels does not exist in all Member States, does the Council consider it desirable to promote the general adoption of such legislation and over what period?

**Answer
(10 February 1987)**

The Council recently received from the Commission a communication 'on problems of social security — areas of common interest' ⁽¹⁾ which is at present under consideration by the Council.

⁽¹⁾ COM(86) 410 final.

**WRITTEN QUESTION No 2207/86
by Mr Jaak Vandemeulebroucke (ARC—B)
to the Council of the European Communities
(22 December 1986)
(87/C 82/79)**

Subject: BRITE programme

The Council is undoubtedly aware that relatively large numbers of high-quality projects submitted by companies under the BRITE programme are turned down because of lack of funds. There is a danger that, as a result, many people in industry will in time become disillusioned and lose interest in Community activities in this area.

Is the Council aware of this danger and what will it do to counter it?

**Answer
(10 February 1987)**

As the Honourable Member will be aware, the responsibility for the management and execution of the BRITE programme belongs to the Commission alone and the selection or rejection of projects submitted under the programme does not, therefore, concern the Council directly.

However, the Council is aware of the great interest shown in the programme and of the proposals which have been received. In its communication of 27 May 1986 concerning the re-examination of the 1985-1988 BRITE programme ⁽¹⁾, the Commission has clearly stated that it has had to be extremely selective in the choice of proposals, some of which, although of high quality, have had to be rejected for financial reasons.

The Commission, in its communication of 27 May 1986 referred to above, has made clear that the revision of the BRITE programme is a priority area within the new Framework Programme (1987—1991) which is currently under discussion at the Council. In the light of these discussions and the future Commission proposal on the revision of the BRITE programme, the Council will give very full and careful consideration to its new financial requirements. In this respect, the Council will bear in mind its undertaking to re-examine and, where appropriate, revise the BRITE programme (and other R&D programmes) having regard to previous undertakings progressively to increase expenditure on Community R&D activities.

However, such considerations will have to take account of the outcome of deliberations on the Framework Programme and of the budgetary constraints within which even the most successful Community R&D programmes are forced to operate at the moment.

⁽¹⁾ COM(86) 271 final.

WRITTEN QUESTION No 2424/86

by Mrs Johanna Maij-Weggen (PPE—NL)

to the Commission of the European Communities

(23 January 1987)

(87/C 82/80)

Subject: The number of women mayors in the Community

Can the Commission say how many mayors there are in each Community country and how many of these mayors are women?

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

(10 February 1987)

In the performance of its duties under the Treaties, the Commission does not acquire information of the kind requested by the Honourable Member.

It is therefore unable to answer her question.

WRITTEN QUESTION No 2428/86

by Mr Benedikt Harlin (ARC—D)

to the Commission of the European Communities

(23 January 1987)

(87/C 82/81)

Subject: Genetic and military research

Is the Council aware of any projects being pursued under research programmes of individual Member States or of the Community which:

- a) might be used for military purposes (defensive or offensive)?
- b) are being carried out by institutions which also carry out military research projects or are involved in such projects?

Answer

(10 February 1987)

1. The Commission and the Council have a responsibility under the terms of a Council resolution of 14 January 1974 ⁽¹⁾ to ensure the coordination of national policies and the definition of projects of interest to the Community in the field of science and technology. These activities have been restricted to civil research. The Honourable Member will undoubtedly recall that, as with the research activities in the coal and steel sectors, the current framework programme (1984—1987) approved by the Council on 25 July 1983 ⁽²⁾ has solely objectives of a non-military nature. This is also the case with individual research programmes adopted by the Council.

2. The scientific establishments, laboratories, national research institutes and private companies commissioned to undertake Community research work are chosen by the Commission under the normal procedures. It is thus not within the Council's competence to reply to the question as to whether such organizations also carry out work on military research projects.

3. As for the research programmes being pursued by individual Member States which might be used for military purposes, the Council is not in a position to reply, since Member States are not required to divulge such information to Community institutions.

⁽¹⁾ OJ No C 7, 29. 1. 1974, p. 2: 'Coordination of national policies and the definition of projects of interest to the Community in the field of science and technology'.

⁽²⁾ OJ No C 208, 4. 8. 1983, p. 1.

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However, it is common knowledge that legal provisions are never sufficient in themselves to eliminate all forms of inequality *de facto*. Consequently, the Commission of the European Communities is pursuing a programme parallel to its work on the relevant legislation, whereby it has developed and submitted to the Member States the concept of positive action. What is called for is specific action designed to eliminate the disadvantages suffered by women in working life.

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