

Official Journal

of the European Communities

ISSN 0378-6986

C 63

Volume 34

11 March 1991

English edition

Information and Notices

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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 667/89

by Mrs Barbara Simons (S)

to the Commission of the European Communities

*(6 November 1989)**(91/C 63/01)*

decision of the Member States meeting within the Council on 16 September 1986 imposing an embargo on imports of certain steel products originating in South Africa.

Subject: Iron and steel imports from the Republic of South Africa

Pursuant to the Decision of the Representatives of the Governments of the Member States meeting within the Council on 16 September 1986, the free importing into the Community of certain iron and steel products originating in South Africa has been suspended (86/459/ECSC) ⁽¹⁾.

1. How does the Commission assess the fact that Federal German iron and steel imports from the Republic of South Africa, which are listed in the annex to the ECSC Decision and consequently fall under the import prohibition, have not in fact been suspended, but, according to data provided by the Federal Statistics Agency, have actually increased in value (1986: DM 66,09 million; 1987: DM 59,28 million; 1988: DM 68,40 million) and quantity (1986: 87 871 tonnes; 1987: 72 096 tonnes; 1988: 89 210 tonnes)?
2. What action is the Commission considering to put a stop to imports into the Federal Republic of Germany of products listed in the Annex to the ECSC Decision so as to secure compliance with the Decision?
3. What infringements of this Decision in other Member States are known to the Commission?

⁽¹⁾ OJ No L 268, 19. 9. 1986, p. 1.

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

(30 January 1990)

Neither the Commission nor any other Community body is competent to verify the national application of the

WRITTEN QUESTION No 684/89

by Mr Jens-Peter Bonde (ARC)

to the Commission of the European Communities

*(6 November 1989)**(91/C 63/02)*

Subject: The environmental guarantee

A pamphlet published by the Danish TUC entitled 'The European Community — the internal market and the social dimension' states on page 22 that 'the trade union movement is in no doubt that the environmental guarantee applies at every stage and in all circumstances, i.e. both in respect of the directives' essential safety requirements, the specific technical standards and implementing decisions and that it can be applied both before and after decisions are made'.

Does the Commission share the Danish TUC's view?

Does the Commission also agree that no Community rules may restrict the Health and Safety Executive's ('Arbejdstilsynet') right to issue specific directives?

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

(14 December 1989)

Article 118A of the EEC Treaty introduced by the Single European Act states in its third paragraph that:

'The provisions adopted pursuant to this Article shall not prevent any Member State from maintaining or introducing more stringent measures for the protection of working conditions compatible with this Treaty.'

It is not up to the Commission to comment on publications of which it is not the author. However, the competence of a field inspector is not affected by Article 118A. For example: in the case of a dangerous situation, the field inspector will be able to take immediate action, as he could do in the past.

WRITTEN QUESTION No 704/89

by Mr Lord O'Hagan (ED)

to the Commission of the European Communities

(14 November 1989)

(91/C 63/03)

Subject: Occupational pensions

The legislation effecting occupational pensions varies between Member States.

1. To what extent are occupationals exportable from one Member State of the Community to another?
2. What steps is the Commission going to take to encourage those responsible for the administration of occupational pensions to permit those pensions to be enjoyed in whatever Member State a Community citizen happens to reside?
3. Are the present rules and regulations on the rights to enjoy occupational pensions as between one Member State and another compatible with the Articles in the Treaty of Rome which deal with freedom of movement of workers?
4. Will the Commission now make a series of proposals to increase and encourage the transferrability of occupational pensions for citizens of Community countries between Member States?

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

(22 November 1989)

1 and 2. The Commission is unaware of any supplementary pension schemes in the Member States which do not permit the exportation of the pensions acquired.

3. By virtue of Regulation (EEC) No 1408/71 on the application of social security schemes to employed workers, to self-employed workers and to members of their families moving within the Community⁽¹⁾, based on Article 51 of the EEC Treaty, and, in particular, of its

Article 4 (2), non-statutory schemes are excluded from the material scope of application of the aforementioned Regulation and there is thus no provision for the maintenance of pension rights in these schemes.

4. The Commission is at present studying the problems raised by the Honourable Member. On 29 September 1989, the Council stressed the importance of this question and of endeavours relating to it at Community level.

A seminar of the question of supplementary pensions will be organized in January 1990. Subsequent to this seminar, the Commission will look at the opportunities for action which might be taken in this field.

⁽¹⁾ OJ No L 230, 22. 8. 1983, as last amended by Regulation (EEC) No 2332/89, 18 July 1989 (OJ No L 224, 2. 8. 1989).

WRITTEN QUESTION No 775/89

by Mr Stephen Hughes (S)

to the Commission of the European Communities

(23 November 1989)

(91/C 63/04)

Subject: Redundancy payments to miners

Can the Commission provide a comparative table showing the level of redundancy severance and re-training monies payable to miners in the Member States of the Community?

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

(12 December 1989)

The Commission does not have comparative information available which systematically details the conditions according to which severance and retraining payments are made in favour of redundant mineworkers in the various Member States of the Community.

With regard to the types of benefit which can be granted as ECSC readaptation aid (Article 56 of the ECSC Treaty), the terms and conditions for grants are specified within the framework of the new Convention⁽¹⁾ which the Commission in agreement with Member States puts into operation for all programmes of redundancy as from 1 January 1989. Within that framework, different levels of financial participation are specified according to a harmonized system covering five standard situations (early retirement, unemployment, internal transfer, external transfer, retraining) with different levels of intervention. These levels are subject to various ceilings

which depend *inter alia* upon the worker's former salary within the limit of an overall average of ECU 3 000 per worker.

(¹) This Convention has not been signed by all Member States.

WRITTEN QUESTION No 1118/89

by Mr Ben Visser (S)

to the Commission of the European Communities

(19 December 1989)

(91/C 63/05)

Subject: Quantitative restrictions on the import of cement from Eastern Europe

In the talks with the countries of Eastern Europe on trade relations, the existing quotas for certain products have been discussed. One of them is cement, for which Benelux has import quotas for Poland (43 400 tonnes) and Bulgaria (0 tonnes). The Polish cement industry supplies its quota on the basis of a pricing policy which bears all the hallmarks of dumping. This was confirmed by the Community on 17 July 1986 (86/344/EEC (¹)) after a complaint lodged by a body representing the cement industries in the EEC. This confirms that the pricing policy adopted by Poland was inappropriate. The prices charged by Poland per ton of cement (CIF border) were Fl 88 in 1986, 85 in 1987 and 86,5 in 1988 (source: Vereniging Nederlandse Cementindustrie — Dutch Cement Association).

1. Is it true that the pricing policy adopted by Poland for the supply of cement since 1986 can also be described as dumping?
2. Are import quotas for cement being considered as a component in the trade negotiations with Bulgaria and Poland?
3. What steps is the Commission contemplating in respect of cement imports while there is a clear resumption of unfair competition from the Eastern bloc?

(¹) OJ No L 202, 25. 7. 1986, p. 43.

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

(2 February 1990)

The Commission adopted, on 17 July 1986, Decision 86/344/EEC by which an investigation on dumping

concerning imports of cement, falling under Common Customs Tariff heading No ex 25.23 and originating in the German Democratic Republic, Poland and Yugoslavia, was terminated without imposing measures.

Although it was establishing that producers of cement from these countries had been practising dumping, the Commission considered nevertheless that these exports, especially in the light of their very low market share in the Community, did not cause or threaten to cause material injury to a major proportion of the Community industry. Also, no injury on a regional basis was established.

The Commission has no knowledge of the price policy of cement exports from Poland and Bulgaria after 1986 and no complaint in this respect has been received concerning these countries.

WRITTEN QUESTION No 1277/89

by Mr Klaus Hänsch (S)

to the Commission of the European Communities

(12 January 1990)

(91/C 63/06)

Subject: Pension entitlements of widows of German frontier workers formerly employed in the Netherlands

Under Dutch pensions legislation, the old-age pension paid after age 65 to widows of German frontier workers formerly employed in the Netherlands is calculated by reference only to the compulsory contributions paid in the Netherlands, for the duration of the marriage, by the deceased insured person. For the purposes of calculating the widow's pension, however, which is paid until age 65, all the deceased husband's residence and contribution periods in the Netherlands are taken into account (Regulation (EEC) No 1408/71 (¹), Annex VI (1) (2) (c) and (e)). This means that, upon reaching 65, widows of German frontier workers receive lower pensions. Council Regulation (EEC) No 2332/89 (²) of 18 July 1989 amends Annex VI in such a way that foreign women married to frontier workers are now also authorized to take out voluntary insurance under the Dutch old-age insurance scheme, the Netherlands paying its nationals a pension from age 65 onwards.

Does the Commission agree that this Dutch legislation violates the principle of equal treatment for frontier workers (and their families) from Member States and for Dutch nationals?

If so, what action does the Commission propose to bring about a change?

(¹) OJ No L 149, 5. 7. 1971, p. 2.

(²) OJ No L 224, 2. 8. 1989, p. 1.

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

(20 July 1990)

As the Court of Justice of the European Communities has stressed on several occasions (¹), Regulations (EEC) No 1408/71 and (EEC) No 574/72 (²), based on Article 51 of the EEC Treaty, do not set out to harmonize the various social security systems in the Community but to coordinate them. The conditions governing the granting of a widow's pension are therefore to be determined by each Member State.

In the Federal Republic of Germany, a widow's pension is generally paid until the widow dies or remarries. The granting and calculation of this pension are based on the number and amount of contributions made by the late husband. In the Netherlands, by contrast, a widow's pension is granted only until the widow's 65th birthday. The granting and calculation of an old-age pension under the law on general old-age insurance (AOW) — granted at the age of 65 years — are based not on the amount or number of contributions made by the late husband but solely on the periods of insurance contributed by the widow herself.

A worker who resides with his family in another Member State and carries on his occupation in the Netherlands is, under Article 13 of Regulation (EEC) No 1408/71, insured under the Netherlands legislation on general old-age insurance (AOW). However, his wife, if she does not work in the Netherlands, is not insured in that country. To facilitate the free movements of workers from other Member States who carry on an occupation in the Netherlands while their wives remain in the State of origin, point 2 of Part I (Netherlands) of Annex VI to Regulation (EEC) No 1408/71, as last amended by Regulation (EEC) No 2332/89 of 18 July 1989, contains provisions protecting wives in this situation. In the case of the latter, these provisions enable periods of residence in another Member State prior to 2 August 1989 to be taken into account as periods of insurance for the AOW provided that the periods concerned were periods of the marriage coinciding with periods covered by the husband's insurance contributions record.

As the Court of Justice ruled in its judgment of 25 February 1986 (³), the said provisions of Annex VI to Regulation (EEC) No 1408/71 do not require that periods prior to the marriage also be taken into account. For periods of residence in another Member State occurring after 2 August 1989 to be taken into consideration, the aforesaid provisions of Annex VI to Regulation (EEC) No 1408/71 lay down that the spouse of a person employed in the Netherlands can make voluntary contributions to the insurance scheme under the Netherlands legislation of general old-age insurance.

The Commission considers that the Netherlands legislation, as supplemented by Regulation (EEC) No 1408/71, is consistent with Community law.

(¹) Judgments of 5 July 1967 (Case 2.67 De Moor, ECR 1967, 243, and Case 9/67 Colditz, ECR 1967, 285), 10 November 1971 (Case 27/71 Keller, ECR 1971, 885), 6 December 1973 (Case 140/73 Mancuso, ECR 1973, 1449), 25 November 1975 (Case 50/75 Massonet, ECR 1975, 1473), 6 March 1979 (Case 100/78 Rossi, ECR 1979, 831), 12 June 1980 (Case 733/89 Laterza, ECR 1980, 1915), 9 July 1980 (Case 807/79 Gravina, ECR 1980, 2205) and 15 January 1986 (Case 41/84 Pinna, ECR 1986, 1).

(²) OJ No L 230, 22. 8. 1983, as last amended by Regulation (EEC) No 2332/89, OJ No L 224, 2. 8. 1989.

(³) Case 254/86 Spruyt, ECR 1986, 671.

WRITTEN QUESTION No 1297/89

by Mr Gerardo Fernández Albor (PPE)

to the Commission of the European Communities

(15 January 1990)

(91/C 63/07)

Subject: Protection of the coast of Galicia

Because of Galicia's particular geographical situation, all sorts of vessels in distress are inclined to take refuge along its coast, irrespective of the wishes of the inhabitants of these coastal areas, who have to put up with the consequences of the numerous shipwrecks which occur in this area.

Would the Commission state whether there are, under Community law, any specific rules requiring vessels to maintain a safe distance from the coast of Galicia, thus avoiding the need for this area to be constantly harbouring vessels which find themselves in distress in the region of Cape Finisterre?

**Answer given by Mr Van Miert
on behalf of the Commission**

(15 March 1990)

The Commission is most concerned about the safety of shipping in Community waters and is particularly aware of the problems affecting the coast of Galicia.

Since the safety of shipping is an international issue, it is the subject of a number of international conventions, mostly drafted within the International Maritime Organization. Consequently there are no specifically Community rules on maritime traffic.

As regards the organization of maritime traffic in practice, reference should be made to the 1972 IMO

Convention on the International Regulations for Preventing Collisions at Sea (COLREG), as amended, and to the relevant national legislation.

However, the safety of shipping in coastal waters depends, in the first instance, on the navigational skills of ships' captains, who receive extremely important assistance from vessel traffic services (VTSs). These provide shore-based aids to shipping. The Spanish authorities are considering setting up such a system to cover the coast of Galicia.

Attention should be drawn to the major work on VTS carried out as part of the COST 301 project, completed in 1987, which the Commission intends to use as the basis for research into the design and assessment of a vessel traffic management system. This is one of the subjects of the Commission proposal of 21 November 1989 for a specific research and technological development programme in the field of transport (EURET) 1990-1993 (1).

Finally, the Commission and several IMO Member States have put forward, within that Organization:

- (a) a resolution recommending the adoption of an international agreement on the state of readiness to take action to deal with oil pollution, which should be adopted at an international conference to be held not later than November 1990;
- (b) a resolution on the prevention of oil pollution, calling on governments to implement and comply with the relevant international conventions and inviting IMO to examine, in particular, the role of human factors in tanker accidents.

(1) COM(89) 557 final.

WRITTEN QUESTION No 157/90

by Mr Nino Pisoni (PPE)

to the Commission of the European Communities

(8 February 1990)

(91/C 63/08)

Subject: Aid to Eastern European countries

1. What agricultural products are currently being sent to Eastern European countries to alleviate the serious food shortages, particularly in Romania, Poland and the GDR and in what quantities?
2. What is the source of the food aid sent to these countries, given that the Community's policy to date of

restricting agricultural production has effectively reduced stocks to zero and brought the Community to the threshold of its strategic reserves?

3. Have ECU been sent instead of basic foodstuffs, such as meat, milk and cereals or do plans exist to this effect?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(5 October 1990)

1. Under the Commission's aid policy for Eastern Europe agricultural products have been supplied free as follows. The first aid programme adopted for Poland on 21 July 1989, of a value of ECU 110 million (+ ECU 20 million for transport costs), comprised the following:

	(tonnes)
breadmaking wheat	500 000
barley	200 000
maize	100 000
beef	10 000
olive oil	5 000
lemons	15 000
oranges	5 000

Funds being still available, the Community decided in December 1989 to provide an additional 300 000 tonnes of breadmaking wheat.

In February of this year the Community adopted a second programme of free food aid, covering transport costs for Poland but not for Romania.

	(tonnes)
Poland:	
breadmaking wheat	300 000
Romania:	
beef	20 000
butter	5 000
olive oil	5 000
maize	125 000
rye	125 000

No decision has so far been taken to supply food aid for the German Democratic Republic.

2. The products listed above came from stocks in certain Member States. Although recent common agricultural policy developments have reduced over production in certain sectors stocks still exist of the products supplied free.

3. The Commission has not taken any decision to supply aid in ecus to Eastern European countries in replacement of food. Programmes have however been set up for Poland and Hungary to provide financial aid for economic restructuring.

WRITTEN QUESTION No 417/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Commission of the European Communities

(5 March 1990)

(91/C 63/09)

Subject: A new hospital in Gaza

Following the statement made to the Committee on Cooperation and Development of the European Parliament by the UNRWA Commissioner, Mr Giacomelli, on the legal position with regard to opening a new hospital in Gaza, would the Commission be willing to help in this project, which would meet a basic need, or to make proposal for the construction of other similar centres?

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

(25 April 1990)

The European Council of Strasbourg announced that the Community would increase its assistance to the Occupied Territories and that this increase should cover actions in some particularly important fields, including the health sector.

The Commission is aware of the urgent need for additional hospital beds in the Gaza strip. The proposed UNRWA hospital would be a significant step towards fulfilling this goal. The Commission is seriously considering the possibility of contributing to the construction of this hospital under the 1990 programme of assistance to the Occupied Territories.

However, no final decision on funding will be taken by the Commission until late June or early July 1990.

WRITTEN QUESTION No 653/90

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(23 January 1990)

(91/C 63/10)

Subject: Participation by the European Community in the Seville World Fair in 1992

The Commission drew up a communication on participation by the Community in the Seville World Fair

in 1992 (which was the subject of a resolution adopted by Parliament on 26 May 1989 ⁽¹⁾ and received the Council's agreement on 30 May) indicating that the Community should have its own pavilion at the Fair.

Will the Commission be able to adhere to the points made by Parliament and what is the current position as regards preparations for an implementation of the project?

⁽¹⁾ OJ No C 158, 26. 6. 1989, p. 302.

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

(11 June 1990)

Altogether, the Community is participating at three levels: through the twelve Member States' pavilions, which are to stand together along the Avenida del Europa, through the architectural layout of the Avenida, designed to enhance the identity of the Community site, and through the European Community pavilion standing at the centre of the whole complex.

Member States' pavilions

All the Community countries will be represented in Seville with their own individual pavilions, which they are responsible for designing and building. The pavilions will be arranged on both sides of the Avenida, extending from the Spanish pavilion, around the Community pavilion halfway down the Avenida.

Enhancement and decoration of the Community site

The Community site, which was approved by the Council's fairs and exhibitions group at its meeting on 9 March 1989, comprises 12 30 m high towers symbolizing the 12 Member States and modelled on the 12 towers of the Cartuja monastery, which stands on the island where the World Fair will be, and a 'canopy' (plastic and steel mesh, of roughly 1 000 m²) linking the towers, starting with the Community pavilion, to express the unity of the member countries.

European Community pavilion

Following the competition notice which appeared in the *Official Journal of the European Communities*, 62 projects were submitted to the panel of judges, which met in Brussels on 18 and 19 January 1990 under the chairmanship of Mr Dondelinger, Member of the Commission and the European Community's Commissioner-General for the Seville World Fair.

The first prize was awarded to a German architect, Mr Karsten Krebs, whose design for the European Community pavilion at the '92 Fair will therefore be built.

As regards the exhibition to be mounted in the pavilion, this is currently being prepared and will focus — as part of

the general theme of the Fair, 'The Age of Discovery' — on three main themes: 'Europe at the time of Christopher Columbus', 'The European Community — a great discovery of the twentieth century', and 'The Europe of the future, the realm of science and the new technologies'.

Coordination with the Member States

One of the main features of the Community's participation in the Seville World Fair is the coordinating role of the Community *vis-à-vis* the Member States.

The main coordinating instrument is the Group of Commissioners-General of the Member States of the European Community, which has already met twice in Brussels with Mr Dondelinger in the chair.

WRITTEN QUESTION No 746/90

by Mrs Lissy Gröner (S)

to the Commission of the European Communities

(27 March 1990)

(91/C 63/11)

Subject: Education policy

In which areas is it necessary for action to be taken in the field of education policy within the EC to accompany the development of the internal market?

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

(13 November 1990)

As the Commission indicated in its communication on Education and Training in the European Community: Guidelines for the medium term⁽¹⁾, the 1992 target date for the completion of the Internal Market has placed education and training in a new context in the construction of the Community.

The Commission indicates clearly in this text the future challenges and perspectives for education and training policy, and actions to be pursued in this context.

In addition, the Council and the Ministers of Education meeting within the Council adopted conclusions on 6 October 1989, following an examination of the Commission's communication, setting out their five objectives for cooperation in this field.

⁽¹⁾ COM(89) 236 final.

WRITTEN QUESTION No 943/90

by Mrs Ursula Schleicher (PPE)

to the Commission of the European Communities

(17 April 1990)

(91/C 63/12)

Subject: Commission expenditure in the health sector

Compared to last year the European Parliament has considerably increased budgetary resources for all activities in the field of European Community health policy.

1. How many Commission officials are employed in Directorate G of DG V?
2. How many Commission officials are engaged in the 'Europe against cancer' programme and in which directorates-general are they employed?
3. Are the resources earmarked for this purpose in the 1990 budget proportional to the number of staff occupied in this sector?
4. How have the funds for 1990 been allocated to the individual sectors covered by Directorate E?
5. What percentage of available staff and funding for health and safety have been allocated to the 'Europe against cancer' programme?

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

(6 July 1990)

1. There is no Directorate G in Directorate-General V.
2. The unit responsible for the Europe against Cancer Programme consists of 12 officials in DG V/01.
3. The 1990 appropriation for measures to combat cancer amounts to ECU 9 050 000 (Item B 6470). There is 014 amount specifically allocated to the financing of staff requirements, but this item also covers the fees of experts and consultants and the costs of services, meetings and secretarial support.
4. The 1990 appropriations managed by Directorate V/E are as follows:

(ECU)

Budget item	Title	Amount
6452	Assistance for victims of accidents in the coal and steel sector and orphans' allowances	390 000
6471	Measures to combat AIDS	1 100 000

Budget item	Title	Amount
6472	Measures to combat drug abuse	3 900 000
6473	Measures to combat alcohol abuse	1 000 000
6474	Public health protection	800 000
6475	Action programme on toxicology for health protection	360 000
6480	Health protection, hygiene and safety at work	5 100 000
6481	Grants to international organizations	55 000
ECSC	Aid for research, social measures (ECSC operating budget)	13 000 000

5. The Europe against Cancer Programme has its own staff and is financed by a specific budget heading. It does not draw on the appropriations for health and safety.

WRITTEN QUESTION No 1075/90

by Mr Juan Garaikotxea Urriza and
Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(10 May 1990)

(91/C 63/13)

Subject: Fundamental rights and freedoms

1. What steps is the Commission considering to put into practice Parliament's resolution of 12 April 1989 on the declaration of fundamental rights and freedoms?
2. Bearing in mind that, in recent years, new problems have arisen which have limited fundamental freedoms and obstructed the application of the principles of equality and solidarity, does the Commission not believe that it is time to reconsider the real extent of fundamental rights and freedoms, specifically in the areas of economic, social and cultural rights?
3. Is the Commission prepared to propose specific measures concerning the right to protection for minorities and to fulfil international declarations and covenants on rights such as the right of peoples to self-determination which has been interpreted in so many contradictory ways depending on the interests of the States involved?

Answer given by Mr Delors on behalf of the Commission

(8 June 1990)

1. Parliament's resolution of 12 April 1989 adopting the Declaration of Fundamental Rights and Freedoms calls on the other Community institutions and the Member States to associate themselves formally with the Declaration. After careful consideration, the Commission feels that it is not obliged, at this stage, to associate itself with Parliament's Declaration. It is therefore not contemplating taking any initiative in this respect.

2. Aware of the new problems which are liable to curtail the enjoyment of fundamental rights and make it hard to apply the principles of equality and solidarity, the Commission and Parliament, in conjunction with the Florence-based European University Institute, organized, on 20 and 21 November 1989, a Conference on 'Human Rights and the European Community in the run-up to 1992 and beyond', in order to review the development of fundamental rights within the context of the single market and to put forward a range of options to enhance their protection both within the Community and in its international relations.

In this connection the Commission, in its 1990 programme, announced that it will submit a proposal for the accession of the Community to the Council of Europe's European Convention for the Protection of Human Rights and Fundamental Freedoms.

Accession will ensure more effective protection for citizens' rights in relation to Community acts, with due regard for the principles of subsidiarity.

3. The Commission believes that application of the universally accepted principles of human rights, as set out in the Universal Declaration of Human Rights and made binding by the International Covenants of 1966 on Economic, Social and Cultural Rights, and on Civil and Political Rights for the signatory States, should be the prime duty of all States.

With regard, more specifically, to the right of protection for minorities and the right of peoples to self-determination, the Commission is not competent to propose any measure, as called for by the Honourable Member (1).

(1) The *protection of minorities* is enshrined in Article 27 of the Covenant of Civil and Political Rights ('In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language'). The *right of peoples to self-determination* (Article 1 of the Covenant on Civil and Political Rights) was the subject of a declaration of the United Nations General Assembly of 14 December 1960.

WRITTEN QUESTION No 1077/90**by Mr Jean-Pierre Raffarin (LDR)****to the Commission of the European Communities***(10 May 1990)**(91/C 63/14)**Subject: COPA report*

What is the Commission's reaction to the report by COPA (Committee of Agricultural Organizations in the European Community) on the situation of the farming industry in the Community which states, inter alia, that the disparity between farm and non-farm incomes is continuing to widen and that the farm sector makes a significant contribution to curbing the rise in foodstuffs prices and inflation in general?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(21 September 1990)

The agricultural situation in the Community is constantly uppermost in the mind of the Commission. A report on the subject is published annually and is widely distributed. The Commission is aware of the paper prepared by the Committee of Agricultural Organizations in the European Community (COPA) on the same subject, but it does not intend to give an official reaction.

The Commission would like, however, to draw the Honourable Member's attention to a number of matters which should be borne in mind in relation to farm incomes, and in particular the interpretation of the indicators of farm income. Those used at the moment, in Commission publications too, give a less than complete picture of the standards of living of farm households. Their purpose is, as for other branches, to provide an assessment of the economic performance of the industry, in this case farming. The stagnation of farm incomes over the past 10 years must be interpreted, therefore, as a lack of improvement in the economic efficiency of the industry. At the same time there has been an upsurge in production and budgetary spending which is the main reason for the new targeting of the CAP towards the market and efforts to improve competitiveness and budgetary effectiveness. If a comparison is to be made between the income of those employed in farming and those in other industries, disposable household income is the appropriate indicator. This therefore takes account of income from other gainful activities, social transfer payments, the effects of taxation, etc. The importance of part-time work in agriculture means that the income of farm households is fairly different from the figure

for income derived from agricultural production. It is estimated, for example, that in France or Germany, only about half of disposable income comes from farming as such. Since 1988 the Commission, in association with the Member States, has been working on an enormous project to determine better and define overall farm household incomes, with the long-term aim of incorporating additional indicators in the statistics which are published at regular intervals. Lastly, while the averages give an indication of the overall performance of the industry or of general emerging trends, they nonetheless conceal highly varied situations, especially in farming. All the analyses confirm the very wide disparity between farm incomes, on account of the diversity of farming in the Community, both in terms of farm size and of forms of production. An attempt can be made, admittedly, to make a comparison with a given reference level by juxtaposing averages, but an analysis in terms of distribution is essential for the purpose of interpretation. (See, for example, the graphs on page 36 of the 1989 report on the agricultural situation in the Community).

On the question of prices, it has to be acknowledged that the farm sector has made a positive contribution to curbing inflation via foodstuffs prices. It should not be overlooked, however, that the proportion of a foodstuff price attributable to agriculture is fairly small, and that consequently the change in food prices does not necessarily follow that of agricultural products.

WRITTEN QUESTION No 1127/90**by Mr René-Emile Piquet (CG)****to the Commission of the European Communities***(14 May 1990)**(91/C 63/15)**Subject: The worsening situation of apiculture in the Community*

On 25 October the European Parliament adopted a resolution on the promotion of bee-keeping in the European Community (Doc. A2-0091/85). Unfortunately its proposals with regard to research, processing and marketing have not met with an adequate response from the Community authorities. The situation of bee-keepers has greatly deteriorated and the national and Community professional organizations are raising a real cry of alarm.

Does the Commission realize how serious the situation is? Does it intend to propose measures in the near future to remedy the situation and assist the recovery of apiculture in the Community?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(1 August 1990)

The Commission is very well aware of the difficult situation facing beekeepers in the Community, from both the bee health and economic points of view. It is conscious of the significant role played by beekeeping in the pollination of important crops, and also in the maintenance of the natural balance of rural flora and fauna.

Since the resolution of the Parliament in 1985, research in connection with the bee disease Varroasis has been supported to the tune of approximately ECU 0,5 million. Furthermore, the amount of ECU 0,5 million earmarked in the 1986 budget by the Parliament itself for aid to beekeepers' organizations for the control of Varroasis was maintained in the following year, and in the 1989 budget was doubled to ECU 1 million. The Commission has been actively involved in the coordination of efforts at a Community level to come to grips with this threat to the health of the bee population.

Past schemes of economic assistance to the beekeeping sector have proved non-cost-effective and difficult to administer for a number of reasons including the structure of the industry itself, comprising a majority of part-time or hobbyist beekeepers. Nevertheless the Commission has been kept in constant touch with the situation in the sector by its representatives at Community level and is especially conscious of its place in the rural environment. Thus beekeeping has already been included among sectors covered by a number of integrated Mediterranean programmes, among others those for Corsica, and the Drôme and Ardèche Departments. Furthermore, in the context of the reformed structural policy, it is proposed to include action in support of beekeeping under the 'diversification' heading in the Community Support Frameworks, in particular for objectives 1 (regions lagging behind in development) and 5b (rural development).

WRITTEN QUESTION No 1137/90

by Mr Proinsias de Rossa (CG)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/16)

Subject: Dublin-Belfast rail link

Can the Commission say what steps have been taken by the Irish and British Governments to ensure that the

£35 million of EC funds, available for the improvement of the rail link between Dublin and Belfast, is availed of?

Would the Commission agree that, in the light of terrorist attacks on the line by the Provisional IRA, and the fall-off in traffic which is forcing the two railway companies concerned to review the service, it is a matter of some urgency that reinvestment in the service take place?

Would the Commission agree that the rail link is vital to the economic welfare of the east coast of Ireland, north and south of the border; to continuing efforts to improve cross-border relations in all spheres; and to the improved implementation of the structural framework programmes to help the Republic of Ireland and Northern Ireland to meet more effectively the challenge of 1992?

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

(12 July 1990)

The Commission recognizes the social and economic importance of the Dublin-Belfast rail link to the island of Ireland.

The Operational Programme concerning Transportation in Northern Ireland provides for ERDF aid of ECU 7 million for improvements to the Northern Ireland section of the Dublin-Belfast railway line, subject to complementary improvements being made by the Irish authorities to the Dublin-Border section of the line.

The Irish authorities have recently submitted to the Commission a draft Operational Programme on peripherality, covering roads and other transport infrastructures. In its discussions with the Irish authorities in this programme, the Commission will seek clarification of their intentions concerning the Dublin-Belfast line.

WRITTEN QUESTION No 1141/90

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/17)

Subject: Research into the protection of juvenile fish stocks

1. Will the Commission investigate the usefulness of nets which combine panels of square mesh near the cod

end (to deal with haddock and whiting) with panels of diamond mesh (to deal with cod and flat fish) in the protection of juvenile stocks?

2. Has the Commission enquired if any Member States have conducted research into this combination and what research has been conducted in which Member States?

3. Will the Commission publish details of the trials which have been conducted by the Member States on combination nets of this kind?

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

(12 July 1990)

1. The Commission would refer the Honourable Member to its reply to Mrs Ewing's Written Question No 2182/88 (1).

The information available to the Commission suggests that the nets with a section of square mesh may help to protect young fish. In addition, Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources (2) does not prohibit the use of such nets. The onus is on fishermen to take responsibility for protecting fishery resources by not using nets which catch young fish.

2 and 3. Many research institutes are studying the selectivity of nets; the Commission is encouraging and assisting the Member States in this research.

In 1989 the Commission financed three research projects concerning the selectivity of nets under the FAR programme (Regulation (EEC) No 3252/87 (3)).

The results of this research will be published by the Commission.

(1) OJ No C 276, 30. 10. 1989, p. 19.

(2) OJ No L 288, 11. 10. 1986, p. 1.

(3) OJ No L 314, 4. 11. 1987, p. 17.

WRITTEN QUESTION No 1149/90

by Mr Eugenio Melandri (V), Mrs Pasqualina Napolitano (GUE) and Mr Alexander Langer (V)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/18)

Subject: Arms trading in the Horn of Africa

Having regard to the recent military actions, as a result of which the anti-government forces in Ethiopia captured Massawa;

having regard to the serious conduct of Mengistu, who continues to prevent emergency food aid from reaching the Eritreans, preventing the arrival of such aid by, among other things, bombing the lorries used to transport it;

having regard to the enormous responsibility of the Italian Government which, through its diplomatic passivity on the matter, continues to endorse the war waged against the Eritrean people for more than 25 years, and this in spite of Italy's historical responsibility in the region;

1. Can the Commission say what European companies — at least what major companies — sell arms or other war material to the Mengistu Government, specifying whether these companies are in the public or private sector?
2. Does it not consider that an embargo on arms sales in this region should be proposed, with the aim of inducing the parties to enter into peace negotiations on the basis of the UN resolution, as has long been accepted by the Eritreans?

WRITTEN QUESTION No 1150/90

by Mr Eugenio Melandri (V), Mrs Pasqualina Napolitano (GUE) and Mr Alexander Langer (V)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/19)

Subject: The peace process in the Horn of Africa

In view of Jimmy Carter and Hosni Mubarak's recent political and diplomatic mediation between the Ethiopian Government and the Eritrean anti-government forces, with the aim of persuading them to open peace negotiations on the basis of the UN resolution which has long been accepted by the Eritreans;

in view of the statements by Commissioner Matutes and other important representatives of the EC Commission, who have personally pledged that the Commission itself would intercede in such mediation;

1. Can the Commission say on what basis it carries out its own mediation?
2. Can it also say how it is supporting Hosni Mubarak and Jimmy Carter in their diplomatic activities?

**Joint answer given by Mr Delors
on behalf of the Commission
to Written Questions Nos 1149/90 and 1150/90**

(12 November 1990)

On 30 April, an Ethiopian delegation led by the Deputy Prime Minister, Mr Wolc Chekol, paid an official visit to

the Commission and had a meeting with Mr Marín at which the Ethiopian Ministers gave the Commission a comprehensive account of the talks being held in Atlanta (United States) between the Ethiopian Government and the Eritrean nationalists.

Although this is currently a matter for political cooperation, the Commission has none the less reaffirmed its support for the peace process, since a cessation of hostilities is necessary for the channeling and distribution of Community aid.

The question of whether an embargo on arms sales to the region would be appropriate is again a matter for political cooperation and requires concerted action at international level. In such a context, there are no plans for publishing a list of the European companies involved.

WRITTEN QUESTION No 1157/90

by Mrs Astrid Lulling (PPE)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/20)

Subject: Promotions policy for Commission category A staff

In its answer to my Written Question No 7/90 ⁽¹⁾ on injustices which may arise from the present promotions policy for category A staff at the Commission, the latter states that promotions proposed by Directors-General for officials in their departments are considered by joint committees comprising representatives of the administration and the staff.

As, according to my information, the promotions committees for A category officials are not 'joint' committees, does the Commission not consider that this state of affairs should be remedied, in order to avoid any arbitrary blocking of the careers of individual officials on the basis of the discretionary powers alone of a Director-General, whose colleagues on the promotion committee seem traditionally disinclined to object?

With reference to the last paragraph of the answer to my Written Question No 7/90, is the Commission prepared to remedy not just irregularities arising from errors of fact or law, but also to put right the blatant injustices arising from this discretionary power mentioned above?

⁽¹⁾ OJ No C 197, 6. 8. 1990, p. 9.

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission**

(28 June 1990)

Further to the answer to Written Question No 7/90, the necessary transparency is ensured by the fact that the Promotion Committee for category A staff comprises all the Directors-General as well as the ten members and their alternates appointed by the staff representatives, although it is true that it is not a joint committee in the strict sense of the term.

What is more, the opinions the Committee submits to the appointing authority have long been based on consensus.

WRITTEN QUESTION No 1167/90

by Mr Kenneth Stewart (S)

to the Commission of the European Communities

(14 May 1990)

(91/C 63/21)

Subject: Safety standards for construction workers on the Channel Tunnel

The Commission is aware that five British companies have been fined a total of £50 000 for failing to take reasonable steps to ensure the safety of their workers.

Will the Commission investigate the safety standards appertaining to the Tunnel project? What action is intended to ensure that construction companies maintain the highest safety standards for their workers, throughout the whole of the Community?

Would the Commission consider setting a safety standards charter for construction workers, to coincide with the Social Charter?

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

(4 July 1990)

The Commission is well aware of the accidents related to construction work on the Channel tunnel, and profoundly regrets the loss of life and limb that has occurred as a consequence.

However, safety standards in the Channel tunnel are the responsibility of the Member States involved, and therefore the Commission cannot undertake such investigations.

At Community level, as set out in its communication ⁽¹⁾, the Commission has made safety in construction one of

the main priorities of its programme concerning safety, hygiene, and health-at work. On 12 June 1989, the Council adopted, following a proposal by the Commission, a directive (89/391/EEC) on the introduction of measures to encourage improvements in safety and health at work⁽¹⁾, the Member States being required to bring into force the laws, regulations and administrative provisions necessary to comply with it by 31 December 1992.

This directive, which applies, *inter alia*, to the construction sector, lays down general principles concerning the prevention of occupational risks, the protection of safety and health, the elimination of risk and accident factors, the informing, consultation, balanced participation in accordance with national law and/or practices and training of workers and their representatives as well as general guidelines for the implementation of the said principles. Moreover, it foresees the adoption of individual directives in particular areas, construction being specifically included under the title 'temporary or mobile work sites'. The intention to submit a proposal for such a directive to the Council in 1990 was announced by the Commission on 29 November 1989 in its communication concerning its action programme relating to the implementation of the Community Charter of Basic Social Rights for workers⁽²⁾. This proposal is expected to be submitted to the Council very shortly.

⁽¹⁾ OJ No C 28, 3. 2. 1988, p. 3.

⁽²⁾ OJ No L 183, 29. 6. 1989, p. 1.

⁽³⁾ COM(89) 568 final, 29. 11. 1989.

WRITTEN QUESTION No 1202/90

by Mr Jesús Cabezón Alonso (S)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/22)

Subject: Insufficient utilization of budget heading 634 in the 1988 financial year

For what reasons were the 1988 budget appropriations for budget heading 634, 'Vocational training and guidance activities' not fully used up, in view of the fact that vocational training and guidance must be priority policies for the Community and the Europe of the future?

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

(10 July 1990)

The appropriation entered in the 1988 budget under Article 634 (Vocational training and guidance activities) amounted to ECU 13 million.

These appropriations were for a set of operations, including the implementation of the action for the vocational training of young people and their preparation for adult and working life.

This programme had only been adopted by the Council on 1 December 1987 and it did not start until mid-1988. So the Member States were not in a position to propose to the Commission the number of operations which would have been needed to commit all the funds available for this purpose.

Because of this delay in implementing the programme, ECU 1,9 million became available — and was used after a transfer within Chapter B63 — to respond more favourably to the many applications for contributions under the Comett programme for vocational training in new technologies (Article 6310).

So while all the Article 634 appropriations could not be used for the vocational training operations initially planned, the Commission nevertheless made sure that the funds were used for operations likewise related to vocational training.

WRITTEN QUESTION No 1214/90

by Mr François-Xavier de Donnea (LDR)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/23)

Subject: Community system of export credit insurance

At the informal Internal Market Council meeting of 26 March 1990, the Greek representative asked the Commission to give some thought to a Community system of export credit insurance.

1. Has the Commission already carried out studies to this end and, if so, what are the first results of its deliberations?
2. When will the Commission be submitting proposals to the Council?

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

(18 September 1990)

1. The Commission would refer the Honourable Member to its answer to oral question H-161/90 by Mrs Jepsen⁽¹⁾ where the Commission referred already to the fact that the situation in the Community in the field of export credit insurance is currently under consideration by its services. The Commission is of the opinion that measures are necessary in order to guarantee all Community exporters appropriate access to insurance cover and to improve the spread of risks borne by

Community export insurers. This is particularly urgent with a view to developments in Central and Eastern Europe, as stated by the European Council in Dublin on 28 April 1990.

2. Proposals in this area require in depth examination of a number of complex technical questions. The Commission hopes to be able to submit a first set of proposals at the end of this year.

(¹) Debate of the European Parliament No 3-386 (February 1990).

WRITTEN QUESTION No 1217/90

given by Mr François-Xavier de Donnea (LDR)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/24)

Subject: Forest protection

With reference to action taken under the EEC regulation on the protection of forests against atmospheric pollution:

1. for how many prospective inventories of forest damage and pilot and demonstration projects did Belgium request Community funding in 1988 and 1989;
2. what was the regional breakdown (Brussels, Wallonia, Flanders) for the projects approved and the Community funding allocated;
3. what has the Commission done or what is it intending to do to speed up the implementation of the Community forestry action programme adopted by the Council in May 1989?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(13 July 1990)

No Community financial assistance has been requested so far by Belgium for carrying out the Community inventory of forest damage in its territory. In 1989, under Article 4 of Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution (¹), Belgium submitted a pilot project proposed by the Flemish Region for which Community funding of ECU 69 169 was granted.

The Commission began applying the community forestry action programme as soon as it was adopted by the

Council. The speed with which many of the measures are implemented, however, depends on the willingness of the Member States to do so.

Since the adoption by the Council of the first forestry action programme, the Commission has been pressing forward with the implementation of the reform of the structural Funds, which includes measures for forest development and enhancement.

It has also initiated studies to obtain more information on the afforestation of agricultural land, with a view to further development.

Important forest protection initiatives have been launched with the help of the Standing Forestry Committee. Specific objectives are to make a Community-wide assessment of air pollution and its effects in forests and to improve Community measures for the protection of forests against fire.

(¹) OJ No L 326, 21. 11. 1986, p. 2.

WRITTEN QUESTION No 1245/90

by Mr Karl-Heinz Florenz (PPE)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/25)

Subject: Promotion of eucalyptus cultivation in the Community

1. Can the Commission state how much funding has been granted and will continue to be granted from the European structural funds to the Member States and their regions to promote the intensive cultivation of eucalyptus?
2. Is the Commission aware of the threats to the environment and agriculture that these trees represent?
3. To what conditions linked with environmental policy and wildlife protection was this funding made subject?
4. Has the Commission considered alternative measures which would not harm the environment?

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

(7 August 1990)

The Commission would refer the Honourable Member to its joint answer to Written Questions No 89/90 and No 90/90 by Mr Canavaro (¹).

The growing of eucalyptus does not constitute a significant element of the actions of the Community's Structural Funds.

However specifically on forestry alternatives geared to the Iberian and Mediterranean environments, the renewal and improvement of woodland under cork-oak is eligible under Regulation (EEC) No 1609/89 ⁽¹⁾. The processing and marketing of cork is specially envisaged by Regulation (EEC) No 866/90 ⁽²⁾. Finally it is foreseen to support the cork sector considerably in the framework of the Community's FOREST research programme ⁽³⁾ as stated in the answer given by the Commission to Written Question No 939/90 by Mr Carvalhas ⁽⁴⁾.

⁽¹⁾ OJ No C 207, 20. 8. 1990, p. 19.

⁽²⁾ OJ No L 165, 15. 6. 1989.

⁽³⁾ OJ No L 91, 5. 4. 1990.

⁽⁴⁾ OJ No L 359, 8. 12. 1989.

⁽⁵⁾ OJ No C 28, 4. 2. 1991, p. 1.

WRITTEN QUESTION No 1247/90

by Mr José Valverde Lopez (PPE)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/26)

Subject: The rules governing the issue of securities convertible into shares under Spanish law contravene Community directives

The new revised text of the Law on Limited Companies in Spain (Legislative Royal Decree No 1564 of 22 December 1989) includes as one of its new provisions the substantive control of securities convertible into shares, since they are one of the main sources of financing for Spanish businesses. The Spanish legislators have clearly infringed the Second Council Directive on companies (Directive 77/91/EEC ⁽¹⁾ of 13 December 1976), since it explicitly prohibits the delegation by a company's administrative body of the power to grant the issue of securities convertible into shares. The provision laid down in Article 283.3 of the Regulation on the Business Register, which makes Spanish law different from the laws of other European countries, goes against one of the fundamental objectives of Community law. What general and specific measures does the Commission have in mind to tackle this ongoing and generalized infringement of Community directives by the large majority of the Member States?

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 1.

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(22 November 1990)

The Commission has noted the facts reported by the Honourable Member.

It has contacted the Spanish authorities with a view of obtaining further information and will answer the Honourable Member's question as soon as it has the information requested.

WRITTEN QUESTION No 1251/90

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/27)

Subject: EC funding to assist lobster stock enhancement schemes

Would the Commission consider granting financial assistance to assist with the expansion of lobster stock enhancement schemes in Scotland as soon as possible, given the length of time required to achieve initial beneficial results?

WRITTEN QUESTION No 1252/90

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/28)

Subject: Natural lobster stock enhancement

Considering the recently published encouraging results by the Sea Fish Authority from their experiments on natural lobster stock enhancement in Scapa Flow, Orkney, and at Ardtoe, Argyll, also the present quota cuts and massive cuts in grant aid to the Highlands and Islands, would the Commission sanction funding to allow the expansion of lobster stock enhancement schemes in Scotland?

**Joint answer given by Mr Marin
on behalf of the Commission
to Written Questions Nos 1251/90 and 1252/90**

(13 July 1990)

Under Regulation (EEC) No 4028/86 ⁽¹⁾ the Commission may grant Community aid to aquaculture investment projects, submitted by private or public bodies, provided that they comply with all the following conditions:

- they are for a purely commercial purpose,
- they offer a satisfactory assurance of yielding a profit in due course,
- they fulfil the necessary administrative, technical and financial conditions required to be eligible for an EEC aid grant.

Consequently, any Scottish project, submitted by a private or public body, dealing with lobster stock enhancement, would be registered and analysed by the Commission in the light of the above conditions.

(¹) OJ No L 376, 31. 12. 1986, p. 7.

WRITTEN QUESTION No 1275/90

by Mr Jesús Cabezón Alonso, Mr Pedro Bofill Abeilhe, Mr Mateo Sierra Bardají, Mr Josep Pons Grau and Mrs María Izquierdo Rojo (S)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/29)

Subject: Low utilization rates of Article 580 and Item 5812 of the 1988 budget

Why were the appropriations available under the 1988 general budget headings

580: Financial support for transport infrastructure projects within the Community

5812: Financial support for transport infrastructure projects to facilitate transit through Yugoslavia

not fully utilized?

**Answer given by Mr Van Miert
on behalf of the Commission**

(14 September 1990)

In accordance with the requirements of Council Regulation (EEC) No 4048/88 of 19 December 1988 on granting financial support to infrastructure projects (¹), all the appropriations entered under heading 580 of the 1988 and 1989 budgets have been committed.

All the commitment decisions necessary for implementing this Regulation and relating to the ECU 65 million available under the 1988 budget and the ECU 62,5 million entered as appropriations for commitment in the 1989 budget were taken on 20 December 1988 and 4 December 1989 respectively.

On the question of Item 5812, in which ECU 5 million was entered in 1988, there being no legal basis for

allocating this appropriation directly to transport infrastructure projects to facilitate transit through Yugoslavia, the sum was transferred to Article 580 at the end of 1988. No appropriations were entered under Article 581 in 1989.

(¹) OJ No L 356, 24. 12. 1988, p. 5.

WRITTEN QUESTION No 1287/90

by Mr Thomas Megahy (S)

to the Commission of the European Communities

(22 May 1990)

(91/C 63/30)

Subject: Import of possibly diseased bees into the United Kingdom

In view of the fact that Article 36 of the Treaty of Rome clearly allows Member States to restrict the import of goods if such restrictions are 'justified on grounds of . . . the protection of health and life . . . animals', why is the Commission proposing legislation which will expose the United Kingdom to imports of bees from areas of the Community infested by the parasitical mite varroa?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(13 July 1990)

The Commission considers that there are various ways to ensure the health protection of bees in the Community and that a complete ban on trade is not justified. In view of completing the internal market for 1992, the Commission has already studied carefully the health problems related to bees.

The proposal for a Council Regulation laying down animal health requirements for the placing on the market in the Community of animals and products of animal origin not covered in this respect by specific Community rules (¹) lays down, in particular common animal health rules governing the placing on the market of bees.

These animal health conditions will encourage intra-Community trade while meeting certain requirements designed to avoid the spread of diseases like varroosis, American foulbrood or acariosis.

The proposed rules concerning varroosis provide for a ban on movement of bees and colonies, out of varroa infected zones. However, provisions are contained in the

proposal which would allow the marketing of queen bees, with up to 20 bees from infected areas, if they are accompanied by a certificate attesting that they have been treated against varroasis.

These requirements will ensure that bees will not spread the disease throughout the Community.

(¹) COM(89) 658 final.

WRITTEN QUESTION No 1333/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(11 June 1990)

(91/C 63/31)

Subject: 1992 large market and the quality of the services responsible in the Member States for medical and technical inspections and for monitoring compliance with welfare laws

In several Member States, including Belgium, the official services responsible for investigating and punishing fraud in respect of the recruitment of workers, the payment or non-payment of social security contributions and health and safety provisions are inadequately equipped, funded and organized to combat the black economy and bolster, in accordance with the rules 'in force', public funds in difficulty. Their demoralization is only increased by the fact that in Belgium, for example, inspectors are paid less than the workers on the building sites they are required to inspect and that there are 390 inspectors — often travelling at their own expense! — for +/- 2 500 000 workers.

A tripartite ILO mission drew up a report on the Belgium problem accepted by the National Labour Council on 28 February 1980 (Opinion 645). This document noted the failure to apply Article 3 (c) of International Labour Convention No 81 which requires the inspectorate to bring to the attention of the competent authority shortcomings or abuses not specifically covered by laws. Above all, it noted the lack of a doctrine of intervention on the part of the inspection services, which it described as poorly coordinated and trained. Inefficiency has increased since then, particularly through the use of temporary, unofficial staff with no knowledge of health and safety rights and rules: the result has been a lamentable increase in the number of accidents at the workplace — although the statistics are not reliable — and an indifferent attitude on the part of the police and the public prosecutor's office.

In this context, I should like to know:

1. The number of accidents officially recorded in 1988 in each of the Member States which resulted in death or permanent disablement?
2. What role is played by ILO missions in connection with draft directives being prepared on health and safety at the workplace?
3. What practical measures are being taken to ensure that technological modernization does not undermine safety?
4. What practical measures are being taken to ensure that inspectors are able to perform their tasks decently and humanely?
5. What practical measures are being taken to inform worker and those responsible for their training of the old and new rules designed to protect them?

Answer given by Mrs Papandreou
on behalf of the Commission

(11 July 1990)

1. Provisional estimates compiled by the Commission concerning the number of fatal accidents and accidents resulting in permanent disability in the Member States of the European Community during 1988 are shown in the following table:

Member State	Fatal	Permanent-incapacity
Belgium	163	10 449 (¹)
Denmark (¹)	80	...
Federal Republic of Germany (¹)	1 605	...
Greece	79	...
Spain	1 322	...
France (1987) (¹) (²) (³)	1 044	63 152 (⁴)
Ireland (¹) (¹)	13	...
Italy (1987)	2 015	31 250
Luxembourg (¹)	10	43 (⁵) (⁶)
Netherlands (¹) (²)	54	...
Portugal (¹) (²)	619	...
United Kingdom (¹)	697 (⁶)	...

(¹) Commuting accidents not included.

(²) Self-employed people totally excluded.

(³) Some sectors (e.g. agriculture, mining) excluded.

(⁴) 167 fatalities of the Piper Alpha accident included.

(⁵) Permanent incapacity for the particular job.

(⁶) Incapacity for more than three months.

(⁷) Excludes agricultural sector.

(⁸) Excludes public sector.

... No official statistics available.

The figures above should be read with caution; as the plethora of footnotes suggests, the data corresponding to fatal or non-fatal injury for the various Member States are not directly comparable.

In order to obtain reliable and harmonized statistical data on occupational accidents, the Commission has initiated a major project designed to produce a common methodology for the collection, processing and transmission of such data.

2. The Commission is participating in and contributing to all important projects and meetings organized by the International Labour Office (ILO). Moreover, Conventions and other important documents produced by ILO on occupational safety and health are taken into account in the elaboration of proposals for Council directives in the field of occupational safety and health.

3. The problems and challenges for safety and health posed by the introduction of new technologies at the workplace have been given high priority in the programme of the Commission concerning safety, hygiene and health at work⁽¹⁾. Following proposals by the Commission, the Council has adopted a number of directives in the field of occupational safety and health, which contain provisions specifically addressing the risks posed by new technologies. In particular, specific duties are placed on employers by virtue of Directive 89/391/EEC⁽²⁾, concerning the consultation and training of workers on new technologies introduced at the workplace, and Directive 89/655/EEC⁽³⁾ concerning the selection, use, maintenance or servicing of new work equipment. Finally, the Directive on minimum safety and health requirements for work with visual display screen equipment, adopted by the Council on 29 May 1990, prescribes a set of comprehensive measures in the rapidly expanding information technology-based industries.

4. The enforcement of national legislation transposing Council directives is the responsibility of Member States' governments. As provided by Article 189 of the EEC Treaty, national authorities have a discretion to choose the form and methods to achieve the objectives of the directives, but are, nevertheless, under an obligation to ensure that these objectives are indeed accomplished. In this context, it should be stressed that Article 4 of the aforementioned Directive 89/391/EEC, which comes into force on 31 December 1990, enjoins upon the Member States to ensure adequate controls and supervision.

The Commission, in fulfilment of its role under the Treaties, will pay particular attention to establishing whether these obligations have been fully met by the Member States. Moreover, the Commission is promoting active cooperation between the national authorities of Member States responsible for occupational safety and health, through regular meetings and joint work on relevant issues and problems, with a view to obtaining a better degree of application of Community legislation and assisting in the improvement of procedures of monitoring and enforcement.

5. Each and every one of the Council directives on occupational safety and health promulgated on the basis

of Article 118A of the EEC Treaty contains specific provisions for the information, consultation, balanced participation and training of workers and/or of their representatives on the matters covered by the directives. The significance of these provisions cannot be underestimated: the workers must be kept fully informed about the risks, and prevention and protection measures, at their workplace.

Besides existing and planned legislative measures, the Commission is actively engaged in promoting the information and training of workers, worker representatives and trainers, on the development and impact of measures in the field of occupational safety and health.

⁽¹⁾ OJ No C 28, 3. 2. 1988, p. 3.

⁽²⁾ OJ No L 183, 29. 6. 1989, p. 1.

⁽³⁾ OJ No L 393, 30. 9. 1989, p. 13.

WRITTEN QUESTION No 1347/90
by Mr Llewellyn Smith (S)
to the Commission of the European Communities
(11 June 1990)
(91/C 63/32)

Subject: Euratom safeguards report — bilateral agreements (Canada, US and Australia)

Regarding paragraph II of the report on the operation of Euratom safeguards (SEC(90) 452 final), will the Commission make a statement on the methods used further to paragraphs 59-61 by the United States, Canada and Australia to verify the implementation by Euratom of the bilateral agreements, and have any of the countries ever indicated formally or informally to the Commission their dissatisfaction with the outcome of Euratom safeguards on nuclear materials originating in their country?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(11 October 1990)

The supplier countries, i.e. the United States, Canada and Australia can verify the implementation of the bilateral agreements through the procedures foreseen in those agreements. Those procedures include but are not limited to:

— the provision of the relevant reports,

- regular contacts and consultations on both technical and political levels,
- cross-checks of international transfer reported to the supplier countries through other sources than the Community.

The abovementioned contacts on all levels with the supplier countries provide ample opportunity for these countries to express any opinions on the effectiveness of Euratom safeguards. So far this effectiveness has not been challenged.

WRITTEN QUESTION No 1365/90

by Mrs Lissy Gröner (S)

to the Commission of the European Communities

(11 June 1990)

(91/C 63/33)

Subject: University education in the European Community

1. The Community programmes Erasmus, Comett and Eurotecnet make funding available for measures to assist the next generation of graduates.

In what other Community programmes, or under what other budget headings, is funding provided for assisting the next generation of graduates, and

- with what objectives,
- for whom is such funding intended,
- what are the requirements for applying for funding,
- what level of funding is provided for in the individual programmes concerned?

2. Is it true that the main aims are to provide direct assistance for training and to develop infrastructure facilities, or are there other key objectives to be met by such assistance? What funding is available to realize which objectives?

3. What establishments in the Federal Republic of Germany are involved in which projects under what Community programmes (see question 1; including Erasmus, Comett and Eurotecnet)?

4. In section 4b, point 4.4, of Commission submission COM(88) 280 final, provision is made *inter alia* for the setting up of a fund to provide assistance for European Fellowships. What establishments in the Federal Republic of Germany receive monies from this fund, and what are the eligibility requirements in this respect?

Answer given by Mrs Papandreou on behalf of the Commission

(31 October 1990)

1. While it is true that the Erasmus and Comett programmes contribute to the promotion of university training for young people, the Eurotecnet programme is concerned with initial and continuing vocational training.

Apart from Erasmus and Comett, two other programmes are concerned with higher education: Lingua and Tempus.

The aim of the Lingua programme is the qualitative and quantitative improvement of the teaching of foreign languages; its tentative budget is ECU 200 million for 1990-94.

The Tempus programme was launched on 1 July 1990; its aims are to improve the quality and encourage the development of higher education in the countries of Central and Eastern Europe and to stimulate cooperation with higher education establishments in the Community; it has a budget of ECU 20 million for the 1990/91 academic year.

The Commission will send direct to the Honourable Member and to Parliament's Secretariat the guides for participation in these two programmes.

2. Generally speaking, it may be said that the aims of the Erasmus, Comett and Tempus programmes are promotion of student mobility, inter-university cooperation and cooperation between the universities and industry. The Lingua programme is concerned with the mobility of pupils, students and teachers and improvement of the infrastructure for the teaching of languages in the professional and business world.

3. The Honourable Member will find the answer to her third question in the directories of Erasmus programmes and Comett projects.

4. As regards the plan to encourage the setting-up of 'European chairs' and courses on European integration, the Commission has provided support as part of its information, communication and culture policy through the Jean Monnet Project for the teaching of European integration at universities.

Under this project the Commission awarded 220 grants, 46 of them for the setting-up of 'European chairs', nine of these in Germany.

All higher education establishments are eligible. The terms are set out in a guide. This guide and the list of recipients of grants under the Jean Monnet Project in 1990 will be sent direct to the Honourable Member and to Parliament's Secretariat.

WRITTEN QUESTION No 1370/90
by Mr Arturo Escuder Croft (PPE)
to the Commission of the European Communities
 (11 June 1990)
 (91/C 63/34)

Subject: Community loans to Spain

Within the 1989—1993 Community support framework for the development and structural adjustment of regions whose development is lagging behind (Objective 1), ECU 1 274 million by way of Community loans are earmarked for Spain for multi-regional projects. No provision is made for loans to the industrial, services, crafts or tourist sectors, i.e. for the private sector.

1. In 1989 what loans were granted by the EIB to the Spanish SMUs (by autonomous Community)?
2. Does the Commission consider the Spanish private sector is able to finance investments amounting to ECU 1 050 million without support from Community loans?
3. What average rate of interest will the Commission apply to Community loans in Spain?

Answer given by Mr Millan
on behalf of the Commission

(6 August 1990)

1. Of the current EIB global loans to 11 banks in Spain, ECU 368,2 million were loaned on to 752 SMEs in 1989. This breaks down between the Autonomous Communities as follows:

	(million ECU)
Catalonia	65,4
Andalusia	62,0
Madrid	60,3
Valencia	35,9
Castille-Leon	35,2
Castille-La Mancha	23,1
Murcia	16,3
Canary Islands	14,2
Basque Country	13,8
Aragon	13,3
Extremadura	6,3
Galicia	6,3
Cantabria	5,8
Navarre	4,1
Rioja	3,1
Asturias	2,4
Balearic Islands	0,7
Total	368,2

2. The Commission takes the view that the strength of the Spanish economy should continue to guarantee a sustained level of growth in private investment, despite a marked tendency for this to slow down, and enable the private sector to satisfy its financing needs without automatically needing to resort to EIB or ECSC loans.

It should be recalled that the total of ECU 1 051 million of private investment provided for in the Community support framework is additional to the operations part-financed with Community structural Fund aid under this CSF.

Furthermore, the Community support framework for Spain explicitly lays down that the EIB and the Commission will examine 'on the basis of their customary criteria, applications for loans for eligible investment projects not provided for in this Community support framework, particularly in the infrastructure, energy, industrial and related services sectors'.

Finally, although Community loans are essentially directed towards improving communications and support infrastructures for economic activity, this does not mean that the private sector has been totally abandoned, since in Spain certain types of infrastructures, for example energy and motorways, are in the private sector.

3. The rates of interest applied by the EIB to the financing which it grants in Spain, as in other Community countries, are based on the cost of the corresponding loans plus 0,15% per year to cover administrative costs. The rates applied to the loans granted from NCI resources are fixed at the same level as the rates for EIB loans, which have similar purposes and are of similar durations.

WRITTEN QUESTION No 1372/90
by Mr Carlos Robles Piquer (PPE)
to the Commission of the European Communities
 (11 June 1990)
 (91/C 63/35)

Subject: Protection against the cochiliomyria hominivorax fly

The press conference of 18 April 1990 in Rome convened by FAO experts highlighted the threat posed by the *chrochiliomyria hominivorax* fly, not only for northern Africa but also for southern Europe.

This plague appears to have reached Libya from Mexico. A programme of preventive measures is being launched with the cooperation of the United States Government, thereby constituting an exception to its generally very bad relations with the Libyan Arab Jamahiriya.

What risk is presented by this plague for the south of the Community? Are the Commission services, or those of the Member States most affected, cooperating to eradicate this plague from Libya before it is too late for the other Mediterranean countries?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(28 September 1990)

This parasite, commonly known as the New World Screw-worm fly, is an aggressive parasite of all mammals, including man. Its appearance in Libya has provoked considerable concern, mostly for the neighbouring countries but also for the continent of Africa and for the south of the Community. Direct action in Libya is being coordinated by the FAO, with the cooperation of the USA and Mexican governments through a sterile fly release programme, which is the only effective eradication measure.

The Commission is studying the possibility of providing financial aid to the FAO for the programme, and also to neighbouring countries which are threatened, by helping with the purchase of insecticides. It is understood that some Member States are also directly contributing to the FAO effort.

WRITTEN QUESTION No 1391/90

by Mrs Marie Jepsen (ED)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/36)

Subject: Exemption from provisions concerning payment of the co-responsibility levy on cereals supplied in exchange for mixed feed consisting partly of cereals

Paragraph 11 of the judgment handed down by the European Court of Justice on 29 June 1988 in Case 300/86 (co-responsibility levy for cereals) states that the objective of Community rules concerning the co-responsibility levy is to limit the structural surplus on the cereals market, which means that a levy can only be applied in respect of processed cereals which are put on the market, since cereals consignments used in closed circuit arrangements do not contribute to such surpluses.

In Regulation (EEC) No 3779/88 ⁽¹⁾ of 2 December 1988 the Commission lays down the conditions for the reimbursement of the co-responsibility levy for the 1986—1987 and 1987—1988 marketing years as a result of this judgment.

However, under Regulation (EEC) No 3779/88, cereal producers are not entitled to reimbursement of the levy

paid on cereals which have first been 'sold' for processing purposes and then 'repurchased' by the producer in the form of mixed feed containing the same quantity of cereals.

Does the Commission consider that the requirements of Regulation (EEC) No 3779/88 tally with the view put forward in paragraph 11 of the judgment handed down by the European Court of Justice on 29 June 1988 in Case 300/86 that the co-responsibility levy must be paid only on processed cereals which are marketed and not on consignments of cereals repurchased by producers in processed form and, if the Commission does not consider this to be the case, will it ensure that the co-responsibility levy on quantities of cereals repurchased by producers in the form of mixed feed is also reimbursed?

⁽¹⁾ OJ No L 332, 3. 12. 1988, p. 17.

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(30 July 1990)

The question put by the Honourable Member is currently being studied by the European Court of Justice in the context of Case 203/89 on which the Court has not yet handed down its judgment.

WRITTEN QUESTION No 1393/90

by Mr Gérard Monnier-Besombes (V)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/37)

Subject: Special provisions in the IMPs for Aquitaine and Midi-Pyrénées

In its answer of 9 February 1990 to Written Question No 1183/89 ⁽¹⁾, Mr Millan refers to 'special provisions' in the IMPs for Aquitaine and Midi Pyrénées for the protection of the Pyrenean brown bear which were included at the Commission's request.

What are these 'special provisions'?

⁽¹⁾ OJ No C 139, 7. 6. 1990, p. 30.

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

(27 July 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 1183/89 ⁽¹⁾.

The Commission is sending direct to the Honourable Member and to the Secretariat of Parliament the texts of the IMPs with an indication of the relevant pages.

⁽¹⁾ OJ No C 139, 7. 6. 1990.

The priorities requested by Parliament, which are largely met by the Commission's programme for 1990, are requiring officials to work harder and at an ever-increasing pace.

To implement these objectives with maximum efficiency an additional 77 posts are needed in 1990 (rolling plan).

Some of these extra staff have been obtained from new posts allocated in 1990 (6) and from redeployment (7).

Some of the remaining requirements have been met by the use of mini-budgets for the recruitment of experts and consultants.

WRITTEN QUESTION No 1399/90

by Miss Christine Oddy (S)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/38)

Subject: Staffing levels for implementation of the Social Action programme

What number of staff is employed by the Commission to implement the Social Action programme? How are these staff distributed by grade and function amongst the various chapter divisions of the Social Action programme?

How far short of the optimum staffing levels to expedite the implementation of the Social Action programme are these figures?

What steps is the Commission taking to recruit staff necessary to implement the Social Action programme?

WRITTEN QUESTION No 1408/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/39)

Subject: Community legislation on air transport

Does the Commission intend to propose to the Council legislation to tackle the unprecedented increase in passengers at European airports, paying particular attention to noise and the danger posed by the large number of aircraft flying over areas close to airports?

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

(31 July 1990)

By its very nature, the implementation of the Social Action programme involves all departments of the Directorate-General for Employment, Industrial Relations and Social Affairs.

It is therefore difficult to draw conclusions based on the breakdown given below.

Directorate/Unit	Grade			Total
	A	B	C	
Industrial relations and social dialogue	15	5	8	28
Employment and labour market Equal opportunities	25	13	14	52
Social security, social protection and living conditions	29	14	14	57
Measures for the disabled	25	12	20	57

**Answer given by Mr Van Miert
on behalf of the Commission**

(18 September 1990)

Although the figures for 1989 show that not all airports were affected in the same way by the growth in air traffic — some tourist links even showed a fall — the situation is nevertheless causing concern.

The Commission recently presented the Council with a proposal for a Regulation on improving relations between airport authorities and users ⁽¹⁾. The draft proposals should result in greater weight being given to the environmental and security problems referred to by the Honourable Member. The Community Directives aimed at phasing out the noisiest aircraft ⁽²⁾ also constitute a substantial contribution to improving the quality of life near airports.

In addition, the Commission is firmly of the view that improving the present system of allocating slots will result

in airport capacity being used more efficiently, to the benefit of travellers. In this connection it will shortly be presenting to the Council a draft code of conduct.

(¹) OJ No C 147, 16. 6. 1990, p. 6.

(²) OJ No L 18, 24. 1. 1980, p. 26. OJ No L 117, 4. 5. 1983, p. 14. OJ No L 363, 13. 12. 1989, p. 27.

WRITTEN QUESTION No 1416/90

by Sir James Scott-Hopkins (ED)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/40)

Subject: Stabex

Why is the Stabex Fund under Lomé IV 62% larger than that under Lomé III? Does this increase represent, in the Commission's view, a large enough increase after inflation to allow Stabex to play an effective role? Is not the truth that Stabex is still far too small to be of major significance?

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

(17 July 1990)

The increase of the Stabex funds by 62%, from ECU 925 million under Lomé III to ECU 1 500 million under the first financial protocol of Lomé IV, results from two main elements:

- (a) the wish to achieve an optimal breakdown of the overall funding on the various instruments contained in the Convention; for the evaluation of this balance, traditional allocations and their past evolutions are important factors;
- (b) the actual experience of the operation of the system in the recent past; here, the financial problems encountered have certainly significantly influenced the assessments of the negotiators in relation to the justified future financial needs of the system.

The Commission believes that, within the global envelope, the funding of the system is satisfactory. In percentage terms, Stabex has received the biggest increase of all the instruments. However, the fact that Stabex is a limited fund implies necessarily the possibilities of situations where the amount available may fall short of what is required.

ECU 1 500 million is a substantial amount. However, the effectiveness and the significance of the scheme should not only be measured by the magnitude of the finance it

provides; it also depends on the utilization of these funds. In this field, the Commission feels that the changes introduced by the new Convention will certainly not fail to have a very positive impact.

WRITTEN QUESTION No 1424/90

by Mr Edward Kellett-Bowman, Mr Paul Howell, Lord Plumb and Mr Thomas Spencer (ED)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/41)

Subject: Levies charged on the import of New Zealand lamb

Is the Commission aware that the 10% levy charged on the import of New Zealand lamb into the Community for the period January 1989 to November 1989 has not been paid to New Zealand as agreed?

Will the Commission take immediate action to rectify this failure and issue the necessary instructions, thus avoiding charges of deceitful practice and failing to properly implement a freely negotiated agreement?

WRITTEN QUESTION No 1489/90

by Mr John Tomlinson (S)

to the Commission of the European Communities

(21 June 1990)

(91/C 63/42)

Subject: Levies charged on the import of New Zealand lamb

Is the Commission aware that the 10% levy charged on the import of New Zealand lamb into the Community for the period January 1989 to November 1989 has not been paid to New Zealand as agreed?

Will the Commission take immediate action to rectify this failure and issue the necessary instructions, thus avoiding charges of deceitful practice and failing to properly implement a freely negotiated agreement?

WRITTEN QUESTION No 1497/90

by Mr Kenneth Collins (S)

to the Commission of the European Communities

(21 June 1990)

(91/C 63/43)

Subject: Levies charged on the import of New Zealand lamb

Is the Commission aware that the 10% levy charged on the import of New Zealand lamb into the Community for

the period January 1989 to November 1989 has not been paid to New Zealand as agreed?

Will the Commission take immediate action to rectify this failure and issue the necessary instructions, thus avoiding charges of deceitful practice and failing to implement properly a free negotiated agreement?

WRITTEN QUESTION No 1767/90

by Mr Petrus Cornelissen (PPE)
to the Commission of the European Communities
(12 July 1990)
(91/C 63/44)

Subject: Levies charged on imports of New Zealand lamb

Is the Commission aware that the 10% levy charged on imports of New Zealand lamb into the Community for the period January 1989 to November 1989 has not been paid to New Zealand as agreed?

Will the Commission take immediate action to rectify this failure and issue the necessary instructions, thus avoiding charges of deceitful practice and of failing to implement properly a freely negotiated agreement?

**Joint answer given by Mr Mac Sharry
on behalf of the Commission**

to Written Questions Nos 1424/90, 1489/90, 1497/90 and
1767/90
(18 October 1990)

The Community has fulfilled its commitments as agreed with New Zealand by reimbursing the levies charged on the imports of lamb into the Community for the period January 1989 to November 1989 in accordance with Commission Regulation (EEC) No 3652/89⁽¹⁾. For technical and legal reasons the reimbursement had to be made to the importers who actually paid the levies.

The Commission is aware that the reimbursed levies have, in certain cases, not been passed on to exporters to the Community. However, it is the Commission's opinion that it would be in line with the objective pursued by the retroactive effect if importers passed on the refund to the exporters.

⁽¹⁾ OJ No L 357, 7. 12. 1989, p. 14.

WRITTEN QUESTION No 1425/90

by Mr Hans-Gert Poettering and Mr Reimer Böge (PPE)
to the Commission of the European Communities
(13 June 1990)
(91/C 63/45)

Subject: Supervision in the fishery sector in the North Sea

The so-called 'plaice box' and the 12-mile flatfish conservation zone allow only fishing vessels listed in the Regulations (EEC) No 55/87 and (EEC) No 56/87⁽¹⁾ and subsequent regulations and with an engine capacity of 221 kW (300 h.p.) or less to practice beam trawler fishing. It is often noted that fishermen in Friesland (Lower Saxony, Federal Republic of Germany) using cutters registered as being under 221 kW drag their beam trawls over the seabed at speeds which experience shows require substantially more powerful engines. Closer supervision of engine capacity around the 221 kW mark therefore seems essential:

1. What is the Commission's view on this matter?
2. What steps is the Commission taking to ensure the necessary level of supervision and thus prevent abuse?

⁽¹⁾ OJ No L 8, 10. 7. 1987, pp. 1 and 15.

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

(17 July 1990)

The Commission shares the Honourable Members' concern regarding possible infringements of the Community rules laying down the conditions to which beam trawlers are subject in certain areas of the Community.

Under Article 3 of Regulation (EEC) No 55/87, the Commission is required to check, when the lists are drawn up or when a request is made for them to be amended, that the technical specifications of the type of vessel concerned conform with the rules applicable.

The Commission would remind the Honourable Member, however, that the Member States have responsibility in their own territory and in their respective waters for direct supervision of the activities of fishing vessels and the prosecution of infringements. All the means at its disposal are applied, in particular in terms of Community inspection, in order to remind Member States of their obligations in this sphere.

WRITTEN QUESTION No 1435/90**by Mr Lode van Outrive (S)****to the Commission of the European Communities***(13 June 1990)**(91/C 63/46)*

Subject: Designating the Hageland region of Belgium as a rural zone (objective 5b of the structural funds)

The Commission has designated the Hageland region as a rural zone (objective 5b of the structural funds). The talks leading to the laying down of Community objectives revealed a lack of balance in a number of respects. For example, projects aimed principally at improving the efficiency of agricultural structures (e.g. land consolidation and water management projects) were included, and measures directed towards extensification or conserving ecological structures were assigned a low priority. Characteristic of this approach is the fact that no action has been proposed for the Demer valley conservation area (between Diest and Schulen, an area of 6 091 ha), recognized pursuant to Directive 79/409/EEC. However, this conservation area is part of the Hageland rural zone.

1. Is not the priority given to intensification of local agriculture in conflict with European agricultural policy?
2. Does not the failure to include action aimed at nature conservation — in particular the failure to include the Demer valley area — in the planning process suggest a lack of coordination between regional policy and other EC action programmes?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(26 September 1990)

The Community Support Framework for Hageland, adopted by the Commission on 6 June 1990, provides for the implementation of rural development measures designed to deal with the specific problems of the region. The actual measures to be implemented will be determined in the context of negotiations on the preparation of the Operational Programme giving effect to the Community Support Framework. Under the agricultural improvement and diversification priority, provision is made for the articulation of measures aimed at supporting research and pilot projects relating to reconversion and diversification, promotion of quality products and non-agricultural activities.

As regards the environment, Member States have been informed of Commission policy, on the evaluation of the

impact of plans, programmes and projects on the environment, adopted by the Commission in December 1988.

In conformity with this policy, all proposals must, before any decision on Community financing, include information as regards their impact on the environment.

As regard the Demer Valley, it should be noted that the region may benefit from aid under Objective 5(a) which provides for measures relating to the protection of the environment (Regulation (EEC) No 797/85⁽¹⁾ and amendments thereto). In particular, Article 19 is applicable if the Belgian authorities wish to propose to designate the Demer Valley as the environmentally sensitive zone.

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

WRITTEN QUESTION No 1437/90**by Mr Hemmo Muntingh (S)****to the Commission of the European Communities***(13 June 1990)**(91/C 63/47)*

Subject: Use of methyl bromide in vegetable-growing

In the Netherlands there is a ban on the use of methyl bromide in the cultivation of vegetables in greenhouses.

Can the Commission say how the national legislations of the other Member States restrict the use of methyl bromide in the cultivation of crops?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(26 September 1990)

Methyl bromide is authorized as a soil fumigant in all Member States with the exception of Luxembourg and the Netherlands. However, in the Federal Republic of Germany it is not authorized for the fumigation of glasshouse soils and a three year waiting period is required between fumigation and the cultivation of outdoor vegetable crops. In the Netherlands, whilst methyl bromide is not authorized for the fumigation of soil, derogations under certain conditions may be granted. These derogations are currently being phased out and will result in a total prohibition of soil fumigation by 31 December 1991. Derogations for use in the cultivation of perennial ornamentals, flower bulbs, heated glasshouse peppers, melons and strawberries will expire

on 31 December 1990 and the remaining two derogations for use in the cultivation of roses and glasshouse tomatoes on 31 December 1991.

In Member States where the use of methyl bromide is authorized, strict conditions govern its use. These include, limiting application to trained and licensed operators equipped with suitable breathing apparatus, use of gas-tight plastic covering of treated areas for specified periods, and limitation of dosage rate.

WRITTEN QUESTION No 1456/90

by Mr Jesús Cabezón Alonso (S)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/48)

Subject: Investment in Cantabria as a region covered by Objective 2

With regard to the Community aid envisaged for the Autonomous Community of Cantabria (Spain) as an Objective 2 region (region in industrial decline),

1. what projects have been co-financed with this aid, and
2. how does the Commission think the delay in implementing this aid can be overcome, considering that the period to be covered was 1989—1991?

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

(13 September 1990)

(a) The Commission is sending the Honourable Member and the Secretariat a list of the projects approved by the Commission in 1989 to provide aid to Cantabria. The total ERDF contribution to these projects is ECU 19,88 million from the multiregional section of the Objective 2 CSF for Spain. It is not expected that any other projects coming under this section will be approved during the current period of the CSF for this region.

(b) According to the forecasts of the CSF there remains a margin of ECU 15 million in the regional section for Cantabria. This amount is to be used to finance operations under the responsibility of the regional authorities during 1990—1991. The Spanish authorities have to take the initiative by making applications.

WRITTEN QUESTION No 1464/90

by Mrs Cristiana Muscardini (NI)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/49)

Subject: Illegal traffic in domestic animals for vivisection

Is the Commission aware of the traffic in dogs and cats coming from Poland, Hungary and Yugoslavia into the Community, presumably to be used in vivisection and often without any health documents to show that they have been vaccinated against rabies? Is it aware that the Austrian authorities have drawn attention to this problem and that the border health authority at Tarvisio has sent the Italian Ministry of Health detailed information on the problem of dogs arriving from Hungary with no apparent destination? What measures will it take to combat this illegal trafficking and the trade in animals for vivisection?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(14 September 1990)

The Commission is aware that at the moment no harmonized rules exist regarding health requirements for dogs and cats which are entered into intra-Community trade or come from third countries although proposals for a Council Regulation have been made to institute a certificate for dogs and cats⁽¹⁾. Italian national rules therefore currently apply in this sector. The Commission is currently studying the health guarantees and veterinary border checks applicable to live animals, including dogs and cats, which should apply to imports from third countries, with a view to making proposals in this sector.

It is to be noted that Directive 86/609/EEC on the protection of animals used for experimental and other scientific purposes, stipulates that the user establishments may use only purpose-bred dogs for the experiments⁽²⁾. Exemption could however be granted by the competent authorities.

The Commission has not yet been informed of the granting of any exemption in Italy under this provision of the Directive.

⁽¹⁾ OJ No C 85, 6. 4. 1989, p. 8.

⁽²⁾ OJ No L 358, 18. 12. 1986, p. 1.

WRITTEN QUESTION No 1467/90**by Mrs Astrid Lulling (PPE)****to the Commission of the European Communities***(13 June 1990)**(91/C 63/50)**Subject: Royalties paid by cable television companies*

Under a Luxembourg law of 1972 implementing the Universal Copyright Convention (ratified by a number of Member States), companies operating cable television networks have to sign agreements to pay royalties for broadcasting cable television or radio programmes. Millions of francs thus have to be paid to copyright companies.

Can the Commission provide information on these practices in the different Member States? Does it consider it right that these royalties are payable both by the broadcasting companies and by the cable television companies, thereby considerably increasing the cost of cable television? Does the Commission not believe that it would be justifiable and is indeed necessary, in the context of the single market, to investigate the use to which sums paid to copyright companies are put?

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

(11 October 1990)

Collective agreements authorizing the retransmission by cable of broadcast programmes have been concluded in Belgium, the Netherlands and Germany.

The parties to these agreements are the cable operators, the broadcasting organizations and the collective management companies representing the various categories of those holding the rights. The cable operators are authorized to retransmit the programmes covered for the duration of the agreement. The choice of programmes to which the authorization relates is freely determined by those holding the rights as represented by the collective management companies.

In the agreements, the remuneration paid by the cable operators to the holders of rights is calculated on the basis of the individual subscription fee (Belgium: Bfrs 436, equivalent to 15% of the fee for a maximum of 18 programmes), according to the number of additional programmes retransmitted (Netherlands: Fl 3,07 per subscription per quarter for the retransmission of five foreign programmes, Fl 4,07 for six to 10 programmes, and Fl 5,17 for more than 10 but not more than 15 programmes) or in the form of flat-rate amount payable during the laying and extension of the cable network (Germany: DM 63 million for the period 1989—91).

A similar agreement has been negotiated in Luxembourg but has not yet been signed by all the cable operators. In France a number of partial agreements have been negotiated. In Denmark retransmission by cable is permitted under Danish law subject to remuneration being paid to those holding the rights.

There is nothing in Community law to prevent the retransmission of a programme by cable from being protected by copyright and, therefore, from giving rise to payment of remuneration to holders of rights. It is recognized in national and international law that the retransmission of programmes by cable constitutes a clear exercise of the copyright relating to the works contained in the programme retransmitted. That exercise of copyrights is independent of the broadcasting organization's transmission of the programme and should be remunerated as such.

The activities of copyright companies and their internal arrangements are subject to national rules and Community law on competition.

WRITTEN QUESTION No 1474/90**by Mr Antonio Mazzone (NI)****to the Commission of the European Communities***(13 June 1990)**(91/C 63/51)**Subject: Integrated operation for Naples*

Although the recent reform of the structural funds includes the concept of integrated funding from various Community financial instruments, it does not extend to the direct operation for Naples which was projected prior to the reform.

How does the Commission intend to reconcile the new financial regulation concerning the structural funds with the integrated operation for Naples?

What stage had been reached in this operation prior to the reform?

What projects have received funding and which have been completed? What funds have been earmarked to date for the Naples underground and express tramline? What are the scheduled dates for the completion of the two projects and when are they due to become operational?

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

(14 September 1990)

The new rules on the financing of the structural Funds do not in any way impede continuing Community financing for projects under the integrated operation for Naples. As

part of the Community support framework, these projects have been included in a multifund (integrated) operational programme for Campania, the bulk of which is concerned with the Naples metropolitan area.

The situation as regards projects financed under the integrated operation for Naples is as follows:

- applications for assistance totalling Lit 3 054 billion have been made to the ERDF in respect of 156 projects, of which 131, accounting for Lit 2 623 billion, have been accepted. Applications for payment total Lit 1 846 billion and payments made Lit 1 629 billion;
- 51 projects, representing a total investment of Lit 1 253 billion, have been completed.

On 27 June the financial situation as regards the two major urban railway projects, the Naples underground and the express tramline, was as follows:

- the underground: applications for assistance totalled Lit 448 billion, of which Lit 370 billion had been granted. Applications for payment totalled Lit 158 billion and Lit 128 billion had actually been paid;
- the express tramline: applications for assistance totalled Lit 136 billion, of which Lit 18 billion had been granted. Applications for payment totalled Lit 4 billion and Lit 2 billion had actually been paid.

The dates by which work part-financed by the ERDF is expected to have been completed are 30 April 1993 in the case of the underground and 31 December 1992 in the case of the express tramline. It is not possible to forecast when these will be brought fully into service since this depends on the solution of the financial, administrative and technical problems which this type of infrastructure raises.

WRITTEN QUESTION No 1484/90

by Mr Ferruccio Pisoni (PPE)

to the Commission of the European Communities

(13 June 1990)

(91/C 63/52)

Subject: Use of foreign languages for the prevention of accidents and safety at work

The Commission is doubtless aware that the percentage of industrial accidents is higher in sectors employing large numbers of third-country workers and that most of these accidents are caused by a lack of information concerning accident prevention and safety procedures.

Does not the Commission consider that measures should be taken to ensure that, in the most dangerous sectors,

more information is provided on accident prevention and safety procedures by distributing easily comprehensible notices and showing films at the place of work accompanied by explanatory texts in both the language of the host country and that of the workers employed in the undertaking?

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

(6 July 1990)

The Commission shares the Honourable Member's concern regarding the dangers arising from the presence in any Community country of workers from other countries who may not be familiar with the language used at their place of work.

Articles 10 and 12 of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾ contain essential provisions on worker information, consultation, participation and training. These provisions apply in particular to workers from outside undertakings.

Directive 77/576/EEC on the provision of safety signs at places of work⁽²⁾ is designed to ensure that all workers are made aware of their obligations as regards safety without necessarily using language. As part of the action programme relating to the implementation of the Community Charter of the fundamental Social Rights of Workers the Commission is currently preparing a proposal for a Directive to revise and extend the principal Directive. This should provide an appropriate response to the concern expressed by the Honourable Member.

⁽¹⁾ OJ No L 183, 29. 6. 1989.

⁽²⁾ OJ No L 229, 7. 9. 1977, p. 12.

WRITTEN QUESTION No 1500/90

by Mrs Claudia Roth (V)

to the Commission of the European Communities

(21 June 1990)

(91/C 63/53)

Subject: Council resolution on measures to combat racism and xenophobia and provide better education for the children of migrant workers

In its proposal for a Council resolution on measures to combat racism and xenophobia of 22 June 1988, the Commission calls on the Council to note that it will take measures to extend cooperation for the purposes of

providing better education for the children of migrant workers. What specific plans has the Commission drawn up, and how have the budget appropriations earmarked for this purpose increased or decreased over the last five years? What amounts does the Commission intend to set aside for this purpose under the next Interinstitutional Agreement?

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

(8 November 1990)

Under the education action programme the Commission has helped to fund some 50 pilot schemes related to the schooling of the children of migrant workers since 1976.

The purpose of these schemes was to contribute to better educational integration of migrant workers' children and to improve their poor performance at school. More specifically, the schemes have helped with:

- trying out educational strategies and practices suited to the specific needs of migrant children as regards learning the host country's language or languages and their mother tongue,
- developing materials for the teaching of the mother tongue,
- preparing and implementing in-service training modules for teachers of migrant children.

For a number of years, these schemes which the Commission has supported and continues to support, on the initiative of the Member States, have shown an increasingly marked tendency to accept the principles of intercultural education for all pupils. The intercultural approach is increasingly being adopted by the Member States and the Commission as the most coherent strategy for the integration of pupils of immigrant origin, capable of helping all pupils to develop mutual understanding and respect and preventing the emergence of racist and xenophobic prejudices.

The Council and the Ministers of Education meeting within the Council concluded at their meeting on 6 October 1989 that one of the objectives of European cooperation in education should be to build a multicultural Europe in which the variety of cultural approaches would be taken into account in educational and training systems.

At the suggestion of the European Council, the Commission has asked a group of high-level experts to draw up a report on Member States' policies relating to the social integration of migrants. This report will have to

be discussed in the near future by the Council and, in the light of the outcome, the Commission will consider the advisability of proposing new measures in this field.'

The appropriations allotted to the pilot schemes referred to above have been as follows since 1984:

(ECU)

1984	1985	1986	1987	1988	1989	1990
981 183	1 014 420	1 019 846	1 282 559	1 202 546	993 335	750 000

The reduction in the amounts earmarked for the schemes is due to the fact that the budgetary authority did not increase the appropriations to the education action programme (Item B 6300) to match the number of educational sectors the Commission was called on to support under the programme.

Furthermore, it should not be forgotten that the European Social Fund too supports measures on behalf of migrant workers and their families, measures which are also concerned with teaching the language and culture of origin of the children of migrant workers of Community origin. In 1987, 1988 and 1989 the average appropriations allotted to these measures totalled ECU 78,58 million.

The Commission's expenditure on the schooling of migrant workers' children and the broader field of cooperation in education for 1992 will have to be consistent with the limits imposed by the current financial perspective and, for subsequent years, with those in the proposal for the next financial perspective.

WRITTEN QUESTION No 1507/90

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(21 June 1990)

(91/C 63/54)

Subject: Role of the Consultative Committee of Local and Regional Authorities *vis-à-vis* the Commission

At the meeting of the Directorial Committee of the Union of European Socialist Local and Regional Council Members held in Brussels on 10 May 1990, various remarks seemed to indicate that the work of the above Committee was not properly taken into account by the Commission.

Can the Commission say what role it actually assigns to the Consultative Committee of Local and Regional Authorities?

**Answer given by Mr Millan
on behalf of the Commission**
(19 September 1990)

By its Decision of 24 June 1988 ⁽¹⁾, the Commission set up the Consultative Council of Regional and Local Authorities so that those authorities could be more closely involved in the formulation and implementation of Community regional policy, which includes the regional and local implications of the other Community policies.

The Commission regards the Consultative Council as an essential part of its policy to have regional and local bodies participate in the definition and implementation of the Community's regional policies. It takes particular account of the Consultative Committee's opinion in adapting proposed measures the better to meet local needs.

⁽¹⁾ OJ No L 247, 6. 9. 1988.

WRITTEN QUESTION No 1533/90
by Mr Miguel Arias Cañete (PPE)
to the Commission of the European Communities
(27 June 1990)
(91/C 63/55)

Subject: Seizure of Community vessels by Morocco

There have been a great many incidents in recent weeks in which Community vessels have been seized by the Moroccan authorities.

What information does the Commission possess concerning the abovementioned incidents and how does it interpret them in the light of the agreements adopted by the Joint Committee meeting of 19 and 20 March 1990?

**Answer given by Mr Marin
on behalf of the Commission**
(3 August 1990)

Under the agreements adopted by the Joint Committee when it met at Rabat on 19 and 20 March 1990 the Commission is regularly informed by the Moroccan authorities about cases of Community vessels being stopped and boarded, the reasons for the boarding and the attendant circumstances being indicated.

The Commission passes on this information to the Member State and, if it considers that the seizure was contrary to the provisions of the agreement presses the Moroccan authorities to ensure that these provisions are respected.

WRITTEN QUESTION No 1537/90
by Mr Bryan Cassidy (ED)
to the Commission of the European Communities
(27 June 1990)
(91/C 63/56)

Subject: The right to enter the territory of a Member State

Further to the Commission's reply to Written Question No 1134/89 ⁽¹⁾, will the Commission state their view as to whether it is compatible with Community law for an airline or shipping company employee, located on the territory of one Member State, to deny a Community national (holding a valid ticket) transport to another Member State, solely because that employee requires, as a condition of travel, to be presented with a passport or identity card, not on 'security' grounds, but to decide whether it is valid for entry to the Member State of destination?

⁽¹⁾ OJ No C 125, 21. 5. 1990, p. 39.

**Answer given by Mr Bangemann
on behalf of the Commission**
(6 September 1990)

The methods and circumstances under which a carrier or its employees check whether a person wishing to be carried fulfils the conditions for such carriage depend on the terms of the contract between the carrier and the person concerned. Since some countries impose penalties on carriers for transporting to their frontiers persons not in possession of the required travel documents, carriers may make the possession of such documents a contractual condition for carriage.

In this context, the Commission would ask the Honourable Member to refer to its answer to Written Question No 1134/90 ⁽¹⁾ in which it stated its view that such penalties were not incompatible with Community law. Consequently, the associated checks carried out under the contract of carriage do not constitute an infringement of Community law even if they are carried out in respect of Community nationals. If a Community national is not in possession of a passport or identity card when he wishes to enter the territory of a Member State, he will not normally be able to provide proper legal evidence of his nationality, by virtue of which he has a right of entry to the territory of the Member States.

⁽¹⁾ OJ No C 125, 21. 5. 1990.

WRITTEN QUESTION No 1560/90**by Mr Filippos Pierros (PPE)****to the Commission of the European Communities***(27 June 1990)**(91/C 63/57)*

Subject: Special tax for the transit of lorries through Germany

With effect from 1 July 1990, the Federal Republic of Germany intends to impose a special tax on heavy goods vehicles passing through its territory. The tax will be between DM 1 000 and DM 9 000 annually. The representatives of professional road haulage organizations in various Community Member States have already begun to make their opposition known, and there is a risk of disturbances on European road networks during the holiday period.

What is the Commission's position on this matter?

**Answer given by Mr Van Miert
on behalf of the Commission**

(12 November 1990)

1. The Commission has started proceedings before the European Court of Justice against the Federal Republic of Germany under Article 169 of the EEC Treaty, for infringement of Articles 76, 95 and 5 of the Treaty.

2. Meanwhile, the Commission has obtained an interim order from the Court to suspend the operation of the German tax law with regard to Community road transport operators until a judgement by the Court pursuant to paragraph 1 above is delivered.

WRITTEN QUESTION No 1570/90**by Mr Ernest Glinne (S)****to the Commission of the European Communities***(27 June 1990)**(91/C 63/58)*

Subject: Costs of payments in ECU by individuals

The author of this question recently had to pay the sum of ECU 5 (Bfrs 212) to the Office for Official Publications of the European Communities (rue Mercier 2, L-2985 Luxembourg). In the end, he was charged an additional Bfrs 303 in 'administrative costs' by the branch of the Kredietbank at the European Parliament in Brussels.

On what technical grounds is such a surcharge justified? Is there any difference in respect of payments made:

1. within the Belgium-Luxembourg economic and monetary union;
2. elsewhere?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(3 December 1990)

The charges paid by the Honourable Member break down as follows:

	<i>(Bfrs)</i>
payment commission (3%, minimum Bfrs 150)	150
exchange commission (1,5%, minimum Bfrs 75)	75
postal and administrative charges	30
	255
19% VAT on Bfrs 255	48
	303

These figures were calculated by the Commission on the basis of the rates published by the Kredietbank. The Commission trusts that the breakdown was given on the invoice in accordance with Commission recommendation 90/109/EEC of 14 February 1990 on the transparency of banking conditions relating to cross-border financial transactions (¹).

Belgium and Luxembourg have a highly integrated payments system but no automatic clearing centre exists between the two countries. Settlement therefore takes place through banks' correspondent accounts and between two different currencies (Belgian franc and Luxembourg franc).

Consequently, the payment commission charged is that applied to all international payments, irrespective of the country of the beneficiary; there is, therefore, no difference in treatment between transactions carried out between Belgium and Luxembourg and transactions carried out between one of those countries and a country outside the Belgo-Luxembourg Economic Union (BLEU). The reason for the exchange commission lies in the fact that payment was made in ecus, thus necessitating a currency conversion. The postal and administrative charges cover administrative tasks (transcription of the order, checking, entry in the accounts, postage stamps).

The Commission is aware of the problems associated with transfers of money between Member States and between Community currencies. That is why, on 26 September 1990, it published a discussion paper entitled 'Making payments in the internal market' (²), which is designed to pave the way for solutions that will benefit consumers in particular. The exchange commission would, of course, disappear automatically if a single currency were introduced in the Community.

The Commission is committed to working for significant improvements in the current unsatisfactory position of cross-border payments within the Community. The completion of the internal market and the development of economic and monetary union make this a priority task which will benefit both consumers and businesses. The Commission will make detailed proposals for future action early next year.

(¹) OJ No C 42, 15. 3. 1990.

(²) COM(90) 447.

WRITTEN QUESTION No 1580/90

by Mr Pol Marck (PPE)

to the Commission of the European Communities

(27 June 1990)

(91/C 63/59)

Subject: Education and 1992

1. What measures have the Commission taken to prepare for 1992 in the secondary education sector?
2. What is the Commission's assessment of the '1992 classer' programme introduced in Belgium? Can the Commission help to support that programme?

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

(4 October 1990)

The Commission considers that all Community programmes in the field of education contribute to the preparation of young people for 1992 and the Single European Market. No specific activities have been launched for middle-level education, but aspects of the LINGUA Programme and the PETRA Programme relate to middle-level school, as do many of the activities of the Commission in connection with the Resolution of the Council and Ministers of Education of 9 February 1976 (¹) on a Community Action Programme in the field of Education.

The Commission has not launched any programme called '1992 Classes'; although the President of the Commission, speaking in Parliament on 17 January 1989 (²), suggested that there should be a system (which might bear the name '1992 Classes') under which all young people in school should be enabled to spend a period of their schooling in another Member State. The Community budget at present makes only very limited funds available for preparatory measures for possible

future initiatives of this sort. The Commission is, however, interested in such activities carried out in Member States.

(¹) OJ No C 28, 19. 2. 1976.

(²) Debates of the European Parliament No 2-373 (January 1989).

WRITTEN QUESTION No 1581/90

by Mr Madron Seligman (ED)

to the Commission of the European Communities

(27 June 1990)

(91/C 63/60)

Subject: Lavatory/toilet facilities for travellers

Is the Commission aware that many so-called public conveniences — (even in such prestigious places as Cologne Railway Station) — may be refused to travellers who, on arrival, do not have the requisite small change in the local currency?

Would the Commission not agree that in order to maintain civilized standards, railway and bus stations throughout the Community should offer free facilities of a standard comparable to those provided for many years at airports?

**Answer given by Mr Van Miert
on behalf of the Commission**

(23 November 1990)

The Commission can only share the concern of the Honourable Member. However, in this particular case, it does not intend to take any initiative on this matter. It is primarily a matter for transport companies to ensure that the package of services they offer their customers is attractive and competitive.

WRITTEN QUESTION No 1596/90

by Mr John Bird (S)

to the Commission of the European Communities

(2 July 1990)

(91/C 63/61)

Subject: Bait breeding for coarse anglers

There are over five million coarse anglers in the United Kingdom, the overwhelming majority of whom use the maggot as their main source of bait.

The 50 maggot farms in the United Kingdom collect and dispose of 250 000 tonnes per year of farm animal, fish and poultry waste.

1. Will the Commission confirm that the proposed regulations on the disposal and processing of animal waste will not prevent these maggot farms from breeding bait?
2. Will the Commission agree to amend the proposed regulations, so as to mention maggot breeding by name as a recognized disposal process?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(24 September 1990)

1. The Commission has presented the proposal for a Council Regulation laying down veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedingstuffs⁽¹⁾ as part of the programme for the single market of 1992.

The proposal aims to ensure that animal waste is disposed of in such a way that the risk of spreading pathogens is virtually eliminated. Normally this is achieved by ensuring that animal waste is processed in an approved and supervised processing plant. At the same time, the proposal recognizes that profitable alternative uses for animal waste should be encouraged, and that this should be possible when it is ensured that such alternative use is without risk to the health of livestock or humans.

In consequence, Article 7 of the proposal permits the competent authorities to exceptionally authorize the use of certain animal waste for scientific purposes, or for the feeding of zoo, circus and fur animals, and in special cases for other animals. The latter category may be considered to include bait breeding for coarse anglers.

2. In view of the possible variety of special cases which might exist in the Member States, the Commission does not consider that it would be suitable to specify a particular special case such as maggot breeding in the text of its proposal.

⁽¹⁾ OJ No C 327, 30. 12. 1989.

minimum safety standards, overcrowded carriages, the use of material which had been obsolete for years, the deterioration of railway lines and signalling equipment and total failure to respect Community directives on the safety of public transport users. Is the Commission aware of this situation? Has any Community financing been earmarked, for the modernization and restructuring of the Portuguese railway network, particularly in the suburbs of Lisbon and Oporto?

**Answer given by Mr Van Miert
on behalf of the Commission**

(30 November 1990)

The Commission is examining ways and means of reaching a joint solution on the compatibility of the command and control system, not just for high-speed lines but for the entire Community railway network. The Commission will transmit its initial views on the matter to the Council at the end of the year as part of the report drawn up by the high-level working party on the high-speed network established as a result of the Council resolution of 4 and 5 December 1989. On 29 June this year the Council reached a common position on the EURET programme which includes joint research on the command and control system in the Community.

Responsibility for rail safety lies primarily with the Member States' railways. The Commission intends, however, to extend its contacts with railway organizations, such as the Community of European Railways, UIC and ORE on which the various railways are represented, in order to improve safety standards, where appropriate by harmonizing certain aspects in order to standardize operation on each railway, as indicated in the Commission communication to the Council on a common railway policy⁽¹⁾.

Under the 1986—89 budgets the Commission contributed to the modernization of Portugal's railway infrastructure. There is no doubt that this financing helped to improve safety standards on the Portuguese rail network.

⁽¹⁾ COM(89) 564 final.

WRITTEN QUESTION No 1632/90

by Mr Carlos Carvalhas (CG)

to the Commission of the European Communities

(2 July 1990)

(91/C 63/62)

Subject: Safety standards and modernization of railway networks

Rail accidents have recently occurred in Portugal (particularly the accident which occurred in the suburbs of Lisbon on 28 May) as a result of failure to respect

WRITTEN QUESTION No 1643/90

by Mr Henry McCubbin (S)

to the Commission of the European Communities

(4 July 1990)

(91/C 63/63)

Subject: Even implementation of Community measures in the fisheries sector

The following statement has been credited to the Commission 'The Commission will give priority to

implementing the provisions contained in Regulation (EEC) No 4028/86 ⁽¹⁾ calling on the Member States to adapt their laws accordingly, in order not to deprive their undertakings of the financial benefits associated with these provisions'. In the light of this statement, will the Commission seek a Court of Justice ruling on this statement in order to compel nation states to comply with the law and ensure that undertakings in all Member States can avail themselves of the financial benefits?

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

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

(6 August 1990)

Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector was adopted by the Council on 18 December 1986. One of its main aims is to achieve a Community fishing fleet which is in equilibrium with available fish resources and which is competitive with other fleets.

It may be necessary for Member States to introduce legislation or other administrative arrangements in order to comply with the terms and conditions of the Regulation. This may be the case, particularly in relation to achievement of the objectives on fleet capacity reduction laid down in the Multiannual Guidance Programmes adopted by the Commission within the framework of Regulation (EEC) No 4028/86 or in relation to the introduction of national schemes including those to reduce capacity in accordance with Article 25 of the Regulation.

Where Member States fail to reach the objectives laid down in the programmes in relation to fleet capacity reduction it would be inconsistent for the Community to provide finance for vessel constructions projects in particular which would add to an existing problem of overcapacity in relation to the programme objectives.

The Commission examines each case in relation to the particular circumstances and it is conscious of its responsibilities to take such action as may be necessary to ensure that the objectives of the Regulation are achieved.

WRITTEN QUESTION No 1651/90

by Mr Francis Wurtz (CG)

to the Commission of the European Communities

(4 July 1990)

(91/C 63/64)

Subject: Demonstration project under Regulation (EEC) No 797/85 in Alsace

Under Regulation (EEC) No 797/85 ⁽¹⁾, a demonstration project was launched in Alsace (Decision C (87) 2524

of 22 December 1987) for the introduction on an experimental basis, and the development of roundwood farm building kits, for which the Community provided financing of ECU 400 000.

Who was responsible for organizing this project, what was its final cost (taking the Community's contribution into account) and what has been learned from this experiment?

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(30 July 1990)

On 22 December 1987 the Commission, under Regulation (EEC) No 797/85, provided financing of ECU 400 000 for the implementation of demonstration project No 87.70/FR.002 involving the introduction on an experimental basis of roundwood farm building kits.

This project has been organized by the Alsace Regional Chamber of Agriculture.

The final cost and conclusions to be drawn from this experiment cannot be determined because the project has not yet been completed. However, progress at present is satisfactory.

WRITTEN QUESTION No 1686/90

by Mr Virginio Bettini (V)

to the Commission of the European Communities

(5 July 1990)

(91/C 63/65)

Subject: Improper use of IMP funding in Umbria (Italy)

A project for a gigantic structure to be built in the village of S. Feliciano di Magione near Lake Trasimeno has been included in the IMP for Umbria contrary to the basic conditions governing the programme.

The area in which the structure is to be built is protected under the 1965 law regarding areas of natural beauty and is included in the 'Trasimeno-Busillo' regional nature reserve.

The area is an integral part of the wetlands of international interest covered by the Berne convention, which was signed both by the European Community and the Italian State.

In view of the above, will the Commission take steps to ensure that the provisions of the IMP for Umbria and of the Berne Convention are respected? Will it also take steps to withdraw Community support if the provisions of the IMP for Umbria and of the Berne Convention are not observed?

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

(24 September 1990)

The Commission has contacted the appropriate regional authorities over the project mentioned by the Honourable Member. The information set out below does not reveal any improper use of funds provided under the IMP for Umbria to finance a services centre in S. Feliciano di Magione:

- in 1986 the region of Umbria commissioned the Valtur company to study how the area's tourist potential could be developed without damaging the environment around Lake Trasimeno;
- the services centre approved by the commune of Magione has taken full account of the environment and totally respects it. It is not situated directly on the lake but in an area also used for housing on the other side of the road which runs along the lake;
- the building cannot be described as 'gigantic' since it has a total area of 1 502 m² on two floors. It will assist the tourist industry in developing the area;
- the services centre is located in an area designated for public services in the land-use plan;
- the area is governed by Law No 1497/39, under which every project must respect the environment;
- the site on which the centre will be built does not form part of the Trasimeno wetlands and so is subject to neither the Berne nor the Ramsar Conventions. There is therefore no need for Commission intervention to ensure compliance with those Conventions;
- under the plan governing parks in Umbria, drawn up with assistance from the region and the European Community, the financing of services centres is perfectly compatible with the new legislation. There are no standards in force which could prevent completion of the project or make it inadvisable.

**WRITTEN QUESTION No 1692/90
by Mr Jean-Pierre Raffarin (LDR)
to the Commission of the European Communities**

(5 July 1990)

(91/C 63/66)

Subject: EFTA environmental standards

Overall, environmental standards adopted by the EFTA countries are more stringent than European Community standards.

In the context of the discussions on establishing the European Economic Area, could the Commission assess the economic impact which would result from application by the Community Member States of EFTA-type standards?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(6 December 1990)

Negotiations between the EEC and EFTA for the creation of a European Economic Space (EES) were formally initiated on 20 June 1990. Their aim is to achieve the 'four freedoms' on the basis of the relevant Community acquis which is to be identified jointly, and not on the basis of EFTA legislation. This also applies to those areas of environmental legislation which affect the functioning of the internal market.

Therefore the question of assessment of the economic impact of the application by the Community Member States of EFTA-type standards does not arise.

Moreover, if it is true at present that some EFTA countries have higher standards in a few areas of environmental legislation, others have less stringent standards. No single set of EFTA standards exists.

**WRITTEN QUESTION No 1695/90
by Mr Pol Marck (PPE)
to the Commission of the European Communities**

(5 July 1990)

(91/C 63/67)

Subject: Dumping practices of Eastern European countries

There are more and more reports of dumping prices being applied by Eastern European countries in the dairy sector; this is detrimental to Community stocks, which, in spite of the stabilization measures, are liable to rise again.

Can the Commission say what details it has with regard to butter, milk powder, casein and cheese? Bearing in mind the new style of relations with these countries, what action can be considered?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(1 October 1990)

Up-to-date specific data on the quantities of butter, milk powder, casein and cheese exported from Eastern European countries are not accessible.

Only Poland has informed us that, of the 17 000 tonnes of butter for which licences has been issued, about 15 000 tonnes had been exported by the end of 1990.

Selling prices are very low. The fob offer prices are between \$US 730 and 10 000 per tonne for butter from Eastern Europe and between \$US 800 and 850 per tonne for skimmed-milk powder, while minimum prices under GATT are \$US 1 350 and 1 200 per tonne respectively.

Following the liberalization of foreign trade, which had previously been restricted exclusively to State organizations, export price controls partially or fully lapsed.

In addition, consumer prices have begun to rise as a result of the total or partial abolition of subsidies, which has in turn created surpluses of butter and skimmed-milk powder in particular, and these are being disposed of as quickly as possible in exchange for strong currencies.

The new situation, which is primarily the result of the recent political changes in Poland, the German Democratic Republic, Czechoslovakia and Hungary, is having a negative impact on world market prices. In particular the countries participating in the international agreements on milk within GATT, which observe the minimum prices, are having difficulty in selling butter and skimmed-milk powder.

As yet, there have been no problems for cheese, since these countries are only marginal exporters. As for casein, imports from Poland in particular are on the increase, not only because of a drop in prices but also as a result of the prohibition on adding to milk products casein or caseinates of Community origin in respect of which aid has been granted.

The Commission has already contacted the authorities of certain Eastern European countries with a view to enforcing compliance with the GATT minimum prices. In addition, the Council has adopted a proposal for a Regulation to improve the situation as regards casein ⁽¹⁾.

⁽¹⁾ OJ No L 201, 31. 7. 1990.

WRITTEN QUESTION No 1697/90
by Mr Madron Seligman (ED)
to the Commission of the European Communities
(5 July 1990)
(91/C 63/68)

Subject: Copyright protection for composers

The Commission introduced a Green Paper in 1988 called 'Copyright and the technological challenge' and is believed to wish to see its proposals adopted.

The proposals go beyond those of the Luxembourg Convention (1975), which was intended to supplement the Munich Convention (1973) on Patents but has yet to come into force.

The proposals are to be welcomed as far as they go, but they are silent with regard to the composers of popular and serious music except as to recordings of their music. Will the Commission please ensure that the legitimate rights of composers are specifically included in their current proposals?

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

(6 September 1990)

The two conventions referred to by the Honourable Member, the convention on the grant of European Patents of 5 October 1973, and the Agreement relating to Community patents, signed in Luxembourg on 15 December 1989 ⁽¹⁾, are concerned with patent law, whereas the Green Paper on copyright and the challenge of technology ⁽²⁾ deals solely with questions relating to copyright.

The rights of composers of light and serious music are protected by Article 2 of the Convention of Berne for the protection of literary and artistic works.

All the Community's Member States have acceded to that Convention, but some of them have not yet ratified the most recent revision carried out in Paris in 1971. The Commission is therefore studying the possibility of presenting a proposal for a decision to the Council in the near future which would ensure that all Member States accede to the Convention of Berne for the protection of literary and artistic works, as revised by the Act of Paris of 24 July 1971, and to the International Convention of Rome for the protection of performers, producers of phonograms and broadcasting organizations of 26 October 1961.

⁽¹⁾ OJ No L 401, 30. 12. 1989, p. 1.

⁽²⁾ COM(88) 172 final.

WRITTEN QUESTION No 1732/90**by Mr Eugenio Melandri (V)****to the Commission of the European Communities***(5 July 1990)**(91/C 63/69)*

Subject: Arms trade between the Community and developing nations

Can the Commission say how much, in money terms, the arms trade between the Community and the developing nations, in particular the ACP states, represents?

Which are the main Member States to maintain military trading relations with developing nations?

Are there Community rules governing the arms trade involving these countries, and what checks are carried out to prevent what is known as 'triangulation', i.e. the supply of material, in collusion with third countries, to states against which the Community has imposed a political and trading embargo?

What industrial policy provisions and legislation at Community level govern arms production and trade?

Why has the Commission hitherto failed to propose common rules to govern the arms market?

Is the Commission considering both the industrial and political implications of possibly converting the arms industry to civil production, which, according to major economic and scientific studies, is feasible?

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

(27 September 1990)

Information on trade in military equipment is treated as confidential by Member States for reasons of national security. The Commission is therefore unable to provide the details requested by the Honourable Member.

Under Article 223 (1) (b) of the EEC Treaty, Member States may take the necessary measures to protect their national security interests connected with the production of or trade in products intended for specifically military purposes and included in the list drawn up pursuant to paragraph 2 of that Article.

Accordingly, although there are a number of reasons, especially those resulting from Article 30 of the Single European Act, for strengthening coordination within the

Community of the rules governing trade in military equipment, any proposal would at all events have to take account of the security interests of Member States.

At sectoral level, the Council has adopted Regulation (EEC) No 428/89⁽¹⁾, which establishes control procedures for the export of certain chemical products which could be used for military purposes. A proposal for a second regulation adding a new product to the list and containing new administrative provisions to simplify the Commission's task was approved by the latter and forwarded to the Council on 13 March 1990.

A firm of consultants has been commissioned to produce a study on the competitiveness of the European dual-use industry that will take account of recent political, economic and technological developments. The study will also cover the strategic options available to defence firms, such as diversification, concentration and globalization. If the expected budgetary cuts in defence spending materialize, European defence companies, already highly diversified, should find it relatively easy to undertake further diversification. Previous attempts at planned conversion programmes, like the US programme after the Vietnam war, proved extremely difficult.

⁽¹⁾ OJ No L 50, 22. 2. 1989.

WRITTEN QUESTION No 1735/90**by Mr Gijs de Vries (LDR)****to the Commission of the European Communities***(12 July 1990)**(91/C 63/70)*

Subject: Direct taxation and competition policy (coordination centres)

On the basis of the 'Coordination Centre Statutes' (1982), Belgium offers an attractive fiscal environment to businesses that operate internationally. 213 firms now benefit from this arrangement, and there are plans for a further 54 coordination centres (*Financial Times*, 5 June 1990).

1. Is it true that Ireland, Luxembourg and Austria operate similar arrangements?
2. Do Member States other than Ireland and Luxembourg intend to introduce similar arrangements?
3. Has the Commission received notification of all such arrangements, which constitute a major tool in competition between Member States, pursuant to Article 93 (3) of the EEC Treaty?

4. In this regard, does the Commission intend to use its power to propose the 'appropriate measures required by the progressive development or by the functioning of the common market' (Article 93 (1))?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(24 September 1990)

Several Member States (France, the Federal Republic of Germany, Luxembourg, the Netherlands and the United Kingdom) have indeed introduced rules governing taxation of the European headquarters of multinational groups. The rules are designed to avoid double taxation, in particular by determining taxable profits on a flat-rate basis. The Commission takes the view that such rules do not fall within the scope of Articles 92 and 93 of the EEC Treaty.

The Commission decided that the rules applicable to coordination centres in Belgium were unobjectionable as regards Article 92 of the EEC Treaty, following the Belgian Government's amendments to the provisions originally notified to it.

WRITTEN QUESTION No 1785/90

by Mr Pol Marck (PPE)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/71)

Subject: Use of starch

In spite of the commitment to promote non-food outlets for agricultural products, the list of products for which starch can be used has not been extended.

A striking example of this is the use of starch in coal briquettes. Lignosulphates and bitumen, which are very harmful pollutants, are still being used as a binding agent in these briquettes.

Why has this possible outlet not been included in the list in the annex to Regulation (EEC) No 1009/86 with a view to removing the competitive advantage enjoyed by manufacturers outside the EC?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(10 October 1990)

At the European Council's request the Commission is exploring all possibilities for promoting non-food uses

for agricultural products. The Council has recently approved two measures, one granting aid for the use of arable land for non-food purposes and the other on low price sales of oils and fats held by the intervention agencies for demonstration projects of new non-food uses.

The Commission is at the moment examining the list of potential beneficiaries under these schemes.

The purpose of the starch refund scheme is to ensure that industrial starch users in the Community can compete with manufacturers outside the Community in cases where the import rules do not ensure adequate protection. The scheme thus indirectly promotes the use of agricultural products for non-food industrial purposes.

The Commission is now studying all requests for additions to the list (including coal briquettes) annexed to Regulation (EEC) No 1009/86 that meet the criteria laid down in the Regulation.

WRITTEN QUESTION No 1797/90

by Mr Lyndon Harrison (S)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/72)

Subject: Orchestras

Could the Commission indicate what percentage of the cultural action budget is set aside for orchestras?

In the case of the European Youth Orchestra, could the Commission also give a breakdown by nationality of the young musicians?

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

(26 September 1990)

The Commission would draw the attention of the Honourable Member to the fact that it does not have a specific policy for aid to music or, by extension, to orchestras. That said, orchestras received some 10% of the cultural action budget in 1989.

According to the information supplied at the last meeting of the Administrative Committee of the European

Community Youth Orchestra, its breakdown by nationality is as follows:

37 British, 36 Germans, 13 French, 13 Italians, 10 Dutch, eight Danes, eight Belgians, four Irish, four Spanish, two Portuguese and two Luxembourgers.

WRITTEN QUESTION No 1799/90

by Mr Lyndon Harrison (S)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/73)

Subject: Budget for cultural action

Would the Commission give a breakdown and costing for each item or at least each category of expenditure within budget heading 670 relating to cultural action?

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

(25 September 1990)

The breakdown of the Cultural Action Budget for 1989 was as follows:

(in ecus)

1. Architectural Heritage	3 484 477
2. European Community Youth Orchestra and similar activities	670 000
3. Support for literary translation	83 500
4. Dialogue with non-Community countries	288 500
5. Festivals	263 200
6. Grants for cultural activities with a European dimension	950 367
7. Conferences, Studies, Research	113 850
8. Administrative Costs	446 106
	6 300 000

Naturally the amount allocated to each category varies slightly from year to year.

WRITTEN QUESTION No 1814/90

by Mr Filippos Pierros (PPE)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/74)

Subject: Limitation of agricultural production in the Community

According to the Economic and Social Committee of the European Community, it will be necessary to set aside

between 11 and 13 million hectares of cultivated land in the Community in order to achieve a balance between supply and demand in the food sector and to minimize the expenditure occasioned by large Community surpluses. The Economic and Social Committee also points out that European agriculture must be redirected towards 'new production sectors', that is to say, forestry, biomass, flax, hemp, cotton and ornamental, aromatic and medicinal plants, etc. It goes on to point out, however, that conversion to other forms of agricultural production in the Community will require proper planning and research in order to ascertain whether and to what extent the cultivation of other products will be profitable.

What are the Commission's views on this matter? Will it take specific measures for the reorientation of agricultural production in the Community?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(6 November 1990)

When it comes to bringing the supply of agricultural products under control, a purely arithmetical approach to the situation across the Community would suggest that one could achieve a balance between supply and demand by taking several million hectares of farmland out of production. This is the sort of approach mentioned by the Honourable Member in his question. The Commission considers that such calculations give a simplistic picture of Community agriculture, as regards both our exports and our imports, as a similar reasoning could well be applied to imported agricultural products. However, in neither case does such an approach provide a firm foundation on which to base agricultural policy decisions, as it ignores a whole series of considerations, whether economic or in relation to agricultural science on the one hand, or social and environmental on the other, and is, moreover, static.

In particular, as regards the problem raised by the Honourable Member in his question, the Commission view is that the limitation of production cannot be seen, in the Community context, in terms of a single instrument such as the compensated setting aside of farmland. The set-aside scheme, in its current form, forms part of a package of measures aimed at limiting both production and expenditure, including, in particular, the 'stabilizers' for products covered by a market organization, and other measures proposed by the Commission such as direct income aids, early retirement, conversion, extensification, use of agricultural products for purposes other than foodstuffs, etc. Some of these measures have already entered into force (although the Commission deeply regrets their uneven legislative and administrative implementation in the various Member States), others have only recently been adopted or are still being discussed by the Council or have only just been adopted by the Commission. As regards, in particular, the set-aside scheme, the take-up in the 1988/89 and 1989/90 marketing years was inadequate and the Commission has

undertaken a number of measures to encourage certain Member States to implement this programme effectively.

As regards the diversification of production, a matter raised in the second part of the Honourable Member's question, it should be pointed out that certain of the measures mentioned above are aimed at encouraging alternative forms of agricultural production, but that these measures have only recently been adopted, such as that on the use of agricultural products for purposes other than foodstuffs, or have not yet been decided on by the Council, such as the measure on conversion. As things stand at present, the development of new forms of production must be mainly demand-led.

The Commission does not intend to take any specific measures to redirect crop production other than those already on the table, which are intended to form a coherent package in which market forces play a greater role in the management of the CAP. The Community does not wish to enter upon the path of dirigism in attempting to redirect production but, rather, wishes to see producer prices play their normal role in a market economy, namely that of regulating supply and demand. Nevertheless, the Commission has stated, both in its 1985 Green Paper and its 1988 communication on the future of rural society, its intention to pursue a product quality policy. Moreover, it is committed to a number of specific research measures. In this respect, the Commission would draw the Honourable Member's attention to the fact that a specific Community research and technological development programme in the field of competitiveness of agriculture and management of agricultural resources has been established for the period 1989—93 ⁽¹⁾.

⁽¹⁾ OJ No L 58, 7. 3. 1990.

checking arriving passengers (Community and non-Community) at Brussels National Airport. The result is that the flow of passengers is slowed down; the time alone taken to walk up to the police officer is often more than the time taken to examine a passport at many other Community airports, including Heathrow.

Since Community nationals are entitled under Community law to enter Belgium on the simple production of a valid passport or identity card, can the Commission elicit from the Belgian authorities what is the purpose of this measure (at least as far as the Community channels are concerned)?

⁽¹⁾ OJ No C 159, 19. 6. 1984, p. 1.

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

(25 September 1990)

Provided the principle of non-discrimination between Community nationals is respected, the actual way in which checks are carried out on persons crossing frontiers is, as Community law stands, a matter for the Member States. The Commission does not therefore intend to raise the matter with Member States' authorities unless the checks carried out severely restrict the free movement of persons. This does not seem to be the case here. While it may well be that the new passport control arrangements recently introduced at Brussels National Airport slow down the flow of passengers slightly, they also afford passengers greater privacy.

WRITTEN QUESTION No 1821/90

by Mr Bryan Cassidy (ED)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/75)

Subject: Implementation by Belgium of the 1984 Council resolution on reducing waiting time at frontiers

In 1984, the Council and the Representatives of the Governments of the Member States of the European Communities meeting within the Council adopted a resolution (84/C) ⁽¹⁾ on appropriate measures to reduce to a minimum waiting time, and the duration of checks, at frontiers.

In the recent past, new 'STOP' signs have been placed at some distance in front of the counters of police officers

WRITTEN QUESTION No 1822/90

by Mr Paul Lannoye (V)

to the Commission of the European Communities

(13 July 1990)

(91/C 63/76)

Subject: The Community's financing of the destruction of Irish peat bogs

The 1987—88 annual report by Bord na Móna, the Irish peat development board, shows that, during the 1987—88 financial year, this organization received £Irl 1 418 million in Community aid.

Can the Commission state:

— for what purposes this aid was used;

- whether the development of new peat bogs was involved, or the extension of work on existing sites;
- the names of the sites in question?

- (2) Ballydermot (counties Kildare and Offaly) and Ballivor (counties Meath and Westmeath) where former sod-peat bogs, now unsuitable for sod-peat production, can be converted to milled peat production for briquettes.

(¹) OJ No L 305, 31. 10. 1986.

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

(2 October 1990)

Under Article 4 (i) b of Council Regulation (EEC) No 3301/86 of 27 October 1986 (¹) (Valoren programme in Ireland), an investment of £IRL 10,9 million was scheduled for development of peat resources (55 % of this amount is EC funded) in the period 1987—88, these two years being the first in a five-year programme. This money was used to begin infrastructural development work in relation to the extraction and processing of peat in order to supply increased capacity in electricity generation and briquetting and to substitute for areas whose peat deposits are becoming exhausted.

Most of the projects scheduled involved completion or construction of work on existing sites. An exception is the proposed development of 800 hectares to produce 22 000 tonnes of sod peat at Attymon near Athenry in County Galway. Existing bogs in the areas are almost 'cut out'.

Projects at the following sites involve infrastructural development of milled peat works:

- (i) Boor — County Offaly;
- (ii) Blackwater — a site which overlaps counties Westmeath, Offaly, Galway and Roscommon;
- (iii) Mountdillon in counties Roscommon and Longford;
- (iv) Derrygreenagh, County Offaly;
- (v) Oweninny, County Mayo;
- (vi) Littleton in a site overlapping counties Laois, Kilkenny and Tipperary.

As well as the Attymon project infrastructural development of sod peat sites is proposed at the following sites:

- (1) Ballydermot, at a site spanning areas of counties Kildare and Offaly;
- (2) Clonsast in North County Laois;
- (3) Coolnagun in County Westmeath.

Projects for additional peat briquette production were proposed at:

- (1) Croghlian, County Offaly, where there were plans to harvest former sod-peat bogs;

WRITTEN QUESTION No 1862/90

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(20 July 1990)

(91/C 63/77)

Subject: Publicity for Europe — European Tourism Year

1. Is it true that in recent years, the Commission has attempted to draw the attention of European citizens to the advantages of European cooperation by means of catch phrases such as the Year of the Child, the Year of the Disabled and Tourism Year? How many special years have been thus designated and in what causes?

2. In what way has the Commission cooperated with the Member States in working for these causes intended to generate particular European awareness during the years in question? With which Member States was this cooperation organized and over what period?

3. What financial contribution was made by the Community to these causes and what has been the effect of Community participation in the public image of institutions other than the Commission for example the European Parliament?

4. What contributions were made by the Member States for each cause?

5. What is the Commission's assessment of these praiseworthy initiatives and can the results be measured in concrete terms? If so, how?

6. What causes will be designated over the next five years and how does the Commission intend to make use of its experience to correct and improve such initiatives?

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

(13 November 1990)

1. The Commission has been organizing 'European Years' on particular themes since the early 1980s as a way of heightening public awareness of important European issues.

The themes chosen have been: in 1983 small and medium-sized enterprises and the craft industry, in 1985 music, in 1986 road safety, in 1987 the environment, in 1988 cinema and television, in 1989 cancer prevention and in 1990 tourism.

2. In organizing these European Years, the Commission has cooperated with all the Member States (public and private bodies) and with other international agencies.

3. The financial contribution made by the Community to the European Years varies greatly according to the activities concerned. The activities have, moreover, always been presented as Community initiatives, and Parliament has been as closely involved as possible in their organization (by being represented on the organizing committees, for instance).

4. It is very difficult for the Commission to make an exact appraisal of the share borne by each of the Member States in financing the activities organized as part of these European Years. In addition to activities jointly funded from the Community budget and by the Member States, the latter have also conducted activities of their own without financial implications for the Community budget.

However, it is clear that the national authorities have financed a considerable part of the activities carried out during these Years: the amount contributed by the Community to the funding of national activities does not generally exceed 50%.

5. In most cases, surveys have been carried out by the Commission to measure the impact which the Community-wide awareness campaigns accompanying its European Years have had on public opinion. These surveys have shown very positive results.

6. As regards the future, 1992 is the only year for which a theme has been decided on: European Year of Safety, Hygiene and Health Protection at Work.

The Commission is proposing that 1993 be designated 'European Year of the Elderly and Solidarity between Generations'.

WRITTEN QUESTION No 1867/90

by Mr Fernand Herman (PPE)

to the Commission of the European Communities

(20 July 1990)

(91/C 63/78)

Subject: Authorization for the Belgian National Giro Office to issue credit cards

According to press reports, the Belgian National Giro Office is to be authorized to issue credit cards and to grant its customers loans and other services.

The activities of the Belgian National Giro Office will thus correspond to the definition of credit institutions given in the first indent of Article 1 of the first Council Directive of 12 December 1977 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions (77/780/EEC) ⁽¹⁾, that is to say 'an undertaking whose business is to receive deposits or other repayable funds from the public and to grant credits for its own account'.

This being so, should not the Belgian National Giro Office be subject to the First Directive and to other Community legislation concerning credit institutions within the meaning of the First Banking Directive?

Officially, under Article 1 of the Council Directive of 25 October 1986 amending Directive 77/789/EEC in respect of the list of permanent exclusions of certain credit institutions (86/524/EEC) ⁽²⁾, giro offices are not subject to the First Banking Directive.

However, while such exclusions may have been justified previously when giro offices simply provided a means of transferring money by filling in a form, such an exclusion is no longer justified if these offices carry out loan transactions.

Can the Commission accept such an anomaly without question? Has it made representations to the Belgian authorities with a view to ensuring that Community legislation is respected?

⁽¹⁾ OJ No L 322, 17. 12. 1977, p. 30.

⁽²⁾ OJ No L 309, 4. 11. 1986, p. 15.

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(11 September 1990)

The Commission too has learned, through press reports, of the Belgian government's plan to extend the range of financial services offered by the Belgian national giro office.

Nevertheless, as the Honourable Member points out, Directive 78/780/EEC excludes post office giro institutions from the scope of the Community banking rules. Since the exclusion is not conditional, the Belgian Government would not breach any provision of Community law if it were to put its plan into effect.

It should be pointed out, however, that other Member States (the Netherlands and the United Kingdom) have unilaterally turned their national giro offices into credit institutions, thereby automatically bringing them within the scope of the Community banking rules.

WRITTEN QUESTION No 1868/90**by Mr Marc Galle (S)****to the Commission of the European Communities***(20 July 1990)**(91/C 63/79)*

Subject: Discrimination on grounds of nationality in amateur sport (Royal Belgian Tennis Federation)

The requirements of the Royal Belgian Tennis Federation concerning registration for participation in Belgian club competitions are more stringent for nationals of other Member States than for Belgians.

In view of moves to achieve a People's Europe, does not the Commission consider this to be discrimination on grounds of nationality, which is prohibited under Article 7 of the EEC Treaty?

What representations has the Commission made to the Belgian Royal Tennis Federation with a view to remedying matters and with what results?

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

(2 October 1990)

The Commission is aware that there is discrimination based on nationality in the field of amateur sport within the Community.

Such discrimination is contrary to the spirit of a people's Europe.

As Community law stands at present, there is no legal basis on which the Belgian Tennis Federation can be required to open its competitions to all EEC nationals.

The Commission has already brought up this issue in its contacts with the Community's sports authorities, though it cannot take any action with binding force. The Commission can act only in respect of discrimination related to the pursuit of a sport as a profession.

WRITTEN QUESTION No 1925/90**by Mr Carlos Robles Piquer (PPE)****to the Commission of the European Communities***(1 September 1990)**(91/C 63/80)*

Subject: Degree of implementation of the Community Support Framework for Andalusia

Following the regional elections in Andalusia (Spain) held at the end of June this year and the forming of a new

regional government, an assessment still needs to be made of the achievement of the objectives set out in the CSF (Community Support Framework) for Andalusia.

In view of the obvious need to create the best possible conditions for the attainment of these objectives for the benefit of the support infrastructure for the region's economic activities, an analysis needs to be made of the results of the measures carried out on the basis of the CSF.

Can the Commission say to what extent this CSF has been implemented, whether it considers that the CSF has come up to expectations and what prospects it sees for the future exploitation of the opportunities offered by the Community Support Framework for Andalusia?

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

(18 October 1990)

In mid-September 1990 the commitment appropriations provided for in the Community support framework for Andalusia and already approved by the Commission were as follows.

(in million ECU)

(a) Regional sub-CSF	
Individual projects	178
OP Almeria-Levante	35
Total	213
(b) Multi-regional sub-CSF	
Individual projects	476
OP Almeria-Levante	145
Total	621

The Commission's departments are currently studying individual projects for this region amounting to approximately ECU 221 million, ECU 164 million of which would come from the multi-regional CSF and ECU 57 million from the regional CSF.

Furthermore, the Andalusian regional authorities plan to submit to the Commission in the near future three operational programmes for the areas of Malaga, Bajo Guadalquivir and Jaén-Granada. The set of measures mentioned above will mean that almost all the financial resources provided for in the regional CSF will be committed.

The set of programmes and projects mentioned above represent more than 85 % of the total planned for Andalusia in the CSF regional section. The purpose of the planned measures is to make the best possible contribution towards the development of the region and an improvement in its economic structures.

As regards the future, it is still too early to be able to analyse the results of these measures for Andalusia, since only a short time has elapsed since their approval and it has not been possible to make an *ex-post* assessment of the programmes and projects.

authorities to introduce complementary schemes supplementing the student mobility funds available through Erasmus.

WRITTEN QUESTION No 1933/90

by Mr José Montero Zabala (NI)
to the Commission of the European Communities

(1 September 1990)

(91/C 63/81)

Subject: Discrepancies in student grant arrangements

There are obvious discrepancies between public scholarships and grants for pre-university and university students in the different Member States of the Community.

Can the Commission provide information on the different arrangements in each of the Member States in this respect?

Is the Commission envisaging any form of harmonization and, if so, what system would be used as a model?

Answer given by Mrs Papandreou
on behalf of the Commission

(24 October 1990)

The Commission published last year a study entitled 'Student support systems in the EC Member States', which is being sent directly to the Honourable Member and to Parliament's Secretariat. This study covers only higher education student support systems.

The Commission does not intend to propose harmonization of these systems, which are the responsibility of national authorities and very often depend on the economic level of the country concerned.

However, the introduction of the European Community programmes like Erasmus, Comett and Lingua (Action II) has substantially increased student mobility within the European Community by providing student grants for undertaking a study period abroad. This increase in student mobility has encouraged renewed discussion at Member State level of the issue of financial support for study abroad, and initiatives have been taken recently by the French, Spanish, Italian and Belgian (Dutch-speaking)

WRITTEN QUESTION No 1952/90

by Mr Gianfranco Amendola (V)
to the Commission of the European Communities

(1 September 1990)

(91/C 63/82)

Subject: Tender procedure for measures to combat drought in the Sahel

Last November a notice of invitation to tender was published by the Directorate General for Development (DG VIII) and the CILSS (Permanent Inter-State Committee for Measures to Combat Drought in the Sahel based in Ouagadougou), for the supply of photovoltaic solar systems in the Sahel countries — Project No 6100.20.94.216 (Reg. 6116) financed by the EEC, as part of the EEC/CILSS regional solar energy programme.

For parts II and III Italsolar (ENI Group) put in a much more attractive bid than any of its competitors quoting a price which was more than ECU 6 million less than that of its nearest rival.

However, although this tender was regarded as technically acceptable by the EEC it was rejected without reason by the CILSS in a letter from its outgoing secretary Mr Brah Mahamane.

Has everything been done to establish the reasons for the attitude adopted by Mr Brah Mahamane, the outgoing CILSS secretary who is administering Community funds, bearing in mind that Mr Barka Tefridj, domiciled at No 54 Avenue Foch, 75116 Paris (the address to which Mr Brah Mahamane's bank statements are sent), is claiming for himself and for 'others' 10% of the contract value for providing tender guarantees?

Answer given by Mr Marin
on behalf of the Commission

(13 December 1990)

The Commission did indeed decide to draw on Lomé III funds to finance a regional programme for the use of photovoltaic solar energy in the Sahel countries under which the supply of photovoltaic solar systems was put out to tender.

The tender procedure has to comply with the rules laid down in the Lomé Convention which stipulate that the beneficiary body, in this case the CILSS, is responsible for

implementing the project; accordingly, it is the Executive Secretary of the CILSS who has to decide on the awarding of the lots. That procedure is still under way.

The Commission considers that it has kept a very close eye on this dossier, which is currently the subject of proceedings brought against it in the Court of Justice by Italsolar (Case C 257/90).

WRITTEN QUESTION No 1961/90

by Mr François Musso (RDE)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/83)

Subject: REGEN programme

Can the Commission state how and why it decided to provide financial assistance for the construction of a joint natural gas network for Corsica and Sardinia as part of the REGEN programme?

More specifically what were the views of the local authorities which the Commission had to consult in accordance with the partnership arrangement?

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

(10 October 1990)

The financing of a technical and economic feasibility study on the construction of a natural gas network in Sardinia is provided for in the Community support framework for Italy.

The French authorities drew the Commission's attention to the possibility of extending this network to Corsica should the Italian authorities decide to go ahead with it. This is why the Commission decided to include this project in the list of projects eligible for aid under REGEN on condition that prior studies confirm its merit. The economic objectives of this project are in line with the special objectives of the Community initiative in question.

The opinion of the local authorities on this project will be a significant factor in the overall appraisal which the Commission will make of the project's merit when it examines the French and Italian authorities' formal proposal following the final adoption of REGEN planned for November 1990.

WRITTEN QUESTION No 1973/90
by Mr Alex Smith and Mrs Christine Oddy (S)
to the Commission of the European Communities

(1 September 1990)

(91/C 63/84)

Subject: Voluntary workers

In a resolution adopted by the European Parliament and published in the Official Journal dated Friday, 16 December 1983, the Parliament asked the Commission to draw up a 'Statute for voluntary workers' and to ensure that a survey was carried out in order to establish the extent of voluntary work in the Member States.

Can the Commission detail what progress has been made on this matter?

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

(6 November 1990)

The Commission entirely shares the view expressed by Parliament in its resolution of 16 December 1983 on the importance of voluntary work in our society. This was underlined in the Commission's communication on the elderly of 24 April 1990 ⁽¹⁾.

The Commission depends heavily on voluntary bodies for the implementation of Community programmes in the social, environmental and development fields and therefore makes a significant contribution to the promotion and support of voluntary work. However, it does not have the resources to adopt a more comprehensive approach to voluntary work as envisaged in Parliament's resolution. It has nevertheless always endeavoured to encourage exchanges of views between national voluntary work centres, their association at Community level and regular dialogue with their representatives.

⁽¹⁾ COM(90) 80 final.

WRITTEN QUESTION No 1983/90
by Mr Hemmo Muntingh (S)
to the Commission of the European Communities

(1 September 1990)

(91/C 63/85)

Subject: Environmental impact of projects in the French overseas departments

The French overseas departments are, by virtue of being part of France, also part of the European Community.

France has applied to the Commission for financing for a number of projects in French Guiana, which contains part of the Amazonian rain forest, the richest and also the most endangered biotope in the world.

Can the Commission say:

1. how many projects in French Guiana are receiving financial support from it and how many ECU it has allocated for this purpose?
2. what instruments it has at its disposal to determine the environmental impact of projects in overseas departments?
3. what bearing environmental effects have on the evaluation of proposed projects in overseas departments?
4. whether it does not consider that there are inadequate environmental safeguards when projects in overseas departments are being financed and how it thinks the situation may be improved?

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

(2 October 1990)

1. Between 1975 and 1988 the Commission contributed ECU 76,7 million through the ERDF to 97 projects in Guyana. In accordance with the principles underlying the reform of the structural Funds, once a programmed approach had been selected in October 1989, a Community support framework was adopted laying down the priorities for assistance and the amount of finance for that region for the period 1989—93. Out of a total of ECU 135 million, the Community will provide ECU 73,4 million from the three Funds, including ECU 33,8 from the ERDF.

2 and 3. The priorities set out in the Community support framework will be implemented through a multifund operational programme now being prepared. In the case of major operations, environmental impact assessments must be carried out. The general clauses for this type of programme stipulate that all national and Community provisions of the environment must be respected. In its regular on-the-spot monitoring of programmes and assessment of implementation, the Commission checks compliance with these rules; similar precautions have been taken in respect of the other overseas departments.

4. The Commission shares the Honourable Member's concern about protection of the environment in the overseas departments, and specifically Guyana. Accordingly, it will finance in that region a number of measures directly concerned with the protection and improvement of the environment such as waste water

treatment plants, refuse incineration plants and water conduits. In view of the special nature of the tropical forest biotope in Guyana, it is intended to finance a centre for research into the Amazonian ecosystem, which should ensure that environmental concerns are more thoroughly integrated into economic development measures and encourage cooperation between Guyana and its neighbours, who face similar problems.

WRITTEN QUESTION No 1985/90

by Mr Eisso Woltjer (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/86)

Subject: Dairy quotas

Reports have appeared in the Netherlands media concerning the increase in public stocks of butter and skimmed milk powder in the EC resulting from the import of these products from East bloc countries.

1. Can the Commission give figures for the years 1985 to 1990 concerning:
 - the production of milk, butter and skimmed milk powder in the EC,
 - the import, export and processing of dairy products,
 - intervention for butter and skimmed milk powder,
 - trends in respect of public and private stocks of butter and skimmed milk powder?
2. Can the Commission analyse and explain the trends in respect of imports, exports, processing and the size of stocks referred to in question 1?
3. Does the Commission have any evidence that would support the criticisms made by the Netherlands Commodity Board for Dairy Products to the effect that the increase in public butter and milk powder stocks is caused by an increase in exports from Eastern European countries?
4. To what extent has the increase in the total Community reference quantity resulting from the arrangements for slaughter and reconversion and the recent 1,09% increment/affected the volume of butter and skimmed milk powder stocks?
5. What will the effects be on the dairy market (production, consumption, quotas) as a result of the

special relationship between the two Germanies after 1 July 1990, their subsequent reunification?

6. Does the Commission consider it necessary to review quota policy in view of anticipated developments on the dairy market (entry of East Germany and developments in Portugal), in order to prevent an increase in stocks with all the unfavourable effects which this would have on the budget? If so, what adjustments does the Commission intend to make?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(2 October 1990)

1. The Commission will send the requested information direct to the Honourable Member and to Parliament's Secretariat.

2, 3 and 4. The favourable market trend for milk products from 1985 to 1989 was primarily, if not exclusively, the result of a substantial drop in milk deliveries and of elimination of public stocks. The situation on the international market developed favourably in consequence.

The reasons for the reversal of this trend from the third quarter of 1990 are:

- an increase in the reference quantities for certain categories of producer;
- destabilization of the world market as a result of reduced-price sales (e.g. of American and New Zealand butter to the USSR);
- surpluses in a number of Eastern European countries resulting in increased supply to the world market of products in bulk (butter, skimmed-milk powder and casein);
- a reduction in the quantities of milk products disposed of within the Community under certain aid measures;
- a steeper fall in household consumption of ordinary butter to the advantage of low-fat butters and substitutes.

Since the import of these factors has been more or less simultaneous it is impossible to measure their individual effects on public stocks. An increase of 1% in the reference quantities however represents some 35 000 tonnes of butter and 70 000 tonnes of skimmed milk powder.

5. Since 1 August there has been free trade in agricultural products with the German Democratic Republic. It is difficult at the moment to predict what the balance will be for dairy products.

In the context of the unification of the Federal Republic of Germany and the German Democratic Republic the Commission has presented a package of proposals for adjustment of the agricultural market organizations. In the dairy sector it is proposed to set the reference quantity for the territory of the German Democratic Republic at a level markedly lower than that of present production. The Commission accordingly considers that unification will have no lasting impact on the dairy market.

6. The answer to this question depends on both external (world market developments, Uruguay Round) and internal factors (supply/demand balance).

It would be premature therefore to come to any decision at the present time on the future of the milk quotas.

WRITTEN QUESTION No 1987/90

by Mr Bryan Cassidy (ED)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/87)

Subject: Movement of funds between Member States

1. For each Member State, will the Commission indicate to what extent the provisions governing the movement of funds into and out of that Member State

- (a) carried on the person
- (b) through a bank

differ from provisions governing comparable movements within the Member State (for example necessity to report funds carried on the person, or to state purpose of bank transfer)?

2. In the Commission's view are any of such provisions incompatible with existing or known future Community obligations?

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

(26 October 1990)

The regime in most Community countries governing the movement of funds into and out of a Member State generally differs from that governing comparable movement within the country. In a number of Member States there is a declaration obligation for funds carried or sent out of the country. Such declaration requirements are specifically allowed under Article 4 of Council Directive of 24 June 1988 for the implementation of

Article 67 of the Treaty which came into effect on 1 July 1990. Article 4 provides that:

'This Directive shall be without prejudice to the right of Member States to take all requisite measures to prevent infringements of their laws and regulations, *inter alia* in the field of taxation and prudential supervision of financial institutions, or to lay down procedures for the declaration of capital movements for purposes of administrative or statistical information'.

In addition, an authorization procedure is applied in five Member States for particular external operations and/or the carrying of currency above a certain amount out of the country in question. In the case of four Member States: Greece, Ireland, Spain and Portugal, such authorization procedures are permitted under the transitional arrangements of Article 6 of the abovementioned Directive. In the case of Italy, the physical export or import of bank-notes and bearers' securities are limited to an amount of Lit 20 million, as a way of contributing to the fight against money laundering, according to the Italian authorities. The Commission is clarifying the matter with the Italian authorities with a view to making their national provisions consistent with the Community obligations resulting from the aforesaid Council Directive.

WRITTEN QUESTION No 1996/90

by Mr Alain Marleix (RDE)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/88)

Subject: Premium for suckler cows

The premium for suckler cows paid to stock farmers whose dairy quota does not exceed 60 000 kilograms has been extended to mixed herds but is limited to ten cows per mixed herd. Such a restriction is particularly disadvantageous in respect of the Salers breed, which makes up a large percentage of cattle herds in the department of Cantal in France. As a result, 35 000 cows may be purely and simply ineligible for financial aid, which is, on the other hand, granted without restriction to those engaged in mixed cereal farming in the plains. Stockbreeders resent this anomaly, which is particularly disadvantageous for mountain areas already placed in a precarious position by the dairy quotas policy.

Can the Commission give the reasons for limiting the premium to ten cows and say whether it will be possible to introduce more favourable arrangements next season for breeds of mixed herds, in accordance with the wishes of a large majority of the European Parliament expressed in a vote in May 1990, calling for all limitations on the scope of this measure to be eliminated?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(1 October 1990)

The recent amendment of the scheme of premiums for suckler cows is a substantial improvement on the previous situation, as it allows small milk producers to receive the premium for up to 10 cows in their suckler herd. In the past, all milk producers were excluded from the scheme. Many producers with a mixed herd of the Salers breed will now be eligible for the suckler cow premium.

This measure was taken on the basis of the general situation in the beef sector throughout the Community, taking account of the specific situation of the Community suckler herd. The approach is therefore a global one, as it must be for a decision to be taken within the framework of a market organization.

Regarding the restriction to 10 cows, the Commission would point out that there are currently about 950 000 small milk producers in the Community, who could contribute enormously to an increase in suckler cow numbers. Given the delicate balance on the beef market, a maximum limit was necessary in order to reduce the risk of an additional surge in output as a result of the premium.

At present the Commission cannot comment on the future development of the premium scheme for small milk producers. The matter might be examined during preparation of the next round of price proposals; any final decision would be up to the Council.

WRITTEN QUESTION No 1997/90

by Mr Luigi Moretti (ARC)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/89)

Subject: Damage caused by heavy storms in Italy

Continued heavy storms in June in the Provinces of Brescia, Bergamo and Como in the Lombardy region and in the Provinces of Pavia and Rovigo in the Veneto region caused floods and landslides, bringing down telephone lines, resulting in damage estimated at tens of billions of Lire in road repairs alone and inflicting enormous financial losses on the agricultural, crafts and industrial sectors.

1. Does the Commission intend to carry out a study of mountain areas and to investigate and identify all high-risk areas subject to severe landslides, especially as a result of heavy rainfall?

2. Does it intend to have a topographical map drawn up featuring geologically unstable and high-risk areas, in order to prevent accidents and disasters?
3. Does it consider it advisable to publish regional registers containing lists of high-risk areas, with a general view to limiting as far as possible all infrastructural and urban development projects?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(3 December 1990)

Community civil protection policy is based on two resolutions by the Council and representatives of the governments of the Member States meeting within the Council, the first on 25 June 1987 and the second on 13 February 1989.

These resolutions make no provision for action such as that suggested by the Honourable Member.

However, the EPOCH research programme (European Programme on Climatology and Natural Hazards) provides for activities the purpose of which is to obtain greater understanding of the role of climatic, hydrogeological and anthropogenic factors and their interactions in phenomena such as landslides, storms and floods, and their impact on society. The research also focuses on prevention, control and rehabilitation.

Several projects are being financed by the Commission under this research programme, for instance, a European meteorological radar programme for forecasting storms and floods, and a project on landslides in Valtellina and the French side of the western Alps which includes plans to set up a data base and to map the areas at risk.

WRITTEN QUESTION No 2006/90

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(1 September 1990)

(91/C 63/90)

Subject: Television advertising monopoly and refusal to provide a semicompetitor with advertising time

Is the recent refusal by VTM, a Flemish commercial television station with a monopoly on television

advertising, to accord advertising time to the subscriber television channel, Filmnet, in accordance with Community competition policy?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(10 October 1990)

The Commission has not received any complaint regarding the refusal referred to by the Honourable Member and does not possess any other information suggesting a possible infringement of the Community rules of competition. It will consider any additional information supplied to it.

WRITTEN QUESTION No 2040/90

by Mr Maxime Verhagen (PPE)

to the Commission of the European Communities

(5 September 1990)

(91/C 63/91)

Subject: Monitoring of Community food-aid supplies

In 1987 the Commission used an open procedure to call for tenders from undertakings for the monitoring of food aid supplies.

Tenders were received from 32 companies and the Commission initially concluded contracts with three of them. Recently it concluded agreements with two more.

1. Can the Commission list the criteria used to select companies to monitor food aid?
2. In selecting companies does the Commission take geographical considerations into account so that the monitoring companies can operate on its behalf in the large Community ports?
3. What are the Commission's future intentions as regards monitoring Community food aid supplies and when will the next tender procedure begin?

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

(12 October 1990)

1. The criteria for selecting companies were laid down in the tendering procedure which consisted on the one hand of a preselection procedure published in Official Journal No C 127 of 13 May 1987, and secondly two invitations to tender on a competitive basis participation in which was reserved for the companies elected, with due attention to their geographical suitability, based on

the nature of their presence in countries receiving Community food aid.

Thirty two firms were shortlisted. Only 27 submitted a tender. As provided for under the terms of reference of the dossier the three firms rated best on the basis of the suggestions put forward, unit prices and criteria as regards presence in the countries concerned were selected in this first stage.

Of the other submissions, eight were rejected, and the other sixteen applicants were asked to submit a new tender at the second and final stage of recruitment.

At this stage 14 tenders were received, five of which were placed first equal because they were equivalent both as regards price and the proposed organization.

Finally, at this stage two candidates were chosen on the basis of their geographical location in the recipient countries not yet allocated to the three first monitoring companies.

2. Controls are carried out at all Community ports where food-aid products are loaded, since the network of monitoring companies used makes this possible.

To resolve the range of specific problems which might arise the five monitoring companies are authorized on their own responsibility to subcontract their monitoring duties in Community ports to 32 shortlisted firms in accordance with the principle of geographical spread throughout the Community.

3. Under the terms of the contract with the five monitoring companies, lasting for a minimum of three years, the Commission will examine the situation in order to determine the adequacy of the controls carried out and the measures to be adopted both as regards the controls themselves and as regards the tendering procedure which will depend on the assessment of the system introduced.

For the moment it should be noted that the results are generally positive.

(Point 66 of the Declaration) to draw up a pilot programme to safeguard Amazonia in cooperation with Brazil, for submission to the Conference on the World Climate to be held in the United States next year and other conferences, and to be drawn up in time for the next economic summit at the latest.

1. The Yanomami territory in the frontier region of Roraima in the northern part of Amazonia is reserved for the Indian population by provisions of the constitution, legal decisions and the mandate given to the FUNAI, the somewhat ineffectual federal agency responsible for the protection of the Indians, and to the IBAMA, the Federal Environment Agency. Nevertheless, two-thirds of Yanomami territory has been opened up to mineral prospecting carried out by some 40 000 'settlers', which is a source of pollution. The evacuation order of 9 January 1990 issued by the outgoing President José Sarney was not implemented by the armed forces. What are the Commission's views on this violation of the written and oral guarantees given to the Indians and the dangerous conflict between the political authorities and the military high command? Is this compatible with the mandate given to the European Community in Houston?

2. In 1986, without securing the approval of, or even informing Congress, the armed forces embarked on a project known as Calha Norte, designed to 'Brazilianize', colonize and exploit a 6 500 km × 150 km corridor close to the frontiers of five neighbouring countries. Last year the same armed forces announced a Calha Sud project for western Amazonia. Congress was finally persuaded to provide funding, despite the fact that the Governor of Roraima is facing charges of corruption, while the armed forces and the National Security Council (SADEN) are setting themselves up as the main negotiators for the exploitation of Amazonia. Indeed, it was the SADEN which represented Brazil during the renegotiation of road projects with the Interamerican Bank! Are the abovementioned programmes compatible with the mandate given to the European Community in Houston and will it attempt to discuss proposals with the Brazilian political authorities which are in keeping with the country's constitution and laws?

WRITTEN QUESTION No 2061/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(5 September 1990)

(91/C 63/92)

Subject: European Community contribution to the programme to safeguard Amazonia and the problems caused by mineral prospecting in Yanomami territory and by the Calha Norte and Calha Sud projects

At its meeting of 9-11 July 1990 in Houston, the G-7 asked the World Bank and the European Community

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

(18 October 1990)

The mandate in question was indeed conferred upon the World Bank and the European Community at the Houston Summit and the Community will make every effort to carry it out and keep strictly to its terms.

As the Honourable Member will be aware, recent political changes in Brazil have resulted in a substantial redirection of policy on all matters relating to Amazonia. Those now in authority are facing serious problems and these are giving rise to bitter internal conflict. The two examples quoted — guaranteeing the territory of the Yanomamis and extending the areas under military control towards the country's northern borders — are highly representative of the complexity of the problems and at the same time clearly show the limits beyond which international action cannot go.

The final communiqué of the Houston summit makes it clear that the signatories are ready to take whatever measures are necessary to back and provide aid for any initiatives taken by the countries concerned and to enter in 'a new dialogue with [them] on ways and means to support their efforts'. However, no action may disregard the sovereign rights of all countries to make use of their natural resources.

In carrying out its mandate the Commission will make every effort to reconcile respect for the sovereign rights of its partners in the dialogue with the need to act jointly with them in seeking real solutions to the problems of all tropical forests.

WRITTEN QUESTION No 2070/90

by Mr Jan Sonneveld (PPE)

to the Commission of the European Communities

(5 September 1990)

(91/C 63/93)

Subject: Differentiation in the implementation of the co-responsibility levy in respect of cereals

Farmers producing less than 25 tonnes of cereals annually are exempt from the co-responsibility levy. What is the Commission's assessment of the way in which this rule has been implemented in the Member States?

1. How is it established that a farmer has produced less than 25 000 tonnes annually (area under cultivation, tonnage actually harvested, etc.)?
2. Are the dealers purchasing the cereals from farmers obliged to make any distinction in administrative terms between farmers producing more than 25 000 tonnes per year and those producing less, or is no account taken of this for the payment of the co-responsibility levy by dealers?
3. How do the Commission and/or the Member State authorities ensure that this provision is correctly implemented?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(11 October 1990)

1 and 2. Under Community rules exemption from the cereals co-responsibility levy for small producers takes the form of a direct aid granted within the limits of an overall amount determined for the Community and allocated between the Member States.

The aid granted to the individual producer is worked out on the basis of the co-responsibility levies paid by him and may not exceed the equivalent of the levies on 25 tonnes. Only the allocation between the Member States is based on sales by producers placing not more than 25 tonnes on the market.

Member States define, taking account of their allocation, what producers are considered to be small producers. They apply objective criteria, in particular the area assigned to cereal cultivation or the utilized agricultural area of the entire holding.

Most Member States pay the aid to the producer on presentation of written evidence that the co-responsibility levies have been paid. Spain, Greece and Italy have been authorized to introduce a scheme exempting small producers directly from collection of the levy by the trade up to a limit of 25 tonnes. To ensure that this limit is respected they have made provision for the use of a delivery card.

3. As regards ensuring that the Community provisions are correctly implemented, the Commission has decided to clear the accounts for 1987 and 1988 on the basis of a comprehensive investigation of the quantity of cereals on which Member States ought to have charged the co-responsibility levy.

Systems audits will also be carried out among first-hand buyers of cereals.

WRITTEN QUESTION No 2073/90

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/94)

Subject: Health risks in hair and beauty industries

Is the Commission aware that many women employed in the hair and beauty care industries are exposed to health risks leading to lung and respiratory diseases, skin problems and cancer? What steps is the Commission taking to ensure that:

1. the extent of such health risks is quantified;
2. hazardous substances are eliminated from the workplace;
3. manufacturers are required to label all products with a full list of ingredients whether they are considered hazardous or not;
4. action is taken swiftly where a product is suspected of being hazardous?

**Answer given by Mrs Papandreou
on behalf of the Commission**
(25 October 1990)

The Commission would point out to the Honourable Member that there exists a considerable body of Community legislation which is designed to provide proper labelling of dangerous products placed on the market and to protect workers involved in their use.

This legislation applies fully to workers in the hair and beauty industry.

In reply to the specific points raised:

1. and 2. Council Directive 89/391/EEC ⁽¹⁾ on the introduction of measures to encourage improvements in the safety and health of workers at work and the individual directives based on this framework dealing with such matters as personal protective equipment, workplace requirements, specifically require that employers fully assess the health risks for workers at the workplace and take appropriate measures on the basis of the general principles of avoiding risks and replacing the dangerous by the non-dangerous or the less dangerous. Council Directive 90/394/EEC ⁽²⁾, on the protection of workers from the risks related to exposure to carcinogens at work, specifically deals with the assessment of risks relating to the use of carcinogens.

These Directives should be seen together with Directive 80/1107/EEC ⁽³⁾ on chemical, physical and biological agents in the workplace and the obligations deriving from this Directive to protect workers in the course of their activities.

Actions to be taken when a product is suspected of being hazardous are also included in these Directives, e.g. using a closed system, providing collective and/or individual protective measures, giving information to workers. Member States authorities are required to ensure that the employer correctly and adequately complies with these obligations.

3. Directive 76/768/EEC ⁽⁴⁾ lays down Community rules for the composition, labelling and advertising of cosmetics. The ingredients used in cosmetics are not among the particulars which must be shown on the

packaging or label (Article 6 of the said Directive). The Commission is, however, reviewing the text of the Directive in question with a view to providing users with fuller information on cosmetic products. A proposal should shortly be presented for a sixth amendment to Directive 76/768/EEC.

4. Article 12 of Directive 76/768/EEC provides that if a cosmetic product represents a hazard to health, it may be temporarily prohibited or made subject to special conditions. A consultation procedure is immediately initiated at Community level so that the appropriate measures can be taken.

⁽¹⁾ OJ No L 183, 29. 6. 1989.

⁽²⁾ OJ No L 194, 26. 7. 1990.

⁽³⁾ OJ No L 327, 3. 12. 1980.

⁽⁴⁾ OJ No L 262, 27. 9. 1976.

WRITTEN QUESTION No 2077/90

by Mr Carvalhas (CG)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/95)

Subject: Alcochete shooting range

The decision to expand the Alcochete shooting range could result in the destruction of the Tagus Estuary Natural Reserve and the nesting sites for a number of migratory bird species from northern Europe and Africa.

In view of Directive 79/409/EEC ⁽¹⁾ on the protection of wild birds and the fact that Portugal's derogation from Article 9 of this directive has now expired since it only applied to 1986 and 1987, and in view also of the Berne Convention, the Bonn Convention and the Commission's recent stand on the violation of this directive in the Donana-Huelva area in Spain, has the Commission carried out a study into the effect on wild birds in this area, in accordance with the provisions of this directive?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(5 December 1990)

1. The Commission has received a complaint claiming a risk of serious ecological damage to the Tagus estuary as

a result of the plan to expand the Alcochete shooting range.

2. In order to enable it to adopt a position, the Commission sent a letter requesting information to the Portuguese authorities. Having examined their reply, the Commission initiated the procedure provided for under Article 169 of the EEC Treaty.

3. Given the importance of the Tagus estuary and in view of the fact that the Portuguese reply to the letter of formal notice is not entirely satisfactory, the Commission is at present discussing what action to take on the infringement procedure.

WRITTEN QUESTION No 2093/90

by Mr McMahon (S)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/96)

Subject: Financial assistance from the Community budget for the Eurovision Song Contest

Can the Commission inform the House what sums of Community funds were awarded to the Eurovision Song Contest in 1985, 1986, 1987, 1988, 1989 and 1990 and under which Community budget line these were awarded?

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

(5 November 1990)

The Commission contributed to the Eurovision Song Contest on three occasions: in 1987, on the 30th Anniversary of the Treaty of Rome, when the show was broadcast from Brussels; in 1988, the European Year of Cinema and Television; and in 1990, the European Year of Tourism.

The Eurovision Song Contest is the TV show with the largest audience throughout Europe — about 500 million TV viewers follow it regularly.

The amounts contributed, which were instrumental to the transmission, during the show, of certain European 'images', were as follows:

1987: ECU 380 000 (budget line B3300)

1988: ECU 240 551 (budget line B6741)

1990: ECU 200 000 (budget line A3052)

WRITTEN QUESTION No 2101/90

by Mr Henry McCubbin (S)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/97)

Subject: Taxi licensing

Does Community law lay down rules regarding the licensing of taxis with particular regard to the competence and suitability of applicants as drivers and also with regard to whether numbers should be regulated by anything other than market forces?

**Answer given by Mr Van Miert
on behalf of the Commission**

(12 November 1990)

The Commission considers that the responsibility for regulating the taxi sector lies primarily with the Member States and their local authorities concerned since they have the detailed knowledge necessary. Therefore, Community law does not cover questions such as taxi licensing; this falls to the appropriate authorities in the Member States.

WRITTEN QUESTION No 2107/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/98)

Subject: Trade in toxic mercury residues intended for storage in South Africa

Demonstrations and other forms of protest are currently taking place in the United States at the head offices and plants of the American Cyanamid Corporation, particularly at the Bound Brook export factory in New Jersey and the Thor Chemicals Company. These actions have been prompted by the fact that these companies are sending mercury residues to the Kwazulu homeland in South Africa for 'reprocessing', thereby contaminating the nearby Mngewu and Umgeni Rivers. The Greenpeace International ecological organization claims to have taken samples from the Mngewu river containing mercury levels 8 800 times higher than the maximum limits authorized in the United States! It should be stressed that these rivers provide water for the inhabitants of the Zulu villages in the Valley of the Thousand Hills.

Given the importance of the Cyanamid Corporation branches in most of the Member States (producing weedkillers, pharmaceuticals, chemicals, biotechnological

products, medical and surgical equipment, biological products etc.), have the Community institutions specifically considered the question of the export to the Third World, and to South Africa in particular, of dangerous substances such as mercury residues from Community-based subsidiaries of the above companies? The International Federation of Chemical Energy and General Workers' Unions in Brussels and the Confederation of South African Trade Unions (COSATU) are particularly concerned with regard to this matter.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(14 November 1990)

Regulation (EEC) No 1734/88 ⁽¹⁾ concerns the export from the EC to third countries of certain dangerous substances including the following: mercuric oxide, mercurous chloride, other inorganic mercury compounds; alkyl mercury compounds; and alkoxyalkyl and aryl mercury compounds.

The Regulation requires that the importing third country is informed that these substances are banned or severely restricted in the Community and of the reasons for such bans and restrictions.

The Commission has recently been informed of exports from the EC of an inorganic mercury compound to Poland, the Lebanon, Libya, Thailand, Saudi Arabia, New Zealand, Indonesia, Kuwait and Singapore.

It is not aware of any shipments from the EC of mercury-contaminated wastes to southern Africa or other third countries.

⁽¹⁾ OJ No L 155, 22. 6. 1988.

WRITTEN QUESTION No 2121/90

by Mr Francis Wurtz (CG)

to the Commission of the European Communities

(17 September 1990)

(91/C 63/99)

Subject: Criminal trading practices *vis-à-vis* consumers

Several French consumer associations are complaining about West German companies ⁽¹⁾ which organize commercial tombolas, with advertisements announcing prizes which are never awarded, or games entitled 'money chain'.

These practices are prohibited under French law but seem to be permitted in West Germany, a state of affairs which

guarantees the directors of these companies freedom from prosecution when they target French consumers.

Does the Commission plan to take measures to offer consumers genuine protection in this area and, in particular, apply the rule of compliance with the national law of the Consumer's country? In the case in point, what measures does the Commission plan to propose to the West German Government?

⁽¹⁾ Including the VPC Home Vertrieb company, Munich.

**Answer given by Mr Van Miert
on behalf of the Commission**

(29 November 1990)

The Commission is well aware of the facts referred to by the Honourable Member and has already contacted the German authorities regarding this matter.

Germany has legislation to deal with this type of case, but a special feature of the case in hand is the fact that German companies are aiming their sales pitch solely at consumers in other Member States, including France, and not at German consumers.

Council Directive 84/450/EEC of 10 September 1984 on misleading advertising ⁽¹⁾ and the relevant national laws apply to this type of practice. However, a highly complex problem of conflicting laws arises if the advertiser has no activity in its country of origin.

The Commission is currently looking into various ways of solving this type of problem.

As announced in the three-year action plan for Community consumer policy, the Commission is planning to draw up a general directive on distance selling, which should help solve the type of problem referred to by the Honourable Member.

⁽¹⁾ OJ No L 250, 19. 9. 1984.

WRITTEN QUESTION No 2123/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(27 September 1990)

(91/C 63/100)

Subject: Job security and safety on oil-rigs in the North Sea

A serious dispute recently brought oil company representatives into conflict with many of the crews

manning oil-rigs in the North Sea over safety arrangements and terms of recruitment which generally offer few guarantees.

Could the Commission give its opinion on these two problems and state what measures are open to it?

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

(24 October 1990)

After consulting the Safety and Health Commission for the Mining and Other Extractive Industries, which is made up of representatives of governments, workers and employers from the Member States, the Commission is currently drafting a proposal for a Directive on minimum provisions to improve the safety and health of workers in the extractive industries, including exploration and production of mineral raw materials onshore and offshore.

Whether more detailed specific measures should be adopted will, of course, be considered in depth in the light of the Piper Alpha inquiry, on which Lord Cullen will report at the end of October.

WRITTEN QUESTION No 2151/90

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(27 September 1990)

(91/C 63/101)

Subject: Support for the Community's cultural heritage

The Commission chooses a precise theme for its annual programme to support the Community's cultural heritage. Projects submitted are then selected in accordance with this pre-determined thematic framework.

Many projects not related to this theme are therefore not selected.

In what way could the Commission still take into account certain projects which, while falling outside the annual selection framework, deserve Community support on their own merits?

Can the Commission publish the themes selected for the forthcoming years?

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

(5 November 1990)

Since 1989 the Commission has been organizing its activities in support of the cultural heritage in relation to a

specific theme. Four themes were chosen, for example, for the period from 1989 to 1992, which were published for the first time in Official Journal C 308 of 3 December 1988. A notice is now published at about the same time each year to launch the operation and to inform interested parties of the themes for the coming years.

For 1990, 1 138 projects were submitted to the Commission. However, because of budget constraints, the Commission was able to award financial aid to only a limited number of them. ECU 2,6 million was divided up among 26 projects which were picked out by the Commission after seeking the opinion of a panel of internationally known experts. The panel's opinion is based, in particular, on the link between the project and the theme of the year — this year, historic buildings in town and country.

Current budget constraints are such that the Commission cannot consider broadening the programme to include conservation projects which are not entirely covered by the theme for the year.

For the next two years the following themes have been selected:

1991 — Testimonies to human activities in industry, agriculture and crafts.

1992 — Integrated upgrading of public spaces in historic centres.

WRITTEN QUESTION No 2171/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(27 September 1990)

(91/C 63/102)

Subject: Political conditions for expanding trade relations between the Community and Central America

In July the five governments of Central America and the Government of Panama decided to diversify Central American exports to the Community, promoting those of non-traditional products. According to as yet unconfirmed reports by Reuters, the Community would be providing \$ 120 million for the purpose; Mr Angel Vinas, head of the European delegation, is said to have stated that the range of exports should be widened, which would indeed be most valuable, but to my knowledge nothing has yet been said about the political conditions the Community would be entitled to make prior to any

general promotion of Central American exports into its own market. The democratic systems of Costa Rica and Nicaragua are in fact different from those in El Salvador and Guatemala, which are still in the throes of civil war and without any political agreement tending towards national reconciliation, while Honduras remains under barely concealed military rule.

Should not the Community therefore be adopting a country-by-country approach both in respect of the aid it gives and the imports it allows?

What was the apportionment between 1985 and 1989 of aid from the Community and its Member States to the various countries in question?

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

(14 November 1990)

The Central American countries' objective of trade diversification is entirely legitimate and desirable since their exports are currently over-dependent on a few agricultural products — coffee, bananas, sugar — for which the prospects in terms of markets and export earnings hardly provide the basis for satisfactory

development. The Commission is therefore willing, in accordance with the undertakings given by the Community in the context of the San José dialogue, to promote this diversification.

It would also point out that the ECU 120 million referred to by the Honourable Member does not concern the promotion of exports to the Community but a project to promote trade among the countries of Central America themselves.

With regard to trade policy, the Commission would recall that as a trade power, and a member of the GATT, the Community could not apply a discriminatory policy in this sphere in breach of international law.

With regard to financial assistance, the Commission would recall that its objective is to assist people — and not governments — and that it is not advisable to make humanitarian aid (food aid, emergency aid, aid for refugees) subject to political criteria.

The Commission would also point out that in Central America over 80 % of aid for development projects goes to regional cooperation or integration projects which help all the countries in the region, and so any calculation of the percentage of aid received by each country is therefore rather arbitrary, if possible at all.

Breakdown of EC aid to Central America

1985—1989

(ECU million)

	1985	1986	1987	1988	1989	Total
Costa Rica	13,94	0,70	0,30	0,15	5,66	20,75
El Salvador	9,21	5,79	19,73	2,87	4,05	41,65
Guatemala	1,39	15,97	9,87	20,55	7,13	54,91
Honduras	4,51	15,87	3,49	5,86	3,24	32,97
Nicaragua	20,88	21,81	21,42	40,25	16,80	121,16
Panama	—	0,31	0,11	0,34	0,40	1,16
Regional operations	23,48	5,33	27,30	39,76	55,37	151,24
Total	73,41	65,78	82,22	109,78	92,65	423,84

WRITTEN QUESTION No 2192/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(4 October 1990)

(91/C 63/103)

Subject: Au pair placement

Twenty years ago — on 24 November 1969 — the Council of Europe adopted a European Agreement on au

pair placement. On 20 December 1984 the Commission recommended that Member States should sign and ratify this agreement (recommendation 85/64/EEC (*)); however, Belgium, Greece, Ireland, Luxembourg, the Netherlands, Portugal, the Federal Republic of Germany and the United Kingdom have apparently still not ratified this agreement — hence the Commission's quite justified appeal to them to do so.

The Commission's recent reply to Written Question No 589/88 (*) by Mr Jesus Cabezon Alonso and to

Question No 979/90 (*) by Mrs Marlène Lenz was unsatisfactory: it suggests that the matter be referred to the Council of Europe and refuses (4 July 1990) to take a responsibility in this matter. This is incompatible both with the recommendation made to Member States by the Commission itself on 20 December 1984 and the resolution adopted by Parliament on 17 November 1983 (*).

Will the Commission give the official reason furnished by each of the Member States referred to above — wherever available — for their failure to ratify the agreement (Belgium, for instance is obliged to organize a conciliation procedure between the relevant communal and regional authorities to bring its domestic legislation in line with the term of the European agreement, or alternatively draw up a new national law) and, as regards the other Member States, say when the relevant bodies ratified this agreement?

(*) OJ No L 24, 29. 1. 1985, p. 27.

(*) OJ No C 49, 27. 2. 1989, p. 23.

(*) OJ No C 303, 3. 12. 1990, p. 33.

(*) OJ No C 342, 19. 12. 1983, p. 64.

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

(24 October 1990)

Five of the Community's Member States have ratified the European Agreement on Au Pair Placement — Denmark (29 April 1971), France (5 February 1971), Italy (8 November 1973), Luxembourg (24 July 1990) and Spain (11 August 1988).

As regards the reasons for non-ratification, the Commission would refer the Honourable Member to the answer given by the Committee of Ministers of the Council of Europe to Written Question No 318 of the Parliamentary Assembly, to the effect that if a number of Member States are not prepared to ratify, this is mainly because they fear excessive bureaucratization and an increase in social costs by placing the emphasis on a contract of employment rather than on an arrangement between individuals.

WRITTEN QUESTION No 2216/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Commission of the European Communities

(8 October 1990)

(91/C 63/104)

Subject: The European Social Fund in 1989, with reference to Navarra

What amounts from the European Social Fund were invested in the region of Navarra (Spain) during 1989?

What programmes or projects were co-financed with this aid?

Which organizations and institutions in Navarra received aid from the European Social Fund in 1989?

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

(24 October 1990)

The total amount granted by the Commission from the European Social Fund to the Region of Navarra for 1989 is PTA 686 861 898, a 50% advance on which was paid out in mid-1989. Final payments will be made as and when applications for the remainder are presented.

The programmes approved concern measures to assist young people or the long-term adult unemployed, women, persons employed in small businesses undergoing modernization or industrial firms in process of restructuring and, finally, categories of workers who are particularly vulnerable on the labour market, such as migrant workers and disabled persons.

The bodies to which the funds were paid were INEM, which is responsible for a major part of the measures to be carried out, and the Instituto de Servicios Sociales, the Gobierno Foral de Navarra and the Patronato Santa Lucía.

WRITTEN QUESTION No 2257/90

by Mr Marc Reyman (PPE)

to the Commission of the European Communities

(8 October 1990)

(91/C 63/105)

Subject: Article 11 of Regulation (EEC) No 1612/68 — spouse who is a national of a third country

Is the Commission aware that, despite the provisions of Article 11 of Regulation (EEC) No 1612/68 (*), some regional boards of the French College of Medical Practitioners (l'Ordre des Médecins) are refusing to enter nationals of third countries on the register of practitioners (le Tableau des Médecins), even though they have a spouse who is a national of a Member State and who has him/herself exercised the right of free movement within the Community (in this instance in France)?

More specifically, is a regional board entitled to refuse to enter on the register of medical practitioners a national of a third country who has the qualifications that a French

doctor would need to be included on this register and who is married to a woman of German nationality, who has herself exercised her right to free movement within the Community (France), thus preventing him from practising medicine as a living, although he is as qualified as his French counterparts?

Might this doctor, who is a national of a third country, rely on the Judgment of the Court of Justice of the European Communities of 7 May 1986 in Case 131/85: *Emir Gül v. Regierungspräsident Düsseldorf* ECR 1583 *et seq.*, in order to exercise his rights?

(¹) OJ No L 257, 19. 10. 1968, p. 2.

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

(29 November 1990)

The Commission has taken note of the facts described by the Honourable Member.

Under Article 11 of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community (¹), the spouse, irrespective of his or her nationality, of a national of a Member State pursuing an activity as an employed or self-employed person in the territory of another Member State has the right to take up any activity as an employed person throughout the territory of that State.

As the Court of Justice of the European Communities ruled in Case 131/85 *Emir Gül v. Regierungspräsident Düsseldorf* (²), the spouse of a worker entitled to move freely within the Community who is a national of a third country has the right to pursue occupations subject to a system of administrative authorization and to special legal rules governing their exercise on the same conditions as a national of the host country. This applies to the medical profession provided the spouse shows that he or she has the professional qualifications and diplomas required by the legislation of the host Member State for the exercise of that profession.

Where, in cases such as those to which the Honourable Member refers, doctors fulfil the abovementioned conditions and are refused the right to register by the French authorities, they should send the Commission a copy of their file for examination.

(¹) OJ, English Special Edition 1968 (II).

(²) European Court Reports 1986, p. 1573.

WRITTEN QUESTION No 2262/90

by Mr Hemmo Muntingh (S)

to the Commission of the European Communities

(8 October 1990)

(91/C 63/106)

Subject: Birds Directive

Further to the answer to my Written Question No 738/89 (¹), will the Commission answer in precise terms the third part, namely will it list all those species currently on Annex II to Directive 79/409/EEC (²) which are declining in one or more Member States, or must Parliament assume that it does not know?

(¹) OJ No C 190, 30. 7. 1990, p. 3.

(²) OJ No L 103, 25. 4. 1979, p. 1.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(6 December 1990)

The information requested by the Honourable Member is to be found in the data bank kept up-to-date by the Belgian Royal Institute of Natural Sciences.

The information will be sent direct to the Honourable Member and to Parliament's Secretariat.

WRITTEN QUESTION No 2271/90

by Mr Gerardo Fernández-Albor (PPE)

to the Commission of the European Communities

(15 October 1990)

(91/C 63/107)

Subject: Community information office on private wills

The mobility of Community citizens, their resettling in other Community countries and their participation in real estate transactions in their adopted countries means that they own property which is logically among the dispositions in their respective wills.

Since in most cases these wills are made in the legator's country of origin, although they cover the property purchased in their adopted country, those involved in the legator's business transactions in their adopted country are naturally confused as to whether the deceased made a will in his/her country of origin; in the presence of which

notary; which body is responsible for coordinating this information in the deceased's country of origin; what guarantees of notarial information they might receive etc.

In the light of all this, would not the Commission deem it appropriate to set up a single Community information office on wills drawn up by Community citizens owning property in Community countries other than their own, with a view to coordinating information from respective bodies dealing with last wills and testaments, and thus to contribute to greater security in real estate transactions and in other transactions of a general nature, by improving information access?

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

(21 November 1990)

The matter referred to falls within the jurisdiction of the Member States. The Commission can inform the Honourable Member, however, that there is already an instrument of international law in this field, namely the Basle Convention of 16 May 1972 on the establishment of a scheme of registration of wills. This is a Council of Europe Convention, which has so far been ratified by France, Belgium, the Netherlands, Italy, Portugal, Luxembourg and Spain among the Community countries, and by a number of other European countries.

WRITTEN QUESTION No 2295/90

by Mr Luciano Vecchi (GUE)

to the Commission of the European Communities

(15 October 1990)

(91/C 63/108)

Subject: Conscientious objection

Parliament's resolution on conscientious objection and alternative civilian service adopted in October 1989 (A3-0015/89) and a resolution on the same subject adopted in February 1983 (1-0546/82) recognize the right to refuse to do military service as a citizen's right which should therefore be upheld and protected throughout the Community.

1. What action will be taken on Parliament's resolution to ensure that all its recommendations are in fact implemented?

2. Why is it that in one Member State, namely Greece, the right of conscientious objection and alternative civilian service is not yet recognized, so that hundreds of young people are being unjustly detained in military prisons?

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

(6 November 1990)

As it stated in Parliament's debate in October 1989 on Mrs Schmidbauer's report on conscientious objection and alternative civilian service, the Commission has no competence in this area.

The Commission is aware that varying provisions regarding the right to refuse to perform military service are in force in the Member States. However, since it lacks jurisdiction in the matter, it is unable to take any initiative to guarantee the status of conscientious objectors and protect them against measures of which they are the victims.

The Commission would also refer the Honourable Member to the recommendation of the Committee of Ministers to Council of Europe Member States, adopted on 9 April 1987, regarding conscientious objection to compulsory military service.

WRITTEN QUESTION No 2329/90

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(18 October 1990)

(91/C 63/109)

Subject: Community policy on employment

Does the Commission plan to draw up rules on temporary employment contracts and temporary work?

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

(5 November 1990)

The Commission has presented three proposals for Directives on certain employment relationships — one relating to working conditions, the second to distortions of competition and the third supplementing the measures to encourage improvements in the safety and health of temporary workers (¹).

The first two proposals cover part-time, fixed-duration and temporary employment relationships, while the third

is concerned with fixed-duration and temporary relationships.

(¹) OJ No C 224, 8. 9. 1990.

WRITTEN QUESTION No 2331/90

by Mr Antoni Gutiérrez Díaz (GUE)

to the Commission of the European Communities

(18 October 1990)

(91/C 63/110)

Subject: Aigüestortes National Park (Catalonia, Spain)

The decision by the Catalan Regional Government to reduce Aigüestortes National Park by nearly 6 000 hectares is a development without precedent in Europe. The area of this protected natural zone is being reduced to make way for tourist projects which are harmful to the environment and incompatible with the measures envisaged by the Commission in the proposal for a new Community directive on the protection of natural and semi-natural habitats and of wild fauna and flora.

What emergency initiatives can the Commission take, in conjunction with the Catalan Regional Government, to prevent the serious ecological damage which may be caused by this decision?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(13 December 1990)

The Aigües Tortes national park is a special protection area that has been classified in accordance with Article 4 (1) of Directive 79/409/EEC on the protection of wild birds (¹).

Spain is responsible for maintaining this area, which provides a suitable conservation habitat for those species for which it has been classified.

There is, in particular, an obligation to take appropriate steps, within the protection areas at issue, in order to avoid pollution or the deterioration of habitats and disturbances affecting the birds, provided that these have a significant effect *vis-à-vis* the aims of this article.

The Commission has asked Spain for further information on the facts put forward by the Honourable Member.

(¹) OJ No L 103, 25. 4. 1979.

WRITTEN QUESTION No 2435/90

by Mr Ernest Glinne (S)

to the Council of the European Communities

(7 November 1990)

(91/C 63/111)

Subject: An increase in IMF capital and criteria for intervention

At its recent meeting in September the International Monetary Fund's Interim Committee was compelled, in the light of the international situation, to consider yet again the problem of its own resources, in order to meet the debt problem, integrate Eastern European trade acceptably into the international payments system and deal with the consequences of the Gulf crisis. Prior to this, at the beginning of May, the IMF had already decided to increase its capital by 50%, once 85% of the shareholders had approved the increase.

1. IMF members have until the end of 1991 to give their approval but they could agree before the six-monthly IMF meeting to be held in April 1991. Are the Twelve coordinating their position with this earlier date in mind and, if so, along what lines? What progress have they made so far?
2. How is the current IMF capital divided among the 152 member countries?
3. Is the 50% increase sufficient in the Twelve's view and why has the United States opposed it and is apparently still opposing it?
4. Is it acceptable for the United States to have the right of veto when its budget deficit sets the world's worst example among the developed countries of public financial management?
5. How does the structural adjustment policy, applied on a case-by-case basis, fulfil these general criteria?

Answer

(12 February 1991)

The increase in IMF quotas agreed on in May 1990 was the result of protracted, difficult negotiations lasting two years, in which the arguments of those wanting to see the capital doubled in order to cope with the Fund's growing tasks were confronted by the arguments of those who considered a modest increase sufficient, pointing *inter alia* to domestic budget constraints. The compromise was a 50% increase in capital, from 90 100 million to 135 200 million SDRs.

The agreement was ratified on 28 June 1990 by the IMF's Board of Governors.

The Member States of the Community participated in those negotiations, consulting together regularly, as they have always done, on the major issues affecting international financial bodies.

The Governments of the Community Member States intend to speed up internal procedures so that the capital increase can take place as swiftly as possible. In his statement at the IMF Annual Meeting in September 1990, the President of the Council, speaking on behalf of the Community, appealed to all Fund members to take the necessary steps in order for the capital increase to become effective as soon as possible in 1991.

As regards structural adjustment policy, the President of the Council pointed out that a growing number of developing countries are currently applying stringent macroeconomic and structural adjustment programmes, realizing that the creation of a favourable economic environment is essential in order to mobilize savings, attract investment and encourage the return of flight capital. He added that all industrialized countries must remain firmly committed to supporting such adjustment efforts by making available appropriate financing and by implementing trade liberalization measures.

It is not for the Council to comment on the position adopted by the United States Administration during negotiations on an increase in the Fund's capital.

The breakdown of the Fund's capital between member countries has been officially published (IMF Bulletin, August 1990).

WRITTEN QUESTION No 2460/90

by Mr Luigi Vertemati (S)

to the Council of the European Communities

(7 November 1990)

(91/C 63/112)

Subject: Tax incentives for environmental protection

Among the many issues which the Italian Presidency has undertaken to review and define more closely, both within the Treaties and by means of Community legislation, environmental policy has received particular attention.

On 22 September 1990 the minister responsible, Mr Giorgio Ruffolo, convened an informal summit meeting of Community Environment Ministers to consider the matter in more specific detail.

Can the Council inform Parliament of the subjects discussed at the summit and the conclusions drawn?

What ideas emerged concerning the introduction of financial incentives to encourage environmental policy in the Community and the need for the rapid introduction of operational instruments (European Environment Agency and European Fund for the Environment)?

What position was adopted by the Environment Ministers on possible amendments to the Treaties in respect of Community environmental policy?

Answer

(12 February 1991)

1. The use of economic and fiscal means in environment policy was examined in detail at an informal meeting of the Ministers for the Environment held in Rome on 22 September 1990 at the initiative of the Italian Presidency. The discussion took place in the light of the conclusions of the Dublin European Council of 25 and 26 June 1990, the conclusions of the Environment Council of 28 November 1989, the report drawn up at the Commission's request entitled '1992 — the Environmental Dimension', and two preparatory documents, one of which was drafted by the Italian Presidency and the other by a Working Party of experts of the Member States convened by the Commission.

2. At its meeting on 29 October 1990, the Environment Council adopted conclusions on the use of economic and fiscal means in environment policy, stressing in particular the importance of using these instruments in environment policies in the interests of more efficient environmental protection.

The Honourable Member will find attached the full text of the conclusions adopted by the Council.

3. Lastly, it may be noted that the other points mentioned by the Honourable Member ('operational instruments' and possible amendments to the Treaties) were not broached at the informal meeting of the Ministers for the Environment.

Annex

The Council stresses that in the interests of more efficient environmental protection in the context of effectively integrating environmental and economic policy and meeting the fundamental objective of sustainable development, in particular while complying with the "polluter-pays" principle, it is necessary to back up current, direct environmental regulations, based on the command and control approach, with economic and fiscal instruments aimed at influencing the reasoning and behaviour of producers and consumers, to discourage wasteful or polluting processes and products and to promote technologies and productive processes which are consistent with resource conservation.

The Council agrees that the possibility of Community action in this area should be examined. Such action, which — on the basis of the principle of subsidiarity — could

take various forms depending on the specific problems, could make a contribution to the cohesion of the Member States in international negotiations and to the implementation of commitments entered into. Action should also avoid the development of these instruments leading to fragmentation of the market and distortions of competition.

The areas which call for specific attention are:

- climatic changes (greenhouse gases),
- solid waste,
- environmental considerations in the context of other Community policies,
- water pollution.

The Council notes that it is the Commission's intention, on the basis of the conclusions of the European Council in Dublin (25 and 26 June 1990), to submit in time for the Environment Council meeting on 20 and 21 December 1990 a concrete proposal relating to climatic changes and general guidelines for solid waste.'

WRITTEN QUESTION No 2597/90

by Mr Gianfranco Amendola, Mr Paul Lannoye and Mr Gerard Monnier-Besombes (V)

to the Council of the European Communities

(20 November 1990)

(91/C 63/113)

Subject: Adoption of the Directive on the dumping of waste at sea

Since 18 March 1988 the Council has had on its files the amended proposal for a Council directive on the dumping of waste at sea, submitted to it by the Commission ⁽¹⁾.

1. Does the Council not consider that failure to adopt this directive constitutes a serious deficiency in the implementation of Community environmental policy with regard to waste?
2. Does the Council intend to consider this proposal for a directive and, if so, when?
3. Can the Council say what is preventing the adoption of the proposed directive?

⁽¹⁾ OJ No C 72, 18. 3. 1988, p. 8.

Answer

(1 February 1991)

1. The Council attaches great importance to the control and reduction of marine pollution. It has adopted several measures in this connection, in particular:

- the Council Decision of 3 December 1981 establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea ⁽¹⁾, and
- the Council Decision of 6 March 1986 establishing a Community information system for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea ⁽²⁾.

The Community is also a Contracting Party to a number of international conventions on the prevention of marine pollution, in particular the Bonn Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances and the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution and Protocols thereto.

2. The Council is, however, fully aware of the need to step up Community action in this field, as it pointed out in particular in its resolution of 19 October 1987 on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992) ⁽³⁾ and in its resolution of 16 October 1989 on guidelines to reduce technological and natural hazards ⁽⁴⁾.

3. As regards points 2 and 3 of the Honourable Members' Question, it should be pointed out that the main purpose of the proposal for a Directive in question is to lay down common rules harmonizing provisions under international conventions in the interests of better protection of the marine environment.

In its Opinion delivered in 1987 ⁽⁵⁾, the European Parliament called for other proposals to be submitted on the matter and in particular a proposal to prohibit the dumping of radioactive waste.

In 1988 the Commission submitted the amended proposal to which the Honourable Members refer. Discussions under way in Council bodies do not as yet afford any prospect of the Directive being adopted in the near future.

There is, in fact, a school of thought which holds that recourse to existing international conventions provides a more suitable way of bringing about satisfactory control of the dumping of waste at sea.

⁽¹⁾ OJ No L 355, 10. 12. 1981.

⁽²⁾ OJ No L 77, 22. 3. 1986.

⁽³⁾ OJ No C 328, 7. 12. 1987, p. 3, subparagraph (a), and Annex, p. 23, point 4.2.

⁽⁴⁾ OJ No C 273, 26. 10. 1989.

⁽⁵⁾ OJ No C 190, 27. 7. 1987.

WRITTEN QUESTION No 2791/90**by Mr Ernest Glinne (S)****to the Council of the European Communities***(13 December 1990)**(91/C 63/114)**Subject:* The programme for the EBRD

It is the Board of Directors which, in accordance with general guidelines given it by the Board of Governors, draws up policies and takes decisions concerning loans, guarantees, investments in equity capital, loans, the furnishing of technical assistance and other operations of the bank. Its decisions are taken on the basis of documentation submitted by the Bank's management.

The Board of Directors is supposed to be constituted by means of an election held at the first meeting of the Board of Governors, to be convened within 60 days following the entry into force of the Agreement establishing the bank, or as soon as possible after. Has this actually been done?

'The principle of lasting development, the implementation of sound banking management, and the other principles described in Article 13 of the Agreement, are to govern the operations of the Bank.' In practice this will mean the issuing of guidelines, which are at present drawn up by the teams surrounding and supporting the President-designate, Mr Jacques Attali, during the transitional period preceding the entry into force of the agreement and the beginning of operations. These guidelines, which will be contained in an operational manual, will establish the policies and basic principles with which the bank's operations will have to comply. They should be submitted to the Board of Directors for its approval in good time. What stage has been reached so far?

The agreement, which is the only official document defining at present the functions and principles and operating principles of the Bank does not, a priori, rule out any kind of industrial activity, provided that it belongs to the private and competitive production sector. Has the operating manual unofficially — made progress on this important point?

Answer*(12 February 1991)*

On 19 November 1990 the Council adopted a Decision on the conclusion of the Agreement establishing the European Bank for Reconstruction and Development.

Under this act the Community as such will be a member of the Bank as soon as the Agreement enters into force.

The proceedings to which the Honourable Member refers are in preparation for the first meeting of the Board of Governors of the Bank, to be held within 60 days of entry into force of the Agreement.

The particular information the Honourable Member requires regarding the preparatory work can be supplied by the Commission, to which the Honourable Member has put the same question. In this connection it should be noted that, under the Council Decision, the Commission is responsible for appointing the representatives of the Community at the Bank.

WRITTEN QUESTION No 2799/90**by Mr Luigi Vertemati (S)****to the Council of the European Communities***(13 December 1990)**(91/C 63/115)**Subject:* Safety of drivers of motor vehicles

Directives 76/115/EEC⁽¹⁾ (amended by Directive 82/318/EEC⁽²⁾) and 77/541/EEC⁽³⁾ (amended by Directive 82/319/EEC⁽⁴⁾) on the use of seat belts have yielded positive results with regard to safety.

In some cases, however, seat belts have prevented drivers from escaping from vehicles, thus adding to the number of deaths.

Since technology has provided viable solutions which increase safety for drivers and passengers before, during and after an accident:

Does the Council not consider it necessary to amend the directive to provide for the release of the seat belt 10-15 seconds after impact, in order to allow the occupants of the vehicle to escape?

⁽¹⁾ OJ No L 24, 30. 1. 1976, p. 6.⁽²⁾ OJ No L 139, 19. 5. 1982, p. 9.⁽³⁾ OJ No L 220, 29. 8. 1977, p. 95.⁽⁴⁾ OJ No L 139, 19. 5. 1982, p. 17.**Answer***(12 February 1991)*

The Council has received no proposal from the Commission amending the Directive referred to by the Honourable Member.



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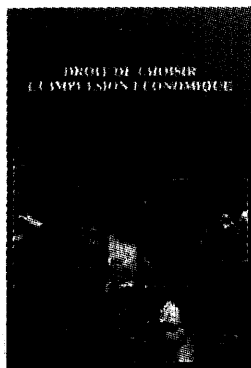
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