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## Information and Notices

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	<b>I Information</b>	
	<b>European Parliament</b>	
	<i>Written Questions with answer</i>	
91/C 90/01	No 1333/89 by Mr Llewellyn Smith to the Commission Subject: Recycling of waste paper .....	1
91/C 90/02	No 161/90 by Mr Joachim Dalsass to the Commission Subject: Should the GDR's application for accession be considered before that of Austria? ....	1
91/C 90/03	No 287/90 by Mr Gianfranco Amendola to the Commission Subject: Recruitment of trainees .....	2
91/C 90/04	No 302/90 by Mr William Newton Dunn to the Commission Subject: Road safety .....	3
91/C 90/05	No 313/90 by Mr Juan Bandrés Molet to the Commission Subject: Application of Regulation (EEC) No 426/86 to the production of dried fruits in the Mediterranean Member States of the EEC .....	3
91/C 90/06	No 463/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Community support frameworks and partnership .....	3
91/C 90/07	No 492/90 by Mr Juan de la Camara Martínez to the Commission Subject: Fight against desertification .....	4
91/C 90/08	No 503/90 by Mr Florus Wijsenbeek to the Commission Subject: Calculation of remuneration .....	5
91/C 90/09	No 669/90 by Mr Ferruccio Pisoni to the Commission Subject: Essential commodities given to charities for Poland .....	5
91/C 90/10	No 673/90 by Mr Giulio Fantuzzi to the Commission Subject: The use of straw in the paper industry .....	6

<u>Notice No</u>	Contents (continued)	Page
91/C 90/11	No 752/90 by Mr Hemmo Muntingh to the Commission Subject: Possibilities for developing measures for the protection of the monk seal in the context of the common fisheries policy .....	6
91/C 90/12	No 962/90 by Mr Jaak Vandemeulebroucke to the Commission Subject: Cost of German reunification for the EC .....	7
91/C 90/13	No 1592/90 by Mr Gérard Deprez to the Commission Subject: Impact of German unification on structural funds .....	7
	Joint answer to Written Questions Nos 962/90 and 1592/90 .....	8
91/C 90/14	No 1010/90 by Mrs Solange Fernex, Mr Paul Lannoye, Mrs Eva Quistorp, Mr Antoine Waechter, Mr Gianfranco Amendola and Mr Gérard Monnier-Besombes to the Commission Subject: The protection of the remaining wetlands .....	8
91/C 90/15	No 1015/90 by Mr Bernard Thareau to the Commission Subject: Follow-up to Parliamentary resolutions on the water engineering project involving the Loire and its tributaries .....	9
91/C 90/16	No 1064/90 by Mr Jens-Peter Bonde to the Commission Subject: Safety of ships .....	10
91/C 90/17	No 1131/90 by Mr Kenneth Stewart to the Commission Subject: Tragedy of the Scandinavian Star .....	10
	Joint answer to Written Questions Nos 1064/90 and 1131/90 .....	10
91/C 90/18	No 1093/90 by Mrs Raymonde Dury to the Commission Subject: Report on ILO-EEC relations .....	11
91/C 90/19	No 1243/90 by Mr Henry McCubbin to the Commission Subject: Application procedures for 'A' grades within the Commission .....	11
91/C 90/20	No 1409/90 by Mr Victor Manuel Arbeloa Muru to the Commission Subject: Aid for the creation of a Palestinian bank .....	12
91/C 90/21	No 1468/90 by Mrs Astrid Lulling to the Commission Subject: Importation and free movement among the Member States of receivers for parabolic antennae .....	12
91/C 90/22	No 1510/90 by Mrs Raymonde Dury to the Commission Subject: Risk of social dumping as a result of a judgment by the European Court of Justice ....	13
91/C 90/23	No 1523/90 by Mr Alain Pompidou to the Commission Subject: The implementation of a cooperation policy with regard to the countries of Eastern Europe .....	14
91/C 90/24	No 1563/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Cooperation between third sector undertakings .....	14
91/C 90/25	No 1566/90 by Mrs Nicole Fontaine to the Commission Subject: Regulations governing imports of electric motors .....	15
91/C 90/26	No 1573/90 by Mrs Mary Banotti to the Commission Subject: Aid to Romania .....	16

<u>Notice No</u>	Contents (continued)	Page
91/C 90/27	No 1635/90 by Mrs Dorothy Piermont to the Commission Subject: Harmonization of the right of asylum .....	16
91/C 90/28	No 1663/90 by Mr Victor Arbeloa Muru to the Commission Subject: Exchanging information on combating unemployment .....	17
91/C 90/29	No 1664/90 by Mr Victor Arbeloa Muru to the Commission Subject: Regional authorities and Community authority .....	18
91/C 90/30	No 1681/90 by Mrs Guadalupe Ruiz-Gimenez Aguilar to the Commission Subject: The generalized system of preferences in Latin America .....	18
91/C 90/31	No 1687/90 by Mr Virginio Bettini to the Commission Subject: Failure to act on the part of the Commission .....	19
91/C 90/32	No 1779/90 by Mr Paul Staes to the Commission Subject: Violation of the Ramsar Convention .....	19
91/C 90/33	No 1784/90 by Mr Eisso Woltjer and Mrs Annemarie Goedmakers to the Commission Subject: Monitoring of fisheries policy .....	20
91/C 90/34	No 1815/90 by Mr Filippos Pierros to the Commission Subject: Meeting the costs of flight delays .....	21
91/C 90/35	No 1834/90 by Mr Joaquim Miranda da Silva and Mr Carlos Carvalhas to the Commission Subject: Involvement of Portuguese local authorities in the management of regional programmes .....	21
91/C 90/36	No 1836/90 by Mr Carlos Carvalhas to the Commission Subject: Resider programme .....	22
91/C 90/37	No 1838/90 by Mrs Annemarie Goedmakers and Mr John Tomlinson to the Commission Subject: Recovery of wrongful payments within the framework of the common agricultural policy .....	23
91/C 90/38	No 1843/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Long-term unemployment .....	23
91/C 90/39	No 1852/90 by Mr Karl von Wogau to the Commission Subject: Advertising for group travel in France .....	24
91/C 90/40	No 1866/90 by Mr Juan Garaikoetxea Urriza to the Commission Subject: Article 10 of the ERDF Regulation .....	24
91/C 90/41	No 1881/90 by Mrs Solange Fernex to the Commission Subject: Veterinary officials' assistants in slaughterhouses .....	25
91/C 90/42	No 1903/90 by Sir James Scott-Hopkins to the Commission Subject: Payment of mileage allowances for Commission staff .....	25
91/C 90/43	No 1906/90 by Mrs Marie-Christine Aulas, Mrs Brigitte Ernst de la Graete, Mr Eugenio Melandri, Mr Marco Taradash and Mr Wilfried Telkämper to the Commission Subject: Financial aid to Papua New Guinea .....	26

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
91/C 90/44	No 1935/90 by Mr Gerardo Fernández-Albor to the Commission Subject: Intensification of Community policy in the field of aquaculture .....	27
91/C 90/45	No 1936/90 by Mr Gerardo Fernández-Albor to the Commission Subject: Standard Community-wide employment contract for students on work experience programmes .....	27
91/C 90/46	No 1944/90 by Mrs Marie-Claude Vayssade to the Commission Subject: The profession of psychoanalyst and preparations for 1992 .....	28
91/C 90/47	No 1955/90 by Mr Willem van Velzen to the Commission Subject: Refusal by the Commission to pay unemployment benefit to a former member of staff .....	28
91/C 90/48	No 1966/90 by Mr Eugenio Melandri and Mrs Marie-Christine Aulas to the Commission Subject: Development project in Western Samoa .....	29
91/C 90/49	No 1972/90 by Mrs Christine Oddy to the Commission Subject: EC trade with India, Punjab and Kashmir .....	29
91/C 90/50	No 1991/90 by Mrs Raymonde Dury to the Commission Subject: Court of Justice: Case 96/80 .....	30
91/C 90/51	No 2002/90 by Mr Gijs de Vries to the Commission Subject: Council and Commission committees .....	30
91/C 90/52	No 2003/90 by Mr Gijs de Vries to the Commission Subject: Proceedings under Article 169 in the broadcasting sector .....	30
91/C 90/53	No 2022/90 by Mrs Raymonde Dury to the Commission Subject: Collection of fines imposed by the Commission .....	31
91/C 90/54	No 2023/90 by Mrs Raymonde Dury to the Commission Subject: Protection for mortgagor .....	31
91/C 90/55	No 2026/90 by Mrs Christine Crawley to the Commission Subject: Gender participation in Erasmus .....	32
91/C 90/56	No 2044/90 by Mrs Michèle Alliot-Marie to the Commission Subject: Compensation for the disadvantages of sheep farming in mountainous regions .....	32
91/C 90/57	No 2053/90 by Mr Ernest Glinne to the Commission Subject: Community aid to Guatemala .....	33
91/C 90/58	No 2068/90 by Mr Elmar Brok to the Commission Subject: Acquisition of the US firm Rorer by Rhône Poulenc Santé .....	34
91/C 90/59	No 2078/90 by Mr Richard Simmonds to the Commission Subject: Directive on the Conservation of Wild Birds 1979 .....	35
91/C 90/60	No 2084/90 by Mrs Pauline Green to the Commission Subject: Employer and public liability insurance .....	35
91/C 90/61	No 2089/90 by Mr Madron Seligman to the Commission Subject: Repayment of Greek withholding tax .....	35
91/C 90/62	No 2113/90 by Mr Gijs de Vries to the Commission Subject: Antitrust treaties between the US and EC Member States .....	36

<u>Notice No</u>	Contents (continued)	Page
91/C 90/63	No 2115/90 by Mr Florus Wijzenbeek to the Commission Subject: Compensation for West German road hauliers .....	36
91/C 90/64	No 2119/90 by Mrs Christine Crawley to the Commission Subject: Dignity of women and men at work .....	37
91/C 90/65	No 2125/90 by Mr Ernest Glinne to the Commission Subject: Obligation to take part in 'self-defence' patrols in Guatemala .....	37
91/C 90/66	No 2128/90 by Mr Peter Crampton to the Commission Subject: Compensation for agricultural workers .....	38
91/C 90/67	No 2132/90 by Mr Gijs de Vries to the Commission Subject: Legal status of residents of Hong Kong and Macao .....	39
91/C 90/68	No 2143/90 by Mrs Raymonde Dury to the Commission Subject: Use of the 'human development indicator' devised by the United Nations .....	40
91/C 90/69	No 2147/90 by Mrs Christine Crawley to the Commission Subject: Irish language .....	40
91/C 90/70	No 2152/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Transport of pleasure boats on the roads .....	40
91/C 90/71	No 2154/90 by Mrs Marijke Van Hemeldonck to the Commission Subject: Safety of cyclists; compulsory wearing of cycle helmets .....	41
91/C 90/72	No 2166/90 by Sir James Scott-Hopkins to the Commission Subject: Draft directive for the adaption of working time .....	41
91/C 90/73	No 2168/90 by Mr Jean-Claude Pasty to the Commission Subject: The spread of swine fever in Belgium .....	42
91/C 90/74	No 2169/90 by Mr Ernest Glinne to the Commission Subject: Representation of the Community in the occupied territories of Palestine .....	42
91/C 90/75	No 2177/90 by Mr Hans-Gert Poettering to the Commission Subject: Right of members of the armed forces to form associations .....	42
91/C 90/76	No 2193/90 by Mrs Christine Crawley to the Commission Subject: VAT and charities .....	43
91/C 90/77	No 2200/90 by Mrs Mary Banotti to the Commission Subject: European News Channel .....	43
91/C 90/78	No 2255/90 by Mr Pannella to the Commission Subject: Consequences of Community and national measures to assist less-favoured regions in Italy .....	44
91/C 90/79	No 2260/90 by Mr Dieter Rogalla to the Commission Subject: Leisure time activities of European citizens .....	44
91/C 90/80	No 2292/90 by Mr Verwaerde to the Commission Subject: The overseas departments and the Sixth VAT Directive .....	45

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
91/C 90/81	No 2294/90 by Mr Pol Marck to the Commission Subject: Interpretation of Regulation (EEC) No 3094/86 .....	45
91/C 90/82	No 2301/90 by Mr Virginio Bettini and Mr Mario Melis to the Commission Subject: Rechar Community initiative .....	46
91/C 90/83	No 2304/90 by Mr Virginio Bettini to the Commission Subject: ERDF contributions .....	46
91/C 90/84	No 2318/90 by Mrs Maartje van Putten to the Commission Subject: Local authority development cooperation projects .....	47
91/C 90/85	No 2322/90 by Mrs Claudia Roth to the Commission Subject: Systematic annual AIDS testing and examination of EC employees and officials for AIDS .....	47
91/C 90/86	No 2324/90 by Mr Yves Verwaerde to the Commission Subject: Community policy on teaching and the mutual recognition of diplomas .....	48
91/C 90/87	No 2338/90 by Mrs Raymonde Dury to the Commission Subject: Economic convergence and the Gulf crisis .....	48
91/C 90/88	No 2366/90 by Mrs Raymonde Dury to the Commission Subject: Arrangements concerning debt repayment by the Third World .....	49
91/C 90/89	No 2394/90 by Mr Herman Verbeek to the Commission Subject: Illegal use of hormones for livestock fattening .....	49
91/C 90/90	No 2419/90 by Mr Dimitrios Dessylas to the Commission Subject: Major ecological damage caused by energy-generating projects being carried out by the Greek Electricity Board on the Akhelóos (Aspropótamos) River in Greece .....	50
91/C 90/91	No 2437/90 by Mr John Bird to the Commission Subject: War pensions .....	51
91/C 90/92	No 2439/90 by Sir James Scott-Hopkins to the Commission Subject: Work of the 'mega-merger' unit .....	51
91/C 90/93	No 2440/90 by Sir James Scott-Hopkins to the Commission Subject: Financial aid for Christian buildings .....	51
91/C 90/94	No 2443/90 by Mr Gerardo Fernández-Albor to the Commission Subject: Increase in Community aid for the preservation of the architectural heritage .....	52
91/C 90/95	No 2444/90 by Mr Gerard Fernández-Albor to the Commission Subject: Community code of penalties for damage to forests caused by arsonists .....	52
91/C 90/96	No 2463/90 by Mr Gérard Monnier-Besombes to the Commission Subject: Specific provisions for the protection of the brown bear within the framework of the IMPs .....	53
91/C 90/97	No 2468/90 by Mr Miguel Arias Cañete to the Commission Subject: Implementation of the EEC — Guinea-Bissau fisheries agreement .....	53
91/C 90/98	No 2481/90 by Mr Jean-Marie Alexandre to the Commission Subject: Programme of Options Specific to the Remote and Insular Nature of the French Overseas Departments (Poseidom) .....	54

<u>Notice No</u>	Contents (continued)	Page
91/C 90/99	No 2486/90 by Mrs Cristiana Muscardini to the Commission Subject: 'Trafficking' in children from the Third World in the form of adoption .....	55
91/C 90/100	No 2487/90 by Mrs Cristiana Muscardini to the Commission Subject: Checks on students with Mediterranean anaemia .....	55
91/C 90/101	No 2491/90 by Mrs Cristiana Muscardini to the Commission Subject: Carcinogenic exhaust fumes from petrol and diesel engines .....	55
91/C 90/102	No 2500/90 by Mr Lyndon Harrison to the Commission Subject: Social security offices in the United Kingdom .....	56
91/C 90/103	No 2506/90 by Georgios Romeos to the Commission Subject: Exclusion of Greek farmers from the ESC .....	56
91/C 90/104	No 2511/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Composition of a monitoring committee .....	56
91/C 90/105	No 2535/90 by Mr Yves Verwaerde to the Commission Subject: Patents .....	57
91/C 90/106	No 2536/90 by Mr Yves Verwaerde to the Commission Subject: Right to vote for and stand for election to municipal councils .....	57
91/C 90/107	No 2551/90 by Mr Fernando Suárez Gonzalez to the Commission Subject: Funding for young worker exchange schemes .....	58
91/C 90/108	No 2563/90 by Mrs Mary Banotti to the Commission Subject: VAT on books .....	58
91/C 90/109	No 2590/90 by Mr Alonso Puerta to the Commission Subject: The unsupervised rubbish dump in Arguinariz (Navarra, Spain) .....	58
91/C 90/110	No 2594/90 by Mr José Barros Moura to the Commission Subject: Delay in the payment of ESF appropriations for 1989 .....	59
91/C 90/111	No 2598/90 by Mr Joaquin Sisó Cruellas to the Commission Subject: Community subsidies for shelters for AIDS sufferers .....	59
91/C 90/112	No 2608/90 by Mr Bernard Antony to the Commission Subject: Education, vocational training and youth policy .....	60
91/C 90/113	No 2632/90 by Mr Ernest Glinne to the Commission Subject: Taxation of audio and video appliances .....	60
91/C 90/114	No 2651/90 by Mr Stephen Hughes to the Commission Subject: Zero rates of VAT .....	61
91/C 90/115	No 2659/90 by Mrs Winifred Ewing to the Commission Subject: Comparability of social workers' qualifications .....	61
91/C 90/116	No 2660/90 by Mrs Winifred Ewing to the Commission Subject: Exchange of information on social work structures and qualifications .....	61

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
91/C 90/117	No 2718/90 by Mr Bruno Megret and Mr Jean-Marie Le Chevallier to the Commission Subject: Report of the Committee of Inquiry into Racism and Xenophobia .....	62
91/C 90/118	No 2728/90 by Mr Miguel Arias Cañete to the Commission Subject: Community monitoring of objects manufactured from precious metals .....	62
91/C 90/119	No 2746/90 by Mr Pedro Canavarro to the Commission Subject: Implementation of the directive on the education of the children of migrant workers in Spain and Portugal .....	63
91/C 90/120	No 2748/90 by Mr Pedro Canavarro to the Council Subject: Declarations regarding the adoption of the directive on the education of the children of migrant workers .....	63
91/C 90/121	No 2749/90 by Mr Carlos Robles Piquer to the Commission Subject: Breakdown of grants to Andalusia within the Community support framework .....	64
91/C 90/122	No 2784/90 by Mrs Raymonde Dury to the Commission Subject: Community support for European cultural diversity .....	64
91/C 90/123	No 2794/90 by Mr Filippos Pierros to the Commission Subject: Establishment and implementation of a Community policy on books .....	64
	Joint answer to Written Questions Nos 2784/90 and 2794/90 .....	64
91/C 90/124	No 239/91 by Mr Pierre Lataillade to the Council Subject: Technical measures for the conservation of fishery resources .....	65



## I

*(Information)*

## EUROPEAN PARLIAMENT

## WRITTEN QUESTIONS WITH ANSWER

**WRITTEN QUESTION No 1333/89****by Mr Lewellyn Smith (S)****to the Commission of the European Communities***(22 January 1990)**(91/C 90/01)**Subject:* Recycling of waste paper

Has the Commission considered a proposal to make it mandatory for newsprint manufacturers to include recycled waste paper in the production of newsprint and, if this proposal is being considered, what percentage of the product will recycled material represent and what is the target date for the regulation?

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

*(16 February 1990)*

The Commission has not yet considered a proposal for mandatory use of recycled paper for newsprint.

The Council recommendation of 3 December 1981 concerning the reuse of waste-paper and the use of recycled paper <sup>(1)</sup> includes in its requirements the use of recycled paper and cardboard containing a high percentage of mixed waste-paper where feasible.

<sup>(1)</sup> OJ No L 355, 10. 12. 1981, p. 56.

**WRITTEN QUESTION No 161/90****by Mr Joachim Dalsass (PPE)****to the Commission of the European Communities***(8 February 1990)**(91/C 90/02)*

*Subject:* Should the GDR's application for accession be considered before that of Austria?

According to press reports, the President of the Commission Jacques Delors and the Vice-President, Martin Bangemann have stated that a request by the GDR for accession to the European Community would be welcomed at any time, adding that, by way of exception, the accession of the GDR could take place before the completion of the internal market, which was not, however, the case for other countries such as Austria.

Much as the process of democratization in the Eastern Bloc countries is welcomed by all, the general interpretation placed on the second part of the above statement has provoked widespread surprise and indignation, since it constitutes a blatant form of discrimination in the way in which different applications for accession are treated.

1. Does the Commission really consider that the GDR should be given priority for accession to the Community?
2. Does it not consider that this is a blatant form of discrimination against a genuinely democratic central European country such as Austria, which applied for membership last year?

3. Does it not consider that the applications for accession should be considered and dealt with in the order in which they are submitted, if the applicants fulfil the necessary conditions?
4. Given that doubts were immediately expressed from many quarters because of Austria's neutrality which, it was argued, would make the European Community's envisaged security policy harder to achieve, does the Commission now take the view that questions of security in the European Community can be guaranteed more effectively by the accession of the GDR or has it wholly or partly abandoned this objective in the light of developments in the Eastern Bloc countries?

**Answer given by Mr Andriessen  
on behalf of the Commission**  
(5 September 1990)

The two cases are not comparable. Austria is a non-member country, whereas the GDR has always enjoyed a special status in the Community under the relevant provisions of the Treaty.

Trade between the Federal Republic of Germany and the German Democratic Republic has always been seen as German internal trade and therefore as part of the internal market.

The GDR will shortly take advantage of Article 23 of the Basic Law. The forthcoming unification of Germany has not hindered European integration or made the process of working towards political union more difficult, but given it new impetus.

**WRITTEN QUESTION No 287/90**

**by Mr Gianfranco Amendola (V)**

**to the Commission of the European Communities**

(19 February 1990)

(91/C 90/03)

*Subject:* Recruitment of trainees

The Commission frequently recruits young Europeans for brief periods as trainees.

1. What are the recruitment procedures for such traineeships?
2. What are the criteria for recruitment?
3. How does the Commission ensure that sufficient information is made available in the various Member States concerning application procedures?

**Answer given by Mr Delors  
on behalf of the Commission**  
(30 May 1990)

1 and 2. Traineeships are governed by rules adopted by the Commission in 1976.

**Admission criteria**

According to these rules, applicants must meet the following objective conditions before they can be admitted to the selection procedure:

- (a) possession of a university degree or a diploma equivalent to a university degree awarded at the end of a full course of study, or
- (b) successful completion of at least four years (eight semesters) of university study.
- (c) they must be under 30 years of age,
- (d) they must have a thorough knowledge of one Community language and a satisfactory knowledge of one other.

**Preselection criteria**

Applicants are selected on the basis of qualifications and care is taken to ensure that there is a geographical spread. Preference is determined by:

- the results obtained by applicants during their studies,
- whether or not applicants have completed or begun a course in the field of Community integration or, where appropriate, Community law.

**Recruitment**

The names of the applicants thus preselected are circulated among the Commission departments enabling them to choose those they consider most suitable for recruitment. The number of trainees recruited depends on the budgetary resources available.

3. The existence of traineeships at the Commission is well known in university circles in the Member States and, indeed, in a large number of non-member countries, as shown by the 5 000 to 6 000 applications sent to the Commission every year, only 10% of which can be satisfied owing to budgetary restrictions and the limited amount of room available.

Information relating to traineeships is also put out by the Commission's Information Offices throughout the Community and conveyed through contacts with the universities, during visits by Members of the Commission or at conferences given by senior officials.

**WRITTEN QUESTION No 302/90**by **Mr William Newton Dunn (ED)**

to the Commission of the European Communities

(21 February 1990)

(91/C 90/04)

*Subject:* Road safety

The use of roadside signs which announce the presence of unmarked police patrol cars has been demonstrated to be effective in reducing road accidents.

Would the Commission be willing to recommend this as a road safety measure in all Member States?

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

(9 November 1990)

The Commission is participating in the ongoing work on the updating of the 1968 Vienna Convention on road traffic and road signs administered by the Economic Commission for Europe of the United Nations in Geneva.

In this context, the Commission, further to the resolution of the European Parliament on 1986 European Road Safety Year<sup>(1)</sup>, has recently started to examine existing differences on road signs within the Community as a first stage to initiating work to have a common position *vis-à-vis* the United Nations regulations.

The particular signs mentioned by the Honourable Member can not be considered strictly as a part of road signing, but could be adequate in a particular national or local context within the framework of safety prevention measures.

Therefore the Commission does not intend to intervene on the point raised by the Honourable Member.

<sup>(1)</sup> OJ No C 190, 20. 7. 1987, p. 18.

replace surplus crops (e.g. wine and olives), thus achieving a genuine shift in production, thorough studies are required in the field of planning and subsidization.

What plans does the Commission have for the application to the production of dried fruits in the Mediterranean Member States of the EEC of Regulation (EEC) No 426/86<sup>(1)</sup> establishing a system of aid for the processing of certain fruits and vegetables?

<sup>(1)</sup> OJ No L 49, 27. 1. 1986, p. 1.

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

(30 March 1990)

In October 1988 the Commission sent a report on nuts and proposals for specific measures to the Council<sup>(1)</sup>.

Nuts are covered by Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables<sup>(2)</sup>. They are eligible for certain aid measures laid down by this Regulation for all the products within its scope.

Regulation (EEC) No 789/89<sup>(3)</sup> institutes specific aid measures for nuts, namely, additional flat-rate aid for the formation of producers' organizations, aid for the setting up of a revolving fund, aid for implementation of quality and marketing improvement plans and aid for the promotion of nuts. The Commission takes the view that these measures are sufficient to enable an improvement in the production and marketing of nuts and it does not, therefore, intend to apply Regulation (EEC) No 426/86, which only covers certain nut-based processed products falling within Chapter 20 of the Combined Nomenclature, to nuts falling within Chapter 8 of the Combined Nomenclature.

<sup>(1)</sup> COM(88) 597.

<sup>(2)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(3)</sup> OJ No L 85, 30. 3. 1989, p. 3.

**WRITTEN QUESTION No 313/90**by **Mr Juan Brandrés Molet (V)**

to the Commission of the European Communities

(21 February 1990)

(91/C 90/05)

*Subject:* Application of Regulation (EEC) No 426/86 to the production of dried fruits in the Mediterranean Member States of the EEC

The dried fruit sector in the Mediterranean Member States of the EEC has potential for future expansion since external demand is increasing. As dried fruits could

**WRITTEN QUESTION No 463/90**by **Mr Jean-Pierre Raffarin (LDR)**

to the Commission of the European Communities

(7 March 1990)

(91/C 90/06)

*Subject:* Community support frameworks and partnership

When the Community support frameworks were drawn up, not one Member of the European Parliament was consulted.

Given that many MEPs come from regions affected by structural fund reform, will the Commission take steps to ensure compliance with the partnership principle?

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

(9 April 1990)

The partnership referred to by the Honourable Member, and introduced by the basic Regulation on the reform of the structural Funds (Council Regulation (EEC) No 2052/88 <sup>(1)</sup>), is one of the founding principles of that reform.

It is at the basis of all contacts between the Commission and the Member States, from the preparation of the Community support frameworks to the final assessment of their implementation.

It is founded on cooperation between the Commission, on the one hand, and the Member States and the competent authorities designated by them at national, regional or local level, on the other.

On the question of the involvement of MEPs in the various stages of the application of the reform, this can only be provided for by regulation at the level of the individual Member States and the authorities designated by them to act, on their behalf, as partners at regional and local level.

On the more general question of cooperation with Parliament on the implementation of the reform, it should be borne in mind that there is an obligation on the Commission provided for by regulation to submit to Parliament an annual report on the application of Regulation (EEC) No 2052/88 and (EEC) No 4253/88 <sup>(2)</sup>. The report must be sent by the deadline fixed (1 November 1990).

It should be emphasized also that the Commission plays an active role at meetings of the Parliament Committees concerned with structural Fund reform.

The Commission would point out, lastly, that it will continue its efforts to ensure that MEPs are more fully involved in monitoring the implementation of the reform.

<sup>(1)</sup> OJ No L 185, 15. 7. 1988, p. 9.

<sup>(2)</sup> OJ No L 374, 31. 12. 1988, p. 1.

**WRITTEN QUESTION No 492/90**

**by Mr Juan de la Camara Martinez (S)**

**to the Commission of the European Communities**

(7 March 1990)

(91/C 90/07)

*Subject:* Fight against desertification

When does the Commission plan to draw up a strategy and a specific programme, to be covered by the budget, to

combat erosion and desertification in the Community, in particular in countries such as Spain which have serious problems as regards damage to their environment?

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

(14 June 1990)

The Commission shares the Honourable Member's desire for action to combat erosion in the Community, and in particular in the Mediterranean regions, as it reaffirmed in the fourth environment action programme.

Several additional schemes are now receiving Community support:

- the identification under the Corine programme of high-risk areas and the research work under, in particular, the Epoch programme, will clarify what the technical responses should be. The 1984—88 research programme on land and water use and management had already highlighted strategies for action against desertification, particularly at a seminar held in Valencia, Spain, in July 1987;
- the restriction of stocking rates recently introduced for payment of the compensatory allowance in less-favoured areas is an example of how an erosion prevention measure can be included in a horizontal provision;
- action at regional level is vital as the conditions and the remedies needed can vary from one region to another. The Commission attaches great importance to a control strategy adapted to local conditions.

Prevention of erosion is, for instance, one of the priority measures under the specific common measure to encourage the development of agriculture in certain regions of Spain (Regulation (EEC) No 1118/88 <sup>(1)</sup>). A Community contribution of ECU 50 million has been allocated for this.

This approach is also encouraged with Objectives 1 and 5 (b). Several operational programmes to combat erosion submitted under the subpriority 'protection of the environment and conservation of natural resources' have already been submitted by the Spanish regions under Objective 1, others are expected in the coming months. Soil protection is one of the Community support framework projects under negotiation for the Objective 5 (b) regions.

Parallel to this, the Commission will also continue to consider whether new measures are advisable, in connection, among other things, with the proposal it is to present shortly when the 'extensification' and 'Article 19' provisions (Regulation (EEC) No 1760/87) <sup>(2)</sup> expire.

<sup>(1)</sup> OJ No L 107, 28. 4. 1988, p. 3.

<sup>(2)</sup> OJ No L 167, 26. 6. 1987, p. 1.

**WRITTEN QUESTION No 503/90****by Mr Florus Wijsenbeek (LDR)****to the Commission of the European Communities***(7 March 1990)**(91/C 90/08)**Subject:* Calculation of remuneration

In calculating the level of remuneration in the various countries the Commission uses a system of weightings. Taking Brussels as the base (100), the weighting for The Hague is 92.

Does the Commission not agree that, as shown by the United Nations' figures, the cost of living in the Hague is in fact higher than in Brussels?

Can the Commission say what data it used in making its calculations and whether it is prepared to review them?

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

*(3 April 1990)*

Depending on living conditions in the various places of employment, an official's remuneration is weighted at a rate above, below or equal to 100 %.

The weighting for Brussels is 100% and the weightings for the other capital cities of the Member States are calculated with reference to it. However, in cases where there is a marked difference between the cost of living in the capital and a given place of employment, a specific weighting may be calculated, especially if a large enough number of officials are posted there.

In the case of the Netherlands, the weighting is calculated on the basis of prices in the city of Amsterdam, in accordance with the current method of adjustment of remuneration and with the relevant decisions of the Court of Justice.

Consequently, given that the cost of living in The Hague is not very different from that in Amsterdam, the number of officials posted to the former city does not justify fixing a specific weighting.

The Commission has made its calculations on the basis of exchange rates recorded by the Statistical Office of the European Communities in agreement with the competent departments of the Centraal Bureau voor de Statistiek in the Netherlands.

A survey should soon be carried out in connection with the 1990 five-year verification of weightings.

**WRITTEN QUESTION No 669/90****by Mr Ferruccio Pisoni (PPE)****to the Commission of the European Communities***(23 March 1990)**(91/C 90/09)**Subject:* Essential commodities given to charities for Poland

The Commission is aware that the emergency in Poland, which hit the most vulnerable section of the population most severely, necessitated help from voluntary organizations and associations, who immediately responded by collecting and sending essential commodities and medicines. They did this by collaborating effectively with other organizations working in Poland, who have first-hand knowledge of the actual urgent needs of the people suffering severe hardship and poverty.

The mechanism set in motion between the Commission and the Polish Government, arouses concern that the societies, charitable organizations and people in need may still be deprived of the essential commodities available on the market because they are not in a position to purchase them.

Does the Commission not consider that the existing mechanism should be accompanied by direct channels for assistance similar to those used in Community countries in the context of measures to combat poverty. They could be used directly by the charitable organizations, societies and religious communities in Poland, in collaboration with organizations working in the countries of the Community, to provide access to the vital commodities which are in storage in bordering countries, such as meat, milk and butter?

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

*(26 October 1990)*

The Community's humanitarian aid operations to Poland in 1990 have focused on medical aid, organized and administered by the Red Cross.

The food aid deliveries, decided in the second half of 1989 and in early 1990, were designed to relieve an acute supply deficit, exacerbated by balance of payments difficulties. They were marketed through the normal channels. As far as the pricing is concerned, the supplies were sold at the Polish market price, implying a 50% discount in comparison with normal commercial cost of imported cereals. The additional supply from the EC and other G24 donors made it possible to limit price increases of basic foodstuffs, thereby helping the Polish population to cope with the fall in real income.

The counterpart funds generated by the sale of these food products were used to support small private ventures in agriculture and also contributed to the realization of some social programmes, e.g. a programme in support of the activities of the 'Water Foundation', implementing water supply projects in rural areas.

The assistance actions under the Phare programme are designed and managed in liaison with the Polish authorities and aim to support the process of economic restructuring. Actions to adapt and modernize social welfare and social security mechanisms are not excluded, though until now these issues have not figured amongst the priorities expressed by the Polish authorities.

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**WRITTEN QUESTION No 673/90**

**by Mr Giulio Fantuzzi (GUE)**

**to the Commission of the European Communities**

(23 March 1990)

(91/C 90/10)

*Subject:* The use of straw in the paper industry

In the past the paper industry in various Member States of the European Community (France, Great Britain, the Federal Republic of Germany and, in particular, Italy) used large quantities of straw as a raw material. The use of this renewable raw material has now greatly decreased despite the solution of problems (the collection and transport of the raw material, the introduction of technologies capable of almost totally eliminating pollution problems, etc.) which caused a critical situation for the firms which process straw from cereals for the production of paper. Does the Commission have at its disposal a study on the subject?

If it has not, does it think it could instruct its departments to find out what are the possibilities for using straw in paper production, in view of the fact that this could have beneficial effects on the environment, employment and the incomes of farmers?

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

(18 May 1990)

The Commission does not have a comprehensive study on the use of cereal straw for paper-making; however, it has co-financed a specific feasibility study in that field. This study, financed under Article 8 of Regulation (EEC)

No 4256/88 (\*), concerns the organizational and technical aspects of straw utilization, based largely on conditions in the United Kingdom. It is due for completion in mid-1990 and its results will be available on a Community-wide basis.

(\*) OJ No L 374, 31. 12. 1988, p. 25.

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**WRITTEN QUESTION No 752/90**

**by Mr Hemmo Muntingh (S)**

**to the Commission of the European Communities**

(29 March 1990)

(91/C 90/11)

*Subject:* Possibilities for developing measures for the protection of the monk seal in the context of the common fisheries policy

Fishing represents one of the main threats to the monk seal. Greek fishermen (particularly those from the islands of Aloynissos and Kefalonia) are prepared to make a contribution towards the protection of the monk seal, provided that they receive help in solving the problems facing them, such as illegal fishing by fishermen from other localities, illegal fishing by amateur fishermen, and the associated problem of inadequate monitoring.

1. Is it true that, whilst the Greek Government agreed to support the fishermen of Kefalonia and nearby Ithaca some years ago, and has since reiterated these assurances, its promises have not been fulfilled?
2. Is the Commission willing to consider, in the context of the current or future common fisheries policy, what measures might be taken to resolve the problems of local fishermen?
3. What is the state of play with regard to research into the possibility of 'monk seal-proof' nets?
4. Can the Commission help to improve the monitoring of illegal fishing in or near areas which are important for the protection of the monk seal, such as the area around the Ionic islands?
5. In this connection, what effect will the apparent end of the war between the Polisario Front and Morocco have on monk seals in Mauritania and Morocco?
6. Is it true that monk seals are being suffocated in the nets of large fishing vessels, which are again prepared to sail near to the coast?
7. Are Spanish fishing vessels involved in this?

8. Is the Commission prepared to incorporate provisions for the protection of the monk seal in the fisheries contracts concluded between the Community and West African States?

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

(23 October 1990)

1. In January 1989 the Commission concluded a contract with the Greek Environment Ministry on monitoring in the Cephalonia and Ithaca regions and on aid for local fishermen in those regions to make them more aware of the monk seal conservation programme.

2. The Commission has sent the Council a discussion paper containing an outline of a common fisheries system in the Mediterranean. In it the Commission considers that the system should take account of sociostructural and biological situations and the requirements of environmental protection as a whole. It will, in principle, be possible to resolve the problems to which the Honourable Member refers in this context.

3. Certain types of seal-proof nets have been developed in the Netherlands, Denmark and the United Kingdom. However, it has become apparent, following a number of trials, that they are unsuitable for fishing in Greece.

4. The Commission considers that improved monitoring of fishing activities by the Member States is vital to resource conservation. On 27 November 1989, acting on a Commission proposal, the Council adopted a decision on a financial contribution from the Community to the expenditure incurred by the Member States in this connection. The Commission will examine the possibilities for improving the means available to Member States to monitor fishing activities within this framework.

5 and 6. The main problem as regards the preservation of monk seals concerns the use of gill nets near the coast. These devices may cause the death, by strangulation or exhaustion, of animals trapped in them.

As seals live near the coast, deaths as a result of commercial fishing activities are mainly caused by non-industrial fishing vessels.

7. With regard to Community vessels operating off Morocco and Mauritania under bilateral fisheries agreements concluded by the Community, the use of gill nets is not foreseen in the case of Mauritania and is only authorized beyond a 12-mile limit for Morocco (three-mile limit in the Mediterranean). The Commission therefore considers that these vessels are not concerned by the problem.

The Commission has no knowledge of any vessels registered in the Community operating on the basis of private arrangements with the States in question.

8. The provisions of the agreements concluded between the Community and West African States and in particular the fishing areas adopted are designed, among other things, to protect endangered species. However, the Commission would be prepared, if necessary, to propose additional provisions during the negotiation of fisheries agreements with the countries concerned.

**WRITTEN QUESTION No 962/90**

**by Mr Jaak Vandemeulebroucke (ARC)**

**to the Commission of the European Communities**

(25 April 1990)

(91/C 90/12)

*Subject:* Cost of German reunification for the EC

In a noteworthy interview which he gave to the Düsseldorf *'Handelsblatt'*, Bernard Friedmann, one of the members of the European Court of Auditors, stated that approximately DM 8 billion would be required from the EC structural funds for German reunification, in other words for East Germany.

To what extent is this a 'contractual' amount as suggested by Mr Friedmann, and have any specific commitments been made in respect of EC payments in connection with German reunification?

**WRITTEN QUESTION No 1592/90**

**by Mr Gérard Deprez (PPE)**

**to the Commission of the European Communities**

(2 July 1990)

(91/C 90/13)

*Subject:* Impact of German unification on structural funds

The prospect of German unification raises the problem of the economic backwardness of the regions currently in the GDR.

1. Can the Commission provide information on the cost to the Community budget and, in the light of this, is it

considering including it in the next revision of the financial perspective?

2. Will unification entail a transition period for the regions in question and, if so, on the basis of what criteria?
3. What will be the budgetary impact of unification for the structural funds?

**Joint answer to Written Questions Nos 962/90  
and 1592/90  
given by Mr Delors  
on behalf of the Commission  
(3 October 1990)**

The structural Funds will be operating in the territory of what was the German Democratic Republic in pursuance of the objectives of structural policy reform from the date of unification.

The Community rules will apply from then on subject to the requisite temporary exceptions to be determined by the Council, on proposals from the Commission, after consulting Parliament.

These proposals have already been presented to the Council and Parliament. They contain transitional provisions for the procedures for submitting plans and establishing the Community support frameworks, and they set an overall appropriation for the three years 1991—93.

A revision of the financial perspective has also been laid before the Council and Parliament.

#### WRITTEN QUESTION No 1010/90

by Mrs Solange Fernex, Mr Paul Lannoye, Mrs Eva Quistorp, Mr Antoine Waechter, Mr Gianfranco Amendola and Mr Gérard Monnier-Besombes (V)

to the Commission of the European Communities

(11 May 1990)

(91/C 90/14)

*Subject:* The protection of the remaining wetlands

The European Parliament adopted the report by Mr Graziani on the erosion of agricultural soils and on wetlands (Doc. A 2-0020/87). A number of proposals and recommendations were made in the report. Has the Commission taken them on board?

What does it propose to do to protect the rapidly disappearing wetlands in Europe and in the ACP countries? Is it proposing to make a scientific inventory of the remaining areas and to carry out a research programme into the role played by them?

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

(3 August 1990)

By 1987, before Mr Graziani's report was presented, the Commission was already studying the problem of erosion and taking measures to combat it. It suffices here to mention Directive 75/268/EEC<sup>(1)</sup> on mountain and hill farming and farming in less-favoured areas, which was designed to promote suitable agricultural activity in such areas in order to protect the countryside against soil erosion, and specific measures for certain Mediterranean countries (e.g. Greece, Italy, Portugal) and the 'Land and water use and management — 1984/1988' research programme. For details of the Commission's new policy on erosion, which takes account of the proposals and recommendations in Mr Graziani's report, the Commission would refer the Honourable Member to its answer to Written Question No 492/90 by Mr Juan de la Camera Martinez<sup>(2)</sup>.

With regard to European flood plains, the Commission would stress that a special effort is being made to promote the protection and rational management of wetlands in its actions concerning the natural environment, especially nature conservation. Article 4 (2) of Directive 79/409/EEC on the conservation of wild birds<sup>(3)</sup> refers expressly to areas of this kind. Furthermore, wetlands, including flood plains, are the type of biotope most often selected for Community aid under Regulations (EEC) No 1872/84 and (EEC) No 2242/87 on action by the Community relating to the environment<sup>(4)</sup> (biotope projects). In addition one of the aims of the proposal for a Council Directive on the protection of natural and semi-natural habitats and of wild flora and fauna<sup>(5)</sup>, presented by the Commission to the Council on 16 August 1988, is to provide more appropriate protection for this type of habitat.

The purpose of several scientific projects forming part of the Corine programme is to identify and evaluate such areas. More specifically:

- (a) Under the 'Biotopes' project, an initial inventory of areas of importance for nature conservation in the Community has already been prepared. It also covers wetlands;
- (b) In the 'Land cover' project currently under way, the nomenclature used enables the various types of wetland (inland marshes, peat bogs, tidelands, salt



marshes, intertidal zones) to be classified and mapped. A map of this kind has already been produced for Portugal;

- (c) The 'Soil erosion and land resources' project, besides taking an overall look at the problem of erosion, includes a part dealing with 'Coastal erosion' which covers the entire Community and focuses on the current situation as regards alluviation and erosion in coastal areas. A final report with 1:100 000 maps will be available shortly.

In 1988 the Commission set up a working party on the 'Integrated management of Mediterranean-type coastal wetlands', and financed a series of inventories of this type of area in Portugal, Spain, France, Italy and Greece together with seminars on the subject. The working party's conclusions will be used as a guide for future Commission activities.

Under R&D programmes relating to the environment, the Commission is funding several research projects on aquatic systems (inland, coastal and marine).

In the case of the developing countries, particularly the ACP countries two specific instruments form the basis for a series of consecutive Commission activities:

- (a) The Lomé Conventions which, especially since Lomé III, have given impetus to development work that takes account of related environmental issues. Particular emphasis has been placed on the protection and efficient management of coastal areas (anti-erosion measures, development of lagoon areas, coastal and lagoon fishing etc.);
- (b) Budget heading 946 'Ecology in the developing countries', under which provision was made at a very early stage for projects relating to flood plains. Various studies have been carried out, for example on 'Mangroves in Africa and Madagascar' (protection and development) and, more recently, a guide to the rational management of tropical wetlands has been prepared for final publication in late 1990.

Particular attention has also been given to the inhabitants of these areas who have benefited from various projects funded under this budget heading.

(<sup>1</sup>) OJ No L 128, 19. 5. 1975, p. 1.

(<sup>2</sup>) See page 4 of this Official Journal.

(<sup>3</sup>) OJ No L 103, 25. 4. 1979, p. 1.

(<sup>4</sup>) OJ No L 176, 3. 7. 1984, p. 1.; OJ No L 207, 29. 7. 1987, p. 8.

(<sup>5</sup>) OJ No C 247, 21. 9. 1988, p. 3.

#### WRITTEN QUESTION No 1015/90

by Mr Bernard Thareau (S)

to the Commission of the European Communities

(11 May 1990)

(91/C 90/15)

*Subject:* Follow-up to Parliamentary resolutions on the water engineering project involving the Loire and its tributaries

What action has been taken on

- the motion for a resolution by Mrs Bloch von Blottnitz on the plans to regulate the flow of the Loire (B 2-72/87)?
- the motion for a resolution tabled by Louis Eyraud and colleagues on the water engineering project involving the Loire and its tributaries and on the need to protect them (B 2-212/88)?
- the resolution by Mr Roelants du Vivier on the disappearing alluvial zones of Europe and the need to protect them (B 2-840/86)?
- the proposals contained in the report by Mr Graziani on the erosion of agricultural soils and on wetlands in the European Community (A 2-20/87)?
- the Parliamentary question by Mr Louis Eyraud on the water engineering project involving rivers on 19 January 1989?

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

(3 August 1990)

The Commission has not yet provided any funds for controlling the Loire and will, if necessary, request that an environmental impact assessment be carried out in accordance with Directive 85/337/EEC (<sup>1</sup>).

The Commission endeavours to ensure that Community Directives are applied. It has received a complaint concerning a river control project in the upper course of the Loire which, it would appear, does not comply with Directives 79/409/EEC (<sup>2</sup>), 85/337/EEC and 78/659/EEC (<sup>3</sup>).

This case is still being investigated. According to the latest information received by the Commission, the French Government has postponed the final decision until October 1990 pending the results of further impact studies.

As regards the follow-up to the proposals in Mr Graziani's report on soil erosion and flood plains, the Commission would refer the Honourable Member to its answer to Written Question No 1010/90 by Mrs Fernex and others (<sup>4</sup>).

(<sup>1</sup>) OJ No L 175, 5. 7. 1985, p. 40.

(<sup>2</sup>) OJ No L 103, 25. 4. 1979, p. 1.

(<sup>3</sup>) OJ No L 222, 14. 8. 1978, p. 1.

(<sup>4</sup>) See page 8 of this Official Journal.

**WRITTEN QUESTION No 1064/90**  
**by Mr Jens-Peter Bonde (ARC)**  
**to the Commission of the European Communities**

(10 May 1990)

(91/C 90/16)

*Subject:* Safety of ships

Will the Commission allow Member States to adopt additional safety requirements for ships entering Community ports?

Will it allow Member States to adopt requirements with regard to the nationality of crews on ships entering Community ports?

**WRITTEN QUESTION No 1131/90**

**by Mr Kenneth Stewart (S)**  
**to the Commission of the European Communities**

(14 May 1990)

(91/C 90/17)

*Subject:* Tragedy of the Scandinavian Star

The Commission is aware of the inquiry results following the tragic loss of life as a result of the capsizing of The Herald of Free Enterprise, and the charges of neglect which followed, and that there were more passengers on board than the log registered.

Would the Commission state if it has been confirmed that there were passengers on The Scandinavian Star, trapped in their vehicles aboard the vessel?

That this practice is against all safety standards, required by the IMO, and would appear to be a total disregard of those standards and security measures.

Would the Commission agree legislation is required within the Community to ensure that the strictest safety standards are adhered to, and ships sailing under FOCs are also in compliance with Community law.

If so, will the Commission introduce such legislation.

**Joint answer to Written Questions Nos 1064/90 and 1131/90**

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

(24 September 1990)

The recent disasters at sea have shown the need to step up the Community's efforts to improve safety at sea, and in particular the safety of passenger ships.

Notwithstanding certain reservations expressed by Member States with regard the Community action, the Commission will endeavour to achieve improvements — notably in the international context — in the safety of passenger ships.

In this connection the Council drew attention in its resolution of 19 June 1990 to the need to bring about improvements in the safety of passenger ferries, including the question of crews in the international shipping context.

The Commission is aware that it is incumbent upon crews to take appropriate action in emergencies, and that dangers can result from shortcomings in command and communication.

The Commission will accordingly make every effort to ensure that Member States' action within the International Maritime Organization (IMO) produces the desired results as speedily as possible.

In the light of Parliament's resolution of 17 May 1990 on accidents at sea involving ferries and with the benefit of the experience gained by the United Kingdom and Denmark following the Herald of Free Enterprise and Scandinavian Star disasters, the Commission will examine ways and means, after first consulting the Member States, of bringing forward proposals for improving the safety of passenger ferries, within the framework of the Committee set up under the Memorandum of Understanding on Port State Control.

On the subject of specific information concerning the Scandinavian Star disaster, reference should be made to the commission of inquiry set up by the Danish, Norwegian and Swedish authorities, which is currently looking at the circumstances surrounding the disaster and will pass on the results of the investigation to the IMO and the Commission. The Commission will ensure that Parliament is informed of the outcome.

In addition, a proposal for a directive on the minimum health and safety requirements for improved medical treatment on board vessels has been sent to the Council <sup>(1)</sup>. This draft text contains provisions on control in Community ports of vessels flying the flag of a Member State. Control would extend to the nature of medical supplies on board and in particular the availability of antidotes on vessels carrying dangerous goods.

Lastly, the Commission is working on a proposal for a directive on minimum health and safety requirements at work in the transport field, including on ships. This would be a specific directive following from the Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work <sup>(2)</sup>.

<sup>(1)</sup> COM(90) 272 final.

<sup>(2)</sup> OJ No L 183, 29. 6. 1989.

**WRITTEN QUESTION No 1093/90****by Mrs Raymonde Dury (S)****to the Commission of the European Communities***(10 May 1990)**(91/C 90/18)**Subject: Report on ILO-EEC relations*

Can the Commission give an exact reply to my Question No 1574/88 <sup>(1)</sup>, since the reply I received was merely verbiage without much meaning?

<sup>(1)</sup> OJ No C 195, 31. 7. 1989, p. 28.

**Answer given by Mr Delors  
on behalf of the Commission***(29 November 1990)*

The Commission would refer the Honourable Member to the statement made by Vice-President Marin during the discussion of the report referred to by the Honourable Member at the February 1987 part-session <sup>(1)</sup>.

The Commission also adds that Annex 9 of the Commission interdepartmental report on the social dimension of the internal market <sup>(2)</sup> includes a table showing the ratification of a number of ILO conventions.

Lastly, each year the ILO publishes a table showing the ratification of ILO conventions.

<sup>(1)</sup> European Parliament Debates No 2-348 (February 1987).

<sup>(2)</sup> Special issue of Social Europee 1989.

**WRITTEN QUESTION No 1243/90****by Mr Henry McCubbin (S)****to the Commission of the European Communities***(22 May 1990)**(91/C 90/19)**Subject: Application procedures for 'A' grades within the Commission*

Of the officials of the Commission of grade A 1 serving at te most recent date, how many, by nationality,

- were initially appointed to the grade on promotion from within the Commission's services;
- were initially appointed directly to the grade on recruitment from outside the Commission?

Is it the Commission's policy, all other things being equal, to appoint A 1 officials from within its services rather than from outside?

**Answer given by Mr Cardoso e Cunha  
on behalf of the Commission***(28 June 1990)*

As of 1 June 1990, 48 officials will be serving in the Commission as Directors-General or Deputy Directors-General; 21 of them were appointed directly to the grade on recruitment from outside the Commission; the other 27 are officials promoted from within the Commission's services or coming from other Community institutions.

Their distribution by nationality is the following:

	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK	Total
External recruitment	—	—	1	1	5	2	1	3	1	1	1	5	21
Internal promotion	5	1	5	—	—	6	1	4	—	3	—	2	27
<b>Total</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>8</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>48</b>

As can be seen from the data concerning officials from the original Member States, Commission policy is orientated towards internal promotion. It is normal that for the more recent Member States this trend is less apparent, although the situation can be expected to change in the future.

**WRITTEN QUESTION No 1409/90****by Mr Victor Manuel Arbeloa Muru (S)****to the Commission of the European Communities***(13 June 1990)**(91/C 90/20)**Subject: Aid for the creation of a Palestinian bank*

What type of assistance does the Commission intend to give in connection with the Development Bank and special fund, designed to finance small-scale production projects and promote exports from the West Bank and the Gaza Strip, which around a 100 Palestinian businessmen decided to set up in Tunis on 18 April 1990?

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

*(14 September 1990)*

The Commission has been informed about the idea of setting up a 'development bank for Palestine'. This bank is planned to be based in Europe, with branches in the Occupied Territories.

The Commission welcomes this idea. The setting up of banking institutions in general and of a bank designed to finance investment projects in the Occupied Territories in particular is necessary. It would constitute an additional step towards Palestinian autonomy.

The Community could, as it has done in the past with other credit institutions in the Occupied Territories, participate together with such a development bank in specific project financing on the spot.

**WRITTEN QUESTION No 1468/90****by Mrs Astrid Lulling (PPE)****to the Commission of the European Communities***(13 June 1990)**(91/C 90/21)*

*Subject: Importation and free movement among the Member States of receivers for parabolic antennae*

Satellite broadcasts can be picked up only by using parabolic antennae, one of the components of which is a receiver, also known as a demodulator. Most of these receivers are imported from third countries under customs tariff No 8529 10 (7,2% duty) without any

problem. Since last year France has been refusing imported receivers under this tariff and has applied tariff No 8528 10, under which a licence is required. Only a small number of these licences are issued and then only after inordinately long delays. Can the Commission explain and justify this differentiated import policy and customs duty applied by a Member State? Should the other Member States be compelled to follow the same policy? Furthermore, is the fact that French importers of receivers which have already been correctly imported into another Member State, by a manufacturer of finished antennae in that Member State, and are then exported to France are required to have this same licence compatible with Community legislation and with the free movement of goods within the Community?

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

*(12 September 1990)*

The Commission's information is that the French customs administration did not change its mind with regard to the tariff classification of the receivers or demodulators in question but that, in order to avoid different classifications being used in different regions, it issued a classification notice under which the receivers/demodulators have been classified within code 8528 10<sup>(1)</sup>. In this connection the Commission would draw the Honourable Member's attention to the explanatory notes to the Combined Nomenclature of the European Communities relating to code 8528 10 91 and concerning similar products.

If the Honourable Member is able to supply information showing that the goods in question are being classified differently in the other Member States, the Commission will put the question to the Nomenclature Committee in accordance with Article 8 of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(2)</sup>.

Products falling within CN code 8528 10 91 originating in non-Community countries are subject, moreover, to national quantitative restrictions in France, pursuant to Regulation (EEC) No 288/82<sup>(3)</sup>.

For trade between Member States, France was authorized by the Commission on 22 December 1989 to introduce surveillance of imports from other Member States of the products in question, and also other electronic products originating in South Korea, Japan or Taiwan, until 31 December 1990, pursuant to Article 2 of Commission Decision 87/433/EEC of 22 July 1987 on surveillance and protective measures applicable by the Member States under Article 115 of the Treaty.

The Commission subsequently authorized France, on 30 January 1990, to apply more stringent protective measures

(halting of imports) under Article 3 of the Decision of 22 July 1987 (\*) referred to above, in respect of imports from other Member States of the products in question originating in South Korea or Japan. This Decision expired on 30 June 1990.

On the matter of whether the alleged measures — issue of licences in limited quantities and excessive delay — are compatible with the principle of freedom of movement in intra-Community trade, the considerations set out below are relevant.

Although a Member State may legitimately restrict the freedom of movement of goods having a specific origin which have been put into free circulation, if so authorized by a Commission Decision adopted pursuant to Article 115 of the EEC Treaty, the way in which the Member State implements the measures must nevertheless not be such as to give rise to trade barriers going beyond what is necessary for the operation of the measures concerned.

The abovementioned Decision 87/433/EEC lays down a number of conditions in this connection for the issue of licences under intra-Community surveillance arrangements, stipulating notably that import licences must be issued automatically and without charge, within five working days of the application being made.

If the Member State finds, however, that the volume covered by the licence applications represents over 5% of the direct import opportunities available to the non-Community country concerned, or 1% of total imports from non-Community countries over the previous 12 months, the maximum period for issuing licences may be extended to 10 working days.

Failure by the Member State to comply with these conditions can give rise to barriers to trade between Member States which could not be justified under Article 115 of the EEC Treaty and would accordingly be subject to examination under Article 30 of the EEC Treaty, which prohibits quantitative restrictions and all measures having equivalent effect in trade between Member States. Such examination may lead the Commission to initiate an infringement procedure against the Member State concerned, under Article 169 of the EEC Treaty.

The Commission departments are at present carrying out a study of the whole electronics sector with a view to drawing up a Community approach, covering both internal and external aspects, to the problems encountered by the industry in question, in the run-up to completion of the single market.

(\*) Customs Bulletin No 5379 of 27 and 28 February 1990.

(†) OJ No L 256, 7. 9. 1987, p. 1.

(‡) OJ No L 35, 9. 2. 1982, p. 1.

(§) OJ No L 228, 3. 8. 1987.

#### WRITTEN QUESTION No 1510/90

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(26 June 1990)

(91/C 90/22)

*Subject:* Risk of social dumping as a result of a judgment by the European Court of Justice

The European Court of Justice has just decided that a Portuguese firm subcontracted by a firm in France may use its own staff to carry out a contract without being bound by immigration rules and it would not be subject to conditions set by the authorities of the country in which the services are provided. Nevertheless, the Court says that the Member States may extend their legislation or collective labour agreements to any persons in paid employment, even temporary employment on their territory, no matter what country the employer is established in.

Does the Commission intend to take positive measures of this kind aimed at convergence of action between the Member States so as to prevent any social dumping?

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

(17 January 1991)

In the chapter concerning freedom of movement, the Commission's action programme to implement the Community Charter of Fundamental Social Rights of Workers refers to a proposal for a Community instrument concerning the introduction of a social clause in public contracts.

The commentary on the proposal is as follows:

'The free movement of services, capital, goods and persons will increase considerably with the completion of the single market and is precisely the purpose of the single market.

The fact that, in some sectors, the freedom to provide services induces undertakings to send workers to another Member State raises the issue of their working conditions, which are generally defined by regulations applicable in the country where the undertaking has its registered office. Due to the fact that these working conditions are different, there is a risk that, in addition to disadvantages for workers, this will give rise to distortions of competition between undertakings.

Consequently, the activity of providing services, particularly subcontracting services, should respect the following principles, it being understood that the diversity of situations, particularly of a temporal nature, will be taken into account:

- application of national legislation on public order,
- respect for generally binding collective agreements.

The Commission will therefore resort to the appropriate Community instruments to ensure respect for these principles.

Similar problems arise in the field of public works contracts. They were put clearly into relief by Parliament during the discussions on the directives concerning public works contracts and public supply contracts.'

As indicated by the Commission in its communication (COM(89) 400) on the regional and social aspects of public contracts, consideration cannot be given to distortions resulting from difference in working conditions between Member States unless account is also taken of regional problems.

This communication consequently sets out to open the way for a series of practical proposals aimed, in particular, at arriving at a clearer definition of subcontractors and at standardized terms for subcontracting contracts.

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**WRITTEN QUESTION No 1523/90**

**by Mr Alain Pompidou (RDE)**

**to the Commission of the European Communities**

(21 June 1990)

(91/C 90/23)

*Subject:* The implementation of a cooperation policy with regard to the countries of Eastern Europe

As part of Commission action in favour of the countries of Eastern Europe, the Commission, implementing the conclusions of the European Council meeting in Strasbourg on 9 December 1989, submitted to the Council on 5 February two new proposals for granting educational and professional training aid to the countries of Central and Eastern Europe: a proposal for a regulation seeking to set up a European vocational training foundation and a proposal for a decision launching the Tempus programme on mobility between European universities which provides for multiannual measures aimed at contributing to the development of medium and long-term higher education and advanced training measures in the countries concerned.

These two measures — which are both useful and necessary — supplement the actions already taken by the Community in favour of the countries of Eastern Europe which include emergency aid, extension of bilateral agreements, setting-up of the European Bank for Reconstruction and Development etc.

These measures must gradually be extended in the light of the needs of the countries in question; however, if

Community action is to be truly effective, it is necessary to coordinate all Community measures and to formulate a genuinely comprehensive cooperation policy with regard to these countries.

Is the Commission at present in a position to propose a comprehensive Community policy in favour of the countries of Eastern Europe?

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

(12 November 1990)

The European Vocational Training Foundation and the Tempus programme are indeed effective means of helping Central and Eastern European countries with training. They are among the measures taken by the Community within the framework of Phare. The Commission is coordinating all action taken under Phare.

Further to the conclusions of the European Council, the Commission also submitted to the Council in August a general concept for association agreements ('European Agreements') for negotiation with Central and Eastern European countries, beginning with Poland, Czechoslovakia and Hungary. Association is intended to bring these countries closer to the Community on a lasting basis while providing support for the process of reform to which they are committed. Association entails cooperation over an immense field, with each association agreement adapted to the specific features of the country in question.

The Commission is of the opinion that in this way it has defined what the Community's overall policy towards these countries will have to be.

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**WRITTEN QUESTION No 1563/90**

**by Mr Jean-Pierre Raffarin (LDR)**

**to the Commission of the European Communities**

(27 June 1990)

(91/C 90/24)

*Subject:* Cooperation between third sector undertakings

The third sector (cooperatives, mutual insurance, associations) plays a major role in regional development and it would be highly advantageous to incorporate it into inter-regional cooperation.

Despite the widely varying regulations governing cooperations, mutual insurance and associations, how could the Commission boost cooperation between third sector undertakings and areas?

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

(5 October 1990)

In its December 1989 communication to the Council <sup>(1)</sup> on 'Businesses in the "Economie Sociale" sector — Europe's frontier-free market', the Commission tried to identify the prospects opening up in Europe for such enterprises in 1992 and show to what extent they are taken into account in Community policies.

In implementing its regional policies and, in particular, the partnership principle incorporated in the recent reform of the structural policies, the Commission attaches great importance to the effective participation of those involved in the economic and social life of the areas concerned by its measures.

With regard to local development, where assistance preferably takes the form of lump-sum awards to an intermediary body, the Regulation on the European Regional Development Fund specifically requires the intermediary body to involve the socio-economic circles affected by an operation.

Furthermore, all the measures taken by the Commission to encourage inter-regional cooperation are also open to cooperative enterprises, there being no discrimination on grounds of legal form or status.

The Commission asked the Economic and Social Committee for its opinion on the role which the European Economic Interest Grouping and possibly the European Company or any other instrument could play in fostering cooperation between enterprises in this sector.

The Committee adopted an opinion at its plenary session of 19/20 September, in which it invited the Commission to formulate special legal arrangements for cooperative enterprises. The Commission will pursue the activities set out in its communication with a view to integrating the cooperative enterprise sector in the expanded market.

<sup>(1)</sup> SEC(89) 2187.

**WRITTEN QUESTION No 1566/90**

**by Mrs Nicole Fontaine (PPE)**

**to the Commission of the European Communities**

(27 June 1990)

(91/C 90/25)

*Subject:* Regulations governing imports of electric motors

In 1986, regulations were introduced governing imports of standardized polyphase electric motors of between

0,75 and 75 kilowatts originating in East European countries.

These regulations aimed to impose a minimum price on imports and introduce a definitive antidumping duty on this type of electric motor.

The political developments in the East European countries, the Community's desire to develop trade with those countries and the need to increase the number of technical cooperation agreements have now led the Commission to lift a number of trade restrictions, with the exception of those applying to imports of electric motors.

Can the Commission explain the reasons for this? Does it not consider that these regulations should be changed or, where appropriate, that the present constraints should be lifted?

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

(13 September 1990)

It should be noted that electric motors are not the only products originating in the Eastern European countries which are currently subject to anti-dumping duties. A considerable number of measures are applied to products originating in those countries.

It is true that following the political changes that have occurred in Eastern Europe, the Community wants to continue, as in the past, to do its utmost to improve the terms of trade with some of the countries in the region, for example by abolishing general import restrictions. Certain agreements have already been concluded to this end.

A distinction should, however, be drawn between anti-dumping measures and general trade restrictions, the former being imposed as a result of formal procedures which prove that goods have been dumped, thereby causing injury to Community industry. Under GATT rules anti-dumping measures are necessary remedies against unfair trade practices and it is therefore possible to take action against any other country where it has been proved that dumping has caused injury. This is even the case for the EFTA countries, which enjoy the most liberal trade arrangements with the Community.

One of the main factors to be borne in mind about anti-dumping measures is that all the parties concerned, including the exporters, can request a review of these measures when the facts on which the original conclusions were based have changed.

**WRITTEN QUESTION No 1573/90**

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(27 June 1990)

(91/C 90/26)

*Subject: Aid to Romania*

Could the Commission provide me with details of the humanitarian aid it has been providing to Romania? Has it provided any aid to alleviate the awful plight of thousands of children in Romanian orphanages?

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

(14 September 1990)

After the overthrow of the Ceaucescu regime on 22 December 1989, the Community offered Romania emergency aid totalling ECU 11,5 million, excluding deliveries of agricultural products, to be implemented by the following non-governmental organizations: the International Committee of the Red Cross, Médecins Sans Frontières, Médecins du Monde, Caritas, Opérations Villages Roumains and Opération Hôpitaux Roumains.

Some ECU 6,8 million went on medical aid to help restore basic medical supplies to the appallingly badly equipped Romanian medical services. Of that sum, ECU 350 000 has been directed to the fight against Aids among the child population.

The remaining ECU 4,7 million was spent on a food-aid programme. Part of this was given as medico-nutritional aid being undertaken by Médecins Sans Frontières. This part was aimed at  $\pm$  100 000 infants and children under three years of age and was channelled via dispensaries, paediatric hospitals, orphanages and crèches. Among the products supplied were 930 tonnes of powdered milk and 265 tonnes of babyfood.

In the resolution on the situation of children in Romanian orphanages, adopted by the European Parliament on 17 May, the Commission is asked to draw up, in conjunction with NGOs, a specific emergency programme for rehabilitating the Romanian centres for 'hopeless cases' before next winter. With the aim of meeting this request, the Commission intends to launch a medico-social study of orphanages in Romania at a cost of ECU  $\pm$  150 000.

**WRITTEN QUESTION No 1635/90**

by Mrs Dorothy Piermont (ARC)

to the Commission of the European Communities

(4 July 1990)

(91/C 90/27)

*Subject: Harmonization of the right of asylum*

In its answer to Written Question No 911/89 (1) by Mr Yves Verwaerde, the Commission described a number of measures designed to achieve the 'harmonization' of the right of asylum in the European Community. The Commission mentioned a planned agreement between the governments of the Member States (Council Decision of 9 December 1989 in Strasbourg) and a survey of the right of asylum in the Member States.

1. What progress has been made with the survey on the various laws concerning the right of asylum in the Member States and when will it be accessible to Parliament?
2. What proposals have been made for the intergovernmental agreement approved by the Council?
3. How will the national parliaments be involved in decision-making concerning the agreement?
4. What is the timetable for drawing up the agreement and when will it enter into force?
5. What work is being done by the Ad Hoc Immigration Group?
6. What proposals have been made for the directive on the right of asylum to be adopted if the agreement should fail and what timetable is envisaged?

(1) OJ No C 117, 11. 5. 1990, p. 13.

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

(6 September 1990)

As the Honourable Member notes, the Commission, in its answer to Written Question No 911/89 by Mr Verwaerde, described the broad thrust of the discussions in progress on the right of asylum in the context of moves to abolish checks on individuals at the Community's internal frontiers. The Commission has since had the opportunity to explain its position on these matters in detail to Parliament, during the debate on the free movement of persons that took place on 14 March 1990 (1).

The inventory of national policies on asylum requested by the European Council at its Strasbourg meeting is currently being drawn up by the Ad Hoc Immigration



Group. There is no way of telling at this stage precisely when it will be completed.

It will be for the Presidency to decide under what conditions it can be made available to Parliament. As part of the new procedure for reporting on intergovernmental discussions on the free movement of persons, Parliament should normally be kept informed of progress in drawing up the inventory.

In the conclusions of its Strasbourg meeting, the European Council mentioned the signing of the Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities. The aims of the Convention are:

- to establish rules for determining which Member State is responsible for examining an application for asylum, thus putting an end to the problem of asylum-seekers moving successively from one Member State to another,
- to find the solution best suited to the situation that will prevail in the Community once internal frontiers have been dismantled.

This was one of the conditions that the 'Palma document' described as essential to the free movement of persons provided for in Article 8a of the Treaty.

The national Parliaments will play their part in implementing the Convention through the ratification procedure to be followed in all Member States. This procedure, which, under national parliamentary law, entails parliamentary debate and approval, allows national Parliaments to exercise democratic control over the conclusion of the Convention.

The Convention was signed in Dublin on 15 June 1990 by 11 Member States. Denmark announced that it would do its utmost to sign by 31 December and thus enable the end-of-year deadline fixed by the European Council in Strasbourg to be met. On the same occasion, the Ministers responsible for immigration adopted a further public statement, which the Commission fully endorsed, explaining *inter alia* the purpose of the Convention.

The work programme set by the European Council in Strasbourg has therefore been completed six months ahead of schedule. This was welcomed by the Dublin European Council, which expressed 'the hope that this Convention will be signed by all Member States before the end of the year'.

Under Article 22 (3), the Convention will enter into force on the first day of the third month following that in which the ratification instrument is deposited by the last signatory State completing this formality.

Conclusion of the Convention took up the bulk of the Ad Hoc Immigration Group's time during the Irish Presidency. In accordance with the brief given to it by the Strasbourg European Council, the Group is also working on the conclusion of a convention on the crossing of the

Community's external borders. The Dublin European Council reiterated the hope that this convention too would be concluded by the end of the year.

Since the Convention on asylum has so far been signed by 11 Member States and therefore does not appear likely to founder, there is no timetable for proposing a directive on the right of asylum.

(<sup>1</sup>) Verbatim report of proceedings for 14 March 1990, pp. 206 and 207.

#### WRITTEN QUESTION No 1663/90

by Mr Victor Arbeloa Muru (S)

to the Commission of the European Communities

(4 July 1990)

(91/C 90/28)

*Subject:* Exchanging information on combating unemployment

How many Member States have so far formally exchanged details of positive results achieved by their respective strategies for combating unemployment?

Answer given by Mrs Papandreou  
on behalf of the Commission

(27 July 1990)

The exchange of information between Member States is a vital aspect of cooperation in the field of employment. A comparison of approaches and analysis of successes and failures can be important factors in the enrichment and diversification of national and Community operations to help people find work.

The European Social Fund uses up to 5% of its annual budget in financing 'the exchange of experience which has a multiplier effect' (Article 1 (2) (b) of Regulation (EEC) No 4255/88 of 19 December 1988 (<sup>1</sup>)).

For a number of years the Commission has had specific programmes to facilitate such exchanges. Misep (Mutual information system on employment policies in Europe) provides a periodic review of Member States' employment policies. ERGO (European Community action programme for the long-term unemployed) seeks to encourage positive experiences suitable for inclusion in national programmes. Through a wide-ranging inventory of regional, national and Community operations, mobilization of all those involved in the campaign against long-term unemployment and assessment of nearly 200 experiences, ERGO is attempting to set up the conditions for as broad-based and fruitful an exchange as possible.

Although it is not possible to quantify exactly the results of such exchanges, there is nevertheless a growing interest

in what is being done beyond national frontiers, and for a number of years a greater degree of homogeneity of employment policies has been noted.

(<sup>1</sup>) OJ No L 374, 31. 12. 1988, p. 21.

**WRITTEN QUESTION No 1664/90**

**by Mr Victor Arbeloa Muru (S)**

**to the Commission of the European Communities**

(4 July 1990)

(91/C 90/29)

*Subject:* Regional authorities and Community authority

Has the Commission not considered the need to prepare a series of meetings, in cooperation with the national parliaments and the Advisory Committee on Regional and Local Authorities, to study the delicate question of relations between the legislatures of the EEC, its Member States and those regions which possess parliaments of their own?

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

(29 October 1990)

The Commission is quite prepared to take part in meetings organized around the subjects referred to by the Honourable Member.

It firmly believes in the importance of associating regional authorities in Community policies which have a regional impact. Within the context of its structural policy it has established partnership relations with the regional and local authorities of the Member States. And the setting up of the Consultative Council of Regional and Local Authorities in June 1988 reflects the same concern.

**WRITTEN QUESTION No 1681/90**

**by Mrs Guadalupe Ruiz-Gimenez Aguilar (LDR)**

**to the Commission of the European Communities**

(4 July 1990)

(91/C 90/30)

*Subject:* The generalized system of preferences in Latin America

It is an established fact that the generalized system of preferences (GSP) should enable developing countries to benefit on an equal footing from the opportunities offered by the system.

Because some developing countries are more industrialized and have a higher level of economic and commercial development, they benefit much more from the GSP than other less-developed countries.

The European Community has tried to remedy this inequality and imbalance, especially as far as the Central American countries are concerned.

Can the Commission say what measures have been taken by the Community to adjust and improve this system, in particular for the benefit of the countries of Central America, as decided at the San José V meeting?

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

(4 October 1990)

The Commission acknowledges that Central America's export performance under the GSP remains fairly modest, principally because most of its exports are agricultural products, which are not covered by the Community system. The GSP is intended to promote industrialization in developing countries and therefore focuses mainly on industrial products. It is in this sector that Central America's attempts at diversification can draw support from the GSP in securing outlets in the Community and expanding trade flows.

In 1987 the Community decided however, because of the region's particular difficulties, to anticipate the Uruguay Round's offer on green coffee and considerably reduced customs duties. Furthermore, as stated in the San José VI communiqué this year (Dublin, 9 and 10 April) and before considering extending the GSP to other products, the Commission, with the countries concerned, is continuing to look into the reasons why the system is under-utilized and how to remedy this. The countries of the Central American common market must make similar efforts, particularly with a view to making full use of regional cumulation under the rules of origin of the Community GSP. It should be noted in this connection that the new system of regional cumulation adopted in 1985, which is more advantageous for the countries in question, has not yet been implemented because the countries of the Central American common market have not given an undertaking to comply with *inter alia* the provisions on administrative cooperation in Council Regulation (EEC) No 2955/85 (<sup>1</sup>). Once the Commission receives this undertaking, the system will replace that provided for by Commission Regulation (EEC) No 3751/83 of 23 December 1983 (<sup>2</sup>).

(<sup>1</sup>) OJ No L 285, 22. 10. 1985, p. 4.

(<sup>2</sup>) OJ No L 372, 31. 12. 1983, p. 60.

**WRITTEN QUESTION No 1687/90****by Mr Virginio Bettini (V)****to the Commission of the European Communities***(5 July 1990)**(91/C 90/31)**Subject: Failure to act on the part of the Commission*

Mrs Marina Baraldini, a Commission official, was killed in an air crash at 2.45 p.m. on 19 September 1989 when travelling on mission. Her death was confirmed by UTA — the airline whose plane exploded in mid-air — 24 hours after the disaster. Three days later Mr Delors, the President of the Commission, sent a telegram of condolence to Mrs Baraldini's family.

Can the Commission say:

1. why the administration of the Commission and, more particularly, its welfare service, which is supposed to pay out the sums due to the family, refused to acknowledge Mrs Baraldini's death for several months and failed to take any action on the matter?
2. why, on the other hand, the pay office suspended payment of Mrs Baraldini's salary by means of a telephone call? Was a written document perhaps produced on the subject?
3. if so, why was this document not forwarded to the welfare service?
4. why Mrs Baraldini's mother had to call in a lawyer in order to command respect and safeguard her dignity and her interests (as the Commission knows, she lives alone, her only income being an old-age pension) although it was the Commission's duty to pay the funeral expenses, since Mrs Baraldini died while carrying out her duties as an official?
5. which official or officials have failed to do their job properly and what steps the Commission will take to punish them?

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

*(7 December 1990)*

The Commission deeply regrets the death of Mrs Baraldini.

Under the Staff Regulations, the normal practice of the administration in the event of the death of an official who has no dependent spouse or child is to halt payment of salary immediately.

Accidental death gives entitlement to a lump sum life insurance payment which may be paid out to the heirs of the deceased official, in this case the mother of Mrs Baraldini. The life insurance is taken out with a company

with which the institutions have concluded a policy covering accidents.

Because of the exceptional circumstances of the accident in which Mrs Baraldini lost her life, the notarized death certificate required by the insurance company in order to pay the benefit — was not available until 19 March 1990, a fact over which the administration had no control.

The various departments concerned were therefore not able to begin processing the insurance papers until the date.

An account of the procedure was given to Mrs Baraldini's mother and all the amounts due have since been paid.

The Commission considers that its departments handled this case correctly, reconciling the legal requirements with the social assistance which has to be provided in such cases.

**WRITTEN QUESTION No 1779/90****by Mr Paul Staes (V)****to the Commission of the European Communities***(12 July 1990)**(91/C 90/32)**Subject: Violation of the Ramsar Convention*

Along the right bank of the Scheldt lie strips of shore which are of great importance for migratory birds and are, for this reason, included in the lists of areas protected under the Ramsar Convention.

A few years ago, an initial assault was carried out against these areas through the building of a container port in the 'Galgeschoor' as part of the extension of the port of Antwerp.

A second assault is now being prepared on the same stretch of shore, protected under the Ramsar Convention, in the form of a second container terminal on the Scheldt in the 'Groot Buitenschoor' area.

Is the Commission prepared to help to ensure that the Ramsar Convention does not become a dead letter in the EC, for example by preventing this second Antwerp (European City of Culture in 1993) assault?

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

*(20 September 1990)*

Although the requirements concerning the status of the contracting parties prevent the Community from signing

the Ramsar Convention, the text has had a bearing on Commission activity since the 1970s:

- the Commission recommendation of 20 December 1974 <sup>(1)</sup> calls on Member States which have not already done so to accede to the Ramsar Convention as soon as possible;
- Directive 79/409/EEC <sup>(2)</sup> on the protection of wild birds recommends that Member States pay special attention to wetlands of international importance when selecting special protection areas;
- for many years the Commission has been working in close collaboration with the institutions responsible for managing the Ramsar Convention.

In addition, the fourth conference of contracting parties to the Ramsar Convention, held this year in Montreux, has approved a recommendation which firmly supports the establishment of closer links between the Commission and the Ramsar Convention, with a view to taking joint action to promote the conservation and rational use of wetlands.

With regard to the projects threatening the 'Groot Buitenschoor' area, the Commission will ask the Member State concerned for information on the problems raised by the Honourable Member. It will then examine the case in order to decide whether or not Community legislation is being infringed. The Honourable Member will be informed of its findings.

<sup>(1)</sup> OJ No L 21, 28. 1. 1975, p. 24.

<sup>(2)</sup> OJ No L 103, 25. 4. 1979, p. 1.

#### WRITTEN QUESTION No 1784/90

by Mr Eisso Woltjer and Mrs Annemarie Goedmakers (S)  
to the Commission of the European Communities

(13 July 1990)

(91/C 90/33)

*Subject:* Monitoring of fisheries policy

1. Is the Commission aware of the reports in the Dutch media and the ensuing statements by the Dutch Minister of Agriculture, Nature Conservation and Fisheries concerning possible irregularities in the monitoring of compliance with the fishing quota arrangements?

2. Can the Commission indicate for the past three years, when and how it has been informed by the competent Dutch authorities of problems in connection with the monitoring of compliance with these arrangements?

3. Has the Commission been informed by its own inspectors of problems in connection with the monitoring of compliance with the fish quota arrangements in the Member States? If so, when, and what were the findings?

4. Does the Commission not see a need, when trade results reveal that quotas have been exceeded and no redress can be sought from individual fishermen, to reduce the national quota?

5. What view does the Commission take of the situation in the Netherlands whereby the same Ministry is responsible for implementing Community fisheries policy and for monitoring compliance with that policy?

6. Does the Commission not regard it as desirable to seek a strict separation of responsibilities in the Community for the formulation and implementation of policy on the one hand and the monitoring of compliance with that policy on the other?

7. In view of the recurring problems with the implementation of Community fisheries policy, is the Commission prepared to put forward proposals to improve monitoring in line with the recent recommendations by the European Parliament?

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

(13 November 1990)

1. The Commission is aware of the reports and statements in question.

2 and 3. The Commission is in continuing touch with the Netherlands authorities and with the authorities of all the other Member States concerned with the enforcement of the common fisheries policy. In some cases the authorities themselves take up an enforcement problem with the Commission; in other cases the Commission learns of such a problem through, for example, the visits of its fisheries inspectors to the Member States.

4. Community legislation does not provide, in general, for Member State quotas to be reduced following overfishing of the quotas in a previous year. Deductions may, however, be made from a Member State's quota in order to compensate another Member State where the latter has been prevented from fishing its own quota by the overfishing of the former Member State.

5 and 6. Such a situation, which is also found in certain Member States other than the Netherlands, does not appear to the Commission to be unacceptable in itself. The separation of responsibility for formulating and implementing policy on the one hand and monitoring

compliance with the policy on the other does not appear to be indispensable as a matter of principle.

7. The Commission has always welcomed Parliament's interest in fisheries enforcement and invariably pays careful attention to its recommendations on the subject. In recent years the Community's enforcement legislation has several times been improved, the number of Commission inspectors has increased and more Community money has been made available for enforcement purposes. The Commission would wish, however, to draw attention to the inherent difficulty of securing respect for the fisheries conservation rules in the present situation of excessive fishing capacity. To reduce that capacity significantly would probably greatly facilitate and improve enforcement.

transport system if — in the worst case — the proportion of flights experiencing serious delays increased throughout the next few years.

Considering the implications, it would not be an exaggeration to state that the Community's air transport policy might be jeopardized should the present situation deteriorate even further. For this reason, the Commission cannot remain passive and efforts will be made to solve the problem, both through political influence and by direct cooperation with all interested parties.

For the short to medium term, the Commission will support whatever measures are required to correct present system deficiencies, by submitting proposals if necessary. As regards the longer term, our technical services are undertaking an in-depth study aimed at the development of a unified pan-European air traffic management system, which the Commission believes is the only real solution to this problem.

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**WRITTEN QUESTION No 1815/90**

by Mr **Filippos Pierros (PPE)**

to the Commission of the European Communities

(13 July 1990)

(91/C 90/34)

*Subject:* Meeting the costs of flight delays

According to a report by the Association of European Airlines, about one-quarter of European flights were delayed for at least 15 minutes last year, costing airlines and passengers \$ 37 billion. To be more precise, 24,8 % of European flights were delayed by 15 minutes or more last year, compared with 19 % in 1988, 14,9 % in 1987 and 12,5 % in 1986. Will the Commission take specific measures to deal with this particularly serious situation?

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

(18 October 1990)

The Commission is deeply concerned about the negative impact air traffic congestion and social unrest among controllers or technicians have on airlines, industry in general and the travelling public.

While economic penalties to airspace users have been estimated — and are indeed severe — those affecting business travellers are unquantifiable but almost certainly important.

Likewise impossible to assess — but equally disturbing — would be a loss of confidence in the European air

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**WRITTEN QUESTION No 1834/90**

by Mr **Joaquim Miranda da Silva and Mr Carlos Carvalhas (CG)**

to the Commission of the European Communities

(20 July 1990)

(91/C 90/35)

*Subject:* Involvement of Portuguese local authorities in the management of regional programmes

Portuguese local authorities and the municipal associations to which they belong have been relegated to a secondary or even marginal role in the management of integrated development operations, operational programmes and global subsidies to the benefit of the central government and its regional representatives (Regional Coordination Committees). Yet they are responsible for the majority of programmes submitted in this context and bear most of the cost of the programmes at national level.

Apart from causing significant delays in implementing programmes, this state of affairs is leading the local authorities to call with increasing insistence for a degree of involvement in management units commensurate with their responsibilities at operational level.

The Commission follows these problems closely and has attended meetings, especially in the global monitoring committee, at which they have been directly or indirectly discussed. It is also familiar with the guidelines which prevailed in the reform of the structural funds. What is the Commission's position on this situation?

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

(30 October 1990)

The Commission is well aware of the need to associate Portuguese local authorities (autarquias) and associations of municipalities of the various forms of assistance from the European Regional Development Fund to Portugal. Provision for such association was made in the reform of the Community's structural Funds and constitutes an essential part of the concept of 'partnership', which, as is well known, entails 'close consultations between the Commission, the Member State concerned and the competent authorities designated by the latter at national, regional, local or other level, with each party acting as a partner in pursuit of a common goal' (Article 4 (1) of Council Regulation (EEC) No 2052/88) <sup>(1)</sup>.

The Commission believes that the close association of the Portuguese municipalities with the negotiation and management of the various types of assistance will help to define the objectives of assistance in a more realistic fashion and ensure that the measures planned are implemented more effectively.

Accordingly, the Commission, with the agreement of the Portuguese Government, has ensured that the municipalities concerned participate regularly in the negotiation of the regional operational programmes and a very large number of their suggestions and desires have been incorporated in those programmes. It is nevertheless clear that, since the Commission cannot negotiate directly with all the municipalities concerned, their participation has had to be on a representative basis.

There is also provision for the municipalities to participate in the implementation and monitoring of the regional operational programmes. All programmes approved specify that their management bodies must include representatives of the municipalities and the same is true of the programme Monitoring Committees.

The Commission would also point out that:

- (a) local authority representatives sit on the Monitoring Committee for the Community support framework for Portugal; and
- (b) a representative of the 'Associação Nacional de Municípios' sits on the Monitoring Committee for the global grant for local development, approved by the Commission for the purpose of providing interest subsidies on loans to municipalities by the 'Caixa Geral de Depósitos'.

The Commission considers that this situation should, for the time being, meet the concerns of the Honourable Members. It would also stress that it intends to ensure

that the municipalities will in future play an active role in developing the measures planned under the various types of assistance listed above.

<sup>(1)</sup> OJ No L 185, 15. 7. 1988.

**WRITTEN QUESTION No 1836/90**

**by Mr Carlos Carvalhas (CG)**

**to the Commission of the European Communities**

(20 July 1990)

(91/C 90/36)

*Subject:* Resider programme

What programmes are to be financed in Portugal and Spain, by funds allocated to the Resider programme, and in which regions?

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

(30 October 1990)

Up to 10 September 1990, the Commission has approved nine Resider programmes in regions in Spain, the Federal Republic of Germany, France and the United Kingdom involving ERDF assistance of almost ECU 180 million. The programmes approved are the following:

(in millions of ECU)

Region	Year of decision	ERDF Assistance
D Nordrhein-Westfalen	1988	64,5
D Saarland	1988	13,7
UK S. Yorkshire/Humberside	1988	5,4
E Asturias	1989	13,0
E Pais Vasco	1989	12,0
F Nord-Pas-de-Calais	1990	15,7
F Lorraine	1990	42,6
D Mittlere Oberpfalz	1990	7,4
D Braunschweig/Salzgitter	1990	4,4

A further eight programmes for regions in Portugal (Setubal), Belgium, Luxembourg and Italy are currently under consideration by the Commission. In addition, in July of this year the Commission decided that the commune of Naples and the province of Taranto in Italy are eligible for assistance under Resider.

**WRITTEN QUESTION No 1838/90**

by Mrs Annemarie Goedmakers  
and Mr John Tomlinson (S)

to the Commission of the European Communities

(20 July 1990)

(91/C 90/37)

*Subject:* Recovery of wrongful payments within the framework of the common agricultural policy

Cooperation between the Member States and the Commission is essential if fraud at the expense of the EC budget is to be effectively countered. Member States are legally obliged to monitor the proper implementation of the common agricultural policy. Part of this cooperation procedure consists in Member States notifying the Commission of cases of fraud. If monies wrongfully paid are not recovered in full, the financial consequences of the irregularities or negligence are borne by the Community, with the exception of the consequences of irregularities or negligence attributable to administrative authorities or other bodies of the Member States (Regulation (EEC) No 729/70).

1. Can the Commission indicate what amounts paid to third parties within the framework of the common agricultural policy were claimed back under Regulation (EEC) No 729/70, in which year, for what reason and by which Member States?
2. Does the Commission agree with the view expressed in some quarters, to the effect that timely notification of cases of fraud and optimal cooperation between the Member States and the Commission may be hampered by Member States' fear of being obliged to bear the financial consequences of previous wrongful payments to third parties?

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

(12 October 1990)

1. The Honourable Members are referred to the EAGGF financial reports presented by the Commission, which show the exact sums recovered by each Member State each year.

2. It is true that Member States' fear of having to bear the financial consequences of irregularities notified to the Commission has in the past hampered the development of close cooperation. The Commission is aware of this problem and has endeavoured to clear up misunderstandings and allay any albeit unwarranted fears that might still persist (in only seven cases have the financial consequences of irregularities in fact been borne by Member States) and to restore in its relations with the

national government departments a modicum of trust conducive to constructive cooperation.

The Commission welcomes the progress made during the last few years, which is reflected in the very significant increase in the number of irregularities notified.

**WRITTEN QUESTION No 1843/90**

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(20 July 1990)

(91/C 90/38)

*Subject:* Long-term unemployment

Although the total number of job-seekers has diminished over the last few years in the Community, long-term unemployment figures have, paradoxically, remained high.

How does the Commission explain this and what measures could be envisaged to remedy the situation?

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

(18 September 1990)

Long-term unemployment affects those of the unemployed with the greatest combined number of serious handicaps on the labour market. Improvements in the economic situation have first and foremost been to the advantage of new arrivals (women, the non-working population and young people) and those of the unemployed who are the easiest to place in jobs.

The Member States' policies involve providing information and guidance, vocational training, start-up or cessation assistance and employment aid. There are many comprehensive schemes of these types, supplemented by the Community's own operations.

The Community's main instrument in this area is the European Social Fund: Objective No 3 for the reform of the structural Funds deals entirely with combating unemployment, which in practical terms has meant the setting up of the Community support frameworks, most of which were finalized by the end of 1989. The CSFs make provision for ECU 1 704 million to be allocated to Objective No 3 outside the regions covered by Objective No 1 between 1990 and 1992 and ECU 1 104 million in the regions covered by Objective No 1 between 1989 and 1993. The ESF seeks to give priority to financing aid to encourage the taking on of workers and vocational training schemes designed to give the long-term unemployed forms of training suited to their skills, geared

to the needs of the market and involving some work experience. There are also other resources which can be deployed in the service of combating long-term unemployment as part of initiatives by the Community.

There is a special programme called ERGO which combines this approach with action to raise awareness among the various interests involved, pinpoint initiatives currently under way and evaluate 150 pilot projects.

The Commission's analyses of persistent and disturbingly high levels of long-term unemployment have been published in several occasions, in the reports on Employment in Europe 1989 and 1990 and in its papers on combating long-term unemployment <sup>(1)</sup>.

<sup>(1)</sup> SEC(90) 361.

#### WRITTEN QUESTION No 1852/90

by Mr Karl von Wogau (PPE)

to the Commission of the European Communities

(20 July 1990)

(91/C 90/39)

*Subject:* Advertising for group travel in France

Is the Commission aware that advertisements for group travel in French newspapers need to display a licence number and that, according to information in France, such licence numbers are not issued to operators from other Member States?

Does the Commission agree that this constitutes infringement of the provisions of the EEC Treaty, and what action does it intend to take?

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

(23 October 1990)

The Commission is not aware of the situation described by the Honourable Member. The additional information provided by the Honourable Member gives no indication as to the precise nature of the licence number in question or whether the obligation to indicate this number is the result of French Government regulations or simply the private practice of the newspaper in question. The relevant provisions of Community law which might apply in this connection normally concern only the public authorities. An action for infringement of the EEC Treaty would be difficult to conceive in such a case. The Commission therefore requires more precise information on the above points before it can adopt a final position on the matter.

#### WRITTEN QUESTION No 1866/90

by Mr Juan Garaikotxea Urriza (ARC)

to the Commission of the European Communities

(20 July 1990)

(91/C 90/40)

*Subject:* Article 10 of the ERDF Regulation

Can the Commission give a detailed report of the studies and pilot projects financed to date under Article 10 of the ERDF Regulation?

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

(4 January 1991)

The Honourable Member will find below the list of pilot projects and studies co-financed and financed to date under Article 10 of the ERDF Regulation.

#### 1. Studies

##### 1.1 *Strategic Document 2 000*

- 'Future evolution of the Transport sector'
- 'Impact of the Channel Tunnel'
- 'Expérience canadienne modelisation'
- 'Faisabilité d'un outil de simulation du développement régional en Europe'
- 'Prospectif d'utilisation de l'espace communautaire'
- 'Étude prospective — régions atlantiques'

##### 1.2 *Cross-border studies*

- Portugal/Spain
- United Kingdom/Ireland
- United Kingdom/France
- Denmark/Germany
- Germany/France
- France/Italy
- France/Belgium
- Belgium/Netherlands
- Sarre—Lor—Lux (Ré-engagement)

##### 1.3 *Urban issues*

- Urbanization and the function of cities in the European Community

#### 2. Pilot projects

##### 2.1 *Cross-border pilot projects*

- D-NL: Euregio, Ems—Dollart, Rhein—Maas—Nord
- D-NL-B: Euregio Maas Rhein
- D-NL: Rhein—Waal



- B-NL: BNL Middelgebied
- E-F: Frontière Franco-Espagnole
- F-D: Alsace—Karlsruhe—Südpfalz
- GR: (external borders study)
- D-F-L: Sarre—Lor—Lux
- D-DK: Jutland—Flensburg
- B-F: Nord—PdC—Wal
- B-L-F: PED
- Cross-border observatory

### 2.2 *Urban pilot projects*

- London
- Marseilles
- Berlin
- Rotterdam

### 2.3 *Interregional cooperation — pilot projects*

- exchange of experience schemes through the interregional organizations:
  - Conseil des Communes et Régions d'Europe — CCRE
  - Assemblée des Régions d'Europe — ARE
  - International Union of Local Authorities — IULA

Commission not take advantage of the opportunity offered by these three draft proposals to harmonize assistants' qualifications?

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

(13 December 1990)

The Commission is well aware of the different levels of training for persons assisting veterinary officials in different Member States.

On 1 February 1990 the Commission presented a proposal laying down health rules for the production and placing on the market of fresh meat <sup>(1)</sup> and on 5 February a corresponding proposal for fresh poultrymeat <sup>(2)</sup>.

The two proposals specify in their Annex II the theoretical and practical knowledge required to qualify as assistant which will be subject to an official test. As the Honourable Member suggests, there will be harmonization of the skills required in the Member States with a definite possibility of combining the two types of training (meat and poultrymeat).

As regards meat from game and rabbits, provisions of the same type are planned.

<sup>(1)</sup> COM(89) 673 final.

<sup>(2)</sup> COM(89) 668 final.

### WRITTEN QUESTION No 1881/90

by Mrs Solange Fernex (V)

to the Commission of the European Communities

(2 August 1990)

(91/C 90/41)

*Subject:* Veterinary officials' assistants in slaughterhouses

In three draft proposals for regulations on health rules for the production and marketing of meat from game and rabbits, fresh meat and fresh poultrymeat, reference is made to a specialized (auxiliary) team to assist veterinary officials in slaughterhouses.

Since present levels of training vary from the advanced (the French 'Technicien Service Vétérinaire') to the basic (the German 'Fleischkontrolleur') and, in some cases, no training is given at all (slaughterhouse workers in Belgium and Italy), can the Commission say why the question of initial training for assistants has been downplayed?

Since the required levels of competence of the assistants vary from one draft proposal to the other, why does the

### WRITTEN QUESTION No 1903/90

by Sir James Scott-Hopkins (ED)

to the Commission of the European Communities

(2 August 1990)

(91/C 90/42)

*Subject:* Payment of mileage allowances for Commission staff

What mileage allowance does the Commission pay to its employees for carrying out their duties of employment in respect of:

- (a) motor cars in excess of 2 000 cc,
- (b) motor cars of less than 2 000 cc, and
- (c) bicycles?

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

(2 October 1990)

Article 15 of Annex VII of the Staff Regulations gives the following rule:

'By decision of the appointing authority, officials in grades A 1 and A 2 who do not have an official car at their disposal may receive a fixed allowance, not exceeding Bfrs 36 000 a year to cover normal travel within the boundaries of the town in which they are employed.

The allowance may, by reasoned decision of the appointing authority, be granted to an official whose duties constantly require him to make journeys for which he is authorized to use his own car.'

No distinction is made between the different types of cars or other vehicles.

Mission expenses are governed by Articles 11 to 13 of Annex VII of the Staff Regulations. An official travelling on mission is entitled to reimbursement of travel expenses, normally the cost of rail transport by the shortest route. Under certain circumstances the official may be authorized to use his own car. In that case, reimbursement shall equally be calculated on the basis of cost of rail transport. Again, the differences in types of vehicle are not taken into account.

#### WRITTEN QUESTION No 1906/90

by Mrs Marie-Christine Aulas, Mrs Brigitte Ernst de la Graete, Mr Eugenio Melandri, Mr Marco Taradash and Mr Wilfried Telkämper (V)

to the Commission of the European Communities

(2 August 1990)

(91/C 90/43)

**Subject:** Financial aid to Papua New Guinea

In May 1990, immediately after the unilateral declaration of independence by Bougainville, the EEC, along with several industrialized countries, the IMF, and a number of international banks, granted \$A 929 million to Papua New Guinea.

What is the exact amount of the EEC's aid, and for what precise purpose is it intended?

Is some of this aid intended for the support of refugees from the territory occupied by Indonesia? What is the amount in question, and for what projects is it intended?

In the last two Lomé Conventions, what amount was budgeted for the support of refugees? Which projects were supported? How many refugees were employed in

carrying out these projects? What percentage of the refugee population do they represent?

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

(23 November 1990)

In 1988, Papua New Guinea asked the World Bank to organize annual Consultative Group meetings to enable the donor community to periodically update their aid programmes. At these meetings, donors engage in a pledging exercise for the current and coming years to enable the recipient country to have some idea of how much financial aid they can realistically expect to receive.

At this year's Consultative Group meeting, held in Singapore on 17–18 May, each participant, including the EEC Commission, indicated the total amount of aid Papua New Guinea could expect from them in 1990 (total: \$US 710 million).

It is worth pointing out that this pledging exercise was not linked in any way to the unilateral declaration of independence on Bougainville which was reported whilst the meeting was taking place.

At this Consultative Group meeting, the Commission's contribution took the form of a comprehensive PNG-Commission plan for the allocation of outstanding balances from Lomé I, II and III Indicative Programmes (ECU 8,8 million in all) and for the use of ECU 18 million from Papua New Guinea's Lomé III Sysmin entitlement. Actions include: 1) a contribution (ECU 3 million) to a World Bank-coordinated Programme to mitigate the social effects of structural adjustment; 2) a ECU 5,5 million sectoral import programme to alleviate PNG's balance of payments difficulties in 1990 and ECU 18 million for road maintenance and rehabilitation.

Aid to refugees in Papua New Guinea started in 1987 (i.e. under Lomé III) when the border crossers were recognized as refugees and started to move from their makeshift camps along the Indonesian border to a more permanent relocation site in East Awin.

Under Article 204 of Lomé III the Commission has provided an amount of ECU 730 000 to help with the development needs of refugees from Irian Jaya in Papua New Guinea. This project, which is being co-financed with UNHCR and the Government of Papua New Guinea, is to facilitate the resettlement and integration of refugees through building of roads, schools and the provision of a water truck. At present there are about 3 400 refugees in East Awin, equivalent to 750 heads of household. Many adult refugees are involved in education and health schemes, sawmilling, construction, joinery and similar work. On the EEC projects proper the number of refugees engaged in the operation of transport equipment, erection of the school buildings and construction of the two access roads averages about 30.

**WRITTEN QUESTION No 1935/90****by Mr Gerardo Fernández-Albor (PPE)****to the Commission of the European Communities***(1 September 1990)**(91/C 90/44)*

*Subject:* Intensification of Community policy in the field of aquaculture

The serious problems which have arisen concerning the conservation of fish stocks make it necessary to strike a balance between the need to conserve fish stocks on the one hand and the need to meet demand for fish products on the other.

In order to achieve this balance it is necessary to promote the development of aquaculture as an alternative means of meeting demand for fish products.

In addition to the drastic measures which the Commission proposes to adopt — in view of the extreme situation which has occurred in respect of fish stocks — does the Commission consider that Community policy should be reviewed in order to promote aquaculture in the Member States to a much greater degree, thus providing a genuinely alternative means of satisfying demand for fish products on the Community market?

**Answer given by Mr Marín  
on behalf of the Commission***(23 October 1990)*

The main aim of the Community's encouragement of the development of aquaculture is to contribute towards improving the situation regarding the supply of fish products to the Community market, which the Honourable Member rightly points out is in a serious and lasting state of imbalance.

The development of aquaculture will make a gradually increasing contribution towards the stabilizing or even reducing the trade balance deficit in fish products as the economic factors of aquaculture production and environmental constraints permit.

In this connection, it should be pointed out that, under Regulation (EEC) No 4028/88 <sup>(1)</sup>, the Fisheries Fund has made major financial contributions towards the development of this sector.

This financial encouragement has had very positive results, especially in trout and salmon production and in the launching of fish farms for Mediterranean species (bass and sea-bream).

In 1989 aquaculture generated a turnover of ECU 1 200 million for all Community countries.

This turnover represents 17% of these countries' turnover for the sea fishing industry (ECU 7 000 million in 1989) and this figure is rising constantly.

These results fully justify the Community's current policy on aquaculture which, thanks to technically and economically well-managed fish farms, is developing and growing strongly.

However, as part of the reform of the structural Funds, the Commission is considering amending the basic Regulation (EEC) No 4028/86, in order to better adapt the measures promoting the development of aquaculture to the real needs of this sector, providing a better response to the demand for fishery products.

<sup>(1)</sup> OJ No L 376, 31.12.1986.

**WRITTEN QUESTION No 1936/90****by Mr Gerardo Fernández-Albor (PPE)****to the Commission of the European Communities***(1 September 1990)**(91/C 90/45)*

*Subject:* Standard Community-wide employment contract for students on work experience programmes

It is becoming increasingly frequent for students — in particular language students — to round off their studies by working in another Community Member State in order to improve their idiomatic grasp of the language spoken there.

In general, the undertakings in the host Member State offer such students a temporary contract of six to 12 months which sets out all the terms of their employment.

In order to promote this type of work experience, does the Commission consider it appropriate to propose to the Member States a standard form of temporary employment contract for Community students wishing to work in Member States other than their own for the purpose stated above, in order to harmonize the terms of temporary employment and the various safeguards which should accompany such employment?

**Answer given by Mrs Papandreou  
on behalf of the Commission***(4 January 1991)*

The Commission has no plans to propose to the Member States a standard form of temporary employment contract

for Community students going to another Member State to work there.

Member State will therefore be governed solely by the law of that State.

(<sup>1</sup>) OJ No L 167, 30. 6. 1975.

(<sup>2</sup>) OJ No L 341, 23. 11. 1989.

(<sup>3</sup>) OJ No L 19, 24. 1. 1989.

**WRITTEN QUESTION No 1944/90**

by Mrs Marie-Claude Vayssade (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/46)

*Subject:* The profession of psychoanalyst and preparations for 1992

Is it true that in preparation for 1992 the Commission is drawing up one or more proposals for regulations concerning the profession of psychoanalyst?

If so, what are its intentions in this respect?

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

(23 October 1990)

The Commission is not planning to present a proposal for a specific Directive on the recognition of psychoanalysts' diplomas.

Given that a distinction has to be made according to whether psychoanalysis is practised by doctors or, where the medical monopoly which may be laid down by the national laws of the Member State in question allows this, by qualified professionals who are not doctors, the Community law that is or will be applicable is as follows:

Doctors are governed by the 'doctors' Directives 75/362/EEC and 75/363/EEC (<sup>1</sup>) (as last amended by Directive 89/594/EEC) (<sup>2</sup>) which provide for the recognition of diplomas and the coordination of the training of doctors and certain specialists (including psychiatrists and neuropsychiatrists).

By contrast, psychoanalysts, insofar as the profession is regulated in the host Member State, will be governed from 4 January 1991 by Council Directive 89/48/EEC (<sup>3</sup>) of 21 December 1988 on a general system for the recognition of higher education diplomas awarded on completion of professional education and training of at least three years' duration.

This Directive which, by its general nature, represents a new approach by the Commission to the recognition of diplomas, deliberately excludes any coordination of training and professional fields of activity. Given the terms of this Directive, the Member State in question will continue to have sole power to create or regulate or not regulate a given profession and to define and organize the corresponding training system. Any move to create a profession of psychoanalyst on the territory of a given

**WRITTEN QUESTION No 1955/90**

by Mr Willem van Velzen (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/47)

*Subject:* Refusal by the Commission to pay unemployment benefit to a former member of staff

1. Is the Commission aware that a former member of the European Parliament's temporary staff was refused authorization to register with the City of Brussels until steps had been taken on her behalf by the Belgian Ministry of Justice and a lawyer?

2. How does the Commission explain its refusal to pay unemployment benefit during these three months given that (a) the member of staff in question, owing to the refusal by the City of Brussels to register her, could not fulfil the conditions set out in the European Community Staff Regulations, (b) the Commission was aware of these problems and (c) the member of staff in question was able to prove that he had no other source of income over this period and was actively seeking employment?

3. Does the Commission consider the attitude of its officials who advised the member of staff to avoid problems by 'going back to where she came from' to be in accordance with the spirit and letter of the European Treaties?

4. How many similar cases are known to the Commission and what measures does it intend to take?

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

(12 December 1990)

The Commission deeply regrets the difficulties encountered by the person concerned in obtaining a Belgian residence permit, which would have enabled her to register with the Belgian employment authorities as being out of work and to qualify for the unemployment allowance provided for in Article 28 a of the Conditions of Employment of Other Servants of the European Communities. As far as the Commission is aware, this has been the only such case since 1988, when Article 28 a was first applied in practice.

It should be pointed out that one of the qualifying conditions in Article 28 a is that the former member of the

temporary staff must be properly registered as seeking employment with the national employment authorities and must produce a certificate issued by them to that effect.

The allowance is payable from the date of actual registration but for not more than 24 months from the date of termination of service.

The registration procedure requires that the person concerned should hold a residence permit for the country in question, which must be issued in accordance with Community law, and in particular (for the period following service on the temporary staff) Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families (<sup>1</sup>).

The person to whom the Honourable Member refers is not being advised by the Commission in the manner he suggests.

(<sup>1</sup>) OJ No L 257, 19. 10. 1968.

#### WRITTEN QUESTION No 1966/90

by Mr Eugenio Melandri and Mrs Marie-Christine Aulas  
(V)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/48)

*Subject:* Development project in Western Samoa

In respect of the development project in Western Samoa, which, according to Communication IP (90) 525, is to receive ECU 8,8 million in EDF financing:

1. How much of the total investment in the projected power station is earmarked for vocational training designed to enable the local populace to run the future power station independently?
2. What is the degree of involvement of local undertakings in the project and what is the percentage of their contribution to the realization of the project itself?
3. What European undertakings are involved in the project and how much of the workforce has been recruited locally?

Answer given by Mr Marín  
on behalf of the Commission

(23 November 1990)

1. Although EDF funds allocated to the Afuñilo hydro-electric project (40% of total project costs) are

concentrated on physical inputs (works and supply), an amount of ECU 154 000 is reserved for the training of local (Electric Power Corporation) agents. The EPC already possesses an experienced staff of Samoan technicians and institutional strengthening in the form of management, vocational training and technical assistance is being provided by the Asian Development Bank as a co-donor and is also expected to be provided by German bilateral aid.

As part of the EDF-funded AE 4 contract (see below), there will be two traineeships in Europe and several organized on the spot.

2. The West Samoan Government is putting up the equivalent of ECU 3 million (13,5% of total project costs) for work to be carried out by the government owned Electric Power Cooperation (part of line erection, reservoir clearing and access roads). Local engineering consultants also participated in the preliminary project studies (design) and are helping provide site supervision.

3. The bulk of EDF funds concern supplies (ECU 4,7 million) and contracts have been awarded as follows:

- AM 2 Pipes and hydraulic structures: PPI (Netherlands)
- AE 4 Generators and electrical equipment: Coelco (Italy)
- AE 5 Transmission line materials: Results of tender not yet known — assembly of equipment will be carried out by EPC personnel.

The EDF contribution to part of the civil works component of the project is of ECU 2,8 million. This contract has been awarded to the German firm Riepl and, although it is difficult to quantify, the firm will be recruiting welders and other personnel on the local market.

Consulting services on the European side are being provided by the German firm Fichtner and site supervision by the German firm Lahmeyer.

#### WRITTEN QUESTION No 1972/90

by Mrs Christine Oddy (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/49)

*Subject:* EC trade with India, Punjab and Kashmir

What are the trade figures for:

1. EC and India?

2. EC and Kashmir?

3. EC and Punjab?

How may Kashmiris and Punjabis live in each EC Member State?

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

(22 November 1990)

The Commission is sending direct to the Honourable Member and to the Secretariat of the European Parliament some tables giving figures on trade between India and the EEC.

The Commission has no data on the basis of which it could answer the Honourable Member's other points, since figures for the Punjab or Jammu and Kashmir cannot be separated out of the external trade or immigration statistics on India.

**WRITTEN QUESTION No 1991/90**

**by Mrs Raymonde Dury (S)**

**to the Commission of the European Communities**

(1 September 1990)

(91/C 90/50)

*Subject:* Court of Justice: Case 96/80

What action has been taken by the United Kingdom in response to the judgment handed down by the Court on 31 March 1981 concerning *J. P. Jenkins v. Kingsgate* (Case 96/80)?

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

(8 January 1991)

On 31 March 1981 the Court of Justice handed down a judgment following a request for a preliminary ruling from the Employment Appeal Tribunal in *Jenkins v. Kingsgate*.

This decision establishes that a difference in pay between full-time workers and part-time workers does not amount to discrimination prohibited by Article 119 of the Treaty unless it is in reality merely an indirect way of reducing the pay of part-time workers on the ground that the group of workers is composed exclusively or predominantly of women. The Court of Justice thus recognizes that sex discrimination contrary to Article 119 of the Treaty may be indirect.

Following the Court's judgment, the Employment Appeal Tribunal ruled that the Sex Discrimination Act 1975 on equal treatment should be taken to include the concept of indirect discrimination and to apply also to equal pay.

**WRITTEN QUESTION No 2002/90**

**by Mr Gijs de Vries (LDR)**

**to the Commission of the European Communities**

(1 September 1990)

(91/C 90/51)

*Subject:* Council and Commission committees

In 1980 the Commission published a list of Council and Commission committees (EC Bulletin, Supplement 2/80) with the intention of subsequently updating it.

Will the Commission publish an updated version of this list, indicating which committees were set up under the Council Decision of 13 July 1987?

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

(4 January 1991)

The Commission intends to update and publish the list to which the Honourable Member refers.

**WRITTEN QUESTION No 2003/90**

**by Mr Gijs de Vries (LDR)**

**to the Commission of the European Communities**

(1 September 1990)

(91/C 90/52)

*Subject:* Proceedings under Article 169 in the broadcasting sector

In its answer of 26 May 1989 to my Written Question No 850/88 (1) the Commission said that it had delivered a reasoned opinion in view of two aspects of media law in the Netherlands.

The first relates to the obligation for Dutch radio and television broadcasting organizations whenever they

acquire programmes, to apportion a large percentage of the funds at their disposal each year to a Dutch company.

The second relates to the ban on retransmission by cable of satellite programmes which contain advertising specifically directed at the Dutch public and which do not meet six conditions also imposed on national programmes.

Finally, the Commission announced that it had initiated proceedings under Article 169 concerning the obligatory percentage of television programmes originating in other Member States having Dutch cultural character.

1. What stage has been reached in the above proceedings?
2. Is the Commission engaged in other proceedings under the EEC Treaty against any aspects of Netherlands media policy? If so, what stage has been reached by these proceedings?

(<sup>1</sup>) OJ No C 270, 23. 10. 1989, p. 3.

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

(18 October 1990)

1. The Commission can inform the Honourable Member that it has referred to the Court of Justice the matter of the requirements imposed on Dutch radio and television organizations in respect of the allocation of funds granted to them and that of the restrictions on the broadcasting of foreign programmes containing advertising directed specifically at the Dutch public.

As regards the obligation to comply with cultural quotas, the proceedings have reached the stage of a letter of formal notice.

2. No other proceedings have been initiated under Article 169 of the Treaty with regard to media law in the Netherlands.

**WRITTEN QUESTION No 2022/90**

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/53)

*Subject:* Collection of fines imposed by the Commission

The Commission appears to be making full use of the powers given to it by the Treaties to impose fines on undertakings infringing Community rules. Can it give

details on the fines imposed since 1 September 1989 and the amounts actually collected?

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

(16 November 1990)

Since 1 September 1989 the Commission has twice imposed fines on undertakings for infringing the rules on competition.

By its Decision of 13 December 1989 (IV/32.026-Bayo-n-ox) (<sup>1</sup>), the Commission imposed a fine of ECU 500 000 on Bayer AG for infringing Article 85 of the Treaty of Rome. Collection of this fine has been suspended provisionally, since the company in question has lodged an appeal against the Decision with the Court of First Instance and has agreed to provide a bank guarantee.

The second case concerns the Decision of 18 July 1990 (<sup>2</sup>) relating to a proceeding under Article 65 of the ECSC Treaty concerning an agreement and concerted practices engaged in by European producers of cold-rolled stainless steel flat products. By this Decision, six undertakings were fined a total of ECU 425 000.

(<sup>1</sup>) OJ No L 21, 26. 1. 1990.

(<sup>2</sup>) OJ No L 220, 15. 9. 1990.

**WRITTEN QUESTION No 2023/90**

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(1 September 1990)

(91/C 90/54)

*Subject:* Protection for mortgagor

Freedom to provide financial services covers mortgage loans, which raises the problem of consumer protection in respect of such loans. What steps does the Commission intend to take to ensure that borrowers are provided with sufficient information (particularly concerning hidden but real risks due to exchange rate differentials) and to provide them with a minimum degree of protection?

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

(29 November 1990)

There are at present no specific Community provisions aimed at protecting individuals who take out mortgage loans. A proposal for a Directive providing for such measures which was submitted in 1985 (<sup>1</sup>) and amended in 1988 (<sup>2</sup>) to take account of the opinion delivered by

Parliament has not yet been the subject of a Council decision. For that reason, the Commission is currently examining the problems facing consumers as a result of the opening-up of the mortgage credit market, although this process is still in its early stages.

With particular regard to the exchange risk, it should be emphasized that the liberalization of capital movements, with Community nationals now being able to borrow in any Community currency, including the ecu, constitutes a not-inconsiderable advantage for consumers. That said, the Commission will carefully monitor developments in the mortgage sector within the single market and, should any problems occur, will be ready to consider appropriate solutions.

(<sup>1</sup>) COM(84) 730; OJ No C 48, 14. 2. 1985.

(<sup>2</sup>) COM(87) 255; OJ No C 161, 19. 6. 1987.

#### WRITTEN QUESTION No 2026/90

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(5 September 1990)

(91/C 90/55)

*Subject:* Gender participation in Erasmus

May I thank the Commission for their answer to my Written Question No 721/90 (Gender participation in Erasmus) (<sup>1</sup>) in which the Commission draws my attention to their earlier answer to the question submitted by Mrs Ewing. However, could I respectfully point out that the answer to Mrs Ewing's question does not answer my question. Would the Commission, therefore, inform me what subject areas within the Erasmus programme women are in the minority, and by what means the Commission intends to move towards gender parity in these areas? I note in the Commission's answer to Mrs Ewing's question that 'statistics on women's participation in the teaching mobility programmes are not available at all for the moment'. Could the Commission say if they are now — in which case could the Commission supply them — or, if they are not available, could the Commission say when they will be?

(<sup>1</sup>) OJ No C 259, 15. 10. 1990, p. 37.

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

(29 November 1990)

Detailed statistics on actual student mobility under Erasmus are only available when the reports of all student

mobility grants are received and analysed. The figures for 1988/89 by sex and subject area are not yet available. However, a preliminary analysis based on a sample survey indicates an overall female participation of 54%. Figures by subject area are available only for 1987/88 (<sup>1</sup>). If these figures are compared with the figures for the total Higher Education student population in the Community, 54% of all Erasmus students were female against an all EC 12 Higher Education student population figure of 46%. Female students were in a significant minority (less than 40%) in Erasmus and in the Higher Education student population at large, in fields such as agriculture, architecture, engineering, mathematics and natural science. However, the following table shows that in nearly every case the ratio of women students under Erasmus is considerably higher than in the student population at large.

#### Female students

(in %)

Field of study	Erasmus grantholders	EC Higher Education student population
Agriculture	29	not available
Architecture	50	34
Engineering	22	10
Mathematics	45	32
Natural Science	34	35

Statistics on women's participation in teaching mobility programmes are still not available but they will be sought in future on the basis of revised reporting procedures or sample surveys undertaken within the normal programme of evaluation.

(<sup>1</sup>) Source: Eurostat publication on Girls and Boys in Secondary and Higher Education, January 1990.

#### WRITTEN QUESTION No 2044/90

by Mrs Michèle Alliot-Marie (RDE)

to the Commission of the European Communities

(5 September 1990)

(91/C 90/56)

*Subject:* Compensation for the disadvantages of sheep farming in mountainous regions

Community sheep farming and marketing regulations tend to favour the large areas of production, such as the United Kingdom and the Mediterranean countries, to the



detriment of hill-farming areas that face particular problems.

In disadvantaged regions such as the Basque country and Béarn, sheep farmers suffer considerable natural constraints and disadvantages and, because of their difficulties and their extremely low income, many are leaving the land with the ultimate risk that the countryside will be deserted, thereby disrupting the natural order.

What measures is the Commission considering to compensate inequalities among sheep farmers and to adjust its aid and intervention policy to take account of geographical particularities?

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

(29 October 1990)

The common organization of the market in sheepmeat provides for the payment of a premium per eligible ewe based on the difference between the fixed basic and the average market price in each region of the Community. The gradual merging of the regions of the common market organization, due for completion by the end of 1992 at the latest, will mean that this premium, differentiated only as between flocks specializing either in meat or milk production, will be common to all producers throughout the Community.

In so far as less-favoured areas are concerned, measures at both the market organization and structural levels are in place in recognition of their particular circumstances. The limitation on the number of ewes eligible to receive the full premium per producer is set at 1 000 in less-favoured areas as compared to 500 in other areas. Furthermore, the Council has agreed that from 1991 onwards a special premium of ECU 4 per ewe will be payable each year in less favoured areas, thus easing the burden of the stabilizer mechanism on producers with little alternative to sheepmeat production. Within the structural policy, the Community also grants compensatory payments in respect of permanent natural handicaps to producers located in mountainous and less-favoured areas. Indeed the Commission has agreed that, in the system of application presented by the French authorities, the revaluation of payments for wintering in 1989-90 be limited solely to sheep — the increase in payment is within the range of 8 to 15% depending on zone by comparison to the previous wintering.

In addition to these measures, the Community also provides assistance from the structural Funds to diversify economic activity in less-developed rural areas.

Both the Basque country and Béarn (partially) are eligible for assistance under Objective 5 (b) of the structural Funds.

**WRITTEN QUESTION No 2053/90**

**by Mr Ernest Glinne (S)**

**to the Commission of the European Communities**

(5 September 1990)

(91/C 90/57)

*Subject:* Community aid to Guatemala

What Guatemalan aid projects receive Community support, particularly in the refugee sector?

What assessment has been made of these projects to date?

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

(14 November 1990)

Since the installation of a democratically elected government in Guatemala in 1986 the Community has been providing the country with a significant amount of aid. Taking only the EEC's bilateral aid since then (which is additional to Guatemala's share in regional projects), this amounts to ECU 50 million, mainly in the form of projects in support of small-scale peasant farming (3 integrated development projects in the Boca Costa area and Solola Department, accounting for a total ECU 26 million) and providing food aid (ECU 13 million) and aid for refugees and displaced persons (ECU 7 million).

In view of the difficulties the country has been facing, particularly since 1989, the implementation of the various projects, most of them not yet completed, must be regarded as satisfactory on the whole. Turning specifically to Community aid for refugees and displaced persons, the Community has considerably stepped up its action in Central America in general and Guatemala in particular, as agreed at the EEC-Central American ministerial meetings (San José) and at CIREFCA (international conference on refugees in Central America), the aim being to help turn into reality the commitments to peace made at Esquipulas in August 1987.

For instance, since 1987 the nine projects summarized below and, together accounting for ECU 6,4 million, have been approved for Guatemala under Article 936 of the budget (see annexed Table):

- two projects (ECU 2,05 million) concern the voluntary repatriation of Guatemalan refugees from Mexico. This is organized by the UNHCR and the CEAR<sup>(1)</sup>;
- one project is to resettle persons displaced within Huehuetenango (ECU 2,5 million) and is to be carried out by the Ministry of Development;
- six projects are to benefit displaced and repatriated persons and are to be implemented by European NGOs. The projects cover various aspects of health, children's schooling and livestock farming.

At the end of June 1990 a team from Financial Control inspected the UNHCR/CEAR projects for repatriating those who had taken refuge in Mexico. Their report will be available shortly.

<sup>(1)</sup> Special Committee for Aid to Refugees.

**Aid projects in Guatemala to ensure the self-sufficiency of refugees and displaced persons (Item 9360 of the budget)**

Project	Title	EEC commitments (ECU '000)	Body
87/1/AD	Health and sanitation in the 'El Mezquital' quarter	290	MSF/FR
87/2/AD	Health and education of orphaned children displaced within the Quiche region	300	ERM/FR
87/5/AR	Repatriation and reintegration of Guatemalan refugees	800	UNHCR/CEAR
88/7/RR	Development of reintegration areas in northern Huehuetenango	2 550	MINDES
88/8/RR	Help with livestock farming and training for veterinary assistants	180	VSF/FR
88/17/RR	Programme of health education and preventive education for Guatemalan repatriates to, and those displaced within, Ixcán	300	MdM/FR
88/18/RR	Repatriation and rehabilitation of Guatemalan returnees	1 250	UNHCR/CEAR
89/7/AD	Help for the schooling of children displaced within Ixcán	280	ESF/FR
AC/RR/4/90	Development of small-scale livestock farming and training for veterinary assistants at Nenton and Barillas	450	VSF/FR
<b>Total</b>	<b>9 projects</b>	<b>6 400</b>	
token entry: 88/20/AR	Contribution towards preparations for the conference on Central American refugees	600	UNHCR

**WRITTEN QUESTION No 2068/90**

**by Mr Elmar Brok (PPE)**

**to the Commission of the European Communities**

*(5 September 1990)*

*(91/C 90/58)*

*Subject:* Acquisition of the US firm Rorer by Rhône Poulenc Santé

The acquisition of Rorer, an American pharmaceutical firm, by Rhône Poulenc Santé would appear to have involved and still involve certain business practices running counter to Community law, for example the projected closure of the highly successful and profitable Rorer plants in Bielefeld and Eschwege and the plans to transfer jobs, mainly to France.

1. To what extent is the French Government financing this acquisition? Has it agreed to provide surety or is it directly or indirectly involved in some other way?
2. What view does the Commission take of the written and oral statements issued on 4 July 1990 by the

management of Rhône Poulenc Santé in Germany (Nattermann Co., Cologne) to the effect that the implementation of these projects (plant closures) is inevitably affected by not only business management and economic considerations but also political factors?

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

*(15 November 1990)*

1. The Commission does not have any information concerning the granting of direct or indirect State aids or guarantees in the context of the acquisition of the US-pharmaceutical company Rorer by Rhône Poulenc.

Moreover, there is no information available indicating that the French authorities may have enacted measures contrary to the rules contained in the EEC Treaty as referred to in Article 90 EEC.

2. As regards the statement of Rhône Poulenc Santé, the Commission is not in a position to comment on it.

**WRITTEN QUESTION No 2078/90****by Mr Richard Simmonds (ED)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/59)*

*Subject:* Directive on the Conservation of Wild Birds 1979

Does the Commission have any intention of amending the EC Directive on the Conservation of Wild Birds in order to ensure that the objectives laid down in this Directive in 1979 will be adhered to by the Member States?

At the moment there is a blatant disregard in many Member States for the objectives and suggestions contained in the Directive. Will the Commission investigate the Member States who are violating this Directive and take action to improve the situation?

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

*(22 February 1991)*

The Commission would refer the Honourable Member to the reply to the oral question H-1298/90 by Mr Cassidy, which it gave during question time at Parliament's January 1991 part-session <sup>(1)</sup>.

<sup>(1)</sup> Debates of the European Parliament No 3-398 (January 1991).

**WRITTEN QUESTION No 2084/90****by Mrs Pauline Green (S)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/60)*

*Subject:* Employer and public liability insurance

Has the Commission any plans to harmonize insurance arrangements in cases such as reciprocal work experience schemes and if so, when?

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

*(4 December 1990)*

The Commission does not at present have any plans to harmonize national arrangements in the cases referred to by the Honourable Member.

**WRITTEN QUESTION No 2089/90****by Mr Madron Seligman (ED)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/61)*

*Subject:* Repayment of Greek withholding tax

One of my constituents, a marketing consultant, has done professional work in Greece and his fees were promptly paid some years ago by his clients. The Greek fiscal authorities, however, deducted a withholding tax, notwithstanding the existence of a dual taxation relief agreement with the UK.

Not only have the Greek authorities failed to repay the amounts due to my constituent — and he tells me that there are numerous other professional people also awaiting refunds — but they have now given him to understand that if and when they do make a refund, it will be based on the original amount in drachmas, but without any payment of interest and converted at the rates of exchange current at the time of eventual repayment, ignoring the not inconsiderable depreciation in the value of the drachma meanwhile.

If the facts are as stated by my constituent, the behaviour of the Greek tax authorities does not seem compatible with the standards expected of another Member State. Is the Commission prepared to intervene in order to ensure that proper standards of financial discipline are observed throughout the Community?

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

*(5 November 1990)*

The Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Greece for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income dated 25 June 1953 establishes the conditions under which a UK resident can be exempt from Greek tax on profits or remuneration.

On the basis of the elements mentioned by the Honourable Member, it is not possible for the Commission to determine whether these conditions are met by the British resident concerned.

In any case, the Commission is not entitled to intervene in the application of bilateral double taxation treaties except in cases where there is an infringement of Community law, which does not seem to be the case. Any litigation concerning the application of such treaties have to be settled by contracting States.

**WRITTEN QUESTION No 2113/90****by Mr Gijs de Vries (LDR)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/62)**Subject:* Antitrust treaties between the US and EC Member States

In order to protect their companies from extraterritorial application by the United States of its anti-trust legislation, France and the UK have enacted what are known as 'blocking statutes'. The FRG concluded a bilateral anti-trust agreement with the US in 1976.

In a speech on February 8, 1990, the Rt Hon. Sir Leon Brittan, Vice-President of the Commission, called for an antitrust treaty between the European Community and the US. This would 'provide for consultations, exchanges of non-confidential information, mutual assistance, and best endeavour to cooperate in enforcement where policies coincide and to resolve disputes where they do not'.

1. Does the Commission agree that such a treaty would serve a double purpose: to reduce the risk of major commercial and political disputes between two of the world's most important trading partners, and to reduce the legal uncertainty which stems from the existence, within the EC, of two 'blocking statutes', as well as one treaty between a Member State and the US?
2. When does the Commission intend to put forward a draft treaty on competition policy with the United States?

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

*(14 November 1990)*

The Commission has begun preparations for exploratory discussions to determine the possible substance of planned cooperation with the US antitrust authorities. It is too early to say whether the preparations will have a successful outcome.

As to what might be the substance of such cooperation, the Commission is pursuing essentially a twofold objective, namely to reduce possible sources of conflict of competence or interest and to establish a system of mutual assistance and exchanges of information.

Any agreement would affect neither the 'blocking statutes' enacted by some Member States nor any bilateral cooperation agreements concluded at the initiative of Member States. In any event, the Commission, in determining the scope of any commitments it might enter into, must bear in mind that its competence in the

antitrust field with regard to enterprises in the Community is confined to the application of the Community rules of competition.

**WRITTEN QUESTION No 2115/90****by Mr Florus Wijsenbeek (LDR)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/63)**Subject:* Compensation for West German road hauliers

Is the Commission aware that since 1 July West German road hauliers have been receiving financial compensation for the road toll ('Straßenbenutzungsgebühr'), which has not, in fact, been introduced?

1. Does the Commission not consider this payment a distortion of competition?

Does it consider the payment to be in accordance with:

2. the provisional ruling of the European Court of Justice with respect to the West German road toll?
3. Article 76 of the EEC Treaty?

If the Commission considers that this payment to West German road hauliers constitutes an infringement of any of the above conditions, what measures has it taken or does it intend to take?

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

*(20 December 1990)*

The Commission is aware of the fact that Article 2 of the German Law of 30 April 1990, dealing with the modification of the level of German vehicle taxes, has not been withdrawn as was the case with Article 1 which introduced the 'Straßenbenutzungsgebühr'.

The Commission is of the opinion that Member States are free to change the level of taxation for vehicles registered within their territory. However, it regrets that in the field of vehicle taxation no common rules have been yet adopted and it is well aware of the danger of a further divergence in taxation levels in the different Member States.

The Commission, therefore, gives a high priority to the fiscal harmonization in the road haulage sector, in this context, it welcomes the conclusion of the European Council that significant progress should be made in this field by the end of 1990.

**WRITTEN QUESTION No 2119/90****by Mrs Christine Crawley (S)****to the Commission of the European Communities***(17 September 1990)**(91/C 90/64)**Subject: Dignity of women and men at work*

Can the Commission inform Parliament by which means it will implement the requests laid down in Council's resolution of 29 May 1990 on the 'Dignity of women and men at work'?

How does it intend to inform the groups of people and institutions referred to in paragraph 1 of Chapter III of the above resolution and make them aware of the fact that, in certain circumstances, failure to respect this concept may be contrary to the principle of equal treatment within the meaning of Articles 3, 4 and 5 of Directive 76/207/EEC (1)?

What result does the Commission think it will achieve by working out a code of conduct as mentioned in paragraph 2 of Chapter III of the resolution? Does it not agree that some form of sanctions should be provided for? Does it not therefore agree that a proposal for a directive would have been the better alternative? And, admitting this, would it not be advisable to draft a directive based on Article 118 a of the Treaty at an early date?

(1) OJ No L 39, 14. 2. 1976, p. 40.

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

*(29 November 1990)*

The Commission is committed to taking forward the requests contained in the resolution on the Dignity of Women and Men at Work of 29 May 1990. It has started work on the preparation of a Code of Conduct, which will be the subject of consultation with both sides of industry following consultation with the Member States and the national equal opportunities authorities. As requested in the resolution, this will provide guidance on initiating and pursuing positive measures designed to create a climate at work in which men and women respect one another's dignity. The code will be based on examples and best practice in the Member States and will be drawn up by 1 July 1991.

The Commission will also be continuing its efforts to inform people about the problems which arise from sexual harassment at work, about the importance of protecting the dignity of women and men at work, and about the fact that, in certain circumstances, failure to respect the concept set out in the resolution may be contrary to the principle of equal treatment within the meaning of

Article 5 of Directive 76/207/EEC. In the recent past, the Commission has published its expert report (1) on this issue, which contributed to heightened awareness in many Member States of the problems arising from sexual harassment at work. It provided practical guidance to employers on sexual harassment, among other matters, in its Positive Action Guide of 1988; and it has provided funding for national conferences and publication of booklets on the issue. It will continue to provide funding for such relevant information initiatives, and also it plans, of course, to launch the Code of Conduct with major publicity next year, as a further means of raising awareness.

The Commission considers that the production of a Code of Conduct will serve a number of vital purposes. It will contain a definition of sexual harassment, making it clear that unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work, including the conduct of superiors and colleagues, is unacceptable and may, in certain circumstances, be contrary to the principle of equal treatment within the meaning of Article 5 of Directive 76/207/EEC. It will help to ensure that the problem is effectively addressed at national level and it will provide practical guidance on effective means of dealing with the problem. It will also heighten awareness of victims and the fact that they do not have to tolerate unwanted conduct of a sexual nature or other conduct affecting their dignity.

In reply to the part of the question relating to the need for a directive in this area, the Commission considers that sexual harassment and other behaviour affecting the dignity of women at work may already, in certain circumstances, be contrary to the principle of equality guaranteed by the Equal Treatment Directive.

(1) The dignity of women in the workplace: The problem of sexual harassment in the Member States of the European Communities, Report by Michael Rubenstein (COM V/412/1/87).

**WRITTEN QUESTION No 2125/90****by Mr Ernest Glinne (S)****to the Commission of the European Communities***(27 September 1990)**(91/C 90/65)**Subject: Obligation to take part in 'self-defence' patrols in Guatemala*

Article 34 of the Guatemalan constitution of 1985, which is still in force, stipulates that no-one may be forced to become a member of a group or association set up for

self-defence or similar purposes. However, this constitutional provision is being violated in order to force peasants to enrol in 'civil defence patrols' whose day- and night-time activities are unpaid; regular soldiers are not forced to participate. This unwanted activity deprives peasants of daily earnings of between 1,5 and 3 quetzals (the equivalent of between US\$ 0,40 and 0,80 in July 1990), offers them no pay for night-time work, starves them further by reducing their income and, above all, turns them into reluctant auxiliary soldiers. In the run-up to the presidential elections, the army is now using such patrols for exercises which reach into urban areas, despite the fact that the democratic opposition is organizing demonstrations demanding that enrolment in such patrols should be exclusively voluntary, as stipulated in the Constitution. It is significant that two months ago a peaceful demonstration in support of human rights was 'controlled' at Chichicastenango by 'patrolmen' conscripted by the armed forces.

Could the Commission reply to the following questions

1. Is there not a pressing need to take measures to secure the disbandment of these patrols of conscripted reservists throughout Guatemala, in accordance with the Constitution?
2. Is there not a need, now that the local social causes of the 'East-West' conflict which started in 1954 are beginning to be recognized, and talks are starting between representatives of the government and the opposition, to take steps to ensure that food aid and other Community aid is not used by the real holders of power in Guatemala, i.e. the armed forces, the death squads and the state police, to force people into 'protected villages', to carry out anticonstitutional activities and to violate, in particular, Articles 33, 34, 35, 44, 46, 69 and 102 of the Guatemalan Constitution?
3. Could the measures which have helped bring about the collapse of the 'Committees for the Defence of the Revolution' and free elections in the presence of international observers in Nicaragua not be extended to Guatemala in the run-up to the important election in that country?

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

(14 November 1990)

In the past few months the Community, its Member States and other countries and bodies have regularly condemned the growing violence in Guatemala.

It probably would be desirable to apply even greater international pressure to counter the abuse of human rights in Guatemala, of which forced recruitment of peasants into civil defence patrols is just one among many examples.

Nevertheless, it must be recognized that the highly complex situation in that country, where the prospect of forthcoming elections further reduces the government's leeway for opposing the activities of extremist forces, cannot be compared with the situation in Nicaragua.

Community aid to Guatemala, mainly in the form of support for agrarian reform projects to benefit groups of landless peasants, and for refugees and displaced persons, is intended to help people in need and not to enable the civil and military authorities to exercise any form of control over those people.

The aid is given to meet clearly identified needs and any projects that are financed are implemented and monitored in accordance with the EEC's usual rules which guarantee the financial and administrative independence of the operation. What is more, several of the projects are being carried out jointly with international bodies such as the UNHCR and the World Food Programme, or with European and local NGOs.

Where there is any danger of the Community's funds having been put to the wrong use, the Commission immediately has an audit carried out — as was the case with one of the projects for refugees — and, where necessary, decides what steps should be taken.

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**WRITTEN QUESTION No 2128/90**  
**by Mr Peter Crampton (S)**  
**to the Commission of the European Communities**  
(27 September 1990)  
(91/C 90/66)

*Subject:* Compensation for agricultural workers

Can the Commission explain why agricultural workers made redundant due to EC policy, i.e. the common agricultural policy, are not compensated in the same way that coal, iron and steel workers have been when their work has ended due to EC cutbacks in production. By an 'agricultural worker' I mean a paid employee of a farmer or landowner, not the farmer himself. EC cutbacks in milk quotas and the 'set aside' policy have led to compensation for the farmers and redundancy for the workers, but no compensation for the workers apart from

the basic state redundancy payment. Does the Commission believe this is fair?

**Answer given by Mr Mac Sharry  
on behalf of the Commission**  
(15 November 1990)

The Commission is well aware of the possible consequences of measures relating to the reduction of production on the situation of agricultural workers.

The Council Regulations adopted in the context of the common agricultural policy do not contain any specific provisions for farm workers or for the employees at agricultural products processing plants. In fact, due to limited financial resources, the Community is not in position to deal directly with all these issues. Therefore, Member States are mainly responsible for social arrangements in this field. The extent to which people employed in agriculture can benefit from social security schemes varies from one Member State to the other and there is no common legislation in the Community on this matter.

It would not be appropriate to draw parallels between the agriculture and the steel industry, the restructuring of which is supported by a Community scheme. In practice, the steel industry is covered by a separate Treaty which in Article 56 enables the Community to provide support for social measures in case of restructuring.

The steel industry is characterized by a combination of specific features:

- concentration in some areas where it is the basis of the economic life,
- highly specialized workers,
- high proportion of redundant workers because of the restructuring.

As a consequence of these features, the Community adopts (within the framework of the European Coal and Steel Community Treaty) specific measures to cope with the repercussions of the ongoing restructuring process in the European steel industry.

For other declining industries (textiles, shipbuilding) and for agriculture the situation is different. The EEC Treaty does not provide for specific social measures. Those activities can however benefit from interventions by the Regional and Social Fund, geared towards conversion and retraining of redundant employees. Agricultural workers can benefit from this kind of intervention, provided that they are open to retraining and to alternative professional activities.

**WRITTEN QUESTION No 2132/90**  
**by Mr Gijs de Vries (LDR)**  
**to the Commission of the European Communities**  
(27 September 1990)  
(91/C 90/67)

**Subject:** Legal status of residents of Hong Kong and Macao

1. Do residents of Hong Kong and Macao currently enjoy the same rights and privileges as (other) citizens of Community countries, in particular with respect to Regulation (EEC) No 1612/68<sup>(1)</sup> and (EEC) No 1408/71<sup>(2)</sup>?
2. Will there be any changes in this situation after Hong Kong and Macao return to China in 1997 and 1999 respectively<sup>(3)</sup>?

<sup>(1)</sup> OJ No L 257, 19. 10. 1968, p. 2.

<sup>(2)</sup> OJ No L 149, 5. 7. 1971, p. 2.

<sup>(3)</sup> Portugal is said to make 'EEC passports' available to Macao Chinese which will be valid after 1999. (See Woodrow Wyatt, 'Spread the safety net', *Times*, 31. 1. 1989).

**Answer given by Mr Andriessen  
on behalf of the Commission**  
(30 October 1990)

All nationals of a Member State of the EC may benefit from the rights and privileges foreseen in Community regulations, such as Regulations (EEC) No 1612/68 and (EEC) No 1408/71.

This is also the case with Portuguese citizens of Macao origin. In fact, in accordance with the Portuguese law regulating Portuguese nationality and applied to the territory of Macao as from 21 November 1981, any person born in Macao before 3 October 1981 (this cut-off date being the result of the establishment of diplomatic ties between Beijing and Lisbon), can obtain Portuguese nationality, on condition that the appropriate registration procedure has been duly completed.

With regard to Hong Kong citizens, they are not covered by the Declaration of the Government of the United Kingdom on the definition of the term 'nationals' for the purpose of the application of the EEC Treaty, which was made at the time of the signature of the Treaty of Accession, and which has been replaced by a new Declaration<sup>(1)</sup> in view of the entry into force of the British Nationality Act 1981. Hong Kong citizens, in other words, cannot currently rely on Community law. This will not change after 1997.

Under the British Nationality (Hong Kong) Act 1990, enacted on 26 July 1990, 50 000 persons with their spouses and minor children will be registered as British citizens. They will enjoy the same rights and privileges as other

British citizens and, therefore, are covered by Regulations (EEC) No 1612/68 and (EEC) No 1408/71.

(<sup>1</sup>) OJ No C 23, 28. 1. 1983.

**WRITTEN QUESTION No 2143/90**

**by Mrs Raymonde Dury (S)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/68)

*Subject:* Use of the 'human development indicator' devised by the United Nations

The United Nations Development Programme has just created a new instrument for assessing a country's growth needs and achievements. This 'human development indicator' includes non-monetary parameters such as life expectancy, the level of literacy, etc.

Does the Commission consider that this indicator constitutes a functional tool which should be of use in drawing up and conducting the Community's cooperation policy? If so, would it consider using it?

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

(5 November 1990)

The new human development indicator devised by the United Nations agencies has been accorded full attention by the Commission. Clearly, social and economic situations in all their complexity cannot be reflected by macroeconomic and financial indicators alone. Relevant as these may be, they cannot be allowed to predominate too much over other, social and cultural, priorities whose impact on economic matters is unquestionable.

The new indicator should enhance our analyses, though it must be borne in mind that, as with any other statistical tool, it must be used with discernment.

**WRITTEN QUESTION No 2147/90**

**by Mrs Christine Crawley (S)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/69)

*Subject:* Irish language

What is the Commission's response to the concern expressed by many European citizens that the Irish

language (which is a European Treaty language and one included in the Lingua programme) is not, at present, included in the British Government's list of languages for the National School Curriculum?

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

(11 December 1990)

While the choice of languages required as part of a compulsory curriculum in the school systems is entirely a matter for the Member State concerned, the Commission can of course look favourably on opportunities to learn all Community languages.

Irish, as the Honourable Member points out, is included in the Lingua programme.

As far as the children of Irish migrant workers are concerned, Member States are of course required by Council Directive 77/486/EEC (<sup>1</sup>) to take appropriate measures to promote the teaching of the mother tongue and culture of the country of origin for these children.

(<sup>1</sup>) OJ No L 199, 5. 8. 1977.

**WRITTEN QUESTION No 2152/90**

**by Mr Jean-Pierre Raffarin (LDR)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/70)

*Subject:* Transport of pleasure boats on the roads

The current state of the European market in pleasure boats is such that roads are increasingly being used for deliveries of boats built in the Community.

In the case of boats more than 9 metres long, the constraints imposed on exceptional loads in respect of:

- size, it being compulsory in certain areas to transport the hull and the mast separately,
- the procedures for obtaining special authorizations, which are very complicated,
- use of motorways, which is not permitted throughout the Community,

are varied and penalize boat builders.

Does the Commission plan to harmonize at Community level the rules on exceptional loads in order to remove the constraints currently imposed on boat builders?



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

(9 November 1990)

The Commission is aware of the problems for exceptional transport in Europe caused by different administrative procedures and regulations.

As exceptional transport, because of its impact on road safety and infrastructure, should be controlled by authorities that have knowledge of local conditions, it is difficult to achieve a fully harmonized procedure.

Nonetheless, the Commission has started discussions in a governmental expert group in order to facilitate and streamline procedures and agree on common definitions for exceptional transport.

**WRITTEN QUESTION No 2154/90**

**by Mrs Marijke Van Hemeldonck (S)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/71)

*Subject:* Safety of cyclists; compulsory wearing of cycle helmets

Every year hundreds of cyclists, many of them young children, are killed in traffic accidents in the EEC. Too little is done to protect these vulnerable road users.

Does the Commission intend to draw up measures to promote the safety of cyclists?

Does the Commission intend to follow the example of the British and make the wearing of cycle helmets compulsory, in the interests of cyclists themselves?

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

(23 November 1990)

1. The Commission, like the Honourable Member, is very concerned about the number of victims among young cyclists.

2. Making the use of helmets for cyclists compulsory may be a possibility to reduce the number of victims. However, in countries where cycling is an essential mode

of transport rather than a leisure activity, this would force millions of users to buy and use helmets.

3. Given the fact that such far-reaching legislation has to be well prepared to be successful, and bearing in mind the initial trials and campaigns in some Member States, the Commission prefers first to examine experiences at local and national level before it takes legislative initiatives on a Community scale.

**WRITTEN QUESTION No 2166/90**

**by Sir James Scott-Hopkins (ED)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/72)

*Subject:* Draft directive for the adaption of working time

Does the Commission consider that the measures proposed in the draft Directive for the adaption of working time on *inter alia* maximum duration of work, rest periods and weekend work, will ensure that those working in retail premises are protected in regard to the hours they are required to work?

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

(15 November 1990)

The proposed Directive on certain aspects of the organization of working time <sup>(1)</sup> provides for minimum daily and weekly rest periods. It also contains the provision that normal hours of work for night workers shall not exceed an average of eight hours in any 24-hour period.

The proposal applies to all workers in the private and public sectors as defined in the Framework Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work <sup>(2)</sup>. It also, therefore, concerns workers in the retail sector.

Derogations from the provisions on rest time and night work are allowed, among other cases, where the seasonal nature of the work performed or the features peculiar to certain activities, or exceptional situations limited in time conflict with the same provisions. Derogations are also allowed by collective agreements. In these cases, equivalent compensatory rest periods must be granted within a maximum period of 6 months.

The Commission believes that employees working in retail premises will be adequately protected by these provisions.

(<sup>1</sup>) OJ No C 254, 9. 10. 1990.

(<sup>2</sup>) OJ No L 183, 29. 6. 1989.

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**WRITTEN QUESTION No 2168/90**

**by Mr Jean-Claude Pasty (RDE)**

**to the Commission of the European Communities**

(27 September 1990)

(91/C 90/73)

*Subject:* The spread of swine fever in Belgium

As new outbreaks of swine fever have occurred in Belgium in the last few days, does not the Commission feel that it was a trifle hasty in raising the bans on pigmeat exports from Belgium, thus running the risk that this disease might spread to other Member States of the Community?

The Belgian and French veterinary authorities have not had sufficient time to set up the extra health checks required by the situation.

What action does the Commission intend to take to eliminate any risk of the disease's spreading?

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

(19 December 1990)

Throughout the classical swine fever epidemic in Belgium, the Commission has carefully followed developments in the disease situation. The conditions for export of fresh pigmeat have been laid down in the light of the actual disease situation. The conditions for trade from the affected areas have been adjusted by Commission decisions on seven occasions during the period March to September 1990. All proposals for the decisions have obtained a favourable opinion within the Standing Veterinary Committee. The trade restrictions have been lifted gradually as a result of an improving disease situation, and the Commission does not consider that prohibitions on export of fresh pigmeat have been lifted prematurely at any stage.

The strategy to control and eradicate Classical Swine Fever within the Community includes the stamping-out policy, combined with restrictions on movement of live pigs, fresh pigmeat and certain pigmeat products within affected areas. The Commission considers that the elimination of infected herds, tracing of contact herds and restrictions on movement, are the appropriate measures to prevent disease from spreading.

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**WRITTEN QUESTION No 2169/90**

**by Mr Ernest Glinne (S)**

**to the Commission of the European Communities**

(15 October 1990)

(91/C 90/74)

*Subject:* Representation of the Community in the occupied territories of Palestine

After the visit to Israel by the 'troika', during which the Israeli government was informed of the intention to appoint a Community representative to the Occupied Territories of Palestine, the Dublin European Council of 25 and 26 July 1990 instructed the Commission to produce a study of the detailed ways and means of effecting that representation.

What progress has been made so far?

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

(21 December 1990)

The Commission is in the process of studying the precise modalities of its representation in the Occupied Territories in order to comply with the task given to it by the European Council of Dublin. Several possibilities that respect the principles publicly declared by the Community with respect to the Occupied Territories are currently under consideration to examine all the legal and practical implications of a decision.

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**WRITTEN QUESTION No 2177/90**

**by Mr Hans-Gert Poettering (PPE)**

**to the Commission of the European Communities**

(4 October 1990)

(91/C 90/75)

*Subject:* Right of members of the armed forces to form associations

On 12 April 1984, the European Parliament adopted a resolution on the right of members of the armed forces to form associations which called on all Member States of the European Community 'to grant their servicemen the right, in peace time, to establish, join and actively participate in professional associations in order to protect their social interests' and recommended that 'the legal provisions of individual States on these matters be approximated'.

That resolution of the European Parliament was based on the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Social Charter.

1. What is the Commission's position on this subject.
2. would the Commission summarize the situation in each Member State in turn concerning the right of servicemen to form associations?
3. Would the Commission state what measures it intends to take to achieve the harmonization of legislation called for by the European Parliament?

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

(11 December 1990)

1. Article 11 of the Community Charter on the Fundamental Social Rights of Workers recognizes that employers and workers in the Community have 'the right of association in order to constitute professional organizations or trade unions of their choice for the defence of their economic and social interests'.

Article 14 of the Charter adds that 'the internal legal order of the Member States shall determine under which conditions and to what extent' the right provided for in Article 11 '[applies] to armed forces ...'.

In its social action programme, the Commission observes that 'the right to freedom of association ... exists in all the Member States of the Community' and recalls that 'the draft Charter reiterates a number of fundamental principles (for example the right to strike) responsibility for the implementation of which rests with the Member States in accordance with their national traditions and policies'.

2. The Commission does not have sufficient information to be able to describe the situation in each Member State concerning the right of servicemen to form associations.

3. For the reasons given in point 1 above, it is not the Commission's intention to propose any Community instruments to harmonize national legislation in this area.

**WRITTEN QUESTION No 2193/90**

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(4 October 1990)

(91/C 90/76)

*Subject:* VAT and charities

The Commission is no doubt aware that its proposals to harmonize taxation throughout the EEC is causing considerable concern to charities.

In her answer to Written Question No 1048/89 <sup>(1)</sup>, the Commissioner has gone no way to alleviate UK charities' concerns, but indeed, further clouds the issue.

The Commissioner states 'that it might envisage ... authorizing those Member States which so wished to maintain zero-rating for a very limited number of products'. Is the Commissioner prepared to elaborate on the meaning of 'might' or is she simply being coy, and also tell us what she means by 'very limited' — is this, say, one or three or ten or a hundred or more?

<sup>(1)</sup> OJ No C 207, 20. 8. 1990, p. 6.

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

(13 November 1990)

In its communication of 14 June 1989 <sup>(1)</sup>, the Commission expressed a willingness to adopt a flexible approach to the question of zero rating, within certain guiding principles. Those were set out in its answer to Written Question No 1048/89, to which the Honourable Member refers.

The question of the future of zero rates is still under discussion in the Council framework. It would not, in the Commission's view, be helpful at this stage to set premature limits on the number of zero rates which might be authorized.

<sup>(1)</sup> COM(89) 260.

**WRITTEN QUESTION No 2200/90**

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(4 October 1990)

(91/C 90/77)

*Subject:* European News Channel

Noting the significant influence during the current Middle Eastern crisis of the American-based CNN news channel, has the Commission any plans towards initiating a Euronews Channel?

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

(3 December 1990)

The Commission has no plans as such towards initiating the 'Euronews' Channel.

However, the Commission has expressed on many occasions, and especially during the 'Assises Européennes de l'Audiovisuel' organized in Paris last year, its interest in the production and distribution of a truly European news channel such as the project Euronews conceived and developed under the aegis of the European Broadcasting Union.

Projects like 'Euronews' for creating a special news channel which would be transmitted via satellite, in at least five languages, to audiences all over Europe, would become a significant new means for the development of the European identity.

The Commission could envisage supporting such projects through the means at its disposal, such as the new Media programme when adopted.

support frameworks during 1989 for those regions whose development was lagging behind and which were eligible under Objective 1.

For each of these regions, the support framework included priorities and methods of assistance selected by a process of partnership with the national and regional authorities and with regard to its specific situation. In view of the fact that these priorities and methods of assistance are of recent date, the Commission sees no reason to revise them at present.

The Abruzzi appears on the list of regions eligible under Objective 1 adopted by the Council and annexed to Regulation (EEC) No 2052/88. That list is valid until the end of 1993.

**WRITTEN QUESTION No 2255/90**

**by Mr Pannella (NI)**

**to the Commission of the European Communities**

*(8 October 1990)*

*(91/C 90/78)*

*Subject:* Consequences of Community and national measures to assist less-favoured regions in Italy

Direct Community action to assist less-favoured regions has produced two separate effects. In some areas it has failed to develop the relevant social and economic structures adequately, whereas in others, the necessary conditions have been created for a process of integration to establish a genuine market economy. In the first instance, national and Community support measures have in practice amounted to a welfare policy that has resulted in distortions of competition. In the second instance, on the other hand, they have created a framework for further economic development, as is the case in the Abruzzi. Does not the Commission feel, firstly, that it should review the measures implemented in areas which have not managed to use the opportunities to achieve the objectives implicit in the letter and spirit of the Treaties in respect of regional aid, and secondly, that such aid should be maintained in those areas which, like most of the Abruzzi, have seen their level of development improve without, however, having yet reached European standards or consolidated the standard they have achieved?

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

*(7 December 1990)*

As part of the implementation of the reform of the structural Funds, the Commission adopted Community

**WRITTEN QUESTION No 2260/90**

**by Mr Dieter Rogalla (S)**

**to the Commission of the European Communities**

*(8 October 1990)*

*(91/C 90/79)*

*Subject:* Leisure time activities of European citizens

1. Does the Commission share my view that increased leisure time for citizens entails a growing leisure industry and that a parallel increase in the two is thus in the Community's best interests?
2. Does the Commission share my view that lotteries and the activities of bookmakers and similar constitute services which are part of the leisure industry within the meaning of point 1?
3. What is the state of affairs in this area in the context of the development of a true internal market?
4. Is free market access available to all types of business operators referred to in point 2 in every Member State? If not, why not, and what action has the Commission taken against Member States?
5. If the Commission disagrees with point 2 above, what position do the activities described in point 2 play in the field of business, and what opportunities for growth does the Commission see here?

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

*(20 November 1990)*

The Commission takes the view that betting, gaming, gambling, lottery and similar types of activity form part of

the services sector of economic activities within the Member States. On this basis this sector should benefit from the dimension of a single market at the Community level, subject to legitimate national controls applied in accordance with the principles and rules of the EEC Treaty and the jurisprudence of the Court of Justice.

The betting and gambling sector is the subject of a study which is currently being undertaken by consultants on behalf of the Commission in order to identify the current regulatory and market situation in all of the Member States. In relation to the other questions tabled by the Honourable Member, it would be premature for the Commission to take a position on this area of activity before this study has been completed and the results examined.

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**WRITTEN QUESTION No 2292/90**

**by Mr Verwaerde (LDR)**

**to the Commission of the European Communities**

(15 October 1990)

(91/C 90/80)

*Subject:* The overseas departments and the Sixth VAT Directive

The French overseas departments are legally part of the European Economic Community (principle enshrined in the Hansen judgment of the Court of Justice, 10 October 1978) but are excluded from French territory pursuant to Article 3 of the Sixth Directive on VAT, Directive 77/388/EEC (\*) of 17 May 1977 as amended by the Eleventh Directive of 11 March 1981.

Can the Commission confirm that the overseas departments are deemed outside the European Economic Community for the purpose of the Sixth Directive particularly as regards the provisions of Article 9 (2) (e) on the place of supply of services for taxation purposes?

(\*) OJ No 145, 13. 6. 1977, p.1.

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

(13 November 1990)

The 'territory of the country' within the meaning of Article 3 of the Sixth VAT Directive corresponds, in the case of France, to the field of application of the EEC Treaty as defined in Article 227, which lays down in paragraph 2 that only certain provisions of that Article are immediately applicable to the overseas departments.

Without a decision of the Council, the tax provisions of the Treaty could not, it was felt, be extended by implication to the overseas departments. However, that view was not upheld by the Court of Justice in its

judgment of 10 October 1978 in Case 148/77 (Hansen v. Hauptzollamt Flensburg), in which it ruled that the provisions of the Treaty applied automatically to the French overseas departments, it being understood, however, that it remained possible for the Community institutions to adopt measures tailored to the specific requirements of those parts of French territory, which due regard being had to their special geographic, economic and social situation, and permitting their development.

The Eleventh Directive of 26 March 1980, by excluding the overseas departments from the territory of the country, responded to these concerns.

Consequently, as regards the arrangements applicable to the supply of services specified in Article 9 (2) (e) of the Sixth Directive and referred to by the Honourable Member, the overseas departments have to be regarded as not forming an integral part of the tax territory of the Community.

This means that the place where services referred to in Article 9 (2) (e) are supplied by a supplier established in a Member State of the Community other than France to a customer established in an overseas department, i.e. outside the EEC, is the place where that customer is established. The services are not, therefore, taxable in that Member State.

In those circumstances, value added tax is charged in the departments of Martinique, Guadeloupe or Réunion, with Article 9 of the Sixth Directive, as transposed into French national law, applying to them in their relations with other Member States and with third countries on the same conditions as in mainland France.

Accordingly, the supply of the abovementioned services by a supplier established in another Member State will give rise to liability to tax on the part of the taxable person to whom the services are supplied and who is established in an overseas department at the rate applicable there.

By the same token, a service supplied by a supplier established in mainland France to a taxable person established in an overseas department in which VAT is applicable will also be taxable at the rate ruling in that overseas department.

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**WRITTEN QUESTION No 2294/90**

**by Mr Pol Marck (PPE)**

**to the Commission of the European Communities**

(15 October 1990)

(91/C 90/81)

*Subject:* Interpretation of Regulation (EEC) No 3094/86

Recently Community fishermen have had problems with the German authorities in connection with their

interpretation of Article 2 (4) of Regulation (EEC) No 3094/86 <sup>(1)</sup>.

According to this interpretation all fish species must be separated immediately after being caught.

Can the Commission indicate its view on this matter?

<sup>(1)</sup> OJ No L 288, 11. 10. 1986, p. 1.

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

(23 November 1990)

Article 2 (4) of Regulation (EEC) No 3094/86 requires captains to sort catches immediately nets have been hauled so that compliance with the percentages of target species and protected species laid down in Annex I to that Regulation can be checked. Other technical rules laid down in the same Regulation, such as minimum mesh sizes, or in other Regulations concerning the common fisheries policy, particularly the one fixing TACs and quotas, have the same purpose.

The Commission therefore considers that immediate sorting on deck is required if the rules are to be respected.

**WRITTEN QUESTION No 2301/90  
by Mr Virginio Bettini and Mr Mario Melis (ARC)  
to the Commission of the European Communities**

(15 October 1990)  
(91/C 90/82)

*Subject:* Rechar Community initiative

The Commission has laid down, and informed the Member States of, the guiding principles to be observed when drawing up conversion programmes for coalfields.

The Sulcis field in Sardinia is the only one in Italy important from a mining point of view, but production is now suspended pending decisions on use, excluding a small portion supplied to power-stations.

The national energy plan does not take this resource into account.

Can the Commission state its position as regards including the Sulcis field in the Rechar programme with a view to advanced coal applications using the best gasification technologies?

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

(16 November 1990)

The Rechar initiative aims to contribute to the economic conversion of regions seriously affected by the decline in the coal-mining industry. The geographical coverage of Rechar is therefore limited to regions which have experienced significant job losses in the coal-mining industry since 1984 or are expected to do so in the near future <sup>(1)</sup>.

According to the statistics provided by the Italian authorities, the number of coal-mining jobs in the Sulcis coalfield has not declined, but has increased in the relevant time period: between 1984 and 1989, the number of mining jobs in this coalfield increased from 503 to 1 003. In view of this, it is not possible to include the Sulcis coalfield in the list of areas eligible for assistance under Rechar.

<sup>(1)</sup> OJ No C 20, 27. 1. 1990.

**WRITTEN QUESTION No 2304/90  
by Mr Virginio Bettini (V)  
to the Commission of the European Communities**

(15 October 1990)  
(91/C 90/83)

*Subject:* ERDF contributions

On 19 December 1988 the Commission granted Italy a contribution of Lit 3 billion from the ERDF for construction of the Cemim international goods centre in the commune of Iesi (Ancona).

Given that the project has been approved and implemented without reference to the findings of the environmental impact assessment, which in this instance served to justify the work already under way, does the Commission not see a failure to meet the conditions to which the contribution was subject?

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

(7 December 1990)

According to the file on the examination of the application for assistance submitted to the Commission and other information, the company responsible for building the Marche intermodal freight centre has conformed with the thorough environment impact assessment carried out before work began.

The Commission therefore considers that the conditions for granting this assistance have been respected.

**WRITTEN QUESTION No 2318/90**

by Mrs Maartje van Putten (S)

to the Commission of the European Communities

(18 October 1990)

(91/C 90/84)

*Subject:* Local authority development cooperation projects

1. Is the Commission aware of the development cooperation projects being carried out by members of the Association of Dutch Local Authorities which show that an increasing number of local authorities are starting up and implementing projects in developing countries, making use of their own specific local expertise?
2. Is the Commission prepared to promote such initiatives, which are of such value to developing countries, on a European-wide scale?
3. If so, does the Commission intend to apply or adopt the general conditions governing the co-financing of schemes carried out in developing countries by non-governmental organizations (budget Item 7-5010) to such local authority projects?
4. Is the Commission willing to provide extra funding for local authority development paid projects irrespective of whether or not they are submitted by more than one local authority?

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

(18 December 1990)

For a number of years regional and local authorities in certain Member States have been carrying out cooperation operations with their opposite numbers in the Third World. The Commission welcomes this.

Urban problems in developing countries have become crucial and call for new, positive, development-oriented solutions. Moreover, the initiatives of European local authorities directly raise public awareness in our towns and regions of the problems of developing countries and their people.

The Commission encourages such initiatives by co-financing NGO projects on the conditions set out in the answer to question No 1934/90 from Mr Fernandez Albor (1).

Moreover, the new Lomé Convention (Lomé IV) gives more room than previous conventions to a new form of cooperation — decentralized cooperation — aimed at using EDF resources to encourage and support the development initiatives of a wide range of bodies in the ACP countries other than central governments, notably local authorities. The Convention reserves a special place for initiatives involving forms of twinning or cooperation between ACP bodies and their European counterparts.

During the programming of aid under Lomé IV the opportunities for such decentralized cooperation are systematically explored by the Commission and the ACP States. Additional operations can still be sought out and identified while the programmes are being implemented.

Similar projects are also possible with non-ACP developing countries, even though decentralized cooperation is not mentioned as such in the cooperation agreements or in the guidelines for cooperation policy.

(1) OJ No C 85, 28. 3. 1991, p. 22.

**WRITTEN QUESTION No 2322/90**

by Mrs Claudia Roth (V)

to the Commission of the European Communities

(18 October 1990)

(91/C 90/85)

*Subject:* Systematic annual AIDS testing and examination of EC employees and officials for AIDS

Having regard to the conclusions of the Council and of the Ministers for Health of the Member States, meeting within the Council, on 15 December 1988 concerning AIDS and the place of work (OJ No C 28, 3. 2. 1989, p. 2), with particular reference to section III, point 7 (AIDS screening);

having regard to the case (T-11/90) brought against the Council of the European Communities which is now pending before the Court of First Instance of the European Communities;

Is it true that officials and other servants of the European Communities are being subjected to official and systematic tests for AIDS at their annual medical examinations or before taking up employment, and if so, does not the Commission feel that this is contradictory to the abovementioned conclusions? When does the Commission intend to discontinue automatic AIDS testing for officials and other servants of the European Communities?

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

(14 January 1991)

It is not true that all officials and other servants of the European Communities are automatically subjected to AIDS tests at their annual medical examinations or before taking up employment.

professions. It will apply to physiotherapists provided that they have obtained their qualification on completion of at least three year's training leading to a higher-education diploma.

The Commission would also draw the Honourable Member's attention to the proposal for a Council Directive on a second general system for the recognition of professional education and training which complements Directive 89/48/EEC <sup>(1)</sup>. The proposal was amended <sup>(2)</sup> in the light of the opinions of Parliament and the Economic and Social Committee.

The Commission considers that these two general systems of recognition (diplomas and other professional qualifications) will enable physiotherapists who have obtained their qualifications in a Member State to practice in any other Member States.

<sup>(1)</sup> OJ No L 19, 24. 1. 1989.

<sup>(2)</sup> OJ No C 263, 16. 10. 1989.

<sup>(3)</sup> OJ No C 17, 1. 9. 1990.

#### WRITTEN QUESTION No 2324/90

**by Mr Yves Verwaerde (LDR)  
to the Commission of the European Communities**

(18 October 1990)

(91/C 90/86)

*Subject:* Community policy on teaching and the mutual recognition of diplomas

Although the Commission has done sterling work on the mutual recognition of diplomas in the paramedical sector and on the freedom of establishment in Member States, the profession of masseur-physiotherapist has not been included. Is it to be made the subject of a draft directive?

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

(13 November 1990)

Contrary to what the Honourable Member says, Commission's work on mutual recognition of diplomas does include the profession of physiotherapist.

On 21 December 1988, the Council adopted Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration <sup>(1)</sup>. The Directive will have to be transposed into national law within two years of its notification, i.e. by 4 January 1991 at the latest.

The Directive, which is general and no longer sectoral in character, establishes a new Community approach to the recognition of diplomas and covers a wide range of

#### WRITTEN QUESTION No 2338/90

**by Mrs Raymonde Dury (S)  
to the Commission of the European Communities**

(18 October 1990)

(91/C 90/87)

*Subject:* Economic convergence and the Gulf crisis

Article 6 of Council Decision 90/141/EEC <sup>(1)</sup> on the attainment of progressive convergence of economic policies and performance makes provision for consultation to take place in the appropriate Community bodies to consider possible measures when events outside the Community threaten its stability and cohesion.

Stage one of economic and monetary union took effect on 1 July. Has Article 6 been applied as a result of the Gulf crisis? If so, in what way?

<sup>(1)</sup> OJ No L 78, 24. 3. 1990, p. 23.

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

(18 December 1990)

The consequences of the Gulf crisis for the Community economy have been examined in the Community bodies dealing with the multilateral surveillance.

As the Commission indicated in its reply to Oral Question H-1045/90 <sup>(1)</sup>, it is important that all countries follow sound fiscal and monetary policies which do not



accommodate the inflationary shock coming from the oil price rise and avoid the development of a price-wage-price spiral, so as to prevent a longer-term deterioration in growth prospects. According to the Commission this crisis calls for reinforced coordination of economic policy within the framework of multilateral surveillance in the first stage of EMU in order to maintain and reinforce economic convergence in the EC.

A fuller analysis of the macroeconomic effects of the Gulf crisis will be included in the forthcoming annual economic report 1990—91.

(<sup>1</sup>) Debates of the European Parliament No 3-394 (October I 1990).

#### WRITTEN QUESTION No 2366/90

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(25 October 1990)

(91/C 90/88)

*Subject:* Arrangements concerning debt repayment by the Third World

The debt burden is continuing to be a millstone around the neck of the developing countries.

Cancellation of the debt appears to be the only practical solution and indeed one which is already being applied by certain creditor states.

In any event, would it not be fair and also effective to subject repayments to the fluctuations in terms of trade, taking into account factors arising from the specific situation in each of the debtor nations concerned?

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

(18 December 1990)

The excessive debt burden of many developing countries continues to hamper growth and development. This is increasingly recognized by the international financial community. Many efforts have already been undertaken to address this issue on a case by case basis, taking the situation of the countries, notably in relation to their debt and their terms of trade into account. Although more needs to be done, it is important that measures to alleviate the debt burden of the most indebted countries be implemented without damaging long-term relations with external creditors. It is equally important, of course, that debt reduction is accompanied by fundamental policy changes in the indebted countries in order to correct the

imbalance and distortions that led to an unsustainable level of external borrowing and indebtedness.

The last few years have seen a number of important initiatives to alleviate the debt burden: the Toronto Terms for official debt forgiveness extended by Paris Club creditor countries to low-income countries mainly in sub-Saharan Africa; the progressive implementation of the Brady Plan for commercial debt reduction for heavily indebted middle-income countries; official debt rescheduling in the framework of Paris Club agreements; the recent American initiative towards Latin American countries; the British proposal to enhance the terms and to extend them to highly indebted lower-middle income countries. These initiatives, implemented on a case by case basis, tend to respond to the considerations put forward by the Honourable Member.

In addition the Commission transmitted recently a proposal to the Council related to relief of the debt of ACP countries to the Community.

#### WRITTEN QUESTION No 2394/90

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(25 October 1990)

(91/C 90/89)

*Subject:* Illegal use of hormones for livestock fattening

1. Is the Commission aware of allegations by the EASM (European Alliance for Safe Meat) concerning the increasing illegal use of mixtures of hormones and other growth stimulators which may be dangerous to health for the purposes of livestock fattening (*Agrarisch Dagblad*, 18 September 1990)?

2. Does the Commission have figures concerning the extent to which hormones are being used illegally within the (Member States of the) European Community?

3. How will the Commission ensure compliance with Directive 88/146/EEC (<sup>1</sup>) prohibiting the use of hormones?

(<sup>1</sup>) OJ No L 70, 16. 3. 1988, p. 16.

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

(4 January 1991)

1. The Commission is aware of claims that there is still use of illegal hormone cocktails for fattening certain farm livestock.

2. The Commission does not have available statistics of the volume of illegal traffic in the Member States.

3. The Commission has already taken steps to ensure that the Member States fulfil their obligations as regards the application of Community rules on this subject. In the face of indications that illegal cross-frontier traffic may be involved the Commission decided to make on the spot enquiries in all Member States to establish more precise details of the situation. At the same time it is considering what changes may be needed to Community law to improve its efficacy.

1. immediately halting the project being carried out by the Greek Electricity Board and the apocalyptic destruction of the area,
2. reviewing the entire project together with the alternative solutions proposed by the local inhabitants,
3. sending EEC experts to the area and
4. drawing up, publicizing and making available to the local inhabitants a comprehensive study of the environmental impact and other consequences of the projects being carried out by the Greek Electricity Board?

**WRITTEN QUESTION No 2419/90**

by Mr Dimitrios Dessylas (CG)

to the Commission of the European Communities

(7 November 1990)

(91/C 90/90)

*Subject:* Major ecological damage caused by energy-generating projects being carried out by the Greek Electricity Board on the Akhelóos (Aspropótamos) River in Greece

The Greek Electricity Board is constructing a large dam 135 metres high (208 metres according to one report) on the Aspropótamos (Akhelóos) River and diverting the river underground (over 8 kilometres) in the Mesokhóra-Trikkala area in order to supply a hydro-electric power station to be built in Glístra. This project is being partly funded by the EEC within the framework of the regional development programmes.

This project is causing enormous ecological, cultural and economic damage to the area (flooding of Mesokhóra and parts of Armatolikós, the complete drying out of the river over 15 kilometres, the destruction of hundreds of hectares of forests, cultivated land, fruit trees, stock-farming land and of fishing activities and the mountain economy in general). The ecological destruction of the largest, most historical and beautiful Greek river (due to this and other dams, its total length will be reduced from 220 to 60 kilometres) cannot be offset by the ridiculously low compensation being paid by the Greek Electricity Board to the local inhabitants, against whom the police have been using force, for example on 30 May 1990.

The local inhabitants affected have already written to the European Parliament's Committee on Petitions (Petitions Nos 368/90 and 600/90). What immediate measures will the Commission take and what representations will it make to the Greek authorities with a view to

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

(17 January 1991)

The Commission is aware of the Mesochora dam and hydro-electric (H/E) power station as parts of a set of measures of the project for the diversion of the river Achelóos in Greece since 1983 which was submitted for Community co-financing through the integrated Mediterranean programmes.

Considering the environmental implications of the project, the Commission asked the Greek authorities for an environmental assessment study according to Council Directive 85/337/EEC on the effects of certain public and private projects on the environment <sup>(1)</sup>.

The Greek authorities transmitted to the Commission two environmental assessment studies, one of which concerned the Mesochora dam, reservoir, and H/E power station. After the evaluation of this study and a series of meetings and discussions where the strategic importance of the project was underlined, the Commission agreed on co-financing this project, having the assurance of the Greek authorities that all the environmental parameters had been fully assessed and that the necessary remedial measures, as well as measures to minimize adverse environmental effects, difficult to eliminate completely in the case of such projects, would be taken.

Considering the importance and potential impact of such a project, the Commission intends to follow the works closely, with a view to ensuring that all the conditions already set are fully met. To this end, a meeting, and eventually a visit by experts to the area in question, will be organized with the Greek authorities as soon as possible in order to have an overall presentation of the works already carried out and those foreseen for the future.

<sup>(1)</sup> OJ No L 175, 5. 7. 1985.

**WRITTEN QUESTION No 2437/90****by Mr John Bird (S)****to the Commission of the European Communities***(7 November 1990)**(91/C 90/91)**Subject: War pensions*

Will the Commission provide information detailing the systems that operate in the 12 Member States in respect of the payment of war pensions, with particular attention to levels of remuneration, lump sums, entitlements, benefits and exemptions.

Does the Commission believe that harmonization of war pensions across the Community, in line with best practice, would be a desirable and feasible objective?

Does the Commission have any proposals for ensuring that all EC war pensioners enjoy certain EC wider rights and benefits, no matter how small or large these might be?

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

*(17 December 1990)*

The question of war pensions is not treated as part of social security under Commission legal instruments. The Commission has clearly stated in its action programme implementing the Community Charter of the Fundamental Social Rights of Workers that given their diversity and history, harmonization of social security systems is not taken into consideration.

Therefore the Commission has not made and does not intend to make any proposals or issue any opinions on the matter of war pensions.

**WRITTEN QUESTION No 2439/90****by Sir James Scott-Hopkins (ED)****to the Commission of the European Communities***(7 November 1990)**(91/C 90/92)**Subject: Work of the 'mega-merger' unit*

What reassurance can it give in the face of widespread public concern in the UK that the EC's 'mega-merger' unit will be able to complete swift and thorough enquiries

in a field of great complexity and often political sensitivity?

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

*(26 November 1990)*

Following the adoption of Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings <sup>(1)</sup> the Commission adopted Regulation (EEC) No 2367/90 on 25 July 1990 in order to set in place the necessary implementing provisions for the purpose of the main Regulation <sup>(2)</sup>.

In addition a Task Force has been created within the framework of the Directorate-General for Competition and the necessary administrative steps have been taken to ensure that adequate support services are available to the Task Force.

By these means and in addition with the cooperation of the competent authorities of the Member States the Commission feels able to assure the Honourable Member that it will be able to deal with all notified concentrations within the time limits fixed by the Regulation.

<sup>(1)</sup> OJ No L 395, 30. 12. 1989.

<sup>(2)</sup> OJ No L 219, 14. 8. 1990.

**WRITTEN QUESTION No 2440/90****by Sir James Scott-Hopkins (ED)****to the Commission of the European Communities***(7 November 1990)**(91/C 90/93)**Subject: Financial aid for Christian buildings*

What tangible financial support has it given over the last five years towards the saving and restoration of major buildings of Christian significance, such as cathedrals, within the Community?

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

*(10 December 1990)*

In the context of the annual scheme 'Support of pilot-projects to conserve and promote the Community's architectural heritage' the Commission has financially supported the restoration of a number of buildings of Christian significance. The Commission is sending

directly to the Honourable Member and to the Secretariat general of the European Parliament a list of these buildings.

**WRITTEN QUESTION No 2443/90**  
**by Mr Gerardo Fernandez-Albor (PPE)**  
**to the Commission of the European Communities**  
 (7 November 1990)  
 (91/C 90/94)

*Subject:* Increase in Community aid for the preservation of the architectural heritage

The Community's decision to grant funding to 26 restoration projects as part of the annual programme for the preservation of the European Architectural Heritage has been a great success in attracting applications, which totalled 1 138 projects.

However, given that only 26 of the 1 138 were successful, there were obviously many disappointed candidates. As a result, the above application procedure could, in the final analysis, be regarded as rather counter-productive.

Does not the Commission consider that Community budget appropriations earmarked for this purpose should therefore be considerably increased, to ensure that at least 25% of the projects submitted receive Community funding and does it not accordingly consider that the time is ripe to set up a European Cultural Fund which could *inter alia* provide a more satisfactory response to applications in this area?

**Answer given by Mr Dondelinger**  
**on behalf of the Commission**  
 (19 December 1990)

The total budget allocated to cultural activities for the 1990 financial year is ECU 8,8 million. Of this sum, 2,6 million were earmarked for the activity in question. Although this amount is of the order of 29,5% in internal management terms of the appropriations set aside for all cultural activities, it is only enough to fund 2,3% of the projects for which applications were submitted for the current year.

The Commission is aware of this fact. It takes the view that increasing the budgetary appropriations for cultural activities will have just as positive an effect on the whole range of initiatives in the cultural field, including the effect on the number of pilot projects for preserving the Community's architectural heritage which are supported, as would be achieved by setting up a new fund.

**WRITTEN QUESTION No 2444/90**  
**by Mr Gerard Fernandez-Albor (PPE)**  
**to the Commission of the European Communities**  
 (7 November 1990)  
 (91/C 90/95)

*Subject:* Community code of penalties for damage to forests caused by arsonists

Without entering into a detailed analysis of the causes behind the alarming proliferation of forest fires in the Community Member States in the Mediterranean Basin, it is clear that a high percentage of them are caused by arsonists generally as an expression of their dissatisfaction with certain measures in the field of politics, labour relations or elsewhere.

The fundamental problem concerning the destruction of 100 000 hectares of forests in Spain was expressed by a senior civil servant who stated, 'we can put out the fires but the fire-raisers are always one step ahead'. This clearly shows that the leniency of the penalties and sanctions imposed on arsonists is not at all commensurate with the devastation they inflict.

Does not the Commission therefore consider that a Community code should be drawn up containing exemplary penalties commensurate with the enormous amount of damage done by arsonists, in order to deter them from reaching for their matches to express their dissatisfaction in respect of politics, labour relations or other matters?

**Answer given by Mr Bangemann**  
**on behalf of the Commission**  
 (4 January 1991)

The Commission is not competent to study the drafting of a Community code of penalties for arsonists responsible for forest fires, as the Honourable Member proposes. This field is reserved exclusively for the relevant national authorities.

Nevertheless, the Commission would like to stress that a distinction must be made between fires lit by arsonists who derive pleasure from the sight of fire and fires lit deliberately for a specific economic, political or other motive. The kinds of measures needed to combat these two types of reasons for fire-raising are obviously different.

Furthermore, the Commission has initiated a number of operations through the Standing Committee on Forestry to identify the causes of forest fires and to study ways of fighting them in the local socio-economic context.

At the same time, thought is being given to Community action against forest fires as part of Community civil protection.

**WRITTEN QUESTION No 2463/90**

**by Mr Gérard Monnier-Besombes (V)**

**to the Commission of the European Communities**

(7 November 1990)

(91/C 90/96)

*Subject:* Specific provisions for the protection of the brown bear within the framework of the IMPs

In its answer to Question No 1393/90 <sup>(1)</sup> on the IMPs for Aquitaine and Midi-Pyrénées (France), the Commission refers to specific provisions concerning forest access programmes in areas populated by bears.

These provisions state: 'The rules governing traffic and the timetable for forestry activities shall be determined in liaison with the representatives of environmental associations on the basis of proposals made following completion of research into the management of mountain fauna, in particular bears.'

It emerges from a survey of the associations in the Pyrenees which are campaigning for the protection of the brown bear that these provisions are not being respected.

Does not the Commission consider it desirable to review the arrangements for the allocation of funds which are not spent in accordance with the specified provisions, thus seriously jeopardizing the survival of a species which is especially endangered in France and whose plight has also received sustained attention from such European bodies as the Council of Europe and the European Parliament?

<sup>(1)</sup> OJ No C 63, 11. 3. 1991, p. 21.

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

(19 December 1990)

In its answers to the two questions tabled by the Honourable Member in the first half of 1990 <sup>(1)</sup>, the Commission stated that it had written to draw the attention of the French authorities to the need for strict compliance with the specific provisions concerning the cutting of forest tracks.

On 19 June the Commission also asked the French authorities to ensure that no Community assistance was used or expenditure eligible under the structural Funds incurred for work on forest tracks until the information

requested had been supplied and express agreement given by the various Commission departments involved.

At the meeting of the Monitoring Committee for the Aquitaine IMP on 10 July, the French authorities confirmed that no administrative steps had been taken to begin work on the project.

<sup>(1)</sup> Written Questions Nos 1183/89 and 1393/90; OJ No C 139, 7. 6. 1990 and OJ No C 63, 11. 3. 1991.

**WRITTEN QUESTION No 2468/90**

**by Mr Miguel Arias Cañete (PPE)**

**to the Commission of the European Communities**

(16 November 1990)

(91/C 90/97)

*Subject:* Implementation of the EEC — Guinea-Bissau fisheries agreement

In view of the provision included in the EEC — Guinea-Bissau fisheries agreement to the effect that the protocol thereto shall be valid from 16 June 1989 to 15 June 1991, and given that this protocol has now been in force for over one year, can the Commission state:

- to what extent the protocol has actually been applied *vis-à-vis* the envisaged catch possibilities (regarding trawlers, seiners, pole-and-line vessels and long liners);
- which Member States have obtained fishing licences, and how many in each case;
- what results have been obtained by the scientific programme for research into fisheries resources;
- what utilization has been made of the appropriations for study grants;
- whether any conflicts have occurred in the waters concerned involving the Community fleet and, if so, on what basis they have been resolved?

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

(19 December 1990)

The situation regarding the various fishing vessel categories is as follows:

- (a) Shrimp freezer trawlers:
  - fishing opportunities: 10 000 GRT per month as an annual average;

- actual use: 9 986 GRT (51 vessels, of which 21 Spanish, 17 Portuguese and 15 Italian).
- (b) Fin fish and cephalopod freezer trawlers:
  - fishing opportunities: 5 000 GRT per month as an annual average;
  - actual use: 2 722 GRT (21 vessels, of which 11 Spanish, six Greek, two Italian, one French and one Portuguese).

It should be pointed out that the above tonnage is an average figure resulting from low use during the first six months and full use during the second half of the year.

- (c) Tuna freezer seiners:
  - fishing opportunities: 45
  - actual use: 34 vessels (19 Spanish and 15 French).
- (d) Pole-and-line tuna vessels:
  - fishing opportunities: 15 vessels,
  - actual use: 14 vessels (all French).
- (e) Surface longliners:
  - fishing opportunities: 35 vessels,
  - actual use: two vessels (Portuguese).

As regards the scientific programme, the available amount of ECU 550 000 has been committed but no payments have been made yet.

Of the appropriation of ECU 550 000 available for grants, ECU 375 000 has been committed. Payments of more than ECU 310 000 have been made, covering 26 grants of varying duration.

There have been no particular difficulties in implementing the agreement.

#### WRITTEN QUESTION No 2481/90

by Mr Jean-Marie Alexandre (S)  
to the Commission of the European Communities  
(16 November 1990)  
(91/C 90/98)

*Subject:* Programme of Options Specific to the Remote and Insular Nature of the French Overseas Departments (Poseidom)

1. At the 18th general assembly of the Conference of the Community's Peripheral Maritime Regions, held in

La Baule on 4 and 5 October 1990, Mr Pierre Lagourgue, President of the Regional Council of Réunion, emphasized that the Commission had not yet proposed or implemented certain specific measures set out in the Programme of Options Specific to the Remote and Insular Nature of the French Overseas Departments (Poseidom), although this had the support of the European Parliament.

2. The Council of Ministers had itself set a deadline of six months for certain provisions to be adopted, and Mr Lagourgue emphasized the need to speed up the decision-making process.

- (a) Can the Commission supply a list of the measures it has adopted and implemented under Poseidom within its power and responsibilities?
- (b) Which provisions remain to be adopted and implemented, and what will the timetable be?
- (c) What are the reasons for the lamentable delays which we have seen?

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

(4 January 1991)

Although the Council set a time limit of six months for the adoption of certain provisions implementing its Decision 89/687/EEC of 22 December 1989 establishing the Poseidom, the Commission has been unable to draft the proposals in question by the deadline. In view of the genuinely innovative character of these proposals, the Commission was concerned to ensure the optimum match between the numerous ad hoc measures planned and the specific constraints of the Overseas Departments to which they must respond.

That is why a far-reaching and lengthy process of joint consultation and exchanges of information with the national and regional authorities concerned was initiated in May 1989 and continued throughout 1990. The wide range of different situations — and hence of cases to be settled — in the four Overseas Departments meant that a great deal of highly specific technical information was required and had to be produced by the State and the regions.

Now that this information has been obtained, the Commission will put its proposals before the Council by the end of 1990.

**WRITTEN QUESTION No 2486/90****by Mrs Cristiana Muscardini (NI)****to the Commission of the European Communities***(16 November 1990)**(91/C 90/99)*

*Subject:* 'Trafficking' in children from the Third World in the form of adoption

Is the Commission aware of the disgraceful 'trafficking' in children from the Third World — from South America and, in particular, Brazil — disguised as legal adoption? Does it intend to curb these 'adoptions' by European citizens (in Italy alone 4 000 children have apparently been 'imported' from Brazil since 1986), which are likely to aggravate the existing social and cultural problems and increase the horrifying trafficking in children as involuntary organ donors?

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

*(4 January 1991)*

The question raised by the Honourable Member is outside the Community's field of competence.

There are numerous international instruments safeguarding the rights of minors. There is, for example, the Convention on the Rights of the Child adopted by the United Nations Assembly General on 20 November 1989, which came into force on 2 September 1990 after the 30th day following the date on which the UN Secretary General deposited the 20th instrument of ratification or accession. Article 21 (d) and (e) stipulates that States Parties to the Convention shall 'take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it . . . and (shall) endeavour . . . to ensure that the placement of the child in another country is carried out by competent authorities or organs'.

The Convention on the Rights of the Child has to date been signed by most of the Community Member States and two of them have already ratified it (for each State which ratifies the convention or accedes to it, it comes into force on the 30th day following the depositing by that State of its instrument of ratification or accession). Other Member States have already initiated the requisite procedures in their national Parliaments.

Brazil ratified the convention on 2 September 1990.

**WRITTEN QUESTION No 2487/90****by Mrs Cristiana Muscardini (NI)****to the Commission of the European Communities***(16 November 1990)**(91/C 90/100)*

*Subject:* Checks on students with Mediterranean anaemia

Will the Commission launch a European campaign including a health information programme for students and screening for microcythemia, given that a survey of approximately 40 000 students in the Lazio region showed that 680 were carriers of non-alpha microcythemia?

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

*(11 December 1990)*

It is left to the Member States to assess the need to launch information and screening campaigns for thalassaemia.

The Commission has presently no plans for measures at Community level.

**WRITTEN QUESTION No 2491/90****by Mrs Cristiana Muscardini (NI)****to the Commission of the European Communities***(16 November 1990)**(91/C 90/101)*

*Subject:* Carcinogenic exhaust fumes from petrol and diesel engines

Will the Commission launch a comparative epidemiological survey in the Member States to assess the cancer risk arising from exposure to exhaust fumes, since recent studies have shown that petrol and diesel exhausts are probably carcinogenic because of the components of the polycyclic aromatic hydrocarbons and nitrogen absorbed by the particulate phase of the emissions?

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

*(30 November 1990)*

The Commission was represented at the International Agency for Research on Cancer at the time of the evaluation of exhaust fumes from diesel and petrol

engines. The expert group came to the following conclusions.

The evidence available as regards the carcinogenicity of diesel engine exhaust fumes for man is limited, and it is inadequate in the case of petrol engine fumes.

As regards engine exhaust fumes, with no distinction between diesel or petrol, the evidence is limited concerning carcinogenesis for man.

Some nitroarenes were also studied. No human data were available for any of the compounds studied.

The Commission does not plan to launch a comparative epidemiological survey in the Member States to assess potential carcinogenicity of exhaust fumes from diesel and petrol engines.

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**WRITTEN QUESTION No 2500/90**

**by Mr Lyndon Harrison (S)**

**to the Commission of the European Communities**

*(16 November 1990)*

*(91/C 90/102)*

*Subject:* Social security offices in the UK

The Department of Social Security in the UK has embarked on a policy of closing down local offices and restructuring the claimant system along more centrally orientated lines. The local DSS offices which remain will become merely shopfront operations, using computers to access information. Benefits will be assessed and paid from offices hundreds of miles away from claimants.

Does the Commission consider that this will cause extra hardship for British and other EC citizens making their legitimate claims in the UK? Furthermore, can the Commission provide comparative information on the running of social security offices in other Member States?

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

*(11 December 1990)*

Arrangements for the payment of social security benefits are a matter for national competence alone.

The Commission does not possess and therefore cannot provide comparative information on the running of social security offices in the Member States.

**WRITTEN QUESTION No 2506/90**

**by Georgios Romeos (S)**

**to the Commission of the European Communities**

*(16 November 1990)*

*(91/C 90/103)*

*Subject:* Exclusion of Greek farmers from the ESC

The Community's Economic and Social Committee is the most important institution for deliberating and drawing up solutions for Community problems, particularly in the agricultural sector and the Common Agricultural Policy.

Despite the fact that the Confederation of Farmers' Unions represents 25% of the Greek workforce and directly participates in measures influencing the development of Greek agriculture the Greek Government has decided to exclude the representative of the Greek farmers' unions from Greek representation in the ESC.

Since such a decision seems to be unprecedented in the Community, what measures will the Commission take to ensure balanced representation of Greek farmers?

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

*(24 January 1991)*

The Commission believes that, as stated in the Treaty, all the categories of social and economic activity must be suitably represented on the Committee, including farmers, who play a major role in the economy.

However, since the Commission has a purely consultative role, it has very little say in this matter.

Pursuant to Articles 194 and 195 of the Treaty, the lists of candidates for membership of the ECSC are presented by the Member States and the appointments are made by the Council.

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**WRITTEN QUESTION No 2511/90**

**by Mr Jean-Pierre Raffarin (LDR)**

**to the Commission of the European Communities**

*(16 November 1990)*

*(91/C 90/104)*

*Subject:* Composition of a monitoring committee

What is the composition of the monitoring committee set up within the framework of Objective 5 (b) of the



Structural Funds for the region Poitou-Charentes, in accordance with Article 25 (3) of Regulation (EEC) No 4253/88 (\*)?

Is it true that the Commission requested the French authorities to appoint a representative of the French League for the Protection of Birds as a member of this committee?

(\*) OJ No L 374, 31. 12. 1988, p. 1.

**Answer given by Mr Mac Sharry  
on behalf of the Commission**  
(7 December 1990)

The Monitoring Committee for the Objective 5 (b) Community support framework for the implementation of Community assistance in Poitou-Charentes has not yet been set up. The Commission has just invited all Member States which have not yet done so, including France, to inform it of the names of their representatives to the different Objective 5 (b) Monitoring Committees. The Member States are responsible for appointing these representatives and the Commission has made no suggestions regarding their status or the bodies to which they belong.

**WRITTEN QUESTION No 2535/90**  
**by Mr Yves Verwaerde (LDR)**  
**to the Commission of the European Communities**  
(16 November 1990)  
(91/C 90/105)

*Subject:* Patents

On 1 January 1993 with the advent of the single market, national patents will no longer provide effective protection and will therefore cease to serve any practical purpose.

Will the Commission authorize the *de facto* extension of existing national patents throughout the Community as of 1 January 1993?

**Answer given by Mr Bangemann  
on behalf of the Commission**  
(5 December 1990)

The first day of January 1993 will indeed be a turning point as regards patents being obtainable for the whole territory of the Community, as the Convention on the Community patent signed by all the Member States in

Luxembourg on 15 December 1989 should then have come into effect. However, the situation as regards national patents should not then change, for the Convention sets up a special system of patents for the common market and does not affect the national legislation of the Member States, which will continue to apply within their separate national territories. The choice between a national or Community patent will thus be a matter for the person concerned when he applies for the patent. The Commission consequently has no intention of allowing old national patents to apply *de facto* to the whole territory of the Community from 1 January 1993. This would in effect mean changing a national patent into a Community one, something which was never envisaged at any point in the negotiations leading to the Convention. The difficulties which would have arisen would have been too great.

**WRITTEN QUESTION No 2536/90**  
**by Mr Yves Verwaerde (LDR)**  
**to the Commission of the European Communities**  
(16 November 1990)  
(91/C 90/106)

*Subject:* Right to vote for and stand for election to municipal councils

What measures will the Commission take on the question of allowing Community nationals to vote for and stand for election to municipal councils in their country of residence, which would run counter to the constitutional provisions of the Member States and would not be justified under Article 235 of the Treaty?

**Answer given by Mr Bangemann  
on behalf of the Commission**  
(18 December 1990)

The Commission considers that participation by European citizens in the local elections of the Community country in which they are resident is an essential aspect of a People's Europe. The Commission has consequently presented a proposal for a Council Directive based on Article 235 of the EEC Treaty, the purpose of which is to give the nationals of Member States the right to vote in municipal elections of their Member State of residence (\*).

The Commission takes the view that it is justified to base such a proposal on Article 235 since the Single European Act explicitly identifies promotion of democracy as being a Community objective. The Honourable Member is

asked to refer to the detailed arguments contained in the explanatory memorandum <sup>(1)</sup>.

The fact that the proposal for a Directive runs counter to constitutional provisions in some Member States is not an insurmountable obstacle. In the Netherlands, for example, the Constitution has been amended to ensure that the right to vote is no longer confined to Dutch citizens alone. In Germany the Constitutional Court (Bundesverfassungsgericht) in a recent ruling admittedly declared the granting of voting rights to non-German nationals to be contrary to the Constitution, but it added, referring specifically to the current discussion at Community level, that such rights could be introduced after the necessary constitutional amendments had been made.

<sup>(1)</sup> OJ No C 246, 20. 9. 1988; OJ No C 290, 18. 11. 1989.

<sup>(2)</sup> COM(88) 371 final, Supplement 2/88 — Bull. EC.

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**WRITTEN QUESTION No 2551/90**

**by Mr Fernando Suárez Gonzalez (PPE)**

**to the Commission of the European Communities**

*(16 November 1990)*

*(91/C 90/107)*

*Subject: Funding for young worker exchange schemes*

What amounts were paid to the 29 organizations which received funding in 1989 for young worker exchange schemes?

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

*(11 December 1990)*

The amounts paid to organizations out of the budget for young worker exchange schemes in 1989 will not be known until the final accounts for all the projects undertaken during that year have been submitted and balanced.

Copies of the 1988/89 report on the third Joint Programme of Exchanges of Young Workers and a list of bodies having received co-financing under it in 1989 will be sent directly to the Honourable Member and the Parliament Secretariat.

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**WRITTEN QUESTION No 2563/90**

**by Mrs Mary Banotti (PPE)**

**to the Commission of the European Communities**

*(16 November 1990)*

*(91/C 90/108)*

*Subject: VAT on books*

Would the Commission be prepared to modify its present VAT proposals and introduce a lower VAT rate for books of 0 to 6 % rather than the present proposal of 4 to 9 %.

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

*(4 January 1991)*

As the Honourable Member is aware, in its proposal of 1987 on the approximation of VAT rates <sup>(1)</sup> the Commission suggested, in line with the practice in a majority of Member States, that books, newspapers and periodicals should be taxed at the reduced rate of VAT in all Member States from 1993 onwards.

In the conclusions of the Presidency of the Ecofin Council of 18 December 1989, it was decided on the basis of this proposal that the Council would determine the scope of the reduced rates which Member States will be able to apply, and on the 1 January 1993 level.

Therefore, the Commission has no intention at this stage of amending its proposal in the manner suggested by the Honourable Member.

<sup>(1)</sup> COM(87) 321.

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**WRITTEN QUESTION No 2590/90**

**by Mr Alonso Puerta (GUE)**

**to the Commission of the European Communities**

*(20 November 1990)*

*(91/C 90/109)*

*Subject: The unsupervised rubbish dump in Arguinariz (Navarra, Spain)*

For the last 13 years the inhabitants of Arguinariz (Navarra, Spain) have been suffering the nuisance and damage caused by an unsupervised rubbish dump, which receives the domestic waste (approximately 700 million tonnes per year) of the city of Pamplona and the surrounding district. This rubbish dump is harmful to people and the environment and the leaching it causes permanently pollutes the river Arga.

Directive 75/442/EEC <sup>(1)</sup> states that this kind of waste must be disposed of without endangering public health or causing damage to the environment.

What emergency measures can the Commission take to ensure that Community law is applied in this case, in particular Directive 75/442/EEC?

<sup>(1)</sup> OJ No L 194, 25. 7. 1975, p. 47.

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

(17 January 1991)

The Commission has taken note of the facts reported by the Honourable Member.

To be able to act under Article 169 of the Treaty, the Commission requires detailed information enabling it to assess whether or not Community legislation has been infringed.

In the absence of such detailed information, the Commission is unable to assess whether or not the provisions of Directive 75/442/EEC have been properly applied.

**WRITTEN QUESTION No 2594/90**

by Mr José Barros Moura (CG)

to the Commission of the European Communities

(20 November 1990)

(91/C 90/110)

*Subject:* Delay in the payment of ESF appropriations for 1989

Can the Commission explain the reasons for the delay in the payment of the second tranche of the budgetary items earmarked for ESF measures in 1989? The delay is more than six months in some cases. This question refers in particular to the difficulties which the delay causes for those who organize training courses, such as trade union organizations, for whom vocational training is an accompaniment to trade union work.

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

(4 January 1991)

Under the rules governing training schemes carried out in 1989, approval of an application for aid from the ESF gives rise to the payment of an initial advance which generally amounts to 50% of the amount approved.

Applications for payment of the balance must be submitted by the Member State concerned within a period of 10 months following the conclusion of the schemes.

In fact, most applications for payment of the balance were submitted to the Commission at the end of October and are now being examined.

**WRITTEN QUESTION No 2598/90**

by Mr Joaquin Sisó Cruellas (PPE)

to the Commission of the European Communities

(20 November 1990)

(91/C 90/111)

*Subject:* Community subsidies for shelters for AIDS sufferers

In her reply of 18 May 1990 to my Written Question No 856/90 <sup>(1)</sup> to the Commission on Community subsidies for shelters for AIDS sufferers tabled in March, Mrs Papandreou said that 'since the Commission has been requested to draw up and submit to the Council proposals for the details and content of an action plan to integrate appropriate measures to prevent and control AIDS, the subject of centres (SIC) in the Community for persons with AIDS will be taken into account'.

1. Have the Commission's proposals for this action plan been submitted?
2. If so, does the action plan include the shelters in question?
3. If not, when will the proposals be submitted? Will they include these shelters? What subsidies would be provided?

<sup>(1)</sup> OJ No C 283, 12. 11. 1990, p. 24.

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

(18 December 1990)

In its reply to the Written Question No 856/90, the Commission already stated that an action plan was being drawn up covering the areas of concern to the Honourable Member. This plan will be submitted to Council in the near future.

**WRITTEN QUESTION No 2608/90**  
**by Mr Bernard Antony (DR)**  
**to the Commission of the European Communities**  
*(20 November 1990)*  
*(91/C 90/112)*

*Subject:* Education, vocational training and youth policy

What does the Commission mean by youth policy?

Can it give a list of NGOs, associations or youth movements receiving Community funds, giving the exact amount of the appropriations earmarked for each association?

**Answer given by Mrs Papandreou**  
**on behalf of the Commission**  
*(8 January 1991)*

The Honourable Member is referred to the Commission's memorandum 'Young people in the European Community' (\*) which has been transmitted to Parliament, and in particular to paragraphs 12 to 14 of that memorandum as well as to Annex I which contains the list of the organizations concerned.

(\*) COM(90) 469 final.

**WRITTEN QUESTION No 2632/90**  
**by Mr Ernest Glinne (S)**  
**to the Commission of the European Communities**  
*(23 November 1990)*  
*(91/C 90/113)*

*Subject:* Taxation of audio and video appliances

In spite of the Community directives, consumer prices for audio and video appliances exhibit marked variations from one Member State to another, owing to the variations in VAT rates and in taxation of luxury goods.

Can the Commission provide a country-by-country breakdown of the situation, clearly distinguishing VAT and luxury goods taxes, and suggest possible solutions to the problem?

**Answer given by Mrs Scrivener**  
**on behalf of the Commission**  
*(13 December 1990)*

The rate of VAT currently applicable to audio/video equipment in the different Member States of the Community is as follows:

B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
33% (*)	22%	14%	36%	12%	25%	23%	9/19%	12%	18.5%	17%	15%

(\*) VAT 25% plus additional luxury tax of 8%.

Under the Commission's 1987 proposal on the approximation of VAT rates (COM(87) 321) all audio/video equipment would become liable for the standard rate of VAT throughout the Community from January 1993 onwards. If this proposal is adopted by the Council as it stands, the rate applicable to such equipment from that date will fall within a band of between 14 and 20%.

**WRITTEN QUESTION No 2651/90****by Mr Stephen Hughes (S)****to the Commission of the European Communities***(23 November 1990)**(91/C 90/114)**Subject: Zero rates of VAT*

Can the Commission state whether the United Kingdom authorities have yet submitted any requests in response to the Commission's initiative on zero rates?

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

*(8 January 1991)*

In the context of discussions in the Council framework on the question of the approximation of VAT rates, the UK authorities have indicated their desire to maintain a certain number of zero rated supplies particularly for reasons of social policy. The Commission has taken note of this position.

The Commission would recall that in its communication of 14 June 1989 <sup>(1)</sup> it indicated that in the framework of a compromise agreement on the entire package of proposals on the abolition of fiscal frontiers, it might be possible to authorize Member States to maintain zero rates for a very limited number of products subject to reduced rates of VAT provided this did not pose any risk of distortion of competition for other Member States.

<sup>(1)</sup> COM(89) 260 final.

**WRITTEN QUESTION No 2659/90****by Mrs Winifred Ewing (ARC)****to the Commission of the European Communities***(23 November 1990)**(91/C 90/115)**Subject: Comparability of social workers' qualifications*

With the advent of greater mobility of those with experience in the fields of social work, what provision is being made to ensure that an effective comparative syllabus is agreed for the training and award of professional qualifications at each level in the different EC Member States?

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

*(23 January 1991)*

To the extent that the profession of 'social worker' is a regulated profession, access to it is governed by the rules

on the recognition of diplomas. Access to this profession in Member States which require university-level professional training of at least three years' duration is governed by the Directive on a general system for the recognition of higher-education diplomas, adopted by the Council on 21 December 1988 <sup>(1)</sup>. This being so, there is no need to harmonize such training, since the Directive is based on the principle of mutual trust and does not call for prior harmonization.

Access to this profession in Member States which do not require university-level professional training of at least three years' duration will be governed by the terms of the supplementary directive proposed by the Commission and currently under discussion in the Council.

In countries which require at least three years' university-level professional training, access to the profession for those who have obtained their qualifications in a country which does not require training of this level or duration will be governed by the relevant provisions of the abovementioned proposal for a supplementary directive at present before the Council.

In addition, if this profession is not regulated in a particular Member State the recognition of diplomas is not necessary. In this case, all that is required is information on the qualifications obtained by social workers wishing to take up employment in another Member State.

At the present time, the work on the comparability of qualifications intended to supply essential information on professional qualifications is concerned primarily with professions involving skilled workers. The Council has not yet decided to extend this work to professions involving other levels of training.

<sup>(1)</sup> OJ No L 19, 24. 1. 1989.

**WRITTEN QUESTION No 2660/90****by Mrs Winifred Ewing (ARC)****to the Commission of the European Communities***(23 November 1990)**(91/C 90/116)**Subject: Exchange of information on social work structures and qualifications*

There is concern amongst those responsible in the UK for operational services in the field of social work, especially in local authorities, due to the lack of regular contact at senior level between those responsible in each Member State.

Will the Commission identify what sharing of experience takes place, and whether it is prepared to establish or encourage a positive dissemination of information for legal, technical and operational issues?

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

(4 January 1991)

The Commission has taken various steps to promote the exchange of experiences between social workers and to encourage the dissemination of information on social work.

In April 1990 the Commission and the European Community liaison committee of the International Federation of Social Workers held a meeting in La Hulpe (Belgium) on the subject 'Training and employment — outlook for 1992'. In addition, a seminar was held in Madrid in April 1986 on the subject of 'Social workers — voluntary workers and the elderly'.

The International Federation of Social Workers and the British Association of Social Workers are organizing a seminar scheduled to take place in September 1991 on the theme of 'Love, law and the child' in which the Commission will be taking part.

**WRITTEN QUESTION No 2718/90**

**by Mr Bruno Megret  
and Mr Jean-Marie Le Chevallier (DR)  
to the Commission of the European Communities**

(10 December 1990)

(91/C 90/117)

*Subject:* Report of the Committee of Inquiry into Racism and Xenophobia

In the preamble to the Treaty establishing the EEC, the Member States specify that they are determined to lay the foundations for 'an ever closer union among the peoples of Europe' and to work towards 'the constant improvement of the living and working conditions of their peoples'.

1. Does the Commission not think that implementing the recommendations of the Committee of Inquiry's report will be tantamount to giving preferential treatment to nationals of non-Community countries over European citizens, in violation of the Treaties?

2. Does it not think that measures to give voting rights to non-nationals and to provide them with access to jobs in the civil service constitute intolerable interference in areas falling exclusively within the national competence of the Member States, and that only the peoples of Europe, consulted by referendum, should decide on such amendments to the constitution of their respective countries?
3. Is it not afraid that, following the adoption of this report, it may become embroiled in a purely party-political issue in which it has no right, either in fact or in law, to adopt a partisan position?

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

(8 January 1991)

The Commission set out its position concerning the report of the Committee of Inquiry into Racism and Xenophobia at the parliamentary debate of 9–10 October 1990 (1).

(1) Debates of the European Parliament, No 394 (October I 1990).

**WRITTEN QUESTION No 2728/90**

**by Mr Miguel Arias Cañete (PPE)  
to the Commission of the European Communities**

(10 December 1990)

(91/C 90/118)

*Subject:* Community monitoring of objects manufactured from precious metals

There are considerable differences between the 12 Member States concerning arrangements for the monitoring and inspection of the manufacture, marketing and sale of objects manufactured from precious metals. In some Member States (the United Kingdom, France, Portugal, Ireland and Spain) government bodies are responsible for monitoring the manufacturing of jewellery from the outset (hallmarking). In the Netherlands this is done by private bodies. Other Member States, such as Italy, Germany, Denmark, Belgium, Greece and Luxembourg, only check the finished product.

Clearly there are a number of different and contradictory ideas prevailing in the Community as regards policy on quality controls for manufactured jewellery.

Given the concern for quality control of Community products and the protection of consumers' rights, as

reflected in the development of Community legislation for the completion of the single market:

1. What measures does the Commission intend to take to harmonize the inspection of objects manufactured from precious metals in the EC at Community level?
2. Does the Commission consider that quality control from the outset of the manufacturing process is the most effective means of protecting the rights of consumers at every phase of the manufacturing process?

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

(17 January 1991)

The Commission is aware of the differences between the Member States' arrangements regarding precious metals, arrangements which are intended to protect consumers.

The Commission is currently examining the situation so as to determine whether the technical barriers to trade resulting from the existing national arrangements ought to be removed through the long and difficult process of Community harmonization. It therefore proposes to reply to the Honourable Member's questions at a later date.

**WRITTEN QUESTION No 2746/90**

**by Mr Pedro Canavaro (S)**

**to the Commission of the European Communities**

(10 December 1990)

(91/C 90/119)

*Subject:* Implementation of the directive on the education of the children of migrant workers in Spain and Portugal

In its second report on the implementation of Directive 77/486/EEC<sup>(1)</sup> on the education of the children of migrant workers (COM(88) 787 final) the Commission takes no account of the situation in Spain and Portugal, since these two Member States did not join the Community until after 1984—1985, the year under review in this report.

Have Spain and Portugal informed the Commission of the measures they have taken to incorporate this directive into their national law?

Does the Commission consider that these measures constitute adequate incorporation of this directive?

<sup>(1)</sup> OJ No L 199, 6. 8. 1977, p. 32.

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

(22 January 1991)

Spain and Portugal informed the Commission in 1989 of the measures they have taken to incorporate Directive 77/486/EEC into their national legislation.

The Commission thought it best to allow these Member States sufficient time to adopt implementing measures before asking them to supply the particulars needed for its report to the Council.

However, steps have now been taken to transmit to the competent authorities the questionnaire used for the preparation of the report COM(88) 787 final. When the replies are received the Commission will be able to produce a supplement to the report.

**WRITTEN QUESTION No 2748/90**

**by Mr Pedro Canavaro (S)**

**to the Council of the European Communities**

(10 December 1990)

(91/C 90/120)

*Subject:* Declarations regarding the adoption of the directive on the education of the children of migrant workers

It seems that at the time that Directive 77/486/EEC<sup>(1)</sup> on the education of the children of migrant workers was adopted by the Council, certain declarations regarding various aspects of this directive were recorded in the minutes of the Council meeting.

Will the Council provide me with copies of these texts?

Furthermore, does the Council consider that these declarations are still valid?

<sup>(1)</sup> OJ No L 199, 6. 8. 1977, p. 32.

**Answer**

(26 February 1991)

Statements entered in the Council minutes, which constitute one aspect of the negotiations conducted in the Council, do not form part of the legal act adopted by the Council. They are entered in the minutes in accordance with Article 7 of the Council's Rules of Procedure<sup>(1)</sup> and hence are subject to professional secrecy under the terms of Article 18 of those Rules of Procedure.

<sup>(1)</sup> OJ No L 268/79, p. 1 and No L 291, p. 27.

**WRITTEN QUESTION No 2749/90****by Mr Carlos Robles Piquer (PPE)****to the Commission of the European Communities***(10 December 1990)**(91/C 90/121)*

*Subject:* Breakdown of grants to Andalusia within the Community support framework

The Commission provided a full answer to my question, No 1925/90 <sup>(1)</sup> in the form of a text forwarded by Mr Millán on 18 October 1990. The reply mentions the allocation of two sets of commitment appropriations for Andalusia: ECU 213 million for the regional Sub-CSF and ECU 621 million for the multi-regional Sub-CSF. It adds that further appropriations and three operational regionally-based programmes are under consideration. I wish to thank the Commission for this reply and would appreciate a detailed breakdown of the appropriations already allocated, which — unless there has been some error — total the respectable sum of ECU 834 million. Can the Commission list the beneficiaries and provide as much information as possible to facilitate an assessment of the practical contribution of these appropriations to the objective of the Community Support Framework for Andalusia? This assessment must be made not only by the Commission, but also by those who live in the Autonomous Community of Andalusia and are therefore familiar with the local situation.

<sup>(1)</sup> OJ No C 63, 11. 3. 1991, p. 43.

**Answer given by Mr Millan  
on behalf of the Commission***(21 February 1991)*

The Commission is sending directly to the Honourable Member and to the Secretariat of Parliament a table containing the information requested.

**WRITTEN QUESTION No 2784/90****by Mrs Raymonde Dury (S)****to the Commission of the European Communities***(13 December 1990)**(91/C 90/122)*

*Subject:* Community support for European cultural diversity

Cultural diversity is one of Europe's greatest assets. In particular, regional literatures express universal feelings using a specific setting. However it is often difficult for them to attract notice or even to survive.

Can the Commission say what steps it is taking to assist the creation, publication and circulation of such literature?

**WRITTEN QUESTION No 2794/90****by Mr Filippos Pierros (PPE)****to the Commission of the European Communities***(13 December 1990)**(91/C 90/123)*

*Subject:* Establishment and implementation of a Community policy on books

It has been generally accepted that the establishment of a clear and cohesive policy on books is an essential part of Community cultural policy. What practical steps does the Commission intend to take in this direction?

**Joint answer to Written Questions Nos 2784/90  
and 2794/90****given by Mr Dondelinger  
on behalf of the Commission***(28 January 1991)*

Books are one of the four priority areas identified in the conclusions adopted by the Council and the Ministers responsible for cultural affairs on 27 May 1988.

On 26 April 1989 the Commission adopted a communication entitled 'Books and reading: a cultural challenge for Europe'.

On 18 May 1989 the Ministers responsible for cultural affairs, meeting in the Council, passed a resolution on the promotion of books and reading.

The Commission has started to implement the measures set out in the resolution:

- It has established a European prize for literature and a prize for the best translations of European literary works. The first two awards were made in Glasgow as part of the European City of Culture programme on 26 November 1990.
- A pilot scheme has been launched to provide financial assistance totalling ECU 200 000 a year for translations of contemporary literature. In 1990 this helped support 65 literary works.
- Grants are being made to fund places on courses at colleges for literary translation. Five colleges were given ECU 30 000 each for 1990.
- A study of European statistics on books has been commissioned and will be published by the SOEC in the near future.



Also, as part of its 1990—94 framework programme of Community activities in the field of research and technological development, the Commission is preparing measures to promote cooperation between libraries on data processing.

**WRITTEN QUESTION No 239/91**

**by Mr Pierre Lataillade (RDE)**

**to the Council of the European Communities**

(18 February 1991)

(91/C 90/124)

*Subject:* Technical measures for the conservation of fishery resources

The Commission has forwarded to the Council a proposal (COM(90) 371 final) amending for the 10th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

Like the regulation on which it is based, this proposal does not provide for Parliament to be consulted pursuant to the procedure laid down under Article 11 of Regulation (EEC) No 170/83.

Experience has shown (and this proposal is no exception) that technical measures may have major consequences on fishing as an economic sector.

Furthermore, the substance of the measures may affect the Community's position in its relations with third countries, be it in bilateral relations or international negotiations, which are of considerable importance in the conservation of fishery resources.

These general considerations, combined with the fact that the above proposal lays down a minimum mesh size which:

- if adopted, will cause major difficulties for fishermen,
- in any event, pre-empt the Community's position in the negotiations to be conducted both with Norway and Sweden and with NAFO and the Baltic Sea Fishery Commission,

prompt the Committee on Agriculture, Fisheries and Rural Development to put the following questions to the Council:

1. Does the Council have an estimate of the socio-economic impact of the measures put forward by the Commission in its proposal (COM(90) 371)?

Does it consider that aid will have to be provided both to enable fishermen to comply with the planned provisions (if adopted) and to mitigate the effects on fishermen's income?

2. Is the Council aware that failure to consult Parliament on measures which may have a considerable impact on a whole economic sector (and even on the whole economy of certain regions of the Community) has (however justified those measures may be) an extremely negative impact on the people affected, who, as a result, come to regard democratic representation within the Community as an illusion and consequently reject the whole notion?
3. Does the Council consider that, under current legislation, this state of affairs could be alleviated if Parliament were consulted on the subjects covered by Article 11 of Regulation (EEC) No 170/83, or at least in cases where proposed measures may have a significant socio-economic impact?
4. Is the Council prepared to consider that Article 11 of Regulation (EEC) No 170/83 should be amended, in order to ensure that such consultation, which is necessary if democratic legitimacy is to be prompted, actually takes place and, consequently, that Community regulations are accepted? If they are not, the risks of fraud or of violent reaction will be increased.

**Answer**

(26 February 1991)

1. The Council attaches particular importance to the conditions for carrying out fishing activities in order, among other points, to ensure the conservation of marine biological resources. Such conservation measures are implemented with the main aim of ultimately achieving greater stability in fishing activities and thereby safeguarding the specific needs of fishermen, certain geographic regions and certain economic sectors.
2. Given the worrying state of some demersal stocks, which require appropriate conservation measures, particularly in the North Sea, the Council and the Commission agreed at the Council's meeting on 18 and 19 December 1989 that certain amendments should be made to rules on technical conservation measures.
3. At present, the Council is carefully examining the Commission proposal amending for the 10th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

The Council does not have any precise estimate of the socioeconomic impact of the measures put forward.

4. At its meeting on 19 and 20 December 1990, the Council adopted a Regulation amending Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector, including support measures for fishermen engaged in small-scale fishing.

5. Moreover, the Council is examining the Commission proposal amending for the tenth time Regulation (EEC) No 3094/86 in compliance with the

rules and principles laid down in the Treaty and in particular the institutional balance provided for therein.

6. The Council would point out that Regulation (EEC) No 170/83 was adopted following an opinion of the European Parliament. The Council would examine with care any proposal for an amendment to Article 11 of that Regulation should the Commission submit such a proposal.

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