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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 837/89by **Mr François de Donnée (LDR)**

to the Commission of the European Communities

(28 November 1989)

(91/C 107/01)

Subject: Award of Erasmus grants

The September 1989 issue of 'EUR-INFO' (monthly bulletin of the Commission's information office in Belgium) states that 4 046 teachers have been awarded Erasmus grants for the 1989/90 academic year.

1. Can the Commission confirm these figures?
2. Can it state the number of Belgian teachers who have received a grant, specifying, if possible, which region they come from (Flanders — Wallonia — Brussels)?

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

(16 March 1990)

Two separate categories of teacher may participate in the Erasmus programme:

- teachers lecturing in establishments in other Member States over a period of at least one month under the mobility arrangements;
- teachers on study visits, either to study the system of instruction at another establishment or to prepare a programme of inter-university cooperation or to teach for a period not exceeding one month.

As regards study visits, the Commission can confirm the figure of 4 046 given in EUR-INFO, which relates to the total number of teachers who have received a grant for a study visit to one or more establishments in a Member State.

Belgian participation in such study visits has been as follows:

	Applications received	Applications approved
Wallonia	48	21
Flanders	143	81
Brussels	39	16
Total	230	118

On average, two teachers take part in each study visit. The number of Belgian teachers who have received Erasmus grants for this purpose is therefore about 240.

As regards teaching staff mobility, the Commission does not yet have any data on the number of participants or the regional breakdown, since the academic year is still in progress and the universities do not submit their reports until October. It can state, however, that for the current academic year 142 applications for teacher mobility programmes were received with Belgian participation.

Of this total, 58 applications were approved.

WRITTEN QUESTION No 207/90by **Mrs Anita Pollack (S)**

to the Commission of the European Communities

(14 February 1990)

(91/C 107/02)

Subject: Smokeless tobacco

What is the view of the Commission about the possible health risk of smokeless tobacco; has any attention been

given to this type of product in European Year Against Cancer, and will the Commission consider a ban on marketing of smokeless tobacco in view of the health risks which have been outlined by the United Kingdom Health Education Council?

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

(8 March 1990)

The health authorities of the Member States and the EEC Commission have been alerted by many scientific organizations of world-wide repute drawing attention to the harmful effects of certain new smokeless tobacco products for oral use which are beginning to be consumed by young people in some Community countries.

The Member States most concerned, Ireland and United Kingdom, have banned them already.

The Commission is aware of the danger of these new products on young people, in fact, large quantities of carcinogenic substances are present in moist snuff. Further, these new products constitute a real threat to young people who develop tobacco dependency due to the nicotine in the products.

At present, the Commission is considering a proposal of a Community-wide measure in order to tackle the problem.

WRITTEN QUESTION No 303/90

by Mr Stephen Hughes (S)

to the Commission of the European Communities

(21 February 1990)

(91/C 107/03)

Subject: Ownership of interest accrued from Community Funds

Will the Commission outline its position on the ownership of interest accrued on ERDF monies? Specifically will the Commission outline the legal position concerning the recent ERDF allocation to Shildon in County Durham, where the United Kingdom Government held a cheque for £ 4,8 million sterling for some time and now claim that no interest accrued on the money? Would the Commission not agree that interest accruing in cases such as this must either be the property of the Commission or alternatively of the end recipient (Sedgefield District Council), but it is not competent for persons handling the money to appropriate the interest for their own benefit as appears to be the case with the United Kingdom Government? If the Commission agrees with the above will it advise the Parliament what action it proposes to

take to reclaim the £200 000 (approximately) which should have been earned on this money? Further, can the Commission outline what action, if any, can be taken against the United Kingdom Government in view of the fact that they claim not to have made interest on the money withheld?

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

(26 April 1990)

Payment of ERDF monies is made following a Commission Decision awarding aid to a Member State in respect of an investment, a programme of investments or other measures eligible according to the Regulations of the Council regulating the activities of the ERDF. Such a decision, and the payments resulting therefrom, are governed by the terms of Regulation (EEC) No 4253/88 ⁽¹⁾ which states in Article 21.5 that:

- 'Member States shall designate the authorities empowered to issue the certificates (concerning expenditure) and shall ensure that the beneficiaries receive the advances and payments as soon as possible.'

In the case of the Shildon National Programme of Community interest the United Kingdom authorities have designated the Department of Trade and Industry as the body to whom payments should be made.

It follows from this that where a Member State certifies that the level of expenditure of an investment or a programme of investments justifies a payment request to be met, the Commission has no further claim on monies which it has thereby paid, other than in cases where the basis on which the aid has been paid proves to be incorrect (Article 24 of Regulation (EEC) No 4253/88).

The internal arrangements within Member States for the possible distribution of monies received lie outside the competence of the Commission which consequently cannot intervene in the disposal of any interest income which might have accrued before payments finally reach the 'end recipient'. The question of whether, pending distribution, payments should be placed in interest-bearing accounts in a management decision to be taken by the Member State's authorities.

It should be noted, for the Shildon programme, that Sedgefield District Council is the coordinating authority with day-to-day responsibility for the administration of the programme. It is the 'end recipient' only in respect of its own investment under the programme.

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 1.

WRITTEN QUESTION No 469/90by **Mr Mauro Chiabrandò (PPE)**to the **Commission of the European Communities**

(7 March 1990)

(91/C 107/04)

The Commission is therefore unable to give a date for the completion of the link.

(¹) OJ No C 270, 19. 10. 1988, p. 6; OJ No C 170, 5. 7. 1989, p. 10.

Subject: High-speed trains

Over the last few months, EEC documents and media reports have referred to the project for a European high-speed rail network, designed to solve traffic problems over the forthcoming decades.

These reports, also based on information supplied by the European Railway Community, all refer to links between the major cities of northern Europe, such as Cologne, Paris, Hamburg, London, Copenhagen, Brussels, Frankfurt and even Madrid, but not with cities and regions of Italy or southern France.

No reference is made to the 'transversal' route between Trieste, Milan, Turin and Lyon, which should make a major contribution to development in the near future.

Will the Commission state whether this route has been included in the Community programmes and when it is scheduled to be built?

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

(16 May 1990)

Following the Council resolution of 5 December 1989 the Commission set up a High-Level Working Party to be responsible for drawing up a master plan for a system of high-speed rails links.

The Working Party, comprising government and railway experts, was to define the shape of a future railway network and set the priorities for turning the plans into reality.

Where the 'transversal' route between Trieste, Milan, Turin and Lyons was concerned, the Italian Government requested that it be added to the seven priority projects included in the proposal for a Regulation for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992 (¹). A proposal to this effect is currently before the Council.

WRITTEN QUESTION No 542/90by **Mr Eugenio Melandri (V)**to the **Foreign Ministers of the Member States of the
European Community meeting in European Political
Cooperation**

(16 March 1990)

(91/C 107/05)

Subject: War in the Horn of Africa

For more than 25 years the Horn of Africa has been the scene of a bloody war fought by the Ethiopian army against the people of Eritrea and the Ethiopian Government often prohibits access to some regions controlled by the Eritrean liberation movements, including access for international humanitarian aid intended for people suffering from shortages and hunger. In view of these considerations and in the light of the various motions of condemnation and censure directed against the Menghistu Government in recent year by the United Nations, the European Parliament and other influential international bodies.

1. What steps do the Foreign Ministers intend to take to compel the Ethiopian Government to recognize the Eritrean people's right to self-determination?
2. What action do the Ministers intend to take *vis-à-vis* Menghistu to obtain assurances regarding the ultimate destination of aid for Eritrea?
3. What action do the Ministers intend to take to ensure that human rights in Ethiopia are respected and no longer ignored, as is the case today?
4. Do the Ministers not consider that aid to the Ethiopian Government should be stopped, at least temporarily, because of its contempt for human rights and its complete indifference to the resolutions of the UN and the European Parliament?
5. Do the Ministers not consider that pressure should be put on the Italian Government, in view of its historical and cultural links with the area, to prompt it to raise the 'Eritrean Question' in the UN, since, by its silence, it legitimizes the oppression of the Eritreans?

Answer
(18 March 1991)

The Community and its Member States are doing all they can to ensure the cooperation of all the parties to the conflict. Since the Ministerial Statement of 20 February 1990 on the Horn of Africa, they have repeatedly stressed their conviction that just and lasting solutions can only be achieved by peaceful means and through negotiated political settlements, based on the respect for territorial integrity, independence and the principles of the UN Charter and the need to take into account distinct regional identities and aspirations. In this connection, the Community and its Member States are gravely preoccupied by the plight of the population affected by famine and deprivation and are continuing to provide extensive food and other emergency aid where possible.

On 24 April 1990, the Community and its Member States, together with other Western donors, made a strong appeal to all the parties in Ethiopia to suspend hostilities immediately, to facilitate relief operations and to guarantee the safe passage of humanitarian relief supplies.

The considerable difficulties arising in the forwarding of goods and medications are unfortunately well illustrated by the tragic question of the opening of the port of Massawa, and notably the refusal, in late spring, to grant permission to dock to a ship carrying a UN World Food Programme technical team to survey Massawa port. The Community and its Member States accordingly urged the Eritrean People's Liberation Front (EPLF) to cooperate in the utilisation of that port for the supply of aid to the people of Northern Ethiopia. On 18 June 1990, Ministers issued a statement on Ethiopia which was brought to the attention of both the Menghistu government and the EPLF. A second statement on this issue was released on 2 August 1990 and two démarches have been made by the Twelve, in July, to the representative of the EPLF in Washington, and in November to the UN Under-Secretary General, Farah, urging the Ethiopian Government and the EPLF to reach early agreement for the re-opening of the port.

As concerns the human rights situation in Ethiopia, the Community and its Member States are of the view that it cannot be seen in isolation from humanitarian and food relief efforts. They therefore do not consider that a suspension of aid to the Ethiopian authorities would contribute in bringing about a satisfactory solution; such a measure would, to the contrary, only harm an already severely affected population and would thus prove counter-productive.

The last volet of the Honourable Member's question has not been discussed within EPC.

WRITTEN QUESTION No 597/90
by Mr Pol Marck (PPE)
to the Commission of the European Communities
(16 March 1990)
(91/C 107/06)

Subject: Compilation of regulation on dairy quotas

In discussion the Commission proposal for dairy quotas, Parliament adopted an amendment calling for regulation on dairy quotas, which are frequently amended, to be incorporated into one text in order to provide a greater degree of information and legal certainty.

When does the Commission think that it will be able to meet Parliament's request?

Answer given by Mr Mac Sharry
on behalf of the Commission
(2 August 1990)

Since the milk quota system is scheduled to run only for a limited period which, under Article 5c of Regulation (EEC) No 804/68 ⁽¹⁾, expires on 31 March 1992, the Commission does not think that the present juncture is a good time to consolidate Council Regulation (EEC) No 857/84 ⁽²⁾ adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector.

Moreover, the first steps has to be the consolidation of the basic Regulation for the sector (Regulation (EEC) No 804/68) first of all as in the case of the wine sector, with Regulation (EEC) No 857/84 being incorporated in this more general operation.

The work on consolidating the milk and milk products legislation should be resumed as from June/July of this year on the basis of the draft prepared by the Commission's Legal Service in early 1988.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 13.

WRITTEN QUESTION No 763/90
by Mr Mark Killilea (RDE)
to the Commission of the European Communities
(29 March 1990)
(91/C 107/07)

Subject: EC budgetary allocation to Ireland under fisheries sector

Is the Commission aware that, of the total budgetary allocation to Ireland there is only approximately 20% of

that allocation going to capital and current development, and the remaining 80% is spent on administration and sea protection, and as the Commission can now identify this fact, could it identify a single budget figure to be allocated for sea protection, so that the 20% for capital and current development can be increased by at least 100%?

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

(14 June 1990)

The statistics referred to by the Honourable Member are contained in a report published by the Economic and Social Research Institute, Dublin, Ireland entitled 'The Irish Sea Fishing Industry' Paper No 11, January 1990 (ISBN 0 7070 01129). On page 45 of the report, the percentages 80/20 are mentioned. As the expenditure devoted to the fisheries sector is entirely national expenditure and is the responsibility of the Member State, the Commission has no comment to offer on the breakdown.

WRITTEN QUESTION No 784/90

by Mr José Barros Moura (CG)

to the Commission of the European Communities

(29 January 1990)

(91/C 107/08)

Subject: Expenditure eligible for European Social Fund assistance

Contrary to all previous practice, the departments of the ESF have ceased to consider expenditure on premises designed to be used for vocational training as eligible (more precisely expenditure for the renting or purchase of premises). However, this change in the rules was not even mentioned when the reform of the funds was being negotiated and carried out.

Because the bodies which promote measures co-financed by the ESF in Portugal are small and lacking in resources, the ban on financing such premises seriously jeopardizes vocational training and its effectiveness.

In view of the above, can the Commission:

1. explain the legal justification and other reasons for this change in the rules on eligible expenditure?
2. say whether there is any possibility of considering the particular situation of Portugal in this sector after all?

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

(11 June 1990)

In the discussion that took place within the Council on the reform of the Structural Funds, the question of the eligibility of the costs of constructing training centres was considered.

Arguments were put forward justifying their inclusion as eligible costs both for the European Regional Development Fund and the European Social Fund. However, in order to avoid any risk that the same expenditure would be supported by both Funds, it was finally decided that this type of expenditure would only be eligible for Regional Fund assistance. An example may be found in the PRODEP programme (Programme for Educational Development in Portugal) which will be approved shortly by the Commission.

In these circumstances, the list of eligible costs for Social Fund support, set out in Article 3.1 of Regulation (EEC) No 4255/88 ⁽¹⁾, excludes construction costs relating to training centres. In addition, in order to maintain a consistent approach, the rental and depreciation costs of training centres was also deemed to be ineligible.

Therefore, any promoter seeking Community support for the construction of a training centre should contact the organisation responsible for the submission of operational programmes to the Regional Fund, to ascertain the possibility of the inclusion of these costs in a suitable programme.

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 21.

WRITTEN QUESTION No 873/90

by Mrs Barbara Dührkop Dührkop (S)

to the Commission of the European Communities

(9 April 1990)

(91/C 107/09)

Subject: 'Classes 92'

The Commission announced some time ago the publication of a new programme entitled 'Classes 92'.

Does the Commission intend to go ahead with this initiative?

If so, when can a communication on this matter be expected?

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

(18 May 1990)

The suggestion to which the Honourable Member refers was made by President Delors to Parliament in January

1989⁽¹⁾ as part of his presentation of the new Commission. The Commission has been studying the matter with interested parties, and is still considering the opportunity and the concrete possibility of launching such an initiative.

⁽¹⁾ Debates of the European Parliament No 2-373 (January 1989).

WRITTEN QUESTION No 895/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(9 April 1990)

(91/C 107/10)

Subject: Amount of European Social Fund assistance for the island of Leros

Further to the answer given by the Commission on 22 December 1989 to my Written Question No 707/89⁽¹⁾, can it answer the following questions:

1. What annual assistance has been granted to Greece since 1984 by the European Social Fund under Regulation (EEC) No 815/84⁽²⁾ for
 - (a) the Greek programme of psychiatric reform and,
 - (b) in particular, the island of Leros?
2. When were these two forms of assistance, general and specific, suspended (for what reasons?) and resumed (for what reasons?)?
3. The Observer of 4 March 1990 claims that the subsidies allocated to Leros were used to repaint the main entrance and provide proper accommodation for only 80 of the approximately 1 200 'guests' on the island. What is the Commission's assessment of the specific use which is being made of Social Fund assistance:
 - (a) in Leros and
 - (b) for the general programme of psychiatric treatment in Greece?
4. The International Mental Health Care Federation recently submitted to the United Nations Commission on Human Rights in Geneva a report which is highly critical of various Greek authorities and the Greek Psychiatric Association. What is the Commission's assessment of this report and what is its response to the points raised in this report which concern it?

⁽¹⁾ OJ No C 97, 17. 4. 1990, p. 15.

⁽²⁾ OJ No L 88, 31. 3. 1984, p. 1.

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

(28 May 1990)

1. The Commission is sending directly to the Honourable Member and to the Secretariat of Parliament

copies of a table showing the amounts it has granted since 1984 under Regulation (EEC) No 815/84 for the Greek programme of psychiatric reform, particularly on the island of Leros.

2. Regulation (EEC) No 815/84 covers the period from 1 January 1984 to 31 December 1991. Community assistance for psychiatric reform in Greece has therefore not been suspended. With respect to 1989 it was decided, in agreement with Greece and with the management committee of the Regulation to defer the examination of new projects in view of the delays arising in implementing previously approved projects and the lack of information on the progress of the entire reform programme and any changes in the timetable. The Greek authorities are currently carrying out a comprehensive review of their programme, including the part concerning Leros.

3. The projects for Leros so far submitted by the Greek authorities concern the establishment of small rehabilitation units for only some of the inmates of the hospital, and are supposed to form part of a global approach aimed at finding a radical solution to the problem, leading eventually to the closure of the asylum.

The Greek authorities have announced that they are currently preparing a new project involving several assistance teams of Greek and foreign specialists. An assessment of the overall programme of psychiatric reform, including Leros, is in preparation, and the first assessment report is expected to be ready by the end of 1990.

4. The report to which the Honourable Member refers has not been sent to the Commission, which is not therefore in a position to comment on its contents.

WRITTEN QUESTION No 913/90

by Mr Enrico Falqui, Mrs Maria Aglietta, Mr Gianfranco Amendola, Mr Virginio Bettini and Mr Alexander Langer (V)

to the Commission of the European Communities

(17 April 1990)

(91/C 107/11)

Subject: Request for a ban on the use in the Community of alachlor, atrazine, metolachlor and trifluralin weed killers

In view of the findings of the study (CCTN/Pesticides/5/89) carried out in Italy by the Higher Institute of Health, which show that alachlor, atrazine, metolachlor and trifluralin weedkillers are highly dangerous from the point of view of genotoxicity and in view of the serious health risks to farmers and consumers in the Community:

1. What measures does the Commission intend to take to protect the health of farmers and consumers?
2. Does the Commission not consider that it would be a good idea to prohibit the use of the above weedkillers in the Community?

90/394/EEC (*) provides specifically for protection measures against the risks related to exposure to carcinogens at work.

(*) OJ No L 33, 8. 2. 1979, p. 36.

(*) OJ No C 89, 10. 4. 1989, p. 22.

(*) OJ No L 327, 3. 12. 1980, p. 8.

(*) OJ No L 196, 26. 7. 1990.

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

(6 September 1990)

According to information available to the Commission, the Italian Higher Institute of Health, in its evaluation of the four herbicide active substances, concluded that there was no risk arising from genotoxicity but was concerned about possible contamination of drinking water sources.

By decree of 24 March 1990, Italy authorised the continued use of the substances with the exception of atrazine, in which case use will not be permitted during 1990. This decision will be reconsidered with a view of reinstating the authorization of the use of atrazine at a lower rate of application in the light of the results of ongoing investigations of water quality.

Directive 79/117/EEC (1) prohibiting the placing on the market and use of plant protection products containing certain active substances provides a Community basis for the total prohibition of plant protection products whose use gives rise or a likely to give rise to harmful effects on human or animal health or to unreasonable adverse effects on the environment. The Commission has no evidence concerning the substances mentioned by the Honourable Members which would justify proposing a Community-wide prohibition in the framework of this Directive. It will, however, continue to keep them under review.

The authorization of plant protection products, containing active substances not provided for in Directive 79/117/EEC and the fixing of any particular conditions of marketing and use remain the responsibility of Member States in the absence of Community legislation concerning the authorization of such products. The Commission has made a proposal in that context (2). When adopted, it will establish *inter alia* common rules for the evaluation and approval by Member States of plant protection products and a Community positive list of active substances, whose use in products may be considered, subject to any necessary conditions laid down therein, a priori safe for human and animal health and for the environment.

In addition, with regard to the protection of workers, including farm workers, Directive 80/1107/EEC (3) has established a general strategy for their protection against the risks related to exposure to chemical, physical and biological agents, including pesticides, and Directive

WRITTEN QUESTION No 975/90

by Mrs Ursula Schleicher (PPE)

to the Commission of the European Communities

(25 April 1990)

(91/C 107/12)

Subject: Community farm price proposals for wine and the restrictive planting policy

As part of the farm price proposals for last year, the Commission provided *inter alia* that transfers of replanting rights in respect of vine-growing should be restricted.

Until now, it has been normal practice in certain Community Member States to transfer replanting rights from table wine areas to quality wine areas. Moreover, in 1987/88 and 1988/89, the Commission granted exceptional authorization for new planting in respect of over 12 000 hectares of quality wine in France, Italy and Spain and also supported the conversion of table wine areas into quality wine areas.

No new planting has been allowed for the Federal Republic of Germany until August 1990, and replanting is permitted only on land from which vines have been grubbed.

1. Is not the equilibrium of the quality wine markets being threatened by practices followed in other Member States?
2. Would it not be more effective to amend the Commission proposal to restrict the transfer of replanting rights such that in future only replanting rights within each vine-growing region are transferable?

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

(6 September 1990)

Since the Honourable Member transmitted her question, the Council — acting on a proposal from the Commission — has extended the prohibition on new plantings for all

wines to the end of the 1995/96 marketing year and renewed by only one marketing year the exception for new plantings of certain quality wines p.s.r. The purpose of the measure was to give the Commission time to draw up new proposals to apply in all Member States.

The aim of these new proposals will be to ensure adequate flexibility to increase the potential production of wines for which this is justified and prevent a further expansion of the area under vines by means of a programme, financed by the Community and running until the end of 1995/96, for the permanent abandonment of areas under vines used in making both quality wines p.s.r. and table wines.

WRITTEN QUESTION No 977/90

by Mr Joaquín Siso Cruellas (PPE)

to the Commission of the European Communities

(25 April 1990)

(91/C 107/13)

Subject: Integrated Development Operation in the Province of Teruel and its possible conversion into an Integrated Operations Programme

By decision C(78) 2563/1 of 22 December 1987, the Commission of the European Communities approved a grant for carrying out a preparatory study in connection with an Integrated Development Operation in the Province of Teruel. In the first quarter of 1988 an agreement was concluded between the Ministry of Economy, Finance and Trade and the Aragon Parliament setting out the terms of their cooperation in carrying out this study. The first part of the study was concerned with analyzing the economic, social and environmental situation in the geographical area covered by the IDO, defining development strategies, the sectors in which measures would be taken and the corresponding objectives. The second phase was concerned with drawing up an integrated programme of measures, which was concluded in January 1989. On 31 March the Commission's services forwarded to the Spanish Government their observations on the intermediate report concerning the IDO preparatory study in Teruel, indicating that the information given was sufficient for approval of the first phase of the study and accordingly recommending that the supervisory committee grant approval. The preparatory study has been forwarded from DG XXII to DG XVI and is now with DG VI. The proposal for the implementation of this Integrated Development Programme for the Province of Teruel has been held up following the recent review of the Community structural funds. Can the Commission therefore say what criteria it will follow in respect of the IDO for the Province of Teruel, with a possible view to converting it into an Integrated Operations Programme as soon as possible?

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

(13 July 1990)

Following the reform of the structural Funds, implemented by Council Regulation (EEC) No 2052/88 ⁽¹⁾, the proposal for an integrated development Operation in the Province of Teruel was suspended.

Community assistance for the development of Teruel under Objective 5 (b) of the reform of the structural Funds will be based on the Community support framework drawn up in consultation with the regional and national authorities, which has now been submitted for the Commission's approval.

This Community support framework provides for coordinated assistance from this structural Funds through multi-funded operational programmes in situations where the various administrations (regional, national and Community) consider that this approach will lead to more efficient use of resources.

The final report on the preparatory study for an integrated development operation in Teruel was sent to Directorate General VI (Agriculture) of the Commission by the Secretary of the Monitoring Committee for the above-mentioned study on 25 January 1990. The report contains a good basis of information and analysis which will be of undoubted help for drawing up the operational programme or programmes defining the measures for the Province of Teruel to be submitted by the Member State to the Commission.

The Commission has so far received no word from the Spanish regional or national authorities on the desirability of a multi-funded programme for the Province of Teruel.

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

WRITTEN QUESTION No 1065/90

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(10 May 1990)

(91/C 107/14)

Subject: Compensation for storm damage for the owners of fishing vessels

Owners of fishing vessels often, rightly, raise the question of compensation for storm damage. In January and February most fishing vessels were forced to remain in port because of the severe storms, which caused serious financial losses.

Can the Commission indicate the position adopted with regard to a possible daily compensation rate for the owners of fishing vessels in the event of such storms which cause them loss of income?

Does the Commission not consider that Community appropriations should be made available for this purpose?

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

(20 June 1990)

In its reply to the motion for an emergency resolution (No B 3-547/90) on measures to assist fishermen hit by the storms in January and February, the Commission pointed out that the structural aspects of the common fisheries policy, as contained in Regulation (EEC) No 4028/86 ⁽¹⁾ include a certain number of measures which could mitigate the economic disruption in the fisheries sector caused by the violent storms which hit the Community's Atlantic seaboard in December and January.

In accordance with the conditions laid down in Regulation (EEC) No 4028/86, the Community may contribute to expenditure incurred by the Member States which grant laying-up premiums for fishing vessels undertaking additional stoppages. As part of a concerted measure, the Commission may also adopt measures to alleviate problems affecting a specific area of fishing activity.

It is within this legal framework and at a Member State's request that Community appropriations could be allocated as compensation to owners of fishing boats whose activities have been disrupted by storms.

⁽¹⁾ OJ No L 376, 31. 12. 1986.

Will the budgetary funds allocated for 1990 be sufficient for current projects?

Are there guarantees that women may participate in the projects on an equal footing?

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

(7 September 1990)

The Federal Republic of Germany participates in all the Community programmes in the education and training field.

The Commission does not publish lists of projects that have not been accepted, but the Honourable Member will find in the Annual Reports of the different programmes, the breakdown of numbers of applications and accepted projects ⁽¹⁾.

Demand continues to outstrip supply in terms of requests for financing, particularly under the big programmes (e.g. Comett, Erasmus). The Commission encourages Member States to provide additional funds to support to projects, particularly for student mobility under Erasmus.

The Commission is committed to promoting equal opportunities within its different programmes in this field. Where data is currently available, it is encouraging. For example, student mobility under Erasmus in 1988/89 was 53% women, 47% men. In the exchange of young workers programme, participation was 49% women, 51% men. The Commission will continue to monitor female participation in the programmes.

⁽¹⁾ COM(90) 199 final.

WRITTEN QUESTION No 1090/90

by Mrs Lissy Gröner (S)

to the Commission of the European Communities

(10 May 1990)

(91/C 107/15)

Subject: Education policy — Community programmes

Can the Commission say what educational and vocational training programmes for young people are being carried out with partners in the Federal Republic of Germany?

What proposed programmes have had to be rejected?

To what extent have projects been rejected for financial reasons?

WRITTEN QUESTION No 1161/90

by Mr José Happart (S)

to the Commission of the European Communities

(14 May 1990)

(91/C 107/16)

Subject: Use of avoparcin in animal feed

Avoparcin is an antibiotic manufactured by Messrs. Cyanamid and is said to increase milk yield by about 5%; it is also used for fattening calves, pigs and poultry.

At present there is no scientific evidence to determine whether its components are harmless.

What therefore is the justification for allowing avoparcin to be used in animal feedstuff?

Is the Commission prepared to consider prohibiting the use of this product in feed until the Scientific Committee and the Standing Committees for Feedingstuffs have given their opinions?

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

(11 July 1990)

The use of additives in feedstuffs is governed by Council Directive 70/524/EEC ⁽¹⁾.

Any dossier submitted by a company intending to produce an additive must, in particular, show that the product is effective and can have no harmful effects on man, the animal or the environment.

All applications for authorization to use new additives and all extensions to authorizations for additives already approved in animal feedingstuffs must be made according to the exact procedures laid down in Council Directive 87/153/EEC fixing guidelines for the assessment of additives in animal nutrition ⁽²⁾.

The Commission ensures that the examination procedure is scrupulously followed. Avoparcin, used exclusively in feedingstuffs, has been authorized since 1976 for feeding table chickens and its use has since been extended six times on the basis of favourable opinions from the Scientific Committee on Animal Nutrition delivered in 1979, 1981 and 1983.

At its meeting on 16 March 1990, the Standing Committee for Feedingstuffs delivered a favourable opinion on the authorization of the use of avoparcin for dairy cows, requested in March 1987. The Commission authorized its use at national level on 9 April 1990 ⁽³⁾.

⁽¹⁾ OJ No L 270, 23. 11. 1970, p. 1.

⁽²⁾ OJ No L 64, 7. 3. 1987, p. 19.

⁽³⁾ OJ No L 106, 26. 4. 1990, p. 30.

WRITTEN QUESTION No 1207/90

by Mrs Maartje van Putten (S)

to the Commission of the European Communities

(22 May 1990)

(91/C 107/17)

Subject: 1990 budget, particularly headings 9531 and 9532

Can the Commission give a summary of the projects and programmes that have been financed under budget headings 9531 and 9532, from 1 January 1989 to date?

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

(25 October 1990)

The Honourable Member will find below the information requested.

Budget line 953.1: Support to the Front-line States and to SADCC Member States

1989

7 million ECU have been allocated to budget item 953.1 for 1989. This amount, which was totally committed already in May 1989, has been devoted to the financing of 18 projects covering medical assistance to the victims of destabilization activities; assistance in Southern African countries to displaced populations, in particular to orphans and to children separated by civil wars from their family; training programmes for refugees from South Africa and Namibia.

1990

The allocation to budget item 953.1 has been increased from 7 million ECU in 1989 to 15 million ECU in 1990.

A decision for the financing of a first tranche of 17 projects has been taken in April 1990, representing a commitment of 6,4 million ECU (43 % of the total amount).

The first tranche includes mainly training programmes for South African refugees and humanitarian projects of the kind mentioned before. A second decision on a number of other projects is in preparation.

Budget line 953.2 — Measures in preparation for the independence of Namibia

1989

Budget line 953.2 was established in the 1989 budget with a token entry and in May 1989 4 million ECU were transferred to this budget line from other budget lines in chapter 90.

In June 1989 four projects were approved (for 2,06 million ECU) and in October 1989 the balance available (1,94 million ECU) was allocated to eight projects.

Repartition on sectors (1989)

Manpower training	43 %
Repatriation of refugees	25 %
Health	16 %
Other (rural development, housing)	16 %
	100 %

1990

The 1990 budget includes 9,5 million ECU in budget line 953.2 with a further 9,5 million ECU inscribed in chapter 100.

By March 1990 eight projects and programmes totalling 9,365 million ECU have been approved leaving a balance of 0,135 million ECU on the overall available allocation of 9,5 million ECU.

The sectors are to a large extent the same as for the 1989-programme but more emphasis has been put on rural development, water development, education and health, reflecting the most urgent development needs of Namibia.

Repartition in sectors:

Manpower training	18 %
Health	43 %
Rural development, water development	33 %
Other	6 %
	100 %

The Commission is presently requesting the budgetary authorities to transfer the balance of 9,5 million ECU from chapter 100 to budget line 953.2

WRITTEN QUESTION No 1267/90

by Mr Jaak Vandemeulebroucke (ARC)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(22 May 1990)

(91/C 107/18)

Subject: Community initiatives concerning the implications of agreements on conventional arms reductions for arms sales to the Third World

This year it is expected that a treaty will be concluded on conventional arms reduction in Europe and that both sides will agree to drastic reductions in five categories of arms: tanks, other armoured vehicles, artillery, aircraft and helicopters. Both Superpowers and the European States are faced with the choice of destroying their surplus weapons or selling them to Third World countries. The results of disarmament in Europe could therefore lead to a considerable escalation of arms in the Third World and a shift in the problem of security.

What initiatives will the Twelve take under Article 30 (6) of the Single European Act to ensure that disarmament

negotiations include an assessment of additional arms sales in the Third World and that the agreement on reduction of conventional weapons includes a provision prohibiting the parties thereto from dumping their surplus weapons from Europe into the Third World?

Answer

(18 March 1991)

The question raised by the Honourable Member has not been discussed in European Political Cooperation.

The Commission and its Member States welcome the agreement on conventional arms reduction signed in Paris on 19 November 1990. They have taken note of the provisions of the agreement calling for the destruction of military equipment in excess of the approved ceilings and the verification measures provided for.

WRITTEN QUESTION No 1283/90

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(22 May 1990)

(91/C 107/19)

Subject: Excessive hours at sea

The British National Union of Marine Aviation and Shipping Transport Officers has recently published a report entitled 'Seafarers Hours: Time to Act'. It highlights the excessive hours worked by seafarers and details the consequences and problems of fatigue amongst masters and officers.

Has the Commission taken any action to regulate the hours worked by seafarers along the lines of controls on lorry drivers' working hours, and if not when does it intend to introduce legislation?

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

(9 July 1990)

The Commission is aware of the report published by the British National Union of Marine, Aviation and Shipping

Transport Officers and notes with concern the long hours worked by seafarers and the consequent impact such work patterns can have on safety at sea.

To date the Commission has made no specific proposals to regulate seafarers' hours. However in its communication of 29 November 1989 on the action programme relating to the implementation of the Community Charter of basic social rights for workers ⁽¹⁾ the Commission announces its intention to lay down at Community level certain minimum requirements as regards maximum duration of work, rest periods, holidays, night work, weekend work and systematic overtime.

Further, given the 'special conditions' in which seafarers work this issue will be raised at the next meeting with the social partners of the Maritime Joint Committee.

⁽¹⁾ COM(89) 568 final.

WRITTEN QUESTION No 1293/90

by Mr José Happort (S)

to the Commission of the European Communities

(22 May 1990)

(91/C 107/20)

Subject: Atrazine levels in weedkiller

A weedkiller concentrate containing atrazine in excess of the permitted maximum level has been detected in groundwaters.

Even where the maximum level (0,1 mg) is not exceeded, traces are still left.

On what basis has distribution of this product been authorized?

In which Member States is it on the market?

What is the Commission's position with regard to this substance?

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

(24 October 1990)

In the absence of harmonized provisions for the authorization of plant-protection products containing active substances not provided for in Directive 79/117/EEC ⁽¹⁾ prohibiting the placing on the market and use of plant protection products containing certain active substances, Member States are responsible for the conditions governing the authorization of such products.

According to information available to the Commission, atrazine is authorized in all Member States with the exception of the Netherlands and the Federal Republic of

Germany. In the case of Italy, its use will not be permitted during 1990. This decision will be reconsidered with a view to reinstating the authorization of the use at a lower rate of application in the light of the results of ongoing investigations of water quality.

In 1988 the Commission ordered an ecotoxicological study on the effect of atrazine on the aquatic environment as well as a study on the technical and economic aspects of measure to reduce water pollution caused by its industrial discharge.

A complementary extensive and updated literature study on the toxicity and ecotoxicity of atrazine was launched by the Commission during the second half of 1990. The results of this study, which are expected to be available at the beginning of 1991, will be forwarded to the Scientific Advisory Committee for further examination.

Atrazine is one of the 16 substances figuring in the 'proposal for a Council Directive amending Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community' ⁽²⁾. As soon as this proposal has been adopted by the Council, proposals regarding quality objectives and limit values will be prepared by the Commission for the substances involved, based on the information available and on the advice of the Scientific Advisory Committee.

⁽¹⁾ OJ No L 33, 8. 2. 1979.

⁽²⁾ COM(90) 9 final.

WRITTEN QUESTION No 1329/90

by Mr Klaus Wettig (S)

to the Commission of the European Communities

(11 June 1990)

(91/C 107/21)

Subject: Future German inspection stamp for wine bottled in Germany

The Federal Government plans to enact a wine monitoring regulation, paragraph 16 (1) of which stipulates that wine bottled in Germany may only be sold in containers bearing an inspection stamp. The inspection stamp for German wine has a different form and colour to the corresponding stamp for foreign wines, no distinction being drawn between Community and third-country wines.

1. Has the Commission been informed of this plan?
2. Is the Federal Government taking measures in an area where sole powers rest with the Community?
3. Will this measure hamper Community trade?

4. Given that the inspection stamp for German wine is a visual guarantee that a maximum yield per hectare corresponds to a fixed amount, and that supervision of this kind is impossible in the case of foreign wine, is this an example of consumer deception?
5. Does the Commission regard the introduction of a dual-class system for Community wines in the Federal Republic of Germany as consistent with Community principles?
6. To what extent does the form of the stamp — a black, red and gold German eagle — contravene the ban on discrimination laid down in Article 40 of the EEC Treaty?

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

(20 August 1990)

1. The Commission has been notified of the draft law in question.

2. No. Under the second subparagraph of Article 38 (1) of Council Regulation (EEC) No 2392/89 of 24 July 1989 laying down general rules for the description and presentation of wines and grape musts ⁽¹⁾,

'particulars, signs and other references shall not constitute part of the labelling if they:

— are required under the tax provisions of the Member States,

....

— are used for the purpose of bottling checks and are indicated in detailed rules to be laid down,

....

— are laid down by the legislation of the Member States on quantity and quality control of products subject to systematic official examination.'

It therefore follows, at least in the above cases, that Member States have the right to lay down national regulations. The Federal Republic of Germany is not, therefore, proposing to legislate on a matter for which the Community has sole competence.

3. No. The planned inspection measures would be applied indiscriminately. Wines in bulk imported from or originating in other Member States are not, in theory, discriminated against by the affixing of an inspection stamp. On the contrary, such a stamp increases confidence in the product. Foreign wines bottled in Germany should benefit from this since they undergo the same German Government inspection at the bottling stage.

This inspection stamp, with its additional implications for German wines, does not constitute an obstacle to intra-Community trade with regard to imported wines.

4. No. The different implications of inspection stamps on German wines and on imported wines cannot be said to be an attempt to deceive consumers (provided that they have adequate information). The stamp has the same significance for both types of wine, but has the added implication for German wine that the 'Weinfonds' dues have been paid, and that the quantity of wine bottled corresponds to the quantity declared.

Inspection stamps are also used in other wine-producing Member States, in particular for the collection of VAT and excise duties. An inspection stamp can therefore be used for purposes other than the verification of compliance with Community rules imposing a maximum yield per hectare.

5. For the reasons given above, the Commission takes the view that the draft law does not differentiate between German and imported wines.

6. The Commission does not consider that the proposed forms of the two stamps could lead to discrimination between Community producers or consumers within the meaning of the second subparagraph of Article 40 (3) of the EEC Treaty. The German authorities have since altered the stamps (shape and colour) following representations from the Commission. The amended proposal is for an identical German coat of arms for national and imported wines certifying that German Government inspections has been carried out. The colour of the stamps has also been modified to make them more neutral so as to avoid any discrimination against imported products.

⁽¹⁾ OJ No L 232, 9. 8. 1989, p. 13.

WRITTEN QUESTION No 1611/90

by Mr Hugh McMahon (S), Mr Carlos Bru Puron (S), Mr José Barros Moura (CG), Mr Vassilis Ephremidis (CG), Mr Léon Schwartzberg (S), Mr António Coimbra Martins (S) and Mr Carlos Carvalhos (CG)

to the Commission of the European Communities

(2 July 1990)

(91/C 107/22)

Subject: Shipbuilding

1. Can the Commission say why it drastically reduced the ceiling on shipbuilding subsidies in December 1989 when it has stated in writing (Twenty-third General Reports on the Activities of the European Communities, paragraph 743, p. 316) that its discussions with Korea and Japan were fruitless?

2. Will the Commission review this decision?
3. Can it keep Parliament informed of the terms of the negotiations currently under way with Japan and Korea?

**Answer given by Sir Leon Brittan
on behalf of the Commission**
(19 February 1991)

The Sixth Directive on aid to shipbuilding provides, in Article 4 (2), that the ceiling on production aid to shipbuilding is to be fixed by the Commission with reference to the prevailing difference between the cost structures of the most competitive Community yards and the prices charged by their main international competitors.

Since those prices had risen markedly, the Commission did no more than apply the principle underlying the fixing of the ceiling. Nor are there any grounds for reviewing the decision, that price trend having continued throughout 1990.

The objective for shipbuilding which the Commission has set itself, with the Member States' agreement, is the maintenance in the Community of a competitive industry capable of operating unaided. It is with this in mind that the Community is currently negotiating, within the OECD, an agreement with the leading shipbuilding countries, including Korea, aimed at removing all obstacles to normal competition in shipbuilding. If it is to be truly effective, the agreement must provide a means of combating unfair pricing practices. As the talks are still in full swing, it is too early to say when such an agreement might be reached, but the Commission has already perceived a genuine determination on the part of both Japan and Korea to come to an acceptable arrangement.

WRITTEN QUESTION No 1624/90

by Mr Adrien Zeller (PPE)

to the Commission of the European Communities

(2 July 1990)

(91/C 107/23)

Subject: Distribution of tobacco products at the weekly meetings of the Commission

According to certain reports, the weekly meetings of the Commission appear to take place in a veritable smoke den, as a result of the copious quantities of cigars, cigarettes and cigarillos handed out at the entrance to the meeting-room and the abundance of such products on the table in the room.

Can the Commission confirm whether this information is correct? Can it state which section of the budget covers this distribution of tobacco products and does it consider that this bad example is consistent with the Community-funded anti-smoking campaign which is administered by the Commission?

**Answer given by Mr Delors
on behalf of the Commission**
(4 July 1990)

The Commission denies the report to which the Honourable Member refers.

WRITTEN QUESTION No 1717/90

by Mr Dimitrios Nianias (RDE)

to the Commission of the European Communities

(5 July 1990)

(91/C 107/24)

Subject: Effects of financing the restructuring and development of the Eastern European economies

The Community is actively involved in strengthening the economies of Eastern Europe and rightly so. Aid has already been approved, under the Phare programme, and a considerable increase is anticipated in 1991 and 1992. In addition, the Community is financing the ERDB, the statutes of which were signed recently. Can the Commission give details of the amounts that have already been approved for this purpose, plus those that are due to be approved in the future? Has the Commission considered the inroads this will make into the Community's budget and the impact it will have on other Community policies? Does the Commission not think that it would be advisable to propose an increase in the Community's budget forthwith?

**Answer given by Mr Andriessen
on behalf of the Commission**
(4 February 1990)

Community aid for economic restructuring in Central and Eastern Europe is channelled through the Phare programme set up in 1990.

The commitment appropriations allocated to this programme in the financial perspectives for the first three years amount to:

1990: 500 million ECU (included in the budget)

1991: 820 million ECU (included in the draft budget)

1992: 970 million ECU (planned in the financial perspectives).

Following the signing on 29 May 1990 of the ERDB statutes, which are currently being ratified, it is planned that the Community's contribution to its capital be paid from the Budget in five annual instalments of ECU 18 million (1990 to 1994).

It should be remembered when considering the impact of this expenditure on the Budget and the implementation of other policies that the financial perspectives which form the forecasting framework for the Community budget have been tailored so that the funding of these operations has no impact on other spending.

The Commission has also been mandated to coordinate G-24 aid to the countries of Central and Eastern Europe and to foster G-24 initiatives which might exercise a multiplier effect on the reform process in these countries.

WRITTEN QUESTION No 1750/90

by Mrs Hiltrud Breyer (V)

to the Commission of the European Communities

(12 July 1990)

(91/C 107/25)

Subject: Community anti-discrimination legislation

Over the past five years, the European Parliament, the Commission and the Member States have repeatedly endeavoured to enact legislation to combat discrimination on the grounds of sexual preference, sexual identity or form of relationships between individuals, with a view to guaranteeing equal treatment for every citizen, irrespective of their sexual preference, etc. (see Doc. 1-1358/83 ⁽¹⁾, Doc. 2-44/86 ⁽²⁾ and Doc. A 3-16/89 ⁽³⁾).

Can the Commission say if any progress has been made since 1984 towards the introduction of a Directive prohibiting discrimination on the grounds of sexual preference or the form of relationship between individuals.

Does the Commission agree that legal protection against the kind of discrimination referred to practised by *inter alia* employers, landlords, government institutions and the like is a matter of great urgency, given the number of cases of discrimination reported in the Member States?

Does the Commission agree that the right not to suffer from discrimination in the case of applications,

promotion and education on the grounds of sexual preference or transsexuality should be a fundamental social right and guaranteed as such before the internal market is completed by the end of 1992?

⁽¹⁾ OJ No C 104, 16. 4. 1984, p. 46.

⁽²⁾ OJ No C 176, 14. 7. 1986, p. 73.

⁽³⁾ OJ No C 256, 9. 10. 1989, p. 33.

Answer given by Miss Papandreou on behalf of the Commission

(7 September 1990)

On 11 December 1986 the Commission adopted a Directive (86/613/EEC) whose purpose was to extend the principle of equal treatment between men and women to those engaged in an activity, including agriculture, in a self-employed capacity and to ensure the protection of self-employed women during pregnancy and motherhood ⁽¹⁾.

On 29 May 1990 the Council adopted a resolution on the protection of the dignity of women and men at work, based on Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion and working conditions ⁽²⁾. This Directive defines the principle of equal treatments as requiring that there must be no discrimination whatsoever on grounds of sex, either directly or indirectly, by reference in particular to marital or family status. Following on from this resolution, the Commission is to draw up a code of conduct on the protection of the dignity of men and women at work in 1991.

The Commission is currently preparing its third medium-term action programme on equal opportunities for men and women (1991—1995).

In the action programme it tabled in December last year following the adoption of the Social Charter, the Commission, though making no mention of a specific proposal regarding discrimination on grounds of sexual preference or transsexuality, did stress the need to stamp out discriminatory practices, especially at work and in access to employment, by means of appropriate measures on the part of the Member States and the two sides of industry.

Article 119 of the EEC Treaty and the Directives on equal treatment allow the Community to step in to ensure that male and female workers are treated equally in working relations and social security matters. The Community has no powers at present to intervene in matters involving discrimination against sexual minorities. The basic rights of sexual minorities are, however, protected by other

international instruments. Since the Member States are all members of the Council of Europe and parties to the European Convention on Human Rights, the Commission and Court of Human Rights are best able to protect sexual minorities against discrimination.

(¹) OJ No L 359, 19. 12. 1986, p. 56.

(²) OJ No L 39, 14. 2. 1976, p. 40.

In addition, the Commission has proposed, within the framework of the first Biomedical and Health Research Programme (1990—1994) (¹), the undertaking of research into the monitoring and surveillance of prescriptions and of adverse drug reactions. Within this context, and subject to the Council Decision, the possible tumorigenic and dysmorphogenic effects of certain drugs could be considered if those topics were selected for future research.

(¹) COM(90) 162.

WRITTEN QUESTION No 1790/90

by Mr Madron Seligman (ED)

to the Commission of the European Communities

(13 July 1990)

(91/C 107/26)

Subject: Protection of women who took the drug DES/Stilboestrol

The Commissioner will recall Parliament's resolution of 1989 concerning those women who had taken under medical prescription drug DES/Stilboestrol.

The Commissioner will also be aware of the adverse effects of the said drug not only on many pregnant women, but also on their daughters many years later who developed cancers. There is now growing evidence that birth defects of the children of those daughters may be attributable to the use of the drug by their grandmothers.

It had been urged that registers be compiled of all those at risk and that adequate and sympathetic support should be available to all those in need of it.

I find that the Department of Health in the United Kingdom is still waiting for the Commission to take the initiative, before taking any positive action in response to Parliament's resolution.

In view of the serious nature of the problem and the need for constructive action in the short term, what action does the Commission propose to take?

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

(7 September 1990)

The Commission is aware of the concern expressed by Parliament over the adverse effects to diethyl stilboestrol (DES) but, because of other priorities in the public health field, it has not undertaken any actions in this area.

However, the Commission is providing support to the Third European DES Meeting, planned to take place in Dublin in September 1990.

WRITTEN QUESTION No 1842/90

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(20 July 1990)

(91/C 107/27)

Subject: Esprit programme

Most projects included in the Esprit programme are of no more than three years' duration.

Does not the Commission fear that these projects will produce only short-term results which are incompatible with the principle of a research and development strategy embodied in the Esprit programme?

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

(24 September 1990)

It is in fact not the case that the majority of projects within the overall Esprit Programme are of less than three years' duration. Of the 601 projects which are in the process of being executed within the Esprit Programme, 214 (36%) are of three years' duration or less, 199 (33%) between three and four years, and 187 (31%) between four and five years. Esprit, as an industrial programme, responds to the specific needs and strategic timescales of industry, which can vary from project to project; the duration selected for each project is consequently that which is considered appropriate by the R&D partners for meeting the technological objectives which are required of them.

However, in the most recent call for proposals, which closed earlier this year, the proportion of proposals submitting plans of three years' duration rather than five increased considerably. This appears to be due to two factors. Firstly, typical innovation cycles have decreased from a period of four to five years in the first half of the 1980s to less than three years at present. Accordingly, technological results, as generated by the R&D projects in the Esprit Programme, are required to be available

earlier than was previously the case. A further important factor is the increased participation of small and medium-sized enterprises (SMEs), whose stronger involvement tends to decrease the average project duration since their modes of operation have shorter cycles than large companies.

In conclusion, there is no contradiction between undertaking some projects of shorter duration and maintaining strategic objectives.

WRITTEN QUESTION No 1914/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(2 August 1990)

(91/C 107/28)

Subject: Human rights in South Africa

What response has the Community received from the Government of South Africa to its various recent representations on the matter of human rights in that country?

Answer

(18 March 1990)

The Community and its Member States have, as the Honourable Member observes, been actively pursuing their policy of persuasion with South Africa with a view to helping to bring about the total abolition of the system of apartheid in that country by peaceful means. Indeed, they have never ceased to denounce this unacceptable system of racial discrimination, which is an affront to human dignity and a violation of the United Nations Charter and the Universal Declaration of Human Rights.

Notwithstanding the continuation of the apartheid system, the Community and its Member States have not failed to note certain major political moves in the direction of the changes called for by both the great majority of the local population and the international community.

In line with their thinking on the situation in South Africa and on ways and means of hastening a peaceful solution, the Community and its Member States are continuing to call for the creation of a unified, non-racial and democratic State which would offer the entire population the benefits of common and equal citizenship and guaranteed respect for universally recognized human rights.

If any Government is well aware of the position of the Community and its Member States on the issue of human rights and fundamental freedoms, then it is the Pretoria

Government nevertheless, that has not prevented the Community and its Member States from continuing the critical dialogue with the South African authorities in recent months, particularly through direct representations. While they recognize that some progress has been achieved in the human rights field, they have, therefore, made certain specific representations to the South African Government regarding the 'Conference on a Democratic Future', the death squads, the law on the disclosure of foreign investments and the violence in South Africa. The Community and its Member States have also encouraged the Government in Pretoria and all other interested parties in the direction of dialogue and democracy in the form of statements on the reform announced by President De Klerk on 2 February 1990 (5 February 1990), the release of Nelson Mandela (13 February 1990), the lifting of the state of emergency on 8 June (9 June 1990) and the results of the pre-negotiations between the South African Government and the ANC (9 August 1990).

Finally, the Community and its Member States entertain the hope that, at its next meeting, the South African Parliament will, as announced in September by President De Klerk, take steps to abolish the legal bases of apartheid, viz., in particular, the Group Areas Act and the Land Act. They also hope that the Population Registration Act will be repealed before long.

WRITTEN QUESTION No 1965/90

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

to the Commission of the European Communities

(1 September 1990)

(91/C 107/29)

Subject: Appointment of a European to the post of Director of the CID

The appointment of Mr Frix to the post of Director of the Centre for Industrial Development has been the subject of considerable controversy between the Commission and the ACP countries.

1. What experience has Mr Frix acquired in this field which qualifies him for selection?
2. What political factors are behind the Commission's refusal to alter its position?
3. What reasons have been advanced by the ACP States in support of filling the post once more with an ACP national?
4. On the basis of what programme was Mr Frix elected?

5. Has the Commission carried out any assessment of the work of the CDI and, if so, what are its conclusions?

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

(24 January 1991)

Mr Paul Frix was appointed Director of the CDI by the Committee on Industrial Cooperation, after a decision in his favour by the ACP-EEC Committee of Ambassadors. At the same time the new Deputy-Director, Mr Sharma, who is Fijian, was also appointed.

The Commission assessed the European applicants on the basis of technical capacity and management criteria.

Mr Frix emerged as the candidate most suited to the CDI's current requirements.

During the period prior to the Committee of Ambassadors' decision, the ACP States expressed the wish that the post of Director of the CDI should be held once more by an ACP national, giving the idea of 'rotation' a different interpretation from that of the Commission.

At the request of the Executive Board of the CDI the Commission asked independent experts to carry out a joint assessment of the work of the CDI.

The assessment is very detailed and covers all aspects of the CDI's activities (institutional, organizational and operational). The Executive Board of the CDI broadly agrees with the experts' conclusions.

It should be pointed out that there are innovations in the new Lomé Convention which follow the same lines as those advocated by the experts — clearer and more specific objectives for the CDI, management answerable to an Executive Board which has been made more operational (six members instead of 24 as under Lomé III), possibility of stepping up its operational presence *in situ* (setting up regional offices) and closer cooperation between the European Investment Bank, the Commission and the CDI.

WRITTEN QUESTION No 2086/90

by Mrs Pauline Green (S)

to the Commission of the European Communities

(17 September 1990)

(91/C 107/30)

Subject: Employer and public liability insurance

Can the Commission confirm whether students on work experience are regarded as 'employees' for the purposes

of employer liability in any other Member State? In particular whether students on the Commission's 'European Work Experience' programme are so regarded?

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

(22 January 1991)

A student on work experience is reputed to be an 'employee' covered by labour law if he is linked to an employer by a contract of employment. Although there is no statutory definition of the contract of employment in six Member States — Denmark, France, Ireland, Italy, Luxembourg and Spain — the conventional elements in the definition, common to all Member States, are: agreement, work performance, element of time, remuneration and dependence, control or subordination. Wherever these elements appear to exist in a given relationship linking a student to an employer, the former is deemed to be an employee.

However, within the framework of the free movement of workers provided for by Article 48 of the EEC Treaty, the European Court of Justice has frequently held that there is a Community legal notion of a worker, the essential feature of which being the fact that a person performs work for a certain time on behalf and under the direction of another person in exchange for a wage or salary.

Students on the Commission's 'European Work Experience' programme are not regarded as workers.

The work experience in question is, rather, a period of training which follows on from university studies. There is, therefore, no contract of employment and the grant paid to the trainee is an allowance rather than a salary.

Consequently, such grants are not subject to the special tax arrangements for officials and other servants of the European Communities.

WRITTEN QUESTION No 2097/90

by Mr Honor Funk (PPE)

to the Commission of the European Communities

(17 September 1990)

(91/C 107/31)

Subject: Aid to stricken areas

As a result of the lengthy civil war, the population of Sudan is suffering considerable hardship and is dependent on outside aid. Last year the Community was involved in a

programme to send aid; unfortunately this aid is reported not to have reached its destination. The programme was conducted via the UN and no other aid bodies were used.

Why does the Community not make greater use of church or private aid organizations for aid programmes, if these are represented in the country in question?

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

(19 December 1990)

In March 1989, the then Prime Minister of Sudan and the UN Secretary-General convened a high-level meeting in Khartoum to decide on urgent measures to avert a major disaster facing populations affected by the conflict in southern Sudan. This meeting led to the adoption of a plan of action to cover the food and relief requirements of the affected populations during the period April—December 1989.

It was agreed that this plan — which soon became known as Operation Lifeline Sudan (OLS) — should be coordinated on behalf of the donor community by the United Nations. To this end, the UN Secretary-General designated a high level official as his Special Representative in Sudan with responsibility for coordinating discussions with the Government and with the Sudan People's Liberation Movement regarding the movement of food and relief materials into the conflict zone through designated 'corridors of tranquility'.

Whilst the UN had responsibility for the coordination of activities under OLS, and several UN agencies (e.g. World Food Programme, Unicef) played important roles in delivering food and relief supplies, it is not correct to regard OLS as an exclusively UN programme. Rather, OLS provided a framework within which donors, international and local organizations and non-governmental organizations, as well as agencies, could deliver their assistance to the affected populations more effectively than working separately. In addition, the International Committee of the Red Cross (ICRC), though not formally part of OLS, coordinated its relief programme closely with OLS. Thus, the European Community, which provided approximately 40 million ECU in food and emergency aid to the relief programme during 1989, channelled this assistance through ICRC (40%), UN agencies (25%), local relief institutions (20%) and NGOs (15%). During 1990, the EC has continued to use these channels to deliver assistance being provided under OLS 2.

The Commission does not consider that the aid provided under OLS did not reach its destination. Although it is true that certain of the 'corridors of tranquility' were closed towards the end of 1989 owing to renewed hostilities, OLS nevertheless managed to achieve its target

of delivering 110 000 tonnes of food and relief supplies to Southern Sudan during 1989, together with a further 44 000 tonnes during the first half of 1990 under OLS 2.

WRITTEN QUESTION No 2137/90

by Mr Gijs De Vries (LDR)

to the Commission of the European Communities

(27 September 1990)

(91/C 107/32)

Subject: Cooperation between customs authorities in combating crimes against the environment

The customs authorities play a role in detecting environmental offences. In the Netherlands for example, the customs operate in this area in collaboration with the police, the Public Prosecutor, the General Investigation Department of the Ministry for Housing, Planning and the Environment and the Central National Information Centre for Environmental Crime.

It is also important that the customs help to ensure compliance with environmental legislation by transfrontier cooperation. Is the Commission willing to take steps to ensure that in the context of the Matthaues programme, adopted in April 1989, adequate attention is devoted to the detection of international crimes against the environment?

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

(9 January 1991)

Customs authorities already cooperate extensively to ensure compliance with legislation on the environment. Whenever such legislation affects international trade in goods, Council Regulation (EEC) No 1468/81⁽¹⁾, as amended by Council Regulation (EEC) No 945/87⁽²⁾, on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure correct application of the law on customs or agricultural matters becomes applicable.

So information on these matters is disseminated on an ad hoc basis by the Commission, either on its own initiative or on the basis of information notified by the relevant authorities of a Member State as part of the administrative cooperation instituted by the Regulation referred to above with a view to preventing and detecting breaches of the legislation in question.

Furthermore, the Commission organized a European training seminar in June 1989, in close cooperation with

officials of Cites (the Convention on International Trade in Endangered Species) and the Customs Cooperation Council, with the aim of drawing the attention of the relevant authorities in the Community and some of the EFTA countries to such problems.

Given its objectives, the Matthaeus programme (*) could make a valuable contribution towards furthering this cooperation through appropriate training schemes.

(*) OJ No L 144, 2. 6. 1981.

(*) OJ No L 90, 2. 4. 1987.

(*) Programme for the exchange of customs officials.

WRITTEN QUESTION No 2218/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(8 October 1990)

(91/C 107/33)

Subject: The imprisonment of a student in Central Java

Have the Foreign Ministers meeting in European Political Cooperation been able to do anything to help the members of the Usroh in Central Java (Indonesia) — young Muslim activists who have been sentenced to prison terms ranging from four to 15 years? One of them is Agil Riyanto bin Darmowiyoto, a law student from Brebes, who was sentenced in April 1987 to 15 years' imprisonment, having been mistreated, coerced and deprived of legal representation during the trial.

WRITTEN QUESTION No 2220/90

by Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(8 October 1990)

(91/C 107/34)

Subject: Imprisonment in Turkey of Ilker Demir

In view of the Turkish Government's favourable attitude at present regarding human rights, can the Foreign Ministers meeting in European Political Cooperation do anything to help the TSIP journalist Ilker Demir, who, in 1984, was sentenced to 36 years' imprisonment and is currently held in the top-security prison at Nazili, where he has apparently been mistreated several times by the wardens?

WRITTEN QUESTION No 2222/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(8 October 1990)

(91/C 107/35)

Subject: Prisoners of conscience in Bhutan

Can the Foreign Ministers meeting in European Political Cooperation do anything to help three Bhutanese subjects who have been accused of 'anti-national' activities: Ratan Gazmere, Tek Nath Rizal (a former adviser to the king and the current chairman of the People's Forum for Human Rights), and Jogen Gazmene (the Secretary of this organization)? The last two were extradited from Nepal and are currently held in an unknown goal.

**Joint answer to Written Questions No 2218/90,
No 2220/90, No 2222/90**

(18 March 1991)

As the Honourable Member will know, the Community's often stated position of human rights is clear and unequivocal. In the opinion of the Community and its Member States, the protection of human rights is a matter of international concern and States have the responsibility, both individually and collectively, to uphold them. Member States believe that the international community has a right and a duty to scrutinise the performance of governments in the field of human rights. The Community and its Member States have stuck firmly to this principle as the Indonesian and Turkish authorities will recall. Human rights are an important factor in Community relations with other countries. The Community and its member States will continue to pursue this policy vigorously in the future.

WRITTEN QUESTION No 2219/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(8 October 1990)

(91/C 107/36)

Subject: The condition of Hiram Abi Cobas, imprisoned in Cuban goal

Have the Foreign Ministers meeting in European Political Cooperation received any news regarding Hiram Abi

Cobas Núñez, the acting secretary-general of the Party for Human Rights (PPDHC) who was arrested on 6 August 1989 and sentenced to 18 months' imprisonment in the Combinado del Este prison, Havana? His condition is of particular concern in view of the heart attack which he suffered in April 1990.

Answer

(19 March 1991)

The European Community and its Member States continue to monitor very closely the human rights situation in Cuba, where the authorities are well aware of the importance which the Community attaches to full respect for human rights.

The case of Hiram Abi Cobas Núñez, which as the question states, has a particular humanitarian dimension, is known to the Twelve and has been raised with the Cuban authorities. According to recent reports, Mr Cobas Núñez was released from prison on 27 November 1990 for health reasons. He is said to be at home.

WRITTEN QUESTION No 2275/90

by Mr Dimitrios Dessylas (CG)

to the Council of the European Communities

(15 October 1990)

(91/C 107/37)

Subject: Acceptance of the proposal by Cuban leader Fidel Castro on Cuban-EEC relations

Whereas the 'refugees in the Havana embassies' affair turned into a total fiasco and finally proved to be yet another failed attempt by the West to overthrow Castro; whereas this affair came to an astonishing head after the EEC Council meeting on 16 July, when the Spanish Minister of Foreign Affairs, Ordóñez, made an about-turn from his previous moderate stance to launch into an invective against Cuba; whereas the Spanish Deputy Minister for Development, Yáñez, stated that 'we must ensure that the political developments in Cuba are monitored'; having regard to Mr Baron Crespo's statement that 'the European Parliament supports the Spanish Government's position in its dispute with Havana'; whereas Commissioner Matutes said that the EEC would suspend its relations with Cuba, which were in any case virtually non-existent; having regard to statements made on Cuban television regarding Tania Diaz and Lázaro Cabrera (who according to the newspaper *El País* are well known human rights activists) to the effect that their movement had been organized by the embassies of the USA, Germany, Czechoslovakia and

Canada, coordinated by Mr Saler, First Secretary at the West German embassy in Havana, and that it had been funded to the tune of 100 000 dollars by the Czechoslovakian diplomatic mission; having regard to Resolution B3-1610/90 of the European Parliament, which calls on the Cuban Government to allow all its citizens who wish to leave the country to do so;

why does the Council of Ministers of the EEC refuse to accept Fidel Castro's proposal that Cuba and the Member States of the EEC conclude intergovernmental agreements to grant residence permits to all Cuban citizens wishing to take up residence in EEC Member States?

Answer

(18 March 1991)

The Honourable Member will be aware that the Presidency does not share the judgements expressed or implied in the introductory part of his question.

It will also be evident that the specific question raised concerns individual Member States and is not discussed in the EPC or Community framework.

The Honourable Member will, however, be aware that the German Government has vigorously refuted the Cuban accusation that a member of its Embassy had participated in any action directed against the Cuban Government.

It is apposite to recall the importance the Community and its Member States attach to full respect of human rights and fundamental freedoms, an attitude which the Presidency believes is shared by the European Parliament. Relations between the Community and third countries cannot but be assessed against this background.

WRITTEN QUESTION No 2307/90

by Mr Giulio Gallenzi, Mr Francesco Guidolin, Mrs Maria Cassanmagnago Cerretti, Mr Lorenzo De Vitto, Mrs Rosaria Bindi, Mr Gerardo Gaibisso and Mr Karl von Wogau

to the Commission of the European Communities

(15 October 1990)

(91/C 107/38)

Subject: Meat imports

Thirteen months have now elapsed since 31 January 1989 when the United States introduced illegal unilateral

measures contrary to GATT international rules that levy on Community exports an amount equivalent to the damage the American Government considers it has suffered as a result of the directive banning imports into the Community of meat treated with hormones of whatever origin. In its efforts to protect the health of consumers the European Parliament has always stressed the need to ban the marketing of this type of meat for consumption by prohibiting its production in the Community and banning imports. Not only are the unilateral US measures illegal, they are also very unfair since those hardest hit are small-scale farmers in the poorer regions of the Community, practically all in one country, who on top of everything else have nothing to do with producing and marketing the meat. In December 1988 the Council decided to take reprisals against the United States and President Delors made a public announcement to this effect; but no reprisals have ever been taken. Initially the Commission managed to secure the partial withdrawal of some of the illegal measures which principally concerned Germany, but nothing has been done about the measures taken against exports of peeled tomatoes which have created a serious crisis for small-scale producers in southern Italy. Why has the Commission never followed a serious strategy and acted energetically within GATT or applied counter-measures to the United States? What justification is there for the Commission's complete indifference — which is tantamount to neglect of official duty — to this manifest violation of GATT rules? What urgent action does the Commission intend to take to secure withdrawal of the unilateral American measures?

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

(21 January 1991)

The Commission shares the concern of the Honourable Members concerning the retaliatory action taken against the Community by the United States since 1 January 1989. The action followed the application, for the United States, of the 'Hormones' Directive to meat imports from non-member countries.

The Community has not yet been able to arrive at a solution within GATT to secure the withdrawal of the retaliatory action. The United States opposed such attempts, although there is nothing in the General Agreement to justify the levying of discriminatory import duties, like those the United States is imposing on imports of Community preserved tomatoes.

The Commission, moreover, persuaded the American authorities to introduce a certification system whereby American producers who are prepared to comply with the Directive may export to the Community. While the ensuing resumption of trade led the United States

Government to withdraw certain measures, the results have not been encouraging.

Lastly, Community producers of preserved tomatoes recently submitted a request for action under Regulation (EEC) No 2641/84 ⁽¹⁾. At the moment the Commission is considering what action to take in response to this request. Depending on the outcome of this procedure the Community will be in a position to take a decision on the measures alluded to by the Honourable Members.

⁽¹⁾ OJ No L 252, 20. 9. 1984.

WRITTEN QUESTION No 2315/90

**by Mr Pierros, Mr Cooney, Mr Pinxten, Mrs Banotti,
Mr Hadjigeorgiou, Mr Zavvos, Mr McCartin (PPE)
and Mr Papayannakis (GUE)**

to the Commission of the European Communities

(18 October 1990)

(91/C 107/39)

Subject: Defining the European Community's borders

1. whereas it is necessary to define exactly the external borders of the European Community,
2. whereas, with 1992 in view, there is an urgent need to define the borders of the European Community so that Community law may be applied correctly and effectively in regard to the free movement of goods, services, persons and capital for reasons relating to taxation, customs duties, the common fisheries policy immigration controls, etc.,
3. whereas the need to define the external (land and sea) borders of the European Community is even more urgent since five of the Community's Member States signed the Schengen Agreement,
4. whereas the land and sea borders should be defined in accordance with international law, the Law of the Sea and accepted international practice,
 - (a) What is the Commission's position on these views?
 - (b) Does it believe it is appropriate and essential to take immediate practical steps towards the formal

definition of the Community's (land and sea) borders, particularly with the unification of the two Germanies in prospect?

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

(21 February 1991)

The Community has no borders as such: the Community's borders are the aggregate of the frontiers of the Member States, which retain competence as regards the demarcation of their land and sea borders (in accordance with international law). Legally the Community has no border; there is only a territory to which the Treaties apply.

Nor should one speak of an external border of the Community, because there are various territories defined differently; territories to which the Treaties apply; customs territory, and so on. Actually, the concept is generally taken as meaning the customs territory, from the standpoint of the single market.

German unification and the Schengen II Agreement do not alter this conclusion in any way.

The territorial application of the Community Treaties is governed by Articles 227 EEC, 79 ECSC and 198 EAEC. Consequently, the Treaties apply fully to the European and certain non-European territories of the Member States (with a few exceptions as regards Madeira, the Azores and the French ODs). There are also some territories which are or are not integral parts of Member States' territories (the Canaries, Ceuta Melilla, Gibraltar, the Channel Islands, the Isle of Man) where the Treaties and secondary legislation are partially applicable under the Acts of Accession of the United Kingdom, Spain and Portugal.

The customs territory of the EEC was defined in an act of secondary legislation, Council Regulation (EEC) No 2151/84⁽¹⁾; under this Regulation the customs territory does not exactly match the territory to which the Treaty applies (e.g. minus Gibraltar but plus Monaco).

Article 227 (1) of the EEC Treaty refers to 'the Kingdom of Belgium, the Kingdom of Denmark', etc., and so the territory to which the Treaty applies — subject to the additions and subtractions expressly stipulated in succeeding paragraphs of that Article (see above) — is determined by the borders of the Member States as agreed by the Member States in the border-demarcation treaties with their non-Community neighbours. Consequently, the Community's land borders may change following a modification of the borders of one of its Member States (e.g. Germany).

In the case of the overseas countries and territories, Part IV of the EEC Treaty provides for a special system of association. The general rules of the EEC Treaty therefore do not apply to those countries and territories.

As regards the Community's sea borders, the 12 miles of territorial waters (this distance is now uniform for all the coastal Member States except Greece, whose territorial waters extend for 6 miles) are part and parcel of Member States' territories, and Community law applies in full. How the 12-mile zone is defined, however, depends on the base lines from which the 12 miles are measured. The base lines are determined not by the Community but by the Member States, in accordance with the relevant rules of the international law of the sea.

These base lines are also the starting point for measuring the width of the continental shelf and of the 200-mile exclusive economic zone (EEZ).

Community law applies to the continental shelf in so far as it applies to the economic activities in which the Member States engage thereon by virtue of their sovereign rights to prospect for and exploit the mineral resources of the seabed and the subsoil of the continental shelf.

Community fisheries legislation applies, of course, to fishing activities in the EEZ.

⁽¹⁾ OJ No L 197, 27.7.1984.

WRITTEN QUESTION No 2333/90

by Mr François-Xavier de Donnée (LDR)

to the Commission of the European Communities

(18 October 1990)

(91/C 107/40)

Subject: The future of civil aviation

Official Journal of the European Communities No L 230 of 24 August 1990 announced the setting up of a Joint Committee on Civil Aviation to assist the Commission in the formulation of a Community policy aimed at strengthening the competitive position of civil aviation.

Does the Commission plan to raise the following problems brought up on 4 September by the Association of European Airlines — AEA — (Agence Europe, 5. 9. 1990):

- the need to link the 22 control systems in western Europe, with the aim of setting up a single system by 1992;
- the promotion of genuine cooperation between the public and private sectors?

If so, how and when?

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

(12 February 1991)

Should the Joint Committee on Civil Aviation — in which the AEA is represented — wish to discuss the subjects

raised by the Honourable Member, the Commission would be willing to do so, consistent with the procedures set forth in the Commission Decision setting up a Joint Committee on Civil Aviation ⁽¹⁾.

In this regard, the following comments can be made on the two subjects:

- Concerning the way in which the existing air traffic control systems should be linked to face the growing demand foreseen for the Single Market scenario, it is the Commission's thinking that 'integration' would, ideally, imply a single unified system serving the Community. 'System', in this context, would comprise equipment built and operated according to identical standards, and also common operational procedures, under the responsibility of a pan-European civil aviation agency.
- The creation of a Joint Committee on Civil Aviation — in which at present a draft proposal on the flight time, flight duty time and rest periods of flight deck crews is being discussed — itself represents an example of the Commission's willingness to foster cooperation between the public and private sectors. Another example would be the recent proposal on consultation between airports and airport users to be followed no doubt, in the future, by others of a similar Nature.

⁽¹⁾ OJ No L 230, 24. 8. 1990.

WRITTEN QUESTION No 2337/90

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(18 October 1990)

(91/C 107/41)

Subject: Community administration of the Customs Union

1. Has the Commission had any further thoughts on its view that a Community customs union also legally requires a Community customs administration?
2. Does the Commission share my view that any such Community customs administration must be set up at the latest by the end of 1992, the target date for the completion of the internal market?
3. Is the Commission also prepared to use the necessary funds in the 1991 financial year in order to set up the system referred to in 1. and 2. above? If so, what would be the amounts involved and how would they be used?
4. How does the Commission account for the relatively low use of resources available in the 1990 financial year? What specific items were financed?

Answer given by Mme Scrivener on behalf of the Commission

(9 January 1991)

1 and 2. The Community's customs legislation is already designed to encourage a uniform approach to the application of customs rules by the Community institutions and the national administrations, acting in partnership. It is, however, premature to talk of a single Community customs administration, and — in the Commission's view — impractical to think of introducing such an administration before internal frontiers are abolished at the end of 1992. This is because substantial changes in the roles and responsibilities of all the parties concerned would require careful consideration before they were put into effect, and because the disruptive effects of making any such changes by 1993 would prejudice the major efforts that customs administration are making to prepare for the removal of customs controls at the Community's internal frontiers.

However, the Commission has taken action in three areas both to encourage even closer cooperation in the administration of the customs union and to assist in the analysis of the Community's future administrative needs and the search for appropriate solutions.

First, the success of the pilot phase of the Mattheus project in promoting exchanges of national customs officials and joint training programmes demonstrates the need, supported by all the Member States' customs administrations, to step up such action from 1991. An appropriate draft Council Decision is currently under consideration.

Second, as the Commission explained in its reply to written question ⁽¹⁾ from Mrs Reding, the study commissioned from the European Institute for Public Administration at Maastricht, with which the national customs administrations have been closely associated, will help in the search for new structural options for the management of the customs union of the future.

Third, the Commission has just launched a call for tenders for a study on effects of national rules on administrative sanctions in the customs union: this is an essential further step in the process of creating a uniform approach to customs administration and in the elimination of distortive differences between Member States.

3. and 4. The appropriations available for the Mattheus programme in 1990 amounted to some 2,5 million ECU, of which some 2,4 million ECU, or 96% have already been committed. The Commission will need all the 2,7 million ECU requested for Mattheus in 1991 in order to carry out the further developments referred to above. The studies mentioned above will require commitment and/or payment of expenditure appropriations in 1990 of the order of 0,35 million ECU, against an initial budget provision of 0,50 million ECU. The Commission has proposed a further sum of 0,68 million ECU for expenditure in this area in 1991.

⁽¹⁾ OJ No L 233, 17. 9. 1990.

WRITTEN QUESTION No 2345/90**by Mr Antonio Gutiérrez Díaz (GUE)****to the Foreign Ministers meeting in
European Political Cooperation***(18 October 1990)**(91/C 107/42)*

Subject: The murder in El Salvador of Dr Begoña García Arandigoyen

Dr Begoña García Arandigoyen, of Spanish nationality, was murdered in El Salvador on 10 September 1990. According to the authorities in that country, she was killed during an attack carried out by the army of El Salvador against the Farabundo Martí National Liberation Front.

However, the autopsy carried out at the hospital in Navarra (Spain) at the request of the Spanish Foreign Minister not only revealed six bullet holes in the temple, the nape of the neck, both elbows, the breastbone and one thigh, but also proved that she had been brutally tortured.

The face was disfigured, and the uterus and kidneys had been removed.

What steps do the Ministers meeting in European Political Cooperation intend to take in order to obtain full details of the case from the Government of El Salvador and, if appropriate, to oblige the latter to accept its responsibilities in the matter?

Answer*(18 March 1991)*

As the Honourable Member is aware, the Community's position on human rights in El Salvador, has been expressed on several occasions and is well known by the authorities of that country. In this context, the Honourable Member is referred to the answer to Written Question No 225/90.

As far as the case of Dr Begoña García Arandigoyen, partners are aware of, and support, the steps which have been taken by Spain in this case.

WRITTEN QUESTION No 2457/90**by Mr Maxime Verhagen (PPE)****to the Commission of the European Communities***(7 November 1990)**(91/C 107/43)*

Subject: Extending the EC programme for the eastern part of South Limburg and the western mining area up to 1993

1. Has the Commission held consultations with the Netherlands authorities on a possible extension of the EC

programme for the eastern part of South Limburg and the western mining area up to 1993?

2. If so, what was the outcome of these consultations?

3. If not, when will the Commission take the necessary initiative?

**Answer given by Mr Millan
on behalf of the Commission***(23 January 1991)*

The Commission has not yet begun negotiations with the Member States on the definition of Objective 2 areas after 1991.

Consideration is being given to this matter within the Commission but it is still too early to provide information.

Naturally, at an appropriate time, the Member States will be associated through the partnership mechanism with the definition process.

WRITTEN QUESTION No 2499/90**by Mr John McCartin (PPE)****to the Commission of the European Communities***(16 November 1990)**(91/C 107/44)*

Subject: Working practices of Members of the Commission

Will the Commission agree to introduce the practice of giving notice to the Members of the European Parliament of visits or tours to the constituencies of MEP's undertaken by Members of the Commission?

**Answer given by Mr Delors
on behalf of the Commission***(9 January 1991)*

The Commission does its best to notify Members of the European Parliament in advance of any official visits made by Members of the Commission to their region.

WRITTEN QUESTION No 2571/90
by Mr Paul Staes (V)
to the Commission of the European Communities
(20 November 1990)
 (91/C 107/45)

Subject: The Caracas project

A loan of \$ 6 million was initially earmarked for the Caracas project. Only part of this amount (\$ 250 million) has been paid out.

1. Are these figures correct?
2. Why was such a large amount of the loan not paid?
3. How was the initial amount calculated and what is the reason for the enormous difference between the amount initially agreed and the amount finally paid?
4. Does this reflect condemnation of the destruction of the Brazilian tropical rainforests directly resulting from the Caracas project which was approved by the European institutions?
5. Can the Commission make the balance immediately available with the sole objective of restoring the tropical rainforest in this area (or attempting to do so)?

Answer given by Mr Van Miert
on behalf of the Commission
(10 January 1991)

- (1) The figures are correct.
- (2), (3) and (4) The estimated investment cost of the Carajás project was approximately \$US 5 305 million. The ECSC loan was set at \$US 600 million because of the self-financing nature of the undertaking and the long-term contribution of other donors. This sum also took into account Community steel companies' interest in receiving deliveries of iron ore from this mine. The final cost of the project was reduced to \$US 3 400 million as a result of:
 1. cancellation of the contingency reserve;
 2. the cruzeiro falling more sharply than expected against the dollar, leading to a reduction in the costs payable in cruzeiros, which had been entered in the financing plan on the basis of their exchange value in US dollars;
 3. lower prices than initially estimated as a result of international supply tendering;

4. the fact that it was possible to take over part of the equipment already used by the company in its Minas Gerais mine.

The company also chose to deal as much as possible with those donors requiring the least guarantees.

- (5) It should be borne in mind that the Commission raised the ECSC loans on the capital markets as and when they needed to be paid to the undertaking and that consequently at no time was the Commission more indebted than necessary.

The Commission does not consider that it would be possible 'solely' to finance protection of the tropical rainforest on the basis of the second paragraph of Article 54 of the ECSC Treaty.

As, however, the Commission has already indicated to Parliament, it should be possible to mobilize other major resources for the protection of the Brazilian rainforest under the Dublin and Houston mandates.

WRITTEN QUESTION No 2592/90
by Mr José Barros Moura (CG)
to the Commission of the European Communities
(20 November 1990)
 (91/C 107/46)

Subject: Expenditure eligible for ESF assistance

In her answer of 11 June 1990 to my Written Question No 784/90 ⁽¹⁾ Commissioner Papandreou said that since *building costs* relating to vocational training centres were excluded, depreciation costs and expenditure for the *renting* of such premises were also considered as ineligible, so as to maintain a consistent approach.

However, this question not only affects undertakings which provide in-house training or companies specializing in training, whose 'normal' cost structure includes installation costs. It also affects trade union organizations which provide peripatetic training services throughout a country to meet the needs of their members, which can be provided only by *renting* premises. In such cases the expenditure places too heavy a burden on the cost structure and jeopardizes training services which are not provided by anyone else and which meet a real need. How can this situation be taken into account in the management of the ESF?

⁽¹⁾ See page 5 of this Official Journal.

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

(9 January 1990)

In the answer to Written Questions No 784/90 the Commission stated that any promoter seeking Community support for the construction of a training centre should contact the organization responsible for the submission of operational programmes to the Regional Fund, to ascertain the possibility of including these costs in a suitable programme.

This would seem to allow any promoter of vocational training measures without training facilities of his own to acquire the infrastructures needed to carry out these measures.

For this reason, and in accordance with Article 124 of the EEC Treaty, the Commission, in exercising its powers of management, feels that it should not cover the rental costs involved in the specific situation referred to by the Honourable Member.

The need for statistics on tourism in the Community, to provide the industry and governments with reliable information has resulted in the Commission preparing a proposal for a Council Decision on the implementation of a multiannual programme (1991—1993) for developing Community tourism statistics, which has been adopted by the Council at its meeting on 29 November 1990.

The aim of the multiannual programme for developing European tourism statistics is to define and implement a Community frame of reference for Community statistics on tourism, by the approximation of the concepts and methods already used by the Member States.

Apart from the preliminary work that has been done for harmonising statistical data in the field of services, namely by the 'Office Statistique des Communautés Européennes', the Commission has completed the relevant surveys 'Amelioration of Statistics in Tourism' referring to hotels, restaurants and cafés (Horeca) in 1988 and a more recent one referring to Hotel Characterization in the Member States of the EC May 1989. Finally, a study on the establishment of a documentation centre, which will gather information on all branches of tourism has been launched in order to facilitate the task of coordinating national tourist data in a more homogeneous way.

WRITTEN QUESTION No 2600/90

by the following Members: Mr Enrique Sapena Granell, Mrs María Izquierdo Rojo, Mrs Ludivina García Arias, Mr Juan de la Cámara Martínez, Mr Mateo Sierra Bardají, Mr Javier Sanz Fernández and Mr José Vázquez Fouz (S)

to the Commission of the European Communities

(20 November 1990)

(91/C 107/47)

Subject: Community policy on tourism

In view of the information shortfall in the tourist sector, and the consequent need for statistics, surveys and a framework for consultation and cooperation in this sector, does the Commission think that a Community methodology should be adopted for the research required in this area which would permit homogeneous presentation of the results obtained?

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

(14 February 1991)

The Commission believes that such a methodology is indeed indispensable for carrying out the necessary studies of tourism efficiently.

WRITTEN QUESTION No 2627/90

by Mrs Teresa Domingo Segarra and Mr Alonso Puerta (GUE)

to the Commission of the European Communities

(23 November 1990)

(91/C 107/48)

Subject: Contamination and environmental deterioration of the Segura river and the surrounding lowlands (Alicante — Spain)

The Segura river and the lowlands through which it flows are suffering from serious environmental pollution, particularly along the final stretch of the river, caused by industrial and urban effluent discharged into its waters without undergoing any form of purification. The bad smells, the large number of insects and the high contamination levels in the river constitute a genuine public health hazard.

What measures will the Commission take, together with the competent authorities, to remedy this lamentable situation and to effectively implement Community environmental legislation in particular the following directives:

1. 75/440/EEC (1) concerning the quality required of surface water intended for the abstraction of drinking water,

2. 76/464/EEC ⁽²⁾ on pollution caused by certain dangerous substances discharged into the aquatic environment,
3. 76/160/EEC ⁽³⁾ concerning the quality of bathing water?

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 34.

⁽²⁾ OJ No L 129, 18. 5. 1976, p. 23.

⁽³⁾ OJ No L 31, 5. 2. 1976, p. 1.

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

(12 February 1991)

The Commission will examine the question raised by the Honourable Members and will ask the Spanish Government for its observations. The Commission will of course welcome any further information which the Honourable Members can supply.

WRITTEN QUESTION No 2634/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(23 November 1990)

(91/C 107/49)

Subject: European aid to Brazilian military technology

A group of European companies is organizing the sale to Brazil of launchers and warheads for purposes of nuclear and/or chemical warfare. The Société Européenne de Propulsion (France), Volvo, MAN (FRG) and FM Motors (a Belgian firm now owned by the French company SNECMA) are currently training the Brazilians to undertake their own production of the Viking engine, developed in France to power the satellites of the European Space Agency. Other European companies, including Saab Space, Alcatel-Kirk, SFENA and Contraves, are supplying the 'instructors' required to teach the correct use of missile flight control devices. It is obvious that the Brazilian Centre for Aerospace Technology (CTA) has no intention of restricting European contributions to rocket technology to purely 'peaceful' purposes. This centre is now perfecting a Sonda IV with nuclear and/or chemical potential, improving the launchers and converting natural uranium into military nuclear material. The sites are, moreover, closed to the German and international engineers who are supposed to verify whether atomic energy and the launch engines are being used for military purposes.

Does the Commission consider the role of the above-named European companies to be acceptable,

considering that they hold a majority of shares in Ariane-Space, the holding company which controls the manufacture of Ariane, the celebrated and, admittedly, highly successful launcher of the European Space Agency?

What is the total amount of European aid to Ariane-Space? Could not this aid be considered to be a contribution to the development of Brazilian military technology?

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

(29 January 1991)

According to inquiries made by the Commission, the Brazilian space agency and ESA/European national space agencies (e.g. CNES) have been discussing the granting of a licence to Brazil to produce the motor Viking in collaboration with European companies.

However, the 20-year-old Viking motor, produced in approximately 1 000 copies, constitutes a low technology contribution to the Ariane launcher and has already been manufactured by India for 15 years, and cannot be identified as of 'double use'.

Moreover, according to information requested by the Commission, a transfer of Viking technology to military purposes is highly unlikely. The Viking is based on the principle of liquid fuel motor technology, while missiles require new technology in the form of solid propellants.

Arianespace is a private company under French law and has no ties with the Community. The company receives no aid, financial or otherwise, from the Community.

WRITTEN QUESTION No 2671/90

by Mr Rolf Linkohr (S)

to the Commission of the European Communities

(4 December 1990)

(91/C 107/50)

Subject: SNCF high-speed train route — environmental impact assessment

The French railway company SNCF is planning a high-speed train route through the area of Crau in southern France.

Does the Commission know whether an environmental impact assessment has been carried out in connection with this project and, if so, what were the findings?

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

(17 January 1991)

According to the Commission's information, a number of different routes, none of which threatens the Crau, are proposed for the TGV project.

The Commission has received no information on the environmental impact studies which, under French law, should have been carried out in this instance. Directive 85/337/EEC⁽¹⁾ does not require Member States automatically to forward to the Commission any impact studies carried out in their territory. Nonetheless, the Commission has approached the French authorities for the relevant information in this matter.

⁽¹⁾ OJ No L 175, 5.7.1985.

WRITTEN QUESTION No 2677/90

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(4 December 1990)

(91/C 107/51)

Subject: Acronyms for various Community programmes

1. What is the purpose of the — plainly very carefully chosen — acronyms used by the Commission to denote European programmes of all kinds?
2. How many current Community programmes in all are known by acronyms, and what are those acronyms? Can the Commission list them according to specific categories, for instance classified either by their respective financial basis or in alphabetical order, where appropriate in all the official languages?
3. Does the Commission agree that the resulting proliferation of acronyms has reached excessive proportions and is beginning to be a source of confusion rather than enlightenment?

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

(14 February 1991)

1. Acronyms are used to simplify long titles of programmes thus making them easier to identify and to remember. It makes each individual programme easily recognizable and distinguishable. Moreover, acronyms promote the public appeal of Community programmes especially to their target groups and users.

2. Some 200 current Community programmes are known by acronyms. They are listed alphabetically in a directory of acronyms published by the Commission every six months in the nine Community languages. This directory is available, free of charge, to all interested parties. It is compiled on the basis of the Eurodicautom databank.

3. The use of acronyms has greatly contributed to public awareness of various Community programmes. The Commission tries to make sure that acronyms are carefully chosen thus avoiding confusion between them and keeps a careful watch on developments.

WRITTEN QUESTION No 2690/90

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(4 December 1990)

(91/C 107/52)

Subject: Admission of PCP to the EC

On the basis of what arguments does the Commission justify its action in continuing to admit the preservative pentachlorophenol (PCP), containing as it does highly carcinogenic dioxin, to the internal market, thereby forcing Denmark, Germany and the Netherlands to allow this product, which seriously damages the environment and public health, back onto the market?

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

(29 January 1991)

The Commission proposes to ban the placing on the market of substances and preparations containing more than 0,1% of pentachlorophenol and its salts and esters. Provision is made however for four exceptions. These relate to PCP use in the treatment of wood, the impregnation of heavy duty textiles, as a chemical intermediate and to treat wood rot in buildings.

For the two cases involving the treatment of wood the substitutes currently available may have dangerous properties for man and/or the environment. For the textiles application there is currently no substitute available on the market.

The four exceptions are to be re-examined after three years in the light of developments in knowledge and techniques concerning PCP substitutes?

The Commission would also refer the Honourable Member to its contribution to the debate in Parliament on the recommendation, introduced during the second reading, concerning the ninth amendment of the Directive on certain dangerous substances and preparations ⁽¹⁾.

⁽¹⁾ Debate of the European Parliament, No 398 (January 1991).

WRITTEN QUESTION No 2698/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(4 December 1990)

(91/C 107/53)

Subject: Situation in Central East Africa and implementation of Article 5 (3) of the Fourth Lomé Convention

Article 5 (3) of the Fourth Lomé Treaty stipulates the following course of action in connection with the defence and promotion of human rights:

At the request of the ACP States, financial resources may be allocated, in accordance with the rules governing development finance cooperation, to the promotion of human rights in the ACP States through specific schemes, public or private, that would be decided, particularly in the legal sphere, in consultation with bodies of internationally recognized competence in the field. Resources may also be given to support the establishment of structures to promote human rights. Priority shall be given to schemes of regional scope.

I should like to be informed of the measures taken or envisaged by the Commission with a view to implementing this contractual provision in the zone of Central East Africa.

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

(14 January 1991)

As indicated in Article 5 of Lomé IV, operations to promote human rights may be launched in response to requests from the ACP States, irrespective of the ACP region concerned. The response will depend on the intrinsic value of the operations proposed, and, in accordance with Article 5, the competence of the bodies with which these operations would be mounted.

The Commission has already established contact with certain ACP organizations which specialize in the sphere

of human rights and has already financed, using other resources, certain projects presented by the African Commission on Human and Peoples' Rights.

WRITTEN QUESTION No 2705/90

by Mr Alexandros Alavanos (CG)

to the Commission of the European Communities

(4 December 1990)

(91/C 107/54)

Subject: East-West arms trade

Following events in Central and Eastern Europe, there has been an uncontrolled expansion in arms exports from Eastern to Western Europe. Various companies, such as the Commerce International Group, and East-West Engineering from Japan, import large quantities of weapons from the Warsaw Pact countries, e.g. tanks (ranging from the old T-54s to the modern T-72s that Iraq used for the invasion of Kuwait), armoured vehicles, rocket launchers, anti-aircraft missiles, RPG-7 (the type used by the IRA) and AK-74 rockets, ammunition, etc. This trade is also encouraged by certain Eastern European governments' efforts to sell their equipment quickly before the agreement to reduce conventional weapons in Europe takes effect.

What information does the Commission have about this trade and what is its assessment of the situation? What measures to control the arms trade have been taken at Community level, especially in view of the fact that with the advent of the single market without frontiers, the dangers of the uncontrolled movement of weapons will increase for all the Community countries?

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

(6 February 1991)

The Commission has neither evidence nor estimates concerning the quantities of arms sold.

With regard to controlling the arms trade in the single market, the Commission would refer the Honourable Member to Mr Bangemann's statements to Parliament on 14 March 1989 and 10 July 1990 ⁽¹⁾. These statements address the issue of the arms trade and a common market in arms in terms of the single market and provide an analysis of the division of powers between the Community and its Member States in this matter.

⁽¹⁾ European Parliament Debates No 2/376 (March 1989) and No 3/392 (July 1990).

WRITTEN QUESTION No 2800/90**by Mr Ernest Glinne (S)****to the Commission of the European Communities***(13 December 1990)**(91/C 107/55)**Subject: Situation in El Salvador*

16 November 1990 will see the first anniversary of the assassination in El Salvador of six Jesuits, their housekeeper and her daughter. This barbarous act was one incident in a 10-year-old civil war which has claimed the lives of some 40 000 civilians.

In the United States Senate, the Doss-Leahy proposal, to halve the US\$ 85 million in military aid requested by the Bush Administration, aims to repeat a vote already won in June in the House of Representatives. Also, trade unions (led by the AFL-CIO) and several religious and civic associations are trying to get a provision of the 1984 Trade Act applied to El Salvador which makes it possible to refuse the benefits of the System of Generalized Preferences (SGP), i.e. the entry of exports to the North American market, to countries where union rights, in particular freedom of association, organization and negotiation are seriously and persistently violated, without any attempt to remedy the situation. The Salvadorean trade unions Fenestras and Unoc have given evidence before a subcommittee of the House (Mr Gerardo Díaz, spokesman of Fenestras, was seriously injured in October 1989 in an attack which destroyed his union headquarters, killing 10 people and injuring 40 more. Mr Amada Villatro, speaking on behalf of Unoc, described the obstacles imposed by the Arena party government, the armed forces, the security services and death squads, etc.). A top-level decision on whether to exclude El Salvador from the SGP will be taken next April.

Is the Commission prepared to act, both through imposing economic sanctions and by stopping any arms supplies to help begin a process of reconciliation and bring about a political solution?

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

(8 February 1991)

The Commission would recall the position that it adopted on emergency resolutions Nos B3-2008, 2034, 2046 and 249/90.

It would also recall the joint statement on El Salvador published on 15 November last:

'One year after the murder, in El Salvador, of six Jesuit fathers and two of their co-workers at the University

of Central America, the Community and its Member States express their grave concern regarding the absence of real progress in the judicial investigation as well as the lack of cooperation on the part of certain sections of the Armed Forces. They reiterate their convictions that the clearing up of these cases, which constitutes a key factor for democratic consolidation and for the independence of the judiciary, should lead to the just and exemplary sentencing of those responsible.'

With regard to Community aid, the Commission would emphasize that it mainly takes the form of regional projects covering all countries of Central America. 'Bilateral' projects carried out direct with El Salvador principally involve aid for Salvadorean refugees in Honduras to return and resettle in their country. The Commission does not intend to deprive the people concerned by these projects of Community support.

WRITTEN QUESTION No 2810/90**by Mrs Anita Pollack (S)****to the Commission of the European Communities***(13 December 1990)**(91/C 107/56)**Subject: Dolphins*

Is the Commission aware of the current virus affecting dolphins in the Mediterranean from which allegedly 10 000 dolphins have died in the last three months?

What information does the Commission have about the possible connection with PCBs and what, if any, measures are being taken to save the Mediterranean dolphins and to clean up the pollution in the Mediterranean?

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

(24 January 1991)

The Commission has been informed, in particular by the Spanish authorities, of an increase in the number of dolphin deaths in the Mediterranean in recent months. The causes of this increase are not yet clear, but the Commission is currently working with the competent scientific community in order to study the problem. Scientists are looking into the possible role of a viral infection.

With regard to organohalogen compounds (a category which includes PCBs), the contracting parties (including

the European Economic Community) to the Convention for the protection of the Mediterranean Sea against pollution (Barcelona Convention) and the Protocols thereto, have agreed to:

- establish an environmental quality objective in coastal waters of 25 mg/l for total DDT;
- determine the patterns and basic concentrations of organohalogenes;
- establish areas of high concentration,

pursuant to Article 5 of the Protocol on land-based pollution, Annex I to which deals with organohalogen compounds (including PCBs).

Furthermore, the environment monitoring programme (Medpol Phase II), implemented under the abovementioned Convention, pays particular attention to PCBs.

In addition, the Commission would remind the Honourable Member that Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations ⁽¹⁾ sets a PCB/PCT content of 0,01 % by weight.

Directive 89/677/EEC amending the abovementioned Directive for the eighth time ⁽²⁾ reduces this content to 0,005 % by weight for these substances.

⁽¹⁾ OJ No L 262, 27. 7. 1976.

⁽²⁾ OJ No L 398, 21. 12. 1989.

WRITTEN QUESTION No 2840/90
by Lord O'Hagan (ED)
to the Commission of the European Communities
(13 December 1990)
(91/C 107/57)

Subject: Freedom of movement between the Member States

The Commission is taking major steps to encourage greater freedom of movement between the Member States for those who live and work in the European Community.

1. What measures will the Commission be taking to monitor the employment situation of ethnic minorities holding the nationality of a Member State and who seek to exercise their right to take up employment in a Member State other than their own?
2. Will the Commission consider introducing specific measures to counter any racial discrimination encountered?

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

(24 January 1991)

All citizens of the European Community, irrespective of their ethnic origin, have the right of freedom of movement as provided for in the Treaty and in secondary legislation. The Commission has not been notified of any cases of citizens who have been unable to take up employment in another Member State on account of their ethnic origin, nor has it received any complaints from such citizens. Consequently, it does not believe it necessary at present to propose any specific measures in this area.

WRITTEN QUESTION No 2848/90
by Mrs Christine Oddy (S)
to the Commission of the European Communities
(17 December 1990)
(91/C 107/58)

Subject: Birmingham airport

Is the Commission aware that EC nationals travelling to Birmingham airport continue to be asked about the purpose and duration of their travel?

Is the Commission further aware that a black EC national travelling to Birmingham airport was assumed to be born outside the European Community and was questioned as to how he acquired EC nationality?

What steps does the Commission intend to take to rectify the situation?

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

(31 January 1991)

The Commission has always maintained that the production of a valid identity card or passport is the only precondition which Member States can impose on the right of entry into their territory of persons entitled to travel freely within the Community.

Member States cannot, for example, require EC nationals arriving at the frontier to prove — by means of a medical certificate or any other document — that they do not have one of the diseases or disabilities listed in the annex to Directive 64/221/EEC, or ask them systematically about the purpose of their journey, their means of support, etc.

Stricter controls on individuals are permitted only on grounds of public policy, public security, or public health as provided for by Directive 64/221/EEC.

Accordingly, the Commission has initiated infringement proceedings against a Member State in connection with circumstances similar to those outlined in the Honourable Member's first question. The judgment in this case will be handed down in the months ahead.

The Commission is awaiting this judgment before taking any action that may be necessary against other Member States which fail to comply with Community law concerning frontier controls on individuals.

WRITTEN QUESTION No 2895/90

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(3 January 1991)

(91/C 107/59)

Subject: Development of the textile sector

1. What special conditions have arisen in the textile sector (basic production and clothing industry) as a result of extending the Community to include the new 'Länder' of the Federal Republic of Germany?
2. Can the technological developments and the employment figures be presented clearly and how do they compare with those in other industrialized parts of the world?
3. Do the greater capital resources of the individual production units within the EC show any special characteristics by comparison with other parts of the world and, if so, what are they?

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

(31 January 1991)

1. As a result of German unification, Community market demand has increased, in population terms, by about 16 million people. Like other sectors, the European textile and clothing industry stands to gain from these new marketing opportunities, and every effort should be made to exploit them. On the other hand, existing textile and clothing production in the Federal Länder of the Federal Republic of Germany must be thoroughly modernized and restructured in such a way as to make it competitive and ensure its long-term viability in the large European market and in the face of imports from third countries. Certainly, the successful completion of this process within a reasonable length of time will only be possible on the basis of cooperation with the textile and clothing undertakings operating in the Community as was, prior to German unification.

2. In principle, technological developments and employment levels in the European textile and clothing

industry are subject to the same trends as in other industrialized countries. As a result of continuously rising wage costs in the industrialized countries and in view of the marked differences in labour and social welfare costs between the industrialized and the developing countries, the position regarding textile and clothing production in the industrialized countries has undergone the following changes:

- In the textile industry (especially in the production of yarns and woven fabrics), the development and use of modern production technologies and the introduction of increasingly capital-intensive production processes have enabled the industrialized countries to remain competitive. As a result of productivity increases, staff have been laid off in considerable numbers, whereas production has hardly fallen at all or, in some cases, has even risen (e.g. EC 1978/88: labour force -35% production + 3,5%).
- In the clothing industry, in contrast, the absence of any radically new manufacturing processes for the reduction of labour costs has kept production relatively labour-intensive in the industrialized countries also. Because of the wage-cost disadvantage *vis-à-vis* the developing countries and in view of the massive rise in exports from those countries, there has been a significant fall-off in both employment and production levels (e.g. EC 1978/88: labour force -27%, production + 13%).
- 3. Generally speaking, the increased use of modern technologies means that greater capital resources must be allocated to production and undertakings. Consequently, the European textile and clothing industry, which traditionally has consisted overwhelmingly of small and medium-sized undertakings, is now facing a special challenge in the technological field. Failure so far to achieve a technological breakthrough, particularly in the area of clothing production, may be attributable in part to the existing company structure in the Community. On the other hand, however, the competitiveness and success of undertakings are also affected by other crucial factors such as creativity, fashion and flexibility of production.

WRITTEN QUESTION No 2937/90

by Mrs Cristiana Muscardini (NI)

to the Commission of the European Communities

(11 February 1991)

(91/C 107/60)

Subject: Statement by Mr De Michelis, Minister of Foreign Affairs, concerning the European Parliament

Are the observations made by the Italian Minister of Foreign Affairs to the effect that the European Parliament should not build up excessive hopes of obtaining greater legislative powers since 'reality is one thing and flights of fancy another' compatible with the functions and duties

incumbent upon the Presidency of the Council of Ministers of the European Community? It was surprising that such a declaration should come from the Minister of a Member State whose citizens gave a massive affirmative response in a referendum — held at the same time as the last elections to the European Parliament — on the need for the European Parliament to have a constituent mandate. It was all the more surprising coming from the Minister of one of the Member States most frequently condemned by the European Court of Justice for failure to comply with Community law and whose national and local authorities have been unable — for reasons of incompetence, inefficiency or whatever — to invest in full the amounts envisaged by the European Community.

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

(14 March 1991)

The Commission would remind the Honourable Member that it does not normally comment on public statements by politicians in the Member States.

2. The aid is designed to promote the integration in the national economy both of groups of landless peasant farmers in the context of agrarian reform projects and of groups of refugees returning to Guatemala and displaced persons. The Commission has taken all the necessary steps to ensure that Community aid is effectively used for these purposes.
3. The projects are carried out following the Community's usual rules, which guarantee the financial and administrative independence of operations and ensure constant supervision by European technical assistance personnel on the spot and the Commission Delegation for Central America, and through periodic visits by Commission officials from Brussels. It should be pointed out in this connection that the last inspection visit carried out by a Commission Financial Control team in June 1990 found nothing to confirm the suspicions raised by the Honourable Member in his question.

(¹) OJ C 90, 8. 4. 1991, p. 33.

(²) OJ C 90, 8. 4. 1991, p. 37.

WRITTEN QUESTION No 2954/90

by Mr Maxime Verhagen (PPE)

to the Commission of the European Communities

(11 January 1991)

(91/C 107/61)

Subject: Guatemala

1. Can the Commission outline the projects currently being carried out as part of development cooperation with Guatemala?
2. What view does the Commission take of current criticisms to the effect that large amounts of the funds earmarked for development projects are in fact being used for counter-revolutionary purposes?
3. How is the use of development funds in Guatemala being supervised?

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

(11 February 1991)

The Commission requests the Honourable Member to refer to the answers given to Written Questions Nos 2053/90 (¹) and 2125/90 (²) by Mr Glinne.

1. These show that Community aid granted to Guatemala since the installation of a civilian government in 1986 has essentially been used for financing projects in support of small-scale peasant farming and operations to assist refugees.

WRITTEN QUESTION No 116/91

by Mr Henry McCubbin (S)

to the Council of the European Communities

(11 February 1991)

(91/C 107/62)

Subject: VAT harmonization

Does the Presidency have any plans for concluding discussions on the Seventh Directive with particular reference to harmonization of the method of collecting VAT on second-hand goods?

Answer

(15 March 1991)

The Commission proposal on the common system of VAT applicable to second-hand goods was examined in 1989 and the first half of 1990 by the Council's competent bodies.

During the discussions, it became apparent that there was a link between this proposal and the future system of VAT after the abolition of fiscal frontiers. Following a decision which the Council is expected to take in the very near future on the procedures for implementing the future system of VAT, discussions on the proposal referred to by the Honourable Member will continue.

WRITTEN QUESTION No 333/91**by Mr Egon Klepsch, Mr Elmar Brok
and Mr Jean Penders (PEE)****to the Council of the European Communities***(4 March 1991)**(91/C 107/63)**Subject: US-EC relations*

How does the Council consider that US-EC relations should develop over the next few months, now that Germany is unified and the Community is nearing completion of the single European market?

Does the declaration, now being signed between the EC and the US, imply that there will be closer cooperation between the US and the EC in new sectors?

Does the Council believe that closer relations will lead to the institutionalization of US-EC relations in the longer term?

What possibilities exist for the Community and the US to work together within the CSCE with a view to promoting a new European security order?

Answer*(15 March 1991)*

As the President of the European Council, Mr Andreotti, informed the Parliament on 21 November 1990, the declaration to which the Honourable Members refer, on relations between the Community and the United States, was approved on 20 November 1990 by the parties concerned on the occasion of the CSCE meeting of Heads of State and Government in Paris.

That declaration recognizes the importance of EC/US relations against the background, inter alia, of the recent developments which have restored unity in Europe and it moreover implies recognition by the United States of the process by which the European Community expresses its identity in economic and monetary matters, in foreign policy and in the domain of security. In addition, it expresses the determination of both sides to strengthen transatlantic solidarity and their commitment to endow their relationship with a long-term perspective.

As well as setting out the principles of EC/US partnership, the declaration also outlines areas where the consultation and co-operation enshrined in these principles will be developed and strengthened. As well as political and economic cooperation, these areas include education, scientific and cultural cooperation, and a number of transnational challenges such as the fight against terrorism, international crime and drug-related activities, environmental protection and the prevention of nuclear and other armament proliferation.

As regards the institutionalization of the EC/US relationship, both sides agree that a framework is required for regular and intensive consultation. They will make full use of and further strengthen existing procedures, including those established by the President of the United States and the President of the European Council on 27 February last.

In relation to the CSCE also, the abovementioned joint declaration reflects the interest of the Community and the United States in the consolidation of the new united and democratic Europe, and their determination to cooperate with a view to strengthening security, economic cooperation and human rights in Europe.