

English edition

Information and Notices

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	I Information	
	European Parliament	
	<i>Written Questions with answer</i>	
92/C 112/01	No 2609/90 by Mr Bernard Antony to the Commission Subject: Community aid for NGOs in Chile	1
92/C 112/02	No 298/91 by Mrs Raymonde Dury to the Commission Subject: Misappropriation of international aid to Colombia	1
92/C 112/03	No 439/91 by Mr Victor Manuel Arbeloa Muru to the Commission Subject: European Community policy in connection with the Middle East	2
92/C 112/04	No 861/91 by Mr Bartho Pronk to the Commission Subject: Improving the Commission procedure for proposals pertaining to social matters	2
92/C 112/05	No 1054/91 by Mr Sérgio Ribeiro to the Commission Subject: Combined transport in Portugal	2
92/C 112/06	No 1091/91 by Mr Carlos Robles Piquer to the Commission Subject: Towards an instrument for the development of the Community's technological capacity	3
92/C 112/07	No 1150/91 by Mrs Raymonde Dury to the Commission Subject: Classification of hotels and camp-sites	3
92/C 112/08	No 1249/91 by Mr Jean-Pierre Raffarin to the Commission Subject: Export of beef and veal to Brazil	4
92/C 112/09	No 1320/91 by Mr Francesco Speroni to the Commission Subject: Independence for Northern Somalia	5
92/C 112/10	No 1328/91 by Mr Llewellyn Smith to the Commission Subject: Nuclear reprocessing activities	5

<u>Notice No</u>	Contents (continued)	Page
92/C 112/11	No 1454/91 by Mr Joan Colom I Naval to the Commission Subject: INTERREG programmes at the frontier between Spain and France	6
92/C 112/12	No 1489/91 by Mr Heinz Köhler to the Commission Subject: Dual financing from the European Regional Development Fund and other EC support programmes	6
92/C 112/13	No 1497/91 by Mrs Marijke Van Hemeldonck to the Commission Subject: Improvement of surface water	7
92/C 112/14	No 1509/91 by Mrs Marijke Van Hemeldonck to the Commission Subject: Posts occupied by women in Commission representations in third countries	7
92/C 112/15	No 1576/91 by Mr George Patterson to the Commission Subject: Lotteries in Europe	8
92/C 112/16	No 1591/91 by Mrs Anita Pollack to the Commission Subject: Spanish toxic oil syndrome of 1981	8
92/C 112/17	No 1605/91 by Mr Elio Di Rupo to the Commission Subject: Express mail services in the European area	9
92/C 112/18	No 1611/91 by Mrs Winifred Ewing to the Commission Subject: Labelling of dangerous chemicals	9
92/C 112/19	No 1621/91 by Mr David Bowe to the Commission Subject: Ports and competition rules	10
92/C 112/20	No 1636/91 by Mr Willem van Velzen to the Commission Subject: Problems regarding the Dutch old-age pensions law (AOW)	10
92/C 112/21	No 1647/91 by Mr Christian de la Malène, Mr Pierre Lataillade, Mr Gene Fitzgerald and Mr Carlos Perreau de Pinninck Domenech to the Commission Subject: Differences of opinion on Economic and Monetary Union at the meeting of the 12 Ministers of Finance on 25 and 26 February 1991 in Brussels	11
92/C 112/22	No 1665/91 by Mr José Valverde López to the Commission Subject: The development of paper manufacturing by 'neutral process' in the EC	12
92/C 112/23	No 1666/91 by Mr José Valverde López to the Commission Subject: Estimate of the number of books published in the EC on permanent paper	12
	Joint answer to Written Questions Nos 1665/91 and 1666/91	12
92/C 112/24	No 1667/91 by Mr José Valverde López to the Commission Subject: Implementation of EEC Directive on cadmium discharges in Spain	12
92/C 112/25	No 1689/91 by Mr Francesco Speroni to the Commission Subject: Geographically-based discrimination against Community citizens	13
92/C 112/26	No 1691/91 by Mr Jaak Vandemeulebroucke to the Commission Subject: Implementation of the Social Action Programme	13
92/C 112/27	No 1696/91 by Mr Carlos Robles Piquer to the Commission Subject: The confining of the peseta to the narrow band of the European Monetary System ...	14

<u>Notice No</u>	Contents (continued)	Page
92/C 112/28	No 1698/91 by Mr Carlos Robles Piquer to the Council Subject: The launching of the Euro-Arab University in Granada (Spain)	14
92/C 112/29	No 1703/91 by Mr Juan Bandrés Molet to the Commission Subject: Reopening of the Canfranc-Olorón railway line	15
92/C 112/30	No 1750/91 by Mr Heinz Köhler to the Commission Subject: The status of the German language in the translation services of the European Communities	15
92/C 112/31	No 1778/91 by Mr Georgios Romeos to the Commission Subject: Danger from nuclear power station in Bulgaria	16
92/C 112/32	No 1871/91 by Mr Filippos Pierros to the Commission Subject: Cooperation between the Community and Bulgaria on the safety of the nuclear plant at Kozloduy in Bulgaria	16
	Joint answer to Written Questions Nos 1778/91 and 1871/91	17
92/C 112/33	No 1827/91 by Mr José Happart to the Commission Subject: Measures to combat atmospheric pollution	17
92/C 112/34	No 1829/91 by Mr Giuseppe Mottola to the Commission Subject: Danger of the citrus fruit fair of Reggio di Calabria losing its 'international' status	18
92/C 112/35	No 1836/91 by Mr Maxime Verhagen to the Commission Subject: Tropical rain forests and indigenous peoples of Sarawak	18
92/C 112/36	No 1857/91 by Mr Gerardo Fernández-Albor to the Commission Subject: Community legislation on use of catalytic converters	19
92/C 112/37	No 1873/91 by Mr Thomas Megahy to the Commission Subject: Construction of railway track in EC countries	20
92/C 112/38	No 1900/91 by Mr Miguel Arias Cañete, Lord Bethell, Mr Elmar Brok, Sir Fred Catherwood, Mr Patrick Cox, Mr Willy De Clercq, Mr Gijs de Vries, Mr James Elles, Mr Ingo Friedrich, Mr Klaus Hänsch, Mr Geoffrey Hoon, Mr Alain Lamassoure, Mr Manuel Medina Ortega, Mr Hemmo Muntingh, Mr Luis Planas Puchades, Lord Plumb, Mr Hans-Gert Poettering, Mr Manuel Porto, Mr Rogalla, Mr Leo Tindemans, Mr John Tomlinson, Mr Michael Welsh, Mr Karl von Wogau and Mr Eisso Woltjer to the Commission Subject: Development of US/EC relations	20
92/C 112/39	No 1926/91 by Mr Gérard Monnier-Besombes to the Commission Subject: Planned industrial incinerator at Fos-sur-Mer, Bouches-du-Rhône, France	21
92/C 112/40	No 1930/91 by Mr Thomas Megahy to the Commission Subject: Legislation regulating the activities of genuine lotteries	22
92/C 112/41	No 1941/91 by Mr Gérard Monnier-Besombes to the Commission Subject: Compliance with the directive on toxic and dangerous waste	22
92/C 112/42	No 1944/91 by Mr Mihail Papayannakis to the Commission Subject: Aquaculture and its effects	23
92/C 112/43	No 1960/91 by Mr Anthony Simpson to the Commission Subject: Furniture fire safety Directive — to be or not to be?	23

<u>Notice No</u>	Contents (continued)	Page
92/C 112/44	No 1966/91 by Mr Wilfried Telkämper to the Commission Subject: Transposition into German law of the EIA Directive	23
92/C 112/45	No 1967/91 by Mr Wilfried Telkämper to the Commission Subject: The definition of expressways with regard to the EIA Directive	24
92/C 112/46	No 1971/91 by Mr Elio Di Rupo to the Commission Subject: Tax payable by Belgians living abroad	25
92/C 112/47	No 1990/91 by Mr Alf Lomas to the Commission Subject: Deprived housing estates in London	25
92/C 112/48	No 1991/91 by Mr Dieter Rogalla to the Commission Subject: Controls at internal and external frontiers	26
92/C 112/49	No 2005/91 by Mr Thomas Maher to the Commission Subject: Study on part time farming	26
92/C 112/50	No 2039/91 by Mrs Anita Pollack to the Commission Subject: Employment creation from environmental projects	27
92/C 112/51	No 2046/91 by Mrs Anita Pollack to the Commission Subject: Fur trapping	27
92/C 112/52	No 2047/91 by Mr James Ford to the Commission Subject: Harmonization of recognition of fitness to work and the definition of 'disabled'	28
92/C 112/53	No 2050/91 by Mr Detlev Samland to the Commission Subject: Experts' report on 'Immigration policies and the social integration of migrants in the EC', SEC(90) 1812 final	28
92/C 112/54	No 2051/91 by Mrs Jessica Larive to the Commission Subject: Organ doning	29
92/C 112/55	No 2059/91 by Mr Peter Crampton to the Commission Subject: Implementation of food and hygiene regulations	29
92/C 112/56	No 2070/91 by Mrs Ursula Schleicher to the Commission Subject: Waste disposal problems with furs and synthetic furs	30
92/C 112/57	No 2079/91 by Mr Kenneth Stewart to the Commission Subject: United Kingdom Secretary for the Environment's gimmick 'City Challenge'	31
92/C 112/58	No 2113/91 by Mrs Christine Crawley to the Commission Subject: Animal transport conditions	31
92/C 112/59	No 2120/91 by Mr Proinsias De Rossa to the Commission Subject: Job losses arising from the closure of customs posts	32
92/C 112/60	No 2121/91 by Mr Proinsias De Rossa to the Commission Subject: Regulation of the press in Europe	32
92/C 112/61	No 2127/91 by Mr Proinsias De Rossa to the Commission Subject: Honey production in the Community	32
92/C 112/62	No 2161/91 by Mr José Valverde López to the Commission Subject: Spain's failure to comply with Directive 88/314/EEC	33

<u>Notice No</u>	Contents (continued)	Page
92/C 112/63	No 2162/91 by Mr José Valverde López to the Commission Subject: Spain's failure to comply with Directive 88/315/EEC	33
92/C 112/64	No 2163/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 88/449/EEC	33
92/C 112/65	No 2164/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 88/658/EEC	33
92/C 112/66	No 2165/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/107/EEC	33
92/C 112/67	No 2166/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/108/EEC	33
92/C 112/68	No 2167/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/384/EEC	34
92/C 112/69	No 2168/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/424/EEC	34
92/C 112/70	No 2169/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/519/EEC	34
92/C 112/71	No 2170/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 89/676/EEC	34
92/C 112/72	No 2171/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 90/214/EEC	34
92/C 112/73	No 2172/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 90/425/EEC	34
92/C 112/74	No 2173/91 by Mr José Valverde López to the Commission Subject: Failure of Spain to implement Directive 90/604/EEC	35
	Joint answer to Written Questions Nos 2161/91 to 2173/91	35
92/C 112/75	No 2188/91 by Mrs Raymonde Dury to the Commission Subject: Sale of medicines containing phenothiazines	35
92/C 112/76	No 2201/91 by Mr Christian de la Malène to the Commission Subject: The Commission's authorization for the plan to set up a motor vehicle factory in Portugal, in the form of a joint venture	35
92/C 112/77	No 2211/91 by Mr Lyndon Harrison to the Commission Subject: European poverty programme	36
92/C 112/78	No 2228/91 by Mr Víctor Manuel Arbeloa Muru to the Commission Subject: Co-responsibility rates for cereals	37
92/C 112/79	No 2251/91 by Mr Luigi Vertemati to the Commission Subject: Reduction in solid waste and packing	37

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
92/C 112/80	No 2263/91 by Mr Ernest Glinne to the Council Subject: Decision of the Court of Justice against the prohibition of night work by women (Case C-345/89)	38
92/C 112/81	No 2264/91 by Mr Madron Seligman to the Commission Subject: Police discrimination against foreign drivers	39
92/C 112/82	No 2311/91 by Mr Jean-Pierre Raffarin to the Council Subject: Planet Earth Summit	39
92/C 112/83	No 2322/91 by Mrs Cristiana Muscardini to the Commission Subject: Crisis in the Miramonti tanning company	40
92/C 112/84	No 2324/91 by Mr Francesco Speroni to the Commission Subject: Community premium for Indica rice-growers	40
92/C 112/85	No 2343/91 by Mr Ernest Glinne to the Council Subject: Construction projects for hydro-electric power stations on the Danube	41
92/C 112/86	No 2356/91 by Mr Dieter Rogalla to the Commission Subject: Harassment by customs officials	41
92/C 112/87	No 2371/91 by Mr Yves Verwaerde to the Council Subject: Negotiations between the EEC and Poland on the conclusion of an association agreement	42
92/C 112/88	No 2390/91 by Mrs Raymonde Dury to the Commission Subject: Social security rights of volunteer development workers employed by NGOs	42
92/C 112/89	No 2407/91 by Mrs Maria Izquierdo Rojo, Mr José Vazquez Fouz, Mr Pedro Bofill Abeilhe, Mr Francisco Sanz Fernández and Mr Eusebio Cano Pinto to the Commission Subject: Policy to prevent and combat forest fires in the Mediterranean region	42
92/C 112/90	No 2436/91 by Mr Alonso Puerta to the Commission Subject: Pensions for emigrant workers	43
92/C 112/91	No 2438/91 by Mr Gérard Monnier-Besombes to the Commission Subject: Administrative obstructiveness	43
92/C 112/92	No 2450/91 by Mrs Imelda Read to the Commission Subject: Acute human poisoning	44
92/C 112/93	No 2510/91 by Mr Antoine Waechter to the Commission Subject: Obstacles to freedom of movement in France (Pyrénées-Atlantiques)	44
92/C 112/94	No 2512/91 by Mrs Sylvie Mayer to the Commission Subject: Use of structural funds for the development of 'food patches'	44
92/C 112/95	No 2527/91 by Mr Jean-Pierre Raffarin to the Commission Subject: Maintaining price levels for oleaginous products	45
92/C 112/96	No 2581/91 by Mrs Hedwig Keppelhoff-Wiechert to the Commission Subject: Old-age pension schemes for cross-border workers in the German-Netherlands border area	45

<u>Notice No</u>	Contents (continued)	Page
92/C 112/97	No 2589/91 by Mr Patrick Lalor, Mr Gene Fitzgerald, Mr Niall Andrews, Mr James Fitzsimons, Mr Mark Killilea and Mr Patrick Lane to the Council Subject: EC financial assistance for essential investment in access transport services to/from Ireland, and other peripheral regions	46
92/C 112/98	No 2619/91 by Mr Yves Verwaerde to the Commission Subject: Social integration of the disabled	46
92/C 112/99	No 2642/91 by Mr Virgilio Pereira to the Commission Subject: Projects to build or modernize fishing boats submitted by the autonomous region of Madeira	47
92/C 112/100	No 2647/91 by Mr Peter Beazley to the Council Subject: Chinese imports of bicycles	47
92/C 112/101	No 2660/91 by Mr Hugh McMahon to the Commission Subject: European Social Fund	48
92/C 112/102	No 2695/91 by Mr David Martin to the Commission Subject: Classification of Community Acts	48
92/C 112/103	No 2701/91 by Mr Ben Fayot to the Commission Subject: Support for the European Management Institute and the proposal on the establishment of a European Law Academy	48
92/C 112/104	No 2751/91 by Mr Proinsias De Rossa to the Commission Subject: European prison staff	49
92/C 112/105	No 2798/91 by Mr Jean-Pierre Raffarin to the Council Subject: 'Euro-Odyssey' for young people	49
92/C 112/106	No 2853/91 by Mr Freddy Blak to the Council Subject: The killing of birds in southern Europe	50
92/C 112/107	No 3058/91 by Mr Herman Verbeek to the Council Subject: Human rights and the right of asylum in Europe	50
92/C 112/108	No 3187/91 by Mrs Maartje van Putten to the Council Subject: Sustainability of restructuring adjustment programme for Honduras	51
92/C 112/109	No 3192/91 by Mr Sotiris Kostopoulos to the Council Subject: Introduction of the Social Charter	51
92/C 112/110	No 3246/91 by Mr José Lafuente López to the Council Subject: Conditions of internment for illegal immigrants	51
92/C 112/111	No 3256/91 by Mr Sotiris Kostopoulos to the Council Subject: Protecting consumers from adulterated olive oil	52
92/C 112/112	No 17/92 by Mr Josep Pons Grau, Mr Henry Saby, Mr Víctor Manuel Arbeloa Muru, Mrs Maartje van Putten, Mr Luciano Vecchi, Mr Giorgio Rossetti, Mr Gerardo Fernández-Albor, Mr Antoni Gutiérrez Díaz, Mrs Dacia Valent and Mr Pol Marck to the Council Subject: Establishment of Cooperation Councils with the Maghreb and Mashreq countries	52
92/C 112/113	No 136/92 by Mr Juan de la Cámara Martínez to the Council Subject: European institute to combat desertification	53

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
92/C 112/114	No 140/92 by Mr Juan de la Cámara Martínez to the Council Subject: Aid for environmental conservation of water reserves within the Community	53
92/C 112/115	No 172/92 by Mr Lelio Lagorio, Mrs Maria Magnani Noya and Mr Vincenzo Mattina to European Political Cooperation Subject: Yugoslavia — shooting down of a European Community helicopter	53
92/C 112/116	No 182/92 by Mr Sotiris Kostopoulos to European Political Cooperation Subject: Human rights in Saudi Arabia	54
92/C 112/117	No 215/92 by Mr José Valverde López to the Council Subject: European network of health data on drugs abuse	55
92/C 112/118	No 219/92 by Mr José Valverde López to the Council Subject: Measures taken by the Council and the Member States to reduce demand for illegal narcotics	55
92/C 112/119	No 241/92 by Mr Patrick Cooney, Mr Siegbert Alber, Mrs Karla Peijs, Mr Bryan Cassidy, Mr Bouke Beumer, Mr Petrus Cornelissen and Mr John Cushnahan to the Council Subject: Membership of GATT — Taiwan	55
92/C 112/120	No 274/92 by Mr Alexander Langer to European Political Cooperation Subject: Anti-semitic remarks by President Tudjman of Croatia	56
92/C 112/121	No 291/92 by Mr Sotiris Kostopoulos to European Political Cooperation Subject: The migration of Pontic Greeks	56

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 2609/90

by Mr Bernard Antony (DR)

to the Commission of the European Communities

*(20 November 1990)**(92/C 112/01)**Subject:* Community aid for NGOs in Chile

What NGOs are providing help in Chile and what is the exact nature of their task?

What exact amount is entered against budget Item B7-5073 for each NGO?

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

(8 November 1991)

The Commission has been financing projects for Chile put forward by European NGOs and projects put forward by Chilean NGOs. Request for funds have come from NGOs covering a wide cross-section of Chilean society, and have been considered not only in the light of the nature of the projects proposed, but also in the light of the organizations' ability to implement them successfully.

In 1990, approximately ECU 4,9 million was provided under Item B7-5073 for a total of 64 projects involving 65 NGOs. The projects focused largely on education and training, basic economic activities, health-care, protection of human rights, civics and support for ethnic minorities. The average level of co-financing from the Community for such projects was approximately ECU 76 000.

Commitments for 1991 have not yet been completed.

WRITTEN QUESTION No 298/91

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

*(4 March 1991)**(92/C 112/02)**Subject:* Misappropriation of international aid to Colombia

According to a report from the American organization 'American watch', some of the international aid sent to Colombia is going to sectors of Colombian society which are responsible for serious human rights violations.

What measures are in force to monitor aid from the European Community, particularly aid intended to help combat the drugs trade, and to ensure that it does not suffer a similar fate?

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

(18 February 1992)

The monitoring procedures and financial controls are the same as for all the other aid programmes of the Community.

The Commission is not informed of any diversion of resources channelled via United Nations Agencies (UNDCP), Government and/or non-governmental organizations receiving financial support by the EC in Colombia.

Any information the Honourable Member may impart on the matter, will be greatly appreciated.

WRITTEN QUESTION No 439/91
by Mr Victor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(11 March 1991)
(92/C 112/03)

Subject: European Community policy in connection with the Middle East

Do the various measures taken by the European Community over the last month in respect of certain Middle Eastern countries have some connection with the human rights situation in those countries, or do they relate solely to their governments' position on the Gulf War?

Answer given by Mr Matutes
on behalf of the Commission
(14 November 1991)

At the beginning of 1991, the Commission approved a number of measures for the countries and people of the Middle East.

The main aim of the measures was either to assist in reducing the economic and financial harm inflicted by the Gulf War on certain countries in the region (the frontline states — Egypt, Jordan and Turkey) or to go some way to providing the emergency humanitarian aid needed by the population groups affected by the war. The fact that the Community gave funds to Jordan as well as to Egypt and Turkey as part of a coordinated international effort demonstrates clearly the manner in which the needs of the countries were considered. In the same vein, the Community has since (July 1991) decided as a counterpart to grant financial assistance to Israel and the Occupied Territories.

WRITTEN QUESTION No 861/91
by Mr Bartho Pronk (PPE)
to the Commission of the European Communities
(8 May 1991)
(92/C 112/04)

Subject: Improving the Commission procedure for proposals pertaining to social matters

Mr Michael Howard, British Minister of Employment, is quoted in an article on page 11 of *Europe* (28 March 1991) as saying that Ms Vasso Papandreou has stated that the Commission intends to improve the internal Commission procedure for proposals on social issues by consulting national experts before social proposals are finalized.

1. Is this report correct? If so, what will the improvements be?
2. (a) Will the improvements increase the length of the procedure for drawing up Commission proposals on social matters? Within the Commission, will the procedure for these proposals now be different from that for proposals on economic matters?
 (b) If so, will this not adversely affect the creation of the social dimension?
3. Is it not an obvious step to discuss fundamental changes in the procedure with the Committee on Social Affairs of the European Parliament, as well as Mr Howard?

Answer given by Mrs Papandreou
on behalf of the Commission
(13 November 1991)

The consultation of national experts is a part of the normal procedures to prepare Community instruments. It exists in different fields of Community policy and does not create delays in the preparation of the proposals for Directives.

WRITTEN QUESTION No 1054/91
by Mr Sérgio Ribeiro (CG)
to the Commission of the European Communities
(22 May 1991)
(92/C 112/05)

Subject: Combined transport in Portugal

Given that the combined, particularly road-rail, transport of goods provides a possible solution to the current problems of long-distance goods transport, i.e. congested roads, environmental pollution, safety problems and others, together with its obvious benefits, reduction of the cost per tonne/km, energy saving, etc., and since this is of major importance for the peripheral areas, what combined transport projects are now being financed by the Commission in Portugal and which of these projects are also receiving EIB funding?

Answer given by Mr Van Miert
on behalf of the Commission
(14 October 1991)

The Community is not currently financing any infrastructure project specifically relating to combined transport in Portugal.

Nevertheless, the importance of multi-modal transport, especially rail-road-sea, for the outlying regions of the Community has been acknowledged — the Commission is currently drawing up a comprehensive plan for the definition and conditions of operation of a European combined transport network. A high-level working group, including representatives from the Member States, is assisting in this. One of its workshops is dealing with the special problems of outlying regions.

Thereafter, and before the end of 1991, the Commission will put forward a comprehensive plan for combined transport in Europe, which will include specific proposals for the outlying regions, including Portugal.

WRITTEN QUESTION No 1091/91

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(29 May 1991)

(92/C 112/06)

Subject: Towards an instrument for the development of the Community's technological capacity

One after another, the various sectors of advanced technology in Europe have been expressing their concern at their underdevelopment, which is becoming structural and seems to be due both to a lack of objectives and an inability to integrate R&D efforts into the broader process of innovation. This harsh reality has been ascertained in biotechnological fields and, more recently, in the information sector and related industries.

A few days ago Mr Quilès, the French Minister for Posts and Telecommunications, suggested setting up a European agency for the electronics industry to set objectives and take action in certain commercial areas.

Does not the Commission feel that a task of this kind definitely concerns it throughout the high technology sector and that it should provide itself with an appropriate instrument for this purpose? In this connection, can it give details of the initiative announced by Mr Bangemann, the Vice-President involving the setting up of a working group, consisting of Commissioners, to analyze the development requirements and possibilities of the Community's technological capacity?

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

(4 February 1992)

The Commission has no information other than that available to the public concerning the Honourable

Member's first question about the suggestion to set up a European agency for the electronics industry.

The Commission Select Working Party to which the Honourable Member refers is an informal group set up on the adoption by the Commission of its communication to the Council on industrial policy in an open, competitive environment. It is chaired by Mr Bangemann and has been instructed to examine all matters of industrial and technological interest to the Community.

The following information concerns the particular field of the electronics and computer industry and is in reply to the Honourable Member's second question:

On 29 April 1991, the Council (Industry) warmly welcomed the communication on the European electronics and information industry⁽¹⁾ and asked the Commission to further analyze the situation and continue its dialogue with industry, users and investors in close consultation with a high-level group representing the Member States.

This group, which consists of the directors of industry and research in the Member States, met for the first time on 21 June 1991.

⁽¹⁾ SEC(91) 565 final.

WRITTEN QUESTION No 1150/91

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 112/07)

Subject: Classification of hotels and camp-sites

Systems for classifying hotels and camp-sites exist in a number of Community Member States. Would it not be helpful and valuable for tourism, the economic benefits of which are now uncontested, to harmonize these systems throughout the Community?

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

(13 November 1991)

The problem of harmonizing at Community level equipment standards for certain categories of tourist

accommodation has already been examined on various occasions by the Member States and the tourist industry.

It emerged from those discussions that any measure in this field ought to take specific features into consideration, in particular the current diversity of planning standards in the different countries, and even regions, of the Community, and the wide range of monitoring arrangements where these exist.

Tourists and travel agencies alike are keen for current arrangements to be harmonized since this would be a way of improving and promoting amenities in small and medium-sized establishments on campsites and caravan parks.

Thus, in 1986, the Community adopted two recommendations for existing hotels, one on standardized information and the other on fire safety ⁽¹⁾. The latter recommended that, within five years, hotels should comply with the minimum compulsory standards in the Member State concerned or, failing that, with the technical guidelines set out by the Commission in the annex to the recommendation. Member States were asked to report on progress in implementing the recommendation.

Lastly, as part of the action plan to assist tourism ⁽²⁾, the Community has provided for specific measures to support the expansion of the tourist industry. In this connection, the Commission has proposed that the coordination of Community and national policies should be strengthened and that consultations with the tourist industry should be stepped up. Where appropriate, it will support joint initiatives put forward by tourist operators in the Community, including discussions and measures to align more closely the different systems of classifying hotels, campsites and other forms of tourist accommodation.

⁽¹⁾ OJ No L 384, 31. 12. 1986.

⁽²⁾ COM(91) 97 final.

WRITTEN QUESTION No 1249/91

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(11 June 1991)

(92/C 112/08)

Subject: Export of beef and veal to Brazil

In answer to Written Question No 2577/90 ⁽¹⁾ on the market in processed meat products, the Commission confirmed that Commission Regulation (EEC)

No 2722/90 ⁽²⁾ on the sale of meat held by certain intervention agencies intended for export to Brazil was adopted at a time when demand in Brazil was high as reflected by direct consumption figures, and that, as production in Brazil had now peaked, this Regulation had been repealed as of 31 January 1991.

Commission Regulation (EEC) No 910/91 ⁽³⁾ of 11 April 1991 states that a sale shall be organized of 100 000 tonnes of beef, of which 10 000 tonnes is held by France, in view of 'supply needs in Brazil'.

How can the Commission justify this new operation, which could be detrimental to European producers of processed meat, since it is very likely that beef and veal sold at reduced prices will re-enter the European market in processed form?

⁽¹⁾ OJ No C 168, 27. 6. 1991, p. 10.

⁽²⁾ OJ No L 261, 25. 9. 1990, p. 19.

⁽³⁾ OJ No L 91, 12. 4. 1991, p. 45.

Answer given by Mr Mac Sharry on behalf of the Commission

(29 November 1991)

In 1986 the Community sold intervention beef to Brazil. At the time, the sales took place at the request of the Brazilian authorities and were intended to cover needs in Brazil. From 1987 to 1990 the supply situation in Brazil was such that there was no demand for intervention meat.

During the second half of 1990, i.e. approximately four years after the first sale, Brazil was once more in need of meat. This was evident firstly from demand from private operators, to which the Commission responded by a sale provided for in Regulation (EEC) No 2722/90. However, there was no positive response from operators as it came at a time when domestic production in Brazil was reaching the market, thereby improving supplies in that country.

However, after disposal of this seasonal production, supplies grew scarce and in February 1991 the Brazilian authorities requested the Commission to organize a sale of 100 000 tonnes of intervention meat, in particular to build up a buffer stock for the Brazilian market. The Commission responded to that request by organizing a sale of 100 000 tonnes under Regulation (EEC) No 910/91.

Brazil is an exporter of processed meat products but Brazil's exports did not rise during the years concerned

(1986-87). Likewise, in subsequent years, exports of processed meat products have remained relatively stable.

WRITTEN QUESTION No 1320/91

by Mr Francesco Speroni (ARC)

to the Commission of the European Communities

(24 June 1991)

(92/C 112/09)

Subject: Independence for Northern Somalia

It has recently been reported in the media that the Commission has expressed opposition to the proclamation of independence for Northern Somalia.

How can the Commission justify the inappropriate stance it has adopted, involving open interference in the affairs of another people and opposition to their right to self-determination?

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

(6 December 1991)

The Commission would stress that it has never expressed an opinion on the proclamation of independence for Northern Somalia.

The Commission position on the situation in Somalia is fully in line with that of the Community and its Member States, and is that set out in the joint statements on Somalia of 24 May and 2 August.

Both these texts are being sent direct to the Honourable Member and Parliament's Secretariat.

WRITTEN QUESTION No 1328/91

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(24 June 1991)

(92/C 112/10)

Subject: Nuclear reprocessing activities

Further to the reply to the Written Question No 75/91 (1) dated 25 March 1991, will the Commission (Mr Cardoso e Cunha) explain why details of the correspondence between the Commission and the UK Energy Department on wave power have been exceptionally made public; and will he enumerate by country, without naming individuals

or organizations, those representations made to the Commission on

1. current nuclear reprocessing activities at Sellafield, Dounreay, La Hague and Karlsruhe respectively and
2. plans to increase reprocessing of nuclear fuels at these plants in the 1990s;

and will he set out current Commission policy on reprocessing of nuclear fuels in the Community?

(1) OJ No C 150, 10. 6. 1991, p. 29.

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

(5 February 1992)

It would be physically difficult to provide the Honourable Member with the list of protests received by the Commission on the two subjects to which he refers. Furthermore, an enumeration by country would run counter to the Commission's principle of confidentiality regarding the correspondence which it receives.

Since the letters in question were those on wave power exchanged between the UK Energy Department and the Commission, they formed part of the file handed over to the European Parliament in accordance with the declaration by Vice-President Pandolfi during the plenary sitting of 24 January 1991 with the aim of dispelling any misunderstanding between the Commission and the European Parliament.

The Commission's current policy continues to be based on the implementation of the Council resolution of 18 February 1980 on the reprocessing of irradiated nuclear fuels (1). This policy was developed and subsequently presented in the document published on completion of the work of the ad hoc Advisory Committee on reprocessing (CORECOM) (2), the Commission recommendation of 3 February 1982 on the storage and reprocessing of irradiated nuclear fuels (3) and the Illustrative Nuclear Programme of the Community (PINC) (4) accompanied by the opinion of the Economic and Social Committee, which was published in mid-1985.

As regards the details of this policy, the Honourable Member should refer to the abovementioned documents.

(1) OJ No C 51, 29. 2. 1980.

(2) COM(82) 37 final.

(3) OJ No L 37, 10. 2. 1982.

(4) COM(85) 401 final.

WRITTEN QUESTION No 1454/91
by Mr Joan Colom I Naval (S)
to the Commission of the European Communities
(16 July 1991)
 (92/C 112/11)

Subject: INTERREG programmes at the frontier between Spain and France

Can the Commission list programmes co-financed by the EC through the INTERREG programme at the frontier between Spain and France during 1991, together with estimates for 1992 and 1993, indicating in each case:

1. purpose of the programme,
2. Community contribution (in ECU),
3. this contribution as a percentage of estimated total expenditure by the programme?

Answer given by Mr Millan
on behalf of the Commission
(4 October 1991)

Implementation of the Community Interreg initiative is governed by the Commission's Notice to the Member States No 90/C 215/04 ⁽¹⁾.

On 30 July 1990 the Commission informed the Spanish and French authorities that the indicative Community contribution to the programme on their border was ECU 27 million, of which ECU 20 million would come from the Interreg initiative itself and ECU 7 million from measures financed under Article 10 of Council Regulation (EEC) No 4254/88 ⁽²⁾.

On 27 February 1991, the Spanish and French authorities submitted to the Commission a cross-border operational programme for 1991-93.

The Commission and the two Member States are cooperating in considering this programme. The Commission takes a positive view of the quality of the programme and its cross-border nature. Nevertheless, the financial contribution requested from the structural Funds (ECU 62 million) far exceeds the Commission's estimates.

The Commission hopes that the remaining problems can be resolved rapidly and that the programme will soon be approved.

Besides the Interreg initiative, in 1990 and 1991 21 studies on specific problems relating to the border between Spain and France were carried out at a total cost of ECU 8,14

million. The ERDF contributed ECU 2,35 million under Article 10 of Regulation (EEC) No 4254/88.

⁽¹⁾ OJ No C 215, 30. 8. 1990.

⁽²⁾ OJ No C 375, 31. 12. 1988.

WRITTEN QUESTION No 1489/91
by Mr Heinz Köhler (S)
to the Commission of the European Communities
(16 July 1991)
 (92/C 112/12)

Subject: Dual financing from the European Regional Development Fund and other EC support programmes

Does the term 'Fund', as used in Article 14 of Council Regulation (EEC) No 2052/88 ⁽¹⁾ of 24 June 1988 (Structural Fund Regulation), also apply to EC support programmes?

For example, is it permissible for a project such as the renovation of a historic building to be financed by both the European Development Fund and the programme for the preservation of historic monuments?

What view does the Commission take of combined and overlapping assistance of this kind?

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

Answer given by Mr Christophersen
on behalf of the Commission
(19 November 1991)

The word 'Fund' in Article 14 of Regulation (EEC) No 2052/88 refers only to the structural Funds, which are covered by the five Regulations initiating the reform ⁽¹⁾.

Article 2 of the Regulation refers explicitly to contributions from other existing financial instruments, according to their own specific provisions, to any measure supported by one or more of the structural Funds. Article 14 covers the laying down of provisions governing the combination of Community assistance; in the Commission's view, this also covers finance from other budget articles.

If the Honourable Member has information about combinations which he regards as irregular, the Commission would be pleased to receive it so that it can carry out an investigation.

⁽¹⁾ Regulation (EEC) No 2052/88 referred to above. Regulation (EEC) Nos 4253/88, 4254/88, 4255/88 and 4256/88, OJ No L 374, 31. 12. 1988.

WRITTEN QUESTION No 1497/91

by Mrs Marijke Van Hemeldonck (S)

to the Commission of the European Communities

(16 July 1991)

(92/C 112/13)

Subject: Improvement of surface water

Under Article 4 (2) of the Council Directive 75/440/EEC ⁽¹⁾ Member States are required to draw up 'a systematic plan of action', including a timetable for the improvement of surface water and implement these measures in order to achieve 'considerable improvements' by 1985 in the quality of surface water. This article also requires the Commission to carry out a thorough examination of the plans and, if necessary, submit appropriate proposals to the Council.

1. Which Member States have drawn up a 'specific plan of action' under Council Directive 75/440/EEC and forwarded it to the Commission and when?
2. Does the Commission consider that the Member States have properly fulfilled their obligations under Article 4 (2) of Council Directive 75/440/EEC and achieved 'considerable improvements' in the quality of surface water?
3. What measures has the Commission taken, where necessary, in respect of Member States failing to comply with the above provisions?
4. What conclusion has the Commission drawn from its study of the plans of action and why has it not considered it necessary to submit appropriate proposals to the Council?

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 26.

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

(18 October 1991)

Council Directive 75/440/EEC was the first of a series of Directives laying down water quality standards in relation to specific uses of water, in this case surface water intended for the abstraction of drinking water.

Together with Directive 80/778/EEC ⁽¹⁾ on the quality of water intended for human consumption, Directive 75/440/EEC and its complementary Directive 79/869/EEC ⁽²⁾ constitute a Community legal framework in respect of drinking water quality, reflecting the importance which the Community attaches to this matter.

It is nevertheless agreed that slight changes to Directive 75/440/EEC are desirable in order to strengthen its consistency with Council Directive 89/778/EEC. For this

reason the Commission is working in cooperation with the Member States on a proposal for a Directive on the ecological quality of surface waters in general.

In reply to the Honourable Member's specific questions:

1. The Commission has received information from several Member States on action to improve the quality of surface waters. Some of the waters were used for the abstraction of drinking water and were of A3 quality. Most of these plans were neither sufficient nor comprehensive and cannot be considered to be specific action plans as laid down in Article 4 (2) of Directive 75/440/EEC.
 2. Due to the lack of information sent by the Member States the Commission is unable to satisfy itself that the Member States have fulfilled their obligations under Article 4 (2) of Council Directive 75/440/EEC.
 3. Infringement procedures for not applying Council Directive 75/440/EEC correctly have been commenced by the Commission during the last 13 years against most Member States. Nearly half of these procedures were started for not complying with the requirements of Article 4 (2) of the Directive. The latest judgment of the European Court of Justice on this matter is dated 11 June 1991.
- In order to complete the information about the current situation and on the implementation of Article 4 (2) of Directive 75/440/EEC, the Commission intends to send a formal request to all Member States.
4. The Commission will not be able to answer this question until real specific action plans have been submitted by all Member States.

⁽¹⁾ OJ No L 229, 30. 8. 1980.

⁽²⁾ OJ No L 271, 29. 10. 1979.

WRITTEN QUESTION No 1509/91

by Mrs Marijke Van Hemeldonck (S)

to the Commission of the European Communities

(23 July 1991)

(92/C 112/14)

Subject: Posts occupied by women in Commission representations in third countries

1. How many Commission heads of delegation or representatives in ACP countries are women?
2. How many women employed in Commission representations in ACP countries hold A-grade posts?

3. Why are women so under-represented in bodies which represent the EC to the outside world?

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

(9 December 1991)

The situation as regards Commission delegations and sub-offices in the ACP countries, is as follows:

	M	F	Total
Total number of delegations and suboffices: 62			
Number of delegates/heads of office	58	1	59 ⁽¹⁾
Other A staff	169	6	175 ⁽²⁾
B staff	25	5	30 ⁽²⁾
C staff	—	1	1
Total	252	13	265

⁽¹⁾ 3 vacant posts not included in total.

⁽²⁾ 25 vacant posts not included in total.

Posts outside the Community are mainly filled under arrangements for rotation between staff posted outside the Community and the staff of DGs I, VIII, X and DAD. This affects approximately 25% of the staff concerned each year.

Posts not subject to rotation are published in accordance with usual Commission procedures.

No sexual discrimination is practised. In 1990 and 1991, for example, women were posted in the delegations in Angola, the Central African Republic, Mauritania, Togo and Uganda. The fact is, however, that the number of applications from men is normally far higher than the number received from women.

WRITTEN QUESTION No 1576/91

by Mr George Patterson (ED)

to the Commission of the European Communities

(24 July 1991)

(92/C 112/15)

Subject: Lotteries in Europe

Since all Member States, except Great Britain, have strict regulations and licensing of lottery-based services within their own country, will the Commission endorse, in principle at least, that on Member State should accept and trust the safeguard controls of another?

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

(21 November 1991)

The information available to the Commission indicates that the United Kingdom, along with other Member States, applies strict regulations to lotteries and lottery-type activities. Lottery-based services fall within the scope of Article 59 of the EEC Treaty which establishes the fundamental principle of the free circulation of services. As interpreted and applied by the Court of Justice, any exception to this fundamental principle must not be disproportionate to its objective and must be interpreted in such a way that its effects are limited to those necessary in order to protect the interests which it seeks to safeguard. The possibility of applying measures which achieve the same objective but which are less restrictive or discriminatory can be considered in assessing the validity of any claimed exception.

WRITTEN QUESTION No 1591/91

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(24 July 1991)

(92/C 112/16)

Subject: Spanish toxic oil syndrome of 1981

Is the Commission aware of a Yorkshire Television 'Forty Minutes' programme of 5 February 1991 alleging that the death of over 700 Spaniards in 1981, which was attributed at the time to contaminated cooking oil, had in fact been caused by consumption of tomatoes which, grown under canvas in the southern province of Almeriz, had been poisoned by excessive application of chemicals?

Has the Commission any information about this and can it respond to the allegation that there has been a monumental cover-up and that the problem, based on tomato farming rather than contaminated cooking oil, could rear at any time?

Is there any possibility that tomatoes grown in this way could be poisoned by application of excessive chemicals?

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

(7 October 1991)

As the Commission indicated in its answer to Written Question No 1933/84 by Mrs Piermont and others ⁽¹⁾, to

which it would ask the Honourable Member to refer, it has proved impossible to accept the theory of poisoning by pesticides since no plausible explanation has been advanced to corroborate this.

(¹) OJ No C 248, 30. 9. 1985.

WRITTEN QUESTION No 1605/91

by Mr Elio Di Rupo (S)

to the Commission of the European Communities

(25 July 1991)

(92/C 112/17)

Subject: Express mail services in the European area

Express mail services are referred to as 'Taxipost' in Belgium, 'Chronopost' in France and 'Express Mail Service' (EMS) in international relations, i.e. across frontiers.

The organization of the EMS is based on a number of centres located at major airports. The European, and hence Belgian, centre is situated at Brussels National Airport and the French centre is Paris Orly.

Although this system is proving increasingly efficient for the purposes of long-distance mail, it seems unsuited to the internal needs of a crossfrontier area. For instance, the fact that express mail from Mouscron (Belgium) to Wattrelos (France) transits through Brussels-National Airport and Orly does not exactly make for maximum speed.

Will the Commission provide any information it may have on this subject?

Has this situation caused delays in mail delivery inside the aforementioned European area?

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

(4 February 1991)

Looking at the way in which express mail services operate worldwide, it can be seen that a hub and spoke arrangement has been found to be the most effective way of operating and is the one widely used by companies with the largest share of the market.

This was initially the way in which the major US and Australian companies (TNT, Federal Express, UPS, etc.) operated, followed, after a certain lag, by Unipost, a company that brings together the intra-Community mail services and the international mail departments of the postal administrations which are most advanced at world level (CEPT + USA + Canada + Japan + Australia). The European headquarters of Unipost is at Zaventem.

Where hubs already existed beforehand, normally in large countries, for the routing of domestic mail, one of these hubs had to be chosen as an international liaison point.

Apart from the basic requirement that postal operators must be flexibly organized and properly managed, the profitability of a high-quality international postal service depends on three main factors:

- transportation and handling must take place at night;
- it is necessary to use aircraft;
- the appropriate logistics (hubs) must be available based on airports which are stopping points on major international routes, e.g. Zaventem and Orly.

Handling of the mail (large quantities of small items) requires clear, straightforward organization in which exceptions are kept to an absolute minimum. From this viewpoint, postal operators may take the view that it is incompatible with its overall objectives of giving a high standard of service to provide specific arrangements within a trans-frontier area for the collection and delivery of mail which is only a small part of the total volume to be handled.

As express mail services have, however, been liberalized both in France and Belgium, there is nothing to prevent other operators from offering the service described within the area of Europe concerned if they are able to do so with a higher standard of quality.

WRITTEN QUESTION No 1611/91

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(25 July 1991)

(92/C 112/18)

Subject: Labelling of dangerous chemicals

Can the Commission state the speed of progress being made in the Member States to implement EC regulations on the classification and labelling of dangerous substances?

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

(8 October 1991)

The classification and labelling of dangerous substances is the subject of Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and

labelling of dangerous substances ⁽¹⁾ amended for the sixth time by Directive 79/831/EEC ⁽²⁾.

The application of this Directive has not raised any major problems in the Member States and the Commission has not registered any complaints concerning incorrect application of Council Directive 79/831/EEC.

Directive 67/548/EEC has been the subject of 13 adaptations to technical progress in the form of Commission Directives. Several Member States have found it difficult to keep up to date with these Directives and have sometimes fallen behind with the transposition of certain Directives adapting Directive 79/831/EEC to technical progress. The Commission has issued a reasoned opinion concerning one Member State's failure to communicate national implementing measures for Directive 88/302/EEC ⁽³⁾ and sent a formal notice of complaint to seven Member States concerning failure to communicate national implementing measures for Directive 88/490/EEC ⁽⁴⁾.

The Commission has also referred to the Court of Justice the matter of the partial conformity of the measures transposing Directive 79/831/EEC in two Member States.

In order to achieve more effective application of Directive 79/831/EEC, in January 1991 the Commission sent the Council a proposal amending for the seventh time Directive 67/658/EEC ⁽⁵⁾. The Council adopted a common position on this proposal on 25 July 1991.

⁽¹⁾ OJ No 196, 16. 8. 1967.

⁽²⁾ OJ No L 259, 15. 10. 1979.

⁽³⁾ OJ No L 133, 30. 5. 1988.

⁽⁴⁾ OJ No L 259, 19. 9. 1988.

⁽⁵⁾ OJ No C 33, 13. 2. 1990.

WRITTEN QUESTION No 1621/91

by Mr David Bowe (S)

to the Commission of the European Communities

(25 July 1991)

(92/C 112/19)

Subject: Ports and competition rules

Since the approval by the European Parliament in 1988 of the Carrossino report (A2-251/88) what action has the Commission taken to:

1. ensure that Community ports operate under fair financial circumstances in accordance with the Competition rules of the Treaty of Rome;
2. obtain information on the financial relationship between ports and the relevant public authorities;

3. prevent instances of state aid which would distort competition in this sector of the transport industry?

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

(4 December 1991)

The Commission has prepared a general study of state aids in the port sector. This includes information derived from a survey of financial flows in ports of different institutional organizations. The study was sent to Member States for their comments in May 1989; not all Member States have yet responded. Meanwhile, the Commission services are considering what amendments to the study are needed in the light of the comments that have been received. At the most recent meeting of the EC Port Working Group, in May 1991, the Commission representative indicated that it is intended to carry out in the near future a study of possible measures to improve the transparency of port accounts. Member States are obliged, under Article 93, paragraph 3 of the EEC Treaty, to notify new or amended state aids in the port sector, as in others, to the Commission for examination.

WRITTEN QUESTION No 1636/91

by Mr Willem van Velzen (S)

to the Commission of the European Communities

(25 July 1991)

(92/C 112/20)

Subject: Problems regarding the Dutch old-age pensions law (AOW)

As a result of a 1985 amendment to the AOW in the Netherlands, a woman is not entitled, after the death of her husband, to continued payment of his AOW pension. According to my information, this poses financial problems for a number of German women who were married to Dutchmen and who have themselves never worked and lived in the Netherlands, particularly since it appears that after the death of their husbands they also have no entitlement to an old age pension in the Federal Republic of Germany.

Is the Commission aware of these facts and what action does it intend to take to resolve this problem, which appears to be particularly acute in frontier regions?

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

(25 October 1991)

As the Court of Justice of the European Communities has stressed on several occasions, the aim of Community Regulations on social security for migrant workers ⁽¹⁾ is

not to harmonize the various social security systems in the Member States but to coordinate them. It is therefore up to each Member State to determine the conditions for granting — in this case — widows' or widowers' pensions.

Under current Dutch legislation, widows' pensions are granted only up to the widow's 65th birthday. Under the general old-age pensions law (AOW), women over 65 are entitled to an old-age pension, which — for widows — is calculated and granted not on the basis of the amount and number of contributions paid by the deceased husband, but only on the basis of periods during which they themselves contributed. The only condition for receiving such a pension is that the person concerned must have lived and worked in the Netherlands between her 15th and 65th year.

To facilitate the free movement of workers in the Community, Annex VI to Regulation (EEC) No 1408/71 contains provisions which protect wives who live in another Member State while their husbands are insured in the Netherlands. These provisions allow such women to have periods of residence in another Member State before 2 August 1989 taken into account as periods of insurance under the AOW, provided that they are periods of marriage which coincide with the periods of insurance completed by their husbands. Periods of residence in another Member State after 2 August 1989 may also be taken into account if the wives pay voluntary pension contributions under the AOW.

The Commission takes the view that the Dutch legislation, supplemented by Regulation (EEC) No 1408/71, complies with Community law.

(¹) Regulations (EEC) No 1408/71 and (EEC) No 574/72, OJ No L 230, 22. 8. 1983 (Consolidated texts), as last amended by Regulation (EEC) No 3427/89, OJ No L 331, 16. 11. 1989.

WRITTEN QUESTION No 1647/91

by Mr Christian de la Malene, Mr Pierre Lataillade, Mr Gene Fitzgerald and Mr Carlos Perreau de Pinninck Domenech (RDE)

to the Commission of the European Communities

(25 July 1991)

(92/C 112/21)

Subject: Differences of opinion on Economic and Monetary Union at the meeting of the 12 Ministers of Finance on 25 and 26 February 1991 in Brussels

The third ministerial meeting on EMU held in Brussels between the Finance Ministers of the Twelve was mainly

given over to the economic aspect of the Union, which is the most important for the present given that the first phase of economic and monetary union should produce a sufficient level of convergence between the economic policies of the Twelve before moving on to the second phase, due to begin on 1 January 1994, when the emphasis will switch to the monetary aspects.

1. An advanced level of convergence between the Member States' economies remains the essential condition of any further progress towards monetary union. Will the Commission outline the main practical measures it proposes to take (commitments by Member States, constraints, supervisory measures and possible sanctions) fully to promote a global and coherent policy of economic convergence between the Member States?
2. Does it not consider that the transition to the second phase of EMU is of academic interest until a sufficient level of convergence between the economies of the Twelve has been achieved?

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

(22 November 1991)

1. The Commission has always stressed that the success of economic and monetary union is intimately related to the progress made in convergence. For instance, building on the revised convergence Decision 90/141/EEC (¹), the Commission proposed in its document of 21 August 1990 on economic and monetary union that Member States would present medium-term strategies in cases where convergence is jeopardized in the transition to the final stage of EMU. The importance of these multiannual convergence programmes was recognized by the European Council in Luxembourg in June 1991, and the Ecofin Council of July 1991 agreed subsequently, in the framework of multilateral surveillance, to ask Member States to develop, where necessary, and communicate to the Community partners medium-term adjustment programmes.

2. There is now large agreement that the second stage of economic and monetary union should begin on 1 January 1994, and that, before that date, Member States, if necessary and as soon as possible, should present multiannual programmes with a view of obtaining lasting progress in convergence. This provides, together with an assessment by the Council of the progress made in convergence until then, a sufficiently strong mechanism to start the second stage with all Member States.

(¹) OJ No L 78, 24. 3. 1990.

WRITTEN QUESTION No 1665/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(6 August 1991)
 (92/C 112/22)

Subject: The development of paper manufacturing by 'neutral process' in the EC

The paper industry has for decades used acid treatment and washing techniques in paper manufacturing. For reasons of geographical location, technical progress and environmental demands, the acid technique is being progressively abandoned in favour of neutral or 'basic' treatments of pulp and paper. The development of paper manufacturing by 'neutral process' is a necessary condition for the development of the production of 'permanent paper'. What is the situation as regards production in this field in the EC and what measures is the European Commission considering to promote the development of paper manufacturing by 'neutral process'?

WRITTEN QUESTION No 1666/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(6 August 1991)
 (92/C 112/23)

Subject: Estimate of the number of books published in the EC on permanent paper

As the use of permanent paper in European Community countries appears limited, reliable statistics from public and private sector bodies on current production of permanent paper would be welcome. Could the European Commission provide any relevant estimates or figures? What percentage of books published in the EC are printed on permanent paper?

Joint answer to Written Questions Nos 1665/91
and 1666/91
given by Mr Bangemann
on behalf of the Commission
 (4 February 1992)

According to FAO and CEPAC the production of woodfree printing and writing paper in the EC was about 5,1 million tonnes in 1989 ⁽¹⁾. As far as 'permanent paper' is concerned there is no generally accepted definition but work is in progress in TC 172 of the European Committee for Standardization (CEN). For this reason there are no reliable statistics available for paper production in neutral or alkaline conditions. For the same reason, there are no

statistics available for the number of books printed on 'permanent paper'. However, there is a worldwide trend towards the production of writing and printing paper in the neutral or alkali pH range. This process allows the use of less-expensive mineral loadings for the sizing of paper and facilitates effluent treatment.

Within the framework of the research and technological development activities of the Community, pulp and paper manufacturing processes are included in the proposal for a specific programme for R&TD in the field of agriculture and agro-industry, including fisheries ⁽²⁾, (1990-1994) which will allow the continuation of research and technological development activities for improving paper manufacture in neutral or alkali conditions.

On a different tack, the Commission raised the question of permanent paper in its communication 'Books and reading: a cultural challenge for Europe' ⁽³⁾.

In keeping with the resolution of the Council and the Ministers responsible for cultural affairs concerning the promotion of books and reading ⁽⁴⁾, the Commission intends to examine this question in greater depth in the coming months, in cooperation with the Member States.

⁽¹⁾ Sources: FAO. Forest Products Yearbook 1989.

⁽²⁾ Common position of 6 May 1990.

⁽³⁾ COM(89) 258 final.

⁽⁴⁾ OJ No C 183, 20. 7. 1989.

WRITTEN QUESTION No 1667/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(6 August 1991)
 (92/C 112/24)

Subject: Implementation of EEC Directive on cadmium discharges in Spain

Environmental groups in Spain have repeatedly denounced the failure by the Spanish government to comply with Directive 83/513/EEC ⁽¹⁾ of 26 September 1983, concerning the treatment of cadmium discharges. The environmental groups point basically to a lack of monitoring procedures at the point of exit of the waste waters, the absence of cadmium limit values, and the failure to maintain the control methods laid down in the directive and other additional requirements.

What information can the Commission provide on the implementation of the directive on cadmium discharges in Spain?

⁽¹⁾ OJ No L 291, 24. 10. 1983, p. 1.

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

(14 October 1991)

Under the terms of Directive 76/464/EEC ⁽¹⁾ (discharge of dangerous substances into the aquatic environment) the competent authorities in the Member States are responsible for ensuring that all discharges of dangerous substances within List I (Article 3) or List II (Article 7 (2)) are made subject to prior authorization.

Authorizations to discharge must comply with the provisions of the Community directives specifically relating to List I substances and with national programmes to reduce pollution by List II substances (Articles 7 (1) and 7 (3)).

The Commission is still awaiting a reply to the general request for information it addressed to the Spanish authorities. The reply should enable the Commission to assess the overall situation and check whether adequate measures have been or are going to be taken by the local authorities responsible.

⁽¹⁾ OJ No L 129, 18. 5. 1976.

WRITTEN QUESTION No 1689/91

by Mr Francesco Speroni (ARC)

to the Commission of the European Communities

(6 August 1991)

(92/C 112/25)

Subject: Geographically-based discrimination against Community citizens

The Centre of Specialized Studies and Research in Agricultural Economics for the Mezzogiorno, situated at 96, Via Università, Portici, has organized a competition for the award of research and training contracts to young graduates. By virtue of Presidential Decree No 218 of 6 March 1978 candidates must have been born or be resident in southern Italy to be eligible.

Are such requirements compatible with Community law and what measures will be taken to ensure that all Community citizens receive equal treatment, free of geographically-based discrimination such as the above?

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

(14 January 1992)

From the information contained in the Honourable Member's question the Commission would conclude that

the criterion applied by the Centre for Specialized Studies clearly contravenes Article 48 of the EEC Treaty.

The Court of Justice has ruled on many occasions (notably in Case 127/86 Criminal proceedings v. Ledoux [1988] ECR 3741) that Article 48 prohibits discrimination based on residence. Article 1 of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community ⁽¹⁾ similarly stipulates that there must be no discrimination based on place of residence. The Court has further stated that the fact that certain workers who have exercised their right to freedom of movement may derive an advantage from the provision in question can neither eliminate nor compensate for the discrimination thus arising (Case 20/85 Roviello v. Landesversicherungsanstalt Schwaben, [1988] ECR 2805).

It should be noted that a similar form of discrimination, in connection with the free movement of goods, in favour of undertakings established in the Mezzogiorno has already been deemed by the Court to be contrary to Article 30 of the EEC Treaty (Case C-21/88 Du Pont de Nemours Italiana SpA v. Unita sanitaria locale No 2 di Carrera [1990] ECR I-889).

The Commission will consequently be contacting the Italian authorities to ask them to submit their observations on the matter.

⁽¹⁾ OJ No L 257, 19. 10. 1968.

WRITTEN QUESTION No 1691/91

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(6 August 1991)

(92/C 112/26)

Subject: Implementation of the Social Action Programme

On 5 December 1989, the Commission adopted the action programme relating to the implementation of the Community Charter of Basic Social Rights for Workers (COM(89) 568).

1. Can the Commission list all the measures to be taken?
2. Can the Commission say what proposals it has submitted to the Council, giving the COM and (if it exists) SYN reference?
3. What progress has been made in the adoption of the necessary legislation (consideration by Parliament, common position of the Council (possibly) amended Commission proposal)?
4. Can the Commission list the measures already set out in a definitive Council decision?

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

(13 November 1991)

The Commission's staff are currently preparing the first report on the implementation of the Community Charter of the Fundamental Social Rights of Workers and the programme associated with it.

All the information requested by the Honourable Member will be set out in the report, which, once it has been adopted by the Commission, will be sent to the Council, Parliament and the Economic and Social Committee as required by Article 30 of the Charter.

All being well, the report should be finalized by the end of this year.

WRITTEN QUESTION No 1696/91

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(6 August 1991)

(92/C 112/27)

Subject: The confining of the peseta to the narrow band of the European Monetary System

The behaviour of the peseta in the European Monetary System is still causing concern, in particular to Spanish exporters, who feel adversely affected by the overvaluation of the Spanish currency, which undermines their competitiveness on international markets.

For this reason there is talk of confining the peseta to the narrow bank of fluctuation in the European Monetary System in response to the tensions to which international financial flows are subjecting this currency. Can the Commission state its views on the possibility of confining the peseta to the narrow band in the European Monetary System and say what other arguments in favour of action to this effect on the part of the Spanish authorities should be considered?

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

(13 February 1992)

In the light of the Maastricht agreement, the Commission considers that all Member States should participate in the exchange-rate mechanism of the European Monetary System before the start of stage two of EMU, if possible in the narrow fluctuation band. Indeed, the draft Treaty on Economic and Monetary Union states that one of the

criteria for evaluating the degree of convergence reached before the transition to stage three will be compliance for a minimum of at least two years with the normal fluctuation margins in the EMS exchange-rate mechanism, without any devaluation against the currencies of the other Member States. Consequently, since the reports on the degree of convergence reached by each Member State will have to be presented by the end of 1996 at the latest, Member States intending to participate in the final stage of EMU from the very start, without being granted any derogation, will have to comply with the narrow fluctuation band from 1994.

In recent years, the Spanish economy has made remarkable, but still inadequate, progress on the convergence front. The rates of growth of GDP and of investment have been among the highest in the Community, and in 1988 inflation actually fell to 5%. These growth rates have not, however, been matched by productivity gains, and this, coupled with wage rises and increases in the price of services, pushed inflation up to around 7% in 1990 and 6,5% in 1991.

Yet, on the whole the restrictive monetary policy followed did contribute to closer convergence and facilitated the fight against inflation in particular. At the same time, since it was based on higher interest rates and on quantitative control instruments, it also contributed to the strong appreciation of the peseta.

In order to bolster the real catching-up process through better nominal convergence, thereby facilitating progress towards EMU, the Spanish economy must succeed in redressing the deterioration in public finances and reducing the excessively rapid rise in costs. In the event of success, Spain could decide to move quite rapidly to the narrow band of the exchange-rate mechanism, even before the start of stage two of EMU on 1 January 1994.

WRITTEN QUESTION No 1698/91

by Mr Carlos Robles Piquer (PPE)

to the Council of the European Communities

(6 August 1991)

(92/C 112/28)

Subject: The launching of the Euro-Arab University in Granada (Spain)

The Euro-Arab University, based in Granada, Spain, is at last to begin work with a few seminars paid for by Spain, without waiting for funds from the international community and with only one university building, the rector's office, handed over to it by the University of Granada.

The project was backed by a European Parliament resolution in 1984, but has since been plagued by

disagreements which have prevented allocation of the assistance required to establish this meeting-point between two worlds, which need and want to engage in dialogue with each other.

Does the Council consider that there is still time to join in this project which serves the necessary purpose of greater understanding between Arabs and Europeans? What reasons might there be to justify the lack of agreement on the European side?

Answer
(27 March 1992)

The Council has been informed at different times about developments regarding the formation of an Euro-Arab University, but it has no proposal before it on this subject. It should nevertheless be borne in mind that, at its sixth meeting, the General Committee of the Euro-Arab Dialogue adopted in its final communiqué (point 4) the following text:

'The General Committee also requested the Technical Working Committee, where necessary in consultation with the Social and Cultural Working Committee, to study the role and field of activities appropriate to an Euro-Arab University and whether it would be viable, taking account of the financial availabilities identified. The action to be taken would be considered in due course in the light of this study.'

In this context it is envisaged that a meeting of the Presidents, Co-Presidents and Rapporteurs of the Working Committees will take place in Lisbon during the first half of April.

WRITTEN QUESTION No 1703/91
by Mr Juan Bandres Molet (V)
to the Commission of the European Communities
(6 August 1991)
(92/C 112/29)

Subject: Reopening of the Canfranc-Olorón railway line

It would appear that the Commission is willing to cofinance, with ERDF funds and in accordance with the Community INTERREG programme, the building of the Somport tunnel, to link the French region of Midi-Pyrénées to the Spanish region of Aragon by means of a trunk road. The cost will be enormous in both financial (Ptas 18 000 million) and ecological terms.

Since the reopening of the international railway line from Canfranc to Olorón (closed to traffic since 1970) would achieve the Commission's purpose in setting up the INTERREG programme at a lower financial cost and without damaging the environment, has the Commission considered including it among the projects to be financed under the INTERREG programme?

Answer given by Mr Millan
on behalf of the Commission
(14 November 1991)

The Commission does not intend to finance construction of the Somport tunnel under the Interreg initiative. This eventuality did not form part of the draft programme which the national and regional authorities concerned submitted to the Commission.

The Community will, however, support construction of the tunnel as part of its transport policy from the budget article for transport infrastructure projects. The ERDF also financed the feasibility study on the tunnel.

Neither the French nor the Spanish authorities concerned have so far made any comment or submitted any application to the Commission concerning the Canfranc-Olorón railway line.

WRITTEN QUESTION No 1750/91
by Mr Heinz Köhler (S)
to the Commission of the European Communities
(7 August 1991)
(92/C 112/30)

Subject: The status of the German language in the translation services of the European Communities

Frequently, EC documents necessary for legislative purposes are unavailable in German before and even during meetings of EC bodies. Similarly, I frequently receive complaints to the effect that German businessmen and private citizens are not fully apprised of important EC documents since they have not been translated into German and some of the correspondence between the Commission and German-speaking citizens has to be conducted in French or English.

What criteria apply to the recruitment of EC language staff?

Does the establishment plan reflect the fact that 23% of EC citizens have German as their mother tongue?

Is the Commission prepared to make a special effort to step up the recruitment of German-speaking secretarial and translation staff?

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(20 January 1992)**

The clear instructions of the President and the Secretary-General of the Commission are that Community citizens communicating with the Commission in their own language should be answered in the same language, as provided in Regulation No 1.

As regards Commission documents, a distinction must be made between translation and distribution. Flaws in the distribution system can mean that documents are available in, for example, German but do not reach their destination in time. The Commission's practice in its deliberations is to adopt decisions by oral or written procedure only if the relevant documents are presented in at least three official languages, including German.

The staff complement of the Commission's translation service depends basically on the translation workload. Because the need for German language texts has increased steadily over the years, the Commission has taken this into account by giving priority to the German Translation Units in the allocation of staff. As a result, there are now altogether about 160 translators and revisers in Brussels and Luxembourg, the Commission's twin headquarters. In addition, by scheduling its translator competitions carefully, the Commission makes sure that vacant or new posts can be filled without delay.

As part of the recent restructuring of its Translation Service, the Commission has set up a special unit for freelance translation. At the moment, a tendering procedure for the translation of documents into all nine official Community languages is under way. The aim is to conclude framework contracts with individual freelance translators and translation agencies. The Commission hopes this will further improve its capacity to meet the demand for translation.

It is of course the budgetary authority which decides on the number of posts for translators and secretaries. Within the total number allocated to it, the Translation Service can assign posts among the language units at its discretion, and thus take account of language requirements.

There is a severe shortage of secretaries in some translation units, which the Commission is trying to overcome by stepping up the use of word-processing and — so far as the budget allows — by using the services of secretarial agencies.

**WRITTEN QUESTION No 1778/91
by Mr Georgios Romeos (S)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/31)**

Subject: Danger from nuclear power station in Bulgaria

Two of the six nuclear reactors of the Kozloduy power station in northern Bulgaria have recently ceased operating. Experts from the International Atomic Energy Agency sent to examine the situation on the spot discovered design faults, inadequate maintenance and unsuitable operation and safety procedures and called for the provisional shut down of the power station for the purposes of inspection.

Since its continued operation is seriously endangering the Community Member States, will the Commission bring pressure to bear on the Bulgarian Government to shut down the power station and, at the same time take measures, in cooperation with the neighbouring Member States, to assist Bulgaria with its energy supply?

**WRITTEN QUESTION No 1871/91
by Mr Filippos Pierros (PPE)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/32)**

Subject: Cooperation between the Community and Bulgaria on the safety of the nuclear plant at Kozloduy in Bulgaria

At a recent meeting of international experts held on 9 July at the International Atomic Energy Agency in Vienna, Bulgaria announced its intention of closing down its central reactor in Kozloduy, provided that it received financial assistance from the Community to meet its energy shortfall. This nuclear plant, which has extremely serious safety problems, supplies approximately 40% of Bulgaria's electricity requirements.

Energy shortages apart, substantial funding is required for technical improvements to the other reactors and proper staff training. The technical improvements to meet international safety standards will alone cost over DM 2 billion. What financial and other assistance is the Commission willing to provide in cooperation with international energy organizations (International Atomic

Energy Agency, International Energy Agency) to help solve the acute problems facing Bulgaria?

**Joint answer to Written Questions Nos 1778/91
and 1871/91
given by Mr Ripa di Meana
on behalf of the Commission
(7 February 1992)**

On 31 July, Vice-President Andriessen and the Bulgarian Vice-Prime Minister Tomov signed at Brussels the financing agreement concerning aid amounting to ECU 11 500 000 under the PHARE Programme for emergency action relating to the nuclear safety of the Kozloduy power station in Bulgaria.

This is the first phase of a regional programme to assist Central and Eastern European regions in the energy and environment sectors.

This action to assist Bulgaria involves *inter alia* implementation of the most urgent IAEA recommendations and an initial improvement programme prepared by WANO, improvements to the regulations on safety and determination of the means to be used in order to cope with the electricity shortfall resulting from the shutdown of certain reactors.

The Bulgarian Government has stated its willingness to put into effect the recommendations of the team of experts set up under Commission coordination. Units 1 and 2 have already been shut down for the winter period.

**WRITTEN QUESTION No 1827/91
by Mr José Happart (S)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/33)**

Subject: Measures to combat atmospheric pollution

With the approach of the twenty-first century, atmospheric pollution is coming to be considered as a major threat to the environment.

1. What measures does the Commission intend to take to put an end to the public health hazard caused by photochemical oxidants from vehicle exhausts (causing eye and skin irritations, headaches, respiratory problems, etc.)?
2. In the light of available information, can it establish threshold values for ozone concentrations in the atmosphere?

3. How does it monitor the application by Member States of the general standards?

**Answer given by Mr Ripa di Meana
on behalf of the Commission
(9 October 1991)**

At Community level, various measures have been taken or are being prepared to reduce emissions from several sources of photochemical pollutants or their precursors (nitrogen oxides and volatile organic compounds); these measures concern both fixed sources (large combustion installations) and mobile sources (cars/lorries).

Directive 91/441/EEC⁽¹⁾ on measures to be taken against air pollution by emissions from motor vehicles, recently adopted by the Council, provides for a reduction in emissions of several pollutants, particularly those contributing to photochemical pollution. In addition, proposals are being drawn up concerning the reduction of emissions from light commercial vehicles and lorries.

For all these vehicles, further reductions in emission threshold values are now planned.

Commission forecasts indicate that, for the transport sector, the measures taken or planned should lead to a 10% reduction in nitrogen oxides and a 40% reduction in volatile organic compounds by the year 2000 (as against 1985 levels).

As regards the problem of a threshold value for ozone concentrations in the atmosphere, current knowledge enables us to determine the thresholds below which there is no risk to human health or natural ecosystems; however, the phenomena governing the formation, transport and transformation of the photochemical pollutants responsible for ozone formation are so complex that it is impossible to establish a direct link between emission and immission. At present, it is difficult to set a restrictive threshold value which both corresponds to objective criteria and can be reasonably respected in the Member States.

However, with a view to being able to monitor air quality, on 24 June the Commission adopted a proposal for a Directive on air pollution by ozone⁽²⁾; this Directive will ensure that ozone levels are monitored in all Member States. It sets out guide and alarm values which comply with WHO recommendations.

⁽¹⁾ OJ No L 242, 30. 8. 1991.

⁽²⁾ COM(91) 220 final.

WRITTEN QUESTION No 1829/91
by Mr Giuseppe Mottola (PPE)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/34)

Subject: Danger of the citrus fruit fair of Reggio di Calabria losing its 'international' status

The city of Reggio di Calabria has for a long time been the venue for the 'international' citrus fruit fair sponsored by the Ministry of Agriculture and the Ministry of Foreign Affairs. This citrus fruit fair plays a major role in promoting and publicizing not only the citrus fruits of southern Italy but of all Mediterranean countries, thereby stimulating the economic development of this and related sectors and the employment opportunities may offer.

The exhibition is now in danger of losing its international status, since the caretaker management of the current official appointee has deprived it of all dynamism and sense of purpose.

1. Can the Commission take measures to avoid the citrus fruit fair losing its international status and call on the competent bodies to appoint a new committee capable of wielding a new broom and breathing new life into the fair in particular in the citrus fruit sector?
2. Can it ensure that due consideration is given to measures to ensure that the fair regains its international status with the help of the Structural Funds?
3. Can it appoint a group of experts to assess the socio-economic importance of the fair as part of a policy designed to support, upgrade and protect the citrus fruit sector along the whole of the Mediterranean coastline?

Answer given by Mr Dondelinger
on behalf of the Commission
(24 January 1992)

The Commission is well aware of the importance of promotion and publicity measures in the attempt to improve traditional outlets or seek out new markets for agricultural products.

In Calabria, a region already lagging behind in terms of economic development, citrus fruit production is one of

the pillars of the agricultural economy. The Commission therefore feels that a venture like the Reggio di Calabria International Citrus Fruit Fair must not only continue but also be revitalized so that it can make an active contribution to the promotion of agricultural products both inside and outside the Community.

The Commission can assure the Honourable Member that this will be most carefully looked into by the committee responsible for monitoring the region's operational programme.

WRITTEN QUESTION No 1836/91
by Mr Maxime Verhagen (PPE)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/35)

Subject: Tropical rain forests and indigenous peoples of Sarawak

Given that the ITTO mission to Sarawak recommended:

- a significant reduction in logging rates,
- that logging should be interrupted in currently disputed lands until the satisfactory resolution of conflicts,
- the establishment of a permanent mechanism for consultation with indigenous populations affected by logging,

is the European Commission monitoring the implementation by the Sarawak Government of these recommendations, and, if so, could it present the results of its work?

Is the Commission going to act in contradiction to the explicit recommendations of the ITTO, whose work it usually whole-heartedly supports and continue importing hardwoods from Sarawak?

Secondly, at the May part-session in Strasbourg, Commissioner Ripa di Meana spoke of Malaysia's commitment to ITTO to create two reservations for the Penans and to increase the area of protected forests. Has the Malaysian Government done this? What measures have been decided to make sure it fulfils its obligations if nothing has been done?

What progress has been made about the creation of biospheres promised by the Malaysian Government?

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

(22 January 1992)

At the tenth meeting of the ITTO Council, held in Quito in June 1991, the Commission made an official request on behalf of the Community for information on the progress of measures taken by the Malaysian authorities in Sarawak, in the spirit of the recommendations made by the ITTO international mission.

In reply, the Malaysian delegation confirmed that:

1. the Sarawak forestry department is about to recruit a number of new members of staff, a process which should be completed by the end of the year. According to information obtained by a Commission team visiting Sarawak at the beginning of October last year, the new appointees should number around 400, which will increase the existing staff by nearly one third.
2. National parks and nature reserves have been established in Sarawak and others are planned. According to information obtained on the spot, the fully protected areas at present extend to 280 000 hectares (105 000 hectares of national parks and 175 000 hectares of nature reserves). Eight new national parks covering a total area of 580 000 hectares are planned, together with six new nature reserves extending to nearly 140 000 hectares.

Information on the scale of logging operations is unclear. At the ITTO Council meeting it was claimed in some quarters that the trend is sharply upward. According to official information supplied on the spot, current total logging production in Sarawak stands at nearly 19 million m³, of which nearly 16 million m³ is exported, mainly to Japan (45%) and Taiwan (20%). The Community does not import logs from Sarawak. Between now and 1995, average yearly production in Sarawak should be 12 million m³, falling to 10 million m³ between 1995 and 2000, which would bring it close to the level regarded as sustainable by the ITTO (some 9 million m³).

At the meeting in Quito, the Malaysian representatives were at pains to point out that the current production level reflects a temporary phenomenon, since some of the timber being harvested comes from forest areas which are earmarked for conversion to farming use. The Community requested speedy clarification on this point, referring in this connection to the forthcoming ITTO Council meeting to be held at the end of November this year.

Lastly, the ITTO has never adopted decisions nor made recommendations to its members calling on them to

refrain, from importing timber from Malaysia, and such a practice would in any case be contrary to the aims of the International Agreement.

**WRITTEN QUESTION No 1857/91
given by Mr Gerardo Fernández-Albor (PPE)
to the Commission of the European Communities**

(1 September 1991)

(92/C 112/36)

Subject: Community legislation on use of catalytic converters

In certain Community countries, the catalytic converter — which began as a 'cure-all' which was to eliminate a large proportion of the polluting elements produced by motor vehicles — is scarcely in use, largely due to the lack of interest on the part of the national governments, who give very little support to those users who are aware of the benefits of catalytic converters.

This lack of interest also means that no even remotely comprehensive network has been established for the distribution of fuel for this type of vehicle.

In view of this neglect, of which certain Community countries are guilty, can the Commission say which Community regulations deal with the use of catalytic converters, and what powers it possesses to enforce these regulations so that citizens may be protected from the pollution which is poisoning them, especially in the big cities?

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

(23 October 1991)

Aware of the problems to which the Honourable Member refers, the Commission presented, in February 1990, a proposal for a Directive which lays down stringent limit values for pollutants emitted by motor vehicles; in order to meet the requirements of the Directive, industry will have to equip cars with regulated three-way catalytic converters representing the best available technology.

The Council adopted this Directive (91/441/EEC) on 26 June 1991⁽¹⁾. It enters into force on 1 January 1992; its provisions relating to component type approval become mandatory on 1 July; those relating to the registration of new cars become mandatory on 31 December 1992.

⁽¹⁾ OJ No L 242, 30. 8. 1991.

WRITTEN QUESTION No 1873/91

by Mr Thomas Megahy (S)
to the Commission of the European Communities
(1 September 1991)
(92/C 112/37)

Subject: Construction of railway track in EC countries

Could the Commission list for all EC countries the number of miles of new publicly-funded main-line railway track constructed over the last 10 years and the number of miles of such track

1. actually under construction and
2. planned?

**Answer given by Mr Van Miert
on behalf of the Commission**
(5 December 1991)

In accordance with the Council resolution of 4 and 5 December 1989 ⁽¹⁾, the Member States have supplied the Commission with information on projects of Community interest and programmes prepared by them for the development of railway infrastructures.

The table below shows the number of kilometres of new lines either built, under construction or planned per country. Since some of the routes have not yet been settled, the number of kilometres of future new lines is approximate.

(kilometres)

Member State	Construction of new lines		
	completed	in progress	planned
Belgium	—	—	155
Denmark	—	—	—
Germany	410	—	282
Greece	—	—	360
Spain	—	471	917
France	707	560	3 440
Ireland	—	—	—
Italy	248	—	1 078
Luxembourg	—	—	—
Netherlands	—	—	85
Portugal	—	—	512
United Kingdom	—	—	113

⁽¹⁾ OJ No C 34, 14. 2. 1990.

WRITTEN QUESTION No 1900/91

by Mr Miguel Arias Cañete (PPE), Lord Bethell (ED), Mr Elmar Brok (PPE), Sir Fred Catherwood (ED), Mr Patrick Cox (LDR), Mr Willy De Clercq (LDR), Mr Gijs de Vries (LDR), Mr James Elles (ED), Mr Ingo Friedrich (PPE), Mr Klaus Hänsch (S), Mr Geoffrey Hoon (S), Mr Alan Lamassoure (LDR), Mr Manuel Medina Ortega (S), Mr Hemmo Muntingh (S), Mr Luis Planas Puchades (S), Lord Plumb (ED), Mr Hans-Gert Poettering (PPE), Mr Manuel Porto (LDR), Mr Dieter Rogalla (S), Mr Leo Tindemans (PPE), Mr John Tomlinson (S), Mr Michael Welsh (ED), Mr Karl von Wogau (PPE) and Mr Eisso Woltjer (S)

to the Commission of the European Communities
(2 September 1991)
(92/C 112/38)

Subject: Development of US/EC relations

How does the Commission consider that the US/EEC relationship 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 agreed between the EC and the US, imply that there will be closer cooperation between the US and the EC in new sectors?

Does the Commission believe that closer relationships will lead to the institutionalization of the US/EC relationship 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 given by Mr Andriessen
on behalf of the Commission**
(12 February 1992)

1. Over the past two years there has been an important change in the relationship between the European Community and the United States. This has been spurred on by the recognition within the US Administration of growing world interdependence, by developments in Eastern and Central Europe and the USSR, as well as by the progress of economic integration in the EC and its developing identity in the sphere of foreign policy.
2. The strengthening of the relationship has been marked by the adoption on 23 November 1990 of the EC/US Transatlantic Declaration.

The Declaration delineates the common goals and principles shared by the Community and the United States and sets forth the basis for ongoing bilateral cooperation. It contains commitments for both sides to consult with and inform each other on important political

and economic matters of common interest, to cooperate closely in appropriate international bodies, and to support the GATT and the OECD. They also agreed to further develop the already active and wide-ranging dialogue on matters involving trade and investment, and to strengthen scientific, educational and cultural cooperation. Moreover, both sides agreed to join forces in combating terrorism, drug abuse and trafficking, international crime, and the proliferation of nuclear, chemical and biological weapons and missile technology. Finally, they are committed to protecting the environment.

The Declaration sets out an institutional framework for regular consultations in fields of common interest, in particular through biannual consultations between the US President and the Presidents of the EC Council and Commission. The second meeting of this sort took place between President Bush, President Delors and Prime Minister Lubbers on 9 November in the Hague. In addition, biannual meetings between the EC Foreign Ministers, the Commission and the US Secretary of State are foreseen as well as biannual Commission-US consultations at cabinet level, and ad hoc consultations at ministerial level.

3. As regards the last question concerning the CSCE, it is clear that the Community has an important role to play in the process of reinforcing peace and security in Europe through confidence-building mechanisms and pacific resolution of conflicts, especially at a time when the security situation in Europe is undergoing radical change. The Community believes that the CSCE, in which the United States is one of the major actors, is an appropriate forum for this process. A close cooperation between the two parties is all the more valuable since the goals of a democratic architecture in Europe are common to both the Community and the US. The CSCE is therefore explicitly mentioned in this context in the preamble of the Transatlantic Declaration.

WRITTEN QUESTION No 1926/91
by Mr Gérard Monnier-Besombes (V)
to the Commission of the European Communities
 (2 September 1991)
 (92/C 112/39)

Subject: Planned industrial incinerator at Fos-sur-Mer, Bouches-du-Rhône, France

There are plans to construct an industrial incinerator at Fos-sur-Mer that will deal with tens of thousands of tonnes of chemical products each year.

Although the proposed incinerator appears to comply with European standards, can the Commission state whether:

1. In its view it is acceptable to locate such a large plant in an area where there have already been many incidents of air pollution exceeding European norms?
2. In view of the developers's desire to make the plant cost-effective by importing waste from other Member States or neighbouring countries (Switzerland, etc.) the principle of treating waste locally in order to avoid transport risks is being complied with?
3. The measures to reduce the risks to local people and the environment are satisfactory or should be improved?

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

(10 October 1991)

1. Of the various pollutants discharged into the atmosphere by incineration plants only sulphur dioxide, suspended particulates and lead are currently covered by the 'air quality' directives.

In pursuance of Article 3 (2) of Directive 80/779/EEC (1) (SO₂-suspended particulates) France informed the Commission that the region of Fos-Etang de Berre was an area where the limit values of the Directive were likely to be exceeded.

Since the Directive entered into force, the parts of this region where there is a risk of limit values being exceeded have gradually reduced in size. In 1987-88 there were only two instances of SO₂ levels exceeding the 98 percentile established in the Directive; at the end of 1988-89 the Port-de-Bouc region remained the only area concerned; no instances of limit values being exceeded were recorded during this period.

For lead no instance of the limit value being exceeded was reported.

Under the terms of the Directive, only instances where limit values have been exceeded must be officially notified to the Commission; the information available is therefore very incomplete and it is difficult to draw an overall conclusion on this basis. However, the Commission believes that it is particularly important to analyse the impact of pollutants on air quality, especially since the provisions of the Directive concern only improvement plans and do not apply to new industries. In the case in question, it is essential to check that the pressure which may result does not reverse the trend towards improvement observed during the last few years.

2. Directive 84/631/EEC (2) on the supervision and control of the transfrontier shipment of hazardous waste

provides for a control procedure which requires the prior agreement of the authorities dispatching the waste and the Member State of destination before a shipment may be executed. This Directive thus gives the authorities the means to control the potential impact on the environment of proposed shipments of waste. Concrete application of the principle of proximity laid down in Directive 91/156/EEC amending Directive 75/442/EEC on waste will be ensured by the provisions of the regulation on the supervision and control of shipments of waste within, into and out of the Community⁽²⁾ which is now being discussed in Parliament and the Council.

3. As regards the risks to local people, Article 4 of the aforementioned Directive on waste obliges the authorities to ensure that waste is disposed of without endangering public health or the environment. More detailed provisions will be set out in the Commission proposal for a Directive laying down standards for hazardous waste incineration plants, which is currently being drawn up.

⁽¹⁾ OJ No L 229, 30. 8. 1980.

⁽²⁾ OJ No L 326, 13. 12. 1984.

⁽³⁾ COM(90) 415 final.

Clearly, transfrontier transactions of this type will increase. None the less, cases of certain firms acting against consumers' interests, particularly with raffles or lotteries offering prizes which are never in fact awarded, have been brought to the Commission's attention.

Naturally, Council Directive 84/450/EEC of 10 September 1984⁽¹⁾ and the corresponding national legislation should provide a means of combating misleading advertising.

Nevertheless, difficulties have emerged, particularly when the advertiser exercises no activities in the country in which the firm is established.

The Commission departments concerned have therefore already had reason to consider solutions which will strengthen consumer confidence and keep transactions fair.

As announced in the three-year action plan of consumer policy in the EEC, the Commission is drafting a proposal for a Directive on distance selling, in which it has taken full account of the practices mentioned by the Honourable Member.

⁽¹⁾ OJ No L 250, 19. 9. 1984.

WRITTEN QUESTION No 1930/91

by Mr Thomas Megahy (S)

to the Commission of the European Communities

(2 September 1991)

(92/C 112/40)

Subject: Legislation regulating the activities of genuine lotteries

Recent years have seen the development of a sales technique in which a bogus raffle or prize draw is used as a means of selling cheap merchandise. This has now begun to transcend frontier, with individuals in the UK receiving such material from companies in other Member States. Does the Commission plan to propose legislation regulating the activities of genuine lotteries so as to eliminate these dishonest selling methods?

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

(4 October 1991)

As the Honourable Member points out, sales techniques are accompanying the free movement of goods and, in the process, helping to complete the internal market.

As a result, many offers or advertisements are directed at consumers living in a Member State other than that in which the firm selling the goods is established.

WRITTEN QUESTION No 1941/91

by Mr Gérard Monnier-Besombes (V)

to the Commission of the European Communities

(2 September 1991)

(92/C 112/41)

Subject: Compliance with the Directive on toxic and dangerous waste

Will the Commission indicate whether it considers that the undertakings producing toxic waste located in the Department of Bouches-du-Rhône (France) comply with Directive 78/319/EEC⁽¹⁾?

If so, can it state, on the basis of the waste production returns by the undertakings there, what quantities are involved, giving the names of the undertakings concerned?

If not, what action does it intend to take to ensure compliance with this Directive?

⁽¹⁾ OJ No L 84, 31. 3. 1978, p. 43.

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

(7 October 1991)

The Commission does not receive information concerning compliance with Directive 78/319/EEC by

individual undertakings. Under the terms of the directive in question, the task of monitoring compliance with its provisions is left to the competent authorities appointed by the Member States. Similarly, it has no information on the production of waste by individual undertakings. The information required in accordance with Article 14 of the directive must be supplied on request to the competent authorities, which are merely obliged to present the Commission with a summary report. The Commission has not received any information relating specifically to the region referred to by the Honourable Member.

WRITTEN QUESTION No 1944/91

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(2 September 1991)

(92/C 112/42)

Subject: Aquaculture and its effects

With regard to Written Question No 87/90 (1) and the Commission's answer of 2 February 1990, can the Commission say to what extent the effects on the incomes of traditional inshore fishermen (as opposed to offshore fishermen) were assessed before the project was carried out and whether any studies were carried out afterwards? If so what were the findings?

(1) OJ No C 136, 27. 5. 1991, p. 1.

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

(5 November 1991)

The Commission does not possess any particular studies at the moment on the subject referred to by the Honourable Member. Nevertheless, on the basis of the incomplete information at its disposal, the Commission is of the opinion that the impact of aquaculture on the revenue of traditional fishermen is not significant, even though there are cases where traditional fishermen have voluntarily changed over to aquaculture.

WRITTEN QUESTION No 1960/91

by Mr Anthony Simpson (ED)

to the Commission of the European Communities

(15 September 1991)

(92/C 112/43)

Subject: Furniture fire safety Directive — to be or not to be?

In view of the urgency for the European furniture industry to have common standards of fire safety, will the

Commission state what plans it has to introduce a new draft Directive (or to amend the original draft Directive) to achieve this goal?

Will the Commission accept the existing United Kingdom standards as providing adequate protection and ensure that any future Community standard achieves this high level of protection?

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

(1 October 1991)

In its press statement of 3 July 1991, the Commission indicated the steps which it intends to take in order to propose common essential requirements as soon as possible, to achieve a high standard of health and safety, to overcome obstacles to trade within the single market caused by disparate national regulations and to prevent further fragmentation of the market.

The existing United Kingdom legislation foresees a series of ignitability tests in order to eliminate from the market materials which are considered dangerous. The new approach on harmonization of legislation implies that the fire behaviour tests are applied not to separate materials but to the compound made of fillings and cover.

In spite of this difference, the essential requirements of any draft directive on this matter will ensure a high level of protection for consumers.

WRITTEN QUESTION No 1966/91

by Mr Wilfried Telkämper (V)

to the Commission of the European Communities

(15 September 1991)

(92/C 112/44)

Subject: Transposition into German law of the EIA Directive

This question refers to Appeal No 1011/90 by W. Mecklenburg (lodged with the Commission on 23 July 1990). Pursuant to Articles 2 and 4 (2) of the EIA Directive (85/337/EEC) (1), Member States must define the projects in the classes listed in Annex II to that directive which require an environmental impact assessment (EIA). The German Government has not established criteria or thresholds for defining roads in Annex II which are neither expressways nor motorways; it has merely ruled that an EIA is obligatory for all main roads, for the construction of which the Federal authorities are responsible. The characteristics of a main road are, therefore, such that an EIA is required. EIAs

have not yet been made obligatory for roads which are the responsibility of subordinate territorial authorities (rural roads etc.). A threshold for obligatory EIAs for roads in Annex II of the Directive is implicitly introduced in the form of the minimum development standard of a main road.

1. Pending an explicit definition of the classes of roads in Annex II for which an EIA is obligatory, should this implied threshold be used as the threshold pursuant to Article 4 (2) of the Directive for obligatory EIAs for road construction projects which are the responsibility of subordinate territorial authorities?
2. Is an EIA pursuant to the Directive therefore obligatory for a road of the same standard as a Federal road (given that the Federal government has ruled that roads of that type require an EIA):
 - (a) following expiry of the deadline for transposing the Directive (3 July 1988), or
 - (b) following adoption of the EIA Act by the German Bundestag on 16 November 1989, or
 - (c) following the entry into force of the EIA Act on 1 August 1990?

(¹) OJ No L 175, 5. 7. 1985, p. 40.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**
(7 November 1991)

Directive 85/337/EEC entered into force on 3 July 1988. Article 2 thereof states that authorization of the projects listed in Annexes I and II is subject to an environmental impact assessment. This must be carried out in the case of all the projects listed in Annex I, and of those projects in Annex II which are likely to have significant effects on the environment by virtue of their nature, size or location.

The requirement contained in Article 2 applies to all competent authorities, including regional and local authorities. Any Annex II project likely to have significant effects on the environment must be the subject of an environmental impact assessment.

In the case of the projects listed under Annex I (including motorways and express roads), these assessments have been compulsory since the entry into force of the Directive.

As regards Annex II projects, there is no automatic requirement, as the Directive has no direct effect in this regard. However, all the authorities in the Member States are obliged since 3 July 1988 to ensure that the provisions

of Directive 85/337/EEC are complied with. This includes the obligation to carry out an environmental impact assessment where Article 2 so requires.

WRITTEN QUESTION No 1967/91
by Mr Wilfried Telkämper (V)
to the Commission of the European Communities
(15 September 1991)
(92/C 112/45)

Subject: The definition of expressways with regard to the EIA Directive

This question refers to Appeal No 1011/90 by W. Mecklenburg (lodged with the Commission on 23 July 1990) and concerns technical issues in connection with the transposition into German law by the Bundestag of the EIA directive; these issues came to light in the context of the abovementioned Appeal.

The technical terms used below are taken from German road construction directive RAS-Q = 'Richtlinien für die Anlage von Strassen, Teil: Querschnitte' (Directives for road construction: cross-sections), published by Forschungsgesellschaft für Strassen- und Verkehrswesen (FGSV), Cologne 1982.

Is the Pinneberg western by-pass — a road in category AIII of design speed $V_e = 80$ km/h and in category BIII of design speed $V_e = 60$ km/h and normal cross-section RQ10/d2, accompanied over its entire length by a cycle track/footpath, with signal-controlled crossings at grade and a railway crossing — an expressway within the meaning of the EC Directive on EIAs?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**
(14 October 1991)

Directive 85/337/EEC (¹) requires an environmental impact study to be carried out for express roads. The latter are defined in accordance with the European Agreement of 15 November 1975 on main international traffic arteries. This agreement provides *inter alia* that express roads shall be reserved for motor vehicles only. According to the information provided by the German authorities, the Pinneberg by-pass is not reserved for motor vehicles only. Therefore it is not an express road within the meaning of Directive 85/337/EEC.

(¹) OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 1971/91

by Mr Elio Di Rupo (S)

to the Commission of the European Communities

(15 September 1991)

(92/C 112/46)

Subject: Tax payable by Belgians living abroad

In accordance with a Franco-Belgian convention of 1964, Belgian taxpayers working in France can pay their tax in Belgium, thereby avoiding double taxation.

On 22 December 1989 the Belgian Parliament passed an Act, the fiscal provisions of which would deprive Belgian taxpayers of a number of advantages (e.g. separate taxation of married persons, personal tax allowance, dependent children's allowance, tax deductibility for mortgages etc.). Some people have already worked out that these measures would cost them an additional Bfrs 100 000 in tax in 1991.

Assuming that these facts are true, what is the Commission's opinion? Does it believe this Belgian law is compatible with the Treaty of Rome?

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

(11 December 1991)

In order to avoid double taxation in Belgium and France, Article 11 (1) of the 1964 Convention lays down that wages, salaries and other similar remuneration are taxable only in the Contracting State on whose territory the personal activity giving rise to such income is pursued. However, paragraph 2c of that Article lays down that frontier workers holding a frontier worker's card attesting to such status may be taxed only in the Contracting State in which they have their place of residence.

The Commission assumes that the Honourable Member is referring to such frontier workers in his question. In view of the fact that such persons have their residence for tax purposes in Belgium, the provisions of the Law of 22 December 1989 referred to in the Written Question concern non-residents only and consequently, in the Commission's opinion, do not affect the tax status of the frontier workers in question.

As regards the compatibility of the Belgian Law of 22 December 1989 with the Treaty of Rome, the Commission would point out that the Court of Justice of the European Communities is currently examining several cases concerning the taxation of certain incomes obtained by non-residents in a Member State other than that in

which they reside. The Commission will take the necessary measures in the light of the Court's rulings in these cases.

WRITTEN QUESTION No 1990/91

by Mr Alf Lomas (S)

to the Commission of the European Communities

(15 September 1991)

(92/C 112/47)

Subject: Deprived housing estates in London

I tabled a question in July 1988 (H-392/88) (1) asking whether there was any way that the European Community could assist in the refurbishment of housing estates in my constituency, the East End of London, many of which are virtually uninhabitable.

The reply stated that the Community was concerned with finding solutions to urban problems, and that:

1. studies had been carried out into urban decline and urban growth and into ways of assessing the social problems in the Community's crisis-hit urban areas;
2. the second anti-poverty programme basically concerns the urban environment and also affects certain parts of the East End of London and there was a possibility that the Council would decide on new, wider-ranging action on the basis of the report on the implementation of the second anti-poverty programme;
3. the regulation on the reform of the structural Funds (No 2052/88) (2) adopted by the Council on 24 June 1988 stipulated that Community operations under Objective 2 may *inter alia* concern urban communities to be identified on the basis of the criteria laid down in the regulation.

What is the current position with regard to the above solutions, and what action is being taken to assist those living on deprived estates in London?

(1) European Parliament debates No 2-369 (October 1988).

(2) OJ No L 185, 15. 7. 1988, p. 9.

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

(13 November 1991)

1. The Commission is aware of the concentration of social problems in some urban areas. Within the general framework of its initiatives to combat social exclusion, it

has launched in 1990 an exploratory working group on employment, housing, integration and urban development and developed through various seminars and conferences a wide concertation with a number of key-actors in this area. However, it has not, at this stage, the competences and the resources which could allow an ambitious intervention specifically devoted to housing and urban problems.

2. The Community supports a limited number of local projects within the framework of its third poverty programme (Community programme to foster the economic and social integration of the least privileged groups⁽¹⁾). Planned for a duration of five years (1989-1994), this programme extends and builds on the work already carried out during the previous first and second European poverty programmes (1975-1980; 1984-1989). Its budget is of ECU 53 million for the duration of the programme. Most of the projects are located in urban areas and designed to implement integration of economic and social development.

However, there is no project in London relevant to this programme.

3. As far as structural Funds are concerned, the Commission has launched a series of urban pilot projects under Article 10 of Regulation (EEC) No 4254/88⁽²⁾ to explore new paths to assist in the implementation of Community policies. Included in this series of pilot projects is action to enhance economic opportunities in public sector housing estates in London and Marseille. The London pilot project covers areas to the east and south of the city namely Brixton, Tower Hamlets, Deptford, Finsbury Park, Hackney, Kings Cross and Southwark.

Moreover, the Commission has proposed in the framework of the intergovernmental conferences to extend the objective 2 eligible regions to urban areas in decline which could allow further action to those described above.

⁽¹⁾ Council Decision 89/457/EEC of 18 July 1989 (OJ No L 224, 2. 8. 1989).

⁽²⁾ OJ No L 374, 31. 12. 1988.

WRITTEN QUESTION No 1991/91
by Mr Dieter Rogalla (S)
to the Commission of the European Communities
(15 September 1991)
(92/C 112/48)

Subject: Controls at internal and external frontiers

1. What does the Commission have to report on the question of controls and crossings at internal or external frontiers during the recent holiday season?
2. What are the figures for the numbers of tourists?

3. What complaints and criticisms have the Commission and the Member States received?

4. What conclusions does the Commission draw from the above?

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

(4 February 1992)

The Commission would refer the Honourable Member to the reply to his Oral Question H-827/91, which it gave during question time at Parliament's part-session from 9 to 13 September 1991⁽¹⁾.

The following additional information can now be provided.

The draft Convention on the crossing of external borders, referred to in the Community action plan to assist tourism⁽²⁾, provides for mutual recognition of national visas subject to certain conditions and, in the long term, for a common form for visas. This will enable third-country nationals to move around within the Community with much greater ease.

Following the Council Decision of 17 December 1990, a two-year programme for developing Community tourism statistics has been launched in response to requests from the Member States and from the industry itself. Close cooperation between Member States will, of course, be an essential feature of this programme.

⁽¹⁾ Debates of the European Parliament No 3-408 (September 1991).

⁽²⁾ COM(91) 97 final.

WRITTEN QUESTION No 2005/91
by Mr Thomas Maher (LDR)
to the Commission of the European Communities
(23 September 1991)
(92/C 112/49)

Subject: Study on part-time farming

In my report (A2-146/89)⁽¹⁾, which was adopted by the European Parliament, I called on the Commission to carry out a study on part-time farming in the Community.

Can the Commission say if this study is near completion.

⁽¹⁾ OJ No C 158, 26. 6. 1989, p. 373.

**Answer given by Mr Mac Sharry
on behalf of the Commission**
(29 November 1991)

A research project on rural change in Europe covering 24 European regions is being carried out on behalf of the Commission. Among the policy issues addressed in the intermediate report submitted in December 1990 were

- the potential for solving problems of low and falling farm incomes through the stimulation of farm household pluriactivity; and
- the development of a typology of pluriactivity which will help with the formulation and execution of Community policies concerning farm household incomes.

The final report is expected to be presented to the Commission in June 1992.

The Commission is also carrying out a study on how best to extend the coverage of the farm accountancy data network to provide more information on part-time farming. This study should also be completed in 1992.

Additional statistical information on the importance of part-time farming and of farmers' other gainful activity outside agriculture will be available after the results of the Community farm structure surveys (carried out between 1988 and 1991) have been analysed. In parallel, Eurostat is collecting statistical information on the total income of agricultural households and their composition, as well as on agricultural income of non-agricultural households.

WRITTEN QUESTION No 2039/91

by Mrs Anita Pollack (S)
to the Commission of the European Communities
(23 September 1991)
(92/C 112/50)

Subject: Employment creation from environmental projects

1. Does the Commission agree there is broad scope for job creation from a range of environmental projects such as house insulation?
2. Are any Social Fund schemes based on environmental projects and if so, where?

**Answer given by Mrs Papandreu
on behalf of the Commission**
(25 November 1991)

1. The Commission shares the Honourable Member's view that environmental projects offer good scope for the creation of jobs.

2. Since there is no specific reference to the environment in the guidelines for the operations of the European Social Fund (ESF), there is no environmental element in the Community Support Frameworks for Objectives 3 and 4, which fall within the competence of the ESF.

Nevertheless, this does not exclude the possibility of operations financed by the ESF having a direct or indirect link with the environment, in particular operational programmes relating to Objectives 1, 2 and 5 (b) and the Community initiative Envireg⁽¹⁾.

⁽¹⁾ OJ No C 115, 9. 5. 1990.

WRITTEN QUESTION No 2046/91

by Mrs Anita Pollack (S)
to the Commission of the European Communities
(23 September 1991)
(92/C 112/51)

Subject: Fur trapping

Could the Environment Commissioner advise whether Council Directive 86/609/EEC⁽¹⁾ of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes would permit the use of animals in humane trap development research and if so under what basis?

⁽¹⁾ OJ No L 358, 18. 12. 1986, p. 1.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**
(28 January 1992)

Article 7 (1) of Directive 86/609/EEC on the protection of animals used for experimental purposes states under what conditions an experiment may take place. Provision is made for three typical instances:

'Experiments shall be performed solely

1. by competent authorized persons (by the competent national authority), or
2. under the direct responsibility of such a person, or
3. if the experimental or other scientific project concerned is authorized in accordance with the provisions of national legislation'.

It should therefore be the competent national authority which authorizes, or not, any experiments aimed at developing more 'humane' traps. Any such authority will naturally check in advance whether (Article 7 (2)) another scientifically satisfactory method of obtaining the result sought, not entailing the use of an animal, is reasonably and practicably available. Where this is so no experiment involving the use of animals can be authorized.

Moreover where any such experiment is authorized all of the provisions of the directive aimed at minimizing distress to animals shall naturally be implemented.

WRITTEN QUESTION No 2047/91

by Mr James Ford (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/52)

Subject: Harmonization of recognition of fitness to work and the definition of 'disabled'

Will the Commission say how, if an internal market for labour is to be achieved under the completion of the SEA, it proposes to legislate for nationals with medical conditions which render them incapable for work and who may be eligible for disability benefit in one Member State, but may be considered *de facto* fit to work in another State?

Will the Commission make its statement in the light of what evidence it has in the specific instances of state attitudes to epilepsy, and to drug dependency induced by negligence or over-prescription (e.g. tranquillizers), and to ME, in each of the Twelve.

In this context, does the Commission intend to harmonize guidelines in each Member State for dealing with state support of individuals who offer themselves for work but due to prejudice are deemed unemployable, and conversely those who seek benefit because they cannot work because of a condition which is not recognized (in that Member State) as a disability?

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

(16 December 1991)

A definition of disability can be found in the World Health Organization's international classification of impairments, disabilities and handicaps. This has been taken over for the Helios II programme (1992-1996).

The classification is now being used by a growing number of Member States. It makes it possible to include all disabled people, whether their disability is physical, mental or chronic.

The conditions for recognition as a 'disabled person' vary from one Member State to another and within a given Member State the definition can vary depending on the type of benefit. Thus the notion of disability is interpreted differently with reference to capacity to work, transport, financial resources and so on.

The Commission has no plans for legislation in the area referred to by the Honourable Member.

As it made quite clear in the action programme relating to implementation of the Community Charter of Fundamental Social Rights of Workers, the Commission considers that it would be inappropriate to harmonize social security systems which reflect history, traditions and social and cultural patterns.

However, on 26 June 1991, the Commission adopted a proposal⁽¹⁾ for a Council recommendation on the convergence of social protection objectives and policies to ensure that differences in the level of social security cover do not hinder mobility within the single market and that competition between national systems does not diminish social protection in the Community.

On 22 May 1990 the Commission adopted a recommendation to the Member States on the adoption of a European schedule of occupational diseases⁽²⁾. This urged Member States to align certain laws, regulations and administrative provisions on the recognition and notification of occupational diseases, some of which can lead to disability, and entitlement to compensation.

⁽¹⁾ COM(91) 228.

⁽²⁾ OJ No L 160, 26. 6. 1990.

WRITTEN QUESTION No 2050/91

by Mr Detlev Samland (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/53)

Subject: Experts' report on 'Immigration policies and le social integration of migrants in the EC', SEC(90) 1812 final

1. Why did the report essentially cover only the integration of nationals from third countries?

2. Many Community nationals (including families) have changed and are changing their country of residence

as migrant workers as part of the process of internal migration. Does the Commission consider that social, political participation and cultural measures are needed to assist the integration of such people? To what extent is the Commission supporting efforts at integration?

3. What plans does the Commission have to support the social and cultural integration and political participation of:

- internal migrants
- nationals from third countries?

4. To what extent is the Commission supporting social measures for migrant workers?

5. How are the migrants' own organizations involved in the development of the Commission's integration policies?

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

(19 December 1991)

Member States' nationals who exercise or have exercised their right of freedom of movement benefit from a range of legal and social measures designed to make it easier for them to integrate into the country of their choice; these are based on the right to equal treatment as defined by the Treaty of Rome, secondary legislation and a wealth of case law.

There are, in addition, other measures in areas such as education, vocational training, social security, combating poverty and support for migrants' organizations.

The Commission believes that Parliament, the Economic and Social Committee, the Advisory Committee on the Free Movement of Workers, the European Trade Union Confederation and the establishment of the Migrants' Forum and of other committees specializing in particular sectors or groups of people form an adequate and efficient source of information and channel for Community nationals' needs as regards matters of integration.

Nationals of third countries are not covered by all the legal instruments and means of action referred to above; that is why the Commission welcomed the request by the Strasbourg European Council of December 1989 that it commission experts to draw up a report on the social integration of immigrants from non-member countries, a group which is in a weaker position as regards integration and runs a greater risk of social exclusion.

WRITTEN QUESTION No 2051/91

by Mrs Jessica Larive (LDR)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/54)

Subject: Organ donating

Is the Commission aware of the Netherlands cabinet proposal to ask the whole population over the age of 18 whether they are prepared to offer their organs for transplants on their death?

Does such a system exist in other Member States? Can the Commission provide a summary of the legislation on organ donating in the Member States?

Will the Commission promote such a system in the Community, which will undoubtedly have the effect of increasing the number of organs available for transplants?

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

(13 November 1991)

The Commission does not have available an overview of legislation of the Member States with regard to organ donation.

However, the Commission in collaboration with the Council of Europe, is examining ways to increase the availability of donor organs in the Community.

WRITTEN QUESTION No 2059/91

by Mr Peter Crampton (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/55)

Subject: Implementation of food and hygiene regulations

A poultry processing plant in Humberside (UK) has just announced that it is to close, with the loss of 200 jobs.

A company spokesman said part of the reason for closure was 'the tremendous amount of legislation being forced on the UK poultry industry to meet the free market

requirements of 1992', this had led to an increase in costs 'which many of its major competitors do not have'.

What steps will the Commission be taking to ensure that all Member States implement the food hygiene regulations?

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

(3 December 1991)

The hygiene rules for production of poultry meat have been established at Community level since 1971, according to Council Directive of 15 February 1971 on health problems affecting trade in fresh poultry meat ⁽¹⁾. These cover all the production and marketing of fresh poultry meat in the Community. The Commission has submitted on February 1990 a proposal for a Council Regulation laying down health rules for the production and placing on the market of fresh poultry meat ⁽²⁾ in order to bring those rules in line with the new approach at Community level, mainly in relation to special conditions for local production and the abolition of the certification.

It is not clear from the question applied what particular existing or proposed Community rules may be applied in a more stringent way in the establishment in question, so the Commission is unable to take position on the statement referred to by the Honourable Member of the Parliament.

The following actions have already been undertaken by the Commission, in collaboration with Member States, in order to ensure a uniform implementation of veterinary rules adopted at Community level:

- exchange of officials working in the veterinary sector;
- organization of refresher courses for personnel in Member States in charge of veterinary control;
- on-the-spot inspections of establishments approved according to Community rules. Due to lack of personnel, this inspection has been for the moment limited to establishments authorized for intra-Community trade of fresh meat. A reinforcement of the veterinary inspection service of the Commission is under scrutiny, in order to allow on-the-spot inspections of other establishments covered by the Community veterinary rules so that rules can be applied in a coordinated way in practice throughout the Community.

⁽¹⁾ OJ No L 55, 8. 3. 1971.

⁽²⁾ OJ No L 84, 2. 4. 1990.

**WRITTEN QUESTION No 2070/91
by Mrs Ursula Schleicher (PPE)
to the Commission of the European Communities**

(26 September 1991)

(92/C 112/56)

Subject: Waste disposal problems with furs and synthetic furs

The use of 'furs' as garments is increasingly controversial. Criticism is voiced not only of the trapping and killing of animals in the wild but also of the practice of keeping animals in captivity on so-called farms. The industry and trade have responded to such criticism by turning increasingly to the sale of synthetic furs.

1. What is the method of disposal for natural furs?
2. What is the method of disposal for synthetic furs?
3. What substances are employed or released in the manufacture and disposal of synthetic furs?

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

(29 November 1991)

1. The Commission has no information available on ways of disposing of either natural or synthetic furs or of their production wastes.
2. The Commission has not been informed of any problem as regards the disposal of this type of waste by the methods generally applied to household refuse and harmless industrial waste.
3. The Commission has no specific information on the substances used or released during the production of synthetic furs.

However, it has had a study carried out on the technical and economic aspects of the measures taken to reduce water pollution by the textile industry.

This study points out that the main substances likely to give rise to water pollution are:

- pesticides and preserving agents which are present in certain raw materials (wool, cotton),
- the COD (chemical oxygen demand) arising from the pretreatment process,
- the AHC (absorbable halogen compounds) forming during hypochlorite bleaching,
- the solvents (petrol, phenols ...) and heavy metals used in dyeing and printing operations,

- a wide variety of dangerous substances (mothproofing products, pesticides) used during finishing.

WRITTEN QUESTION No 2079/91

by Mr Kenneth Stewart (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/57)

Subject: United Kingdom Secretary for the Environment's gimmick 'City Challenge'

The Commission will be aware of the UK Secretary for the Environment's new gimmick called City Challenge, which was floated for local authorities in Britain to compete for much needed resources for the regeneration of the inner cities.

Does the Commission agree that these resources should be assessed on merit and the need of the area concerned? The amount of finance involved is reputed to be £ 410 million.

Will the Commission state if there is any European funding involved in this controversial handout?

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

(19 November 1991)

The 'City Challenge' scheme announced recently in the United Kingdom by the Secretary of State for the Environment is a scheme internal to the United Kingdom.

The announcement of this scheme does not affect the arrangements for disbursing ERDF in the cities in the United Kingdom. It would be open to a local authority in a zone eligible for ERDF to submit a City Challenge project which came within the CSF priorities for ERDF support on exactly the same basis as it may now seek ERDF for an urban programme.

WRITTEN QUESTION No 2113/91

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 112/58)

Subject: Animal transport conditions

The member would like to thank the Commissioner for his helpful reply to Question H-307/91 ⁽¹⁾. In the light

of that response, could the Commissioner indicate his reaction to the suggestion that the following requirements be included in the Commission's recommendations to the Council: that the British Minimum Values Order must be retained, that vehicles and drivers must earn a certificate to ensure that animals are properly cared for in transit, and that a team of properly trained and financed inspectors is set up for the purpose of monitoring and enforcing the legislation.

⁽¹⁾ European Parliament Debates No 3-404 (April 1991).

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

(4 November 1991)

In the view of the Commission, its proposal for a Council Regulation on the protection of animals during transport ⁽¹⁾, as amended to take account of the opinion of Parliament ⁽²⁾, provides a sound basis for safeguarding the welfare of horses and other animals during transport. Once the proposal is adopted by the Council it will be unnecessary, and undesirable in the context of the internal market, for Member States to impose financial restrictions on the movement of animals across frontiers. It could also be detrimental to their welfare if, for example, it resulted in the animals having to travel a long distance to a slaughterhouse in their own country instead of a short distance to one in a neighbouring country.

The Commission proposal contains a provision for the approval of vehicles to carry livestock. It also contains provisions concerning the duties and responsibilities of drivers, and the possibility for a certification procedure to be proposed at a later date.

The monitoring and enforcement of the legislation is, in the first place, the responsibility of the competent authorities of the Member States. In addition, the proposal contains provisions for inspection by Commission veterinary inspectors, to ensure that the rules are being correctly and uniformly applied across the Community. The Commission is currently considering the options available for reinforcing its veterinary inspectorate in order to cope with this and other inspection duties necessary for the operation of the internal market.

⁽¹⁾ OJ No C 214, 21. 8. 1989.

⁽²⁾ OJ No C 154, 23. 6. 1990.

WRITTEN QUESTION No 2120/91

by Mr Proinsias De Rossa (CG)
to the Commission of the European Communities

(26 September 1991)

(92/C 112/59)

Subject: Job losses arising from the closure of customs posts

In the Dundalk area of the Republic of Ireland in the region of 300 to 400 Customs Officer and Customs Clearance jobs will be lost with the removal of customs controls in January 1993. What measures will be proposed by the Commission to compensate those who lose their jobs in this way and to promote the creation of replacement employment in areas such a Dundalk whose local economy is seriously affected by the loss of income arising from the closure of customs posts?

Answer given by Mrs Scrivener
on behalf of the Commission

(21 November 1991)

The Commission draws the Honourable Member's attention to the fact that the accompanying measures, which are mainly aimed at redeploying customs officials to other departments, fall under the Member States' management of their national administrations.

Moreover, the Commission wishes to emphasize once again the impact of the Matthaëus programme for the exchange of customs officials, which was introduced on its initiative.

As far as the future of customs agents is concerned, the Honourable Member is referred to the answer to Written Question No 1797/91 by Mr Cravinho (¹).

The Commission wishes to point out that, in the context of the implementation of the Community's structural funds, Ireland falls under Objective 1.

The INTERREG initiative is designed to assist border areas of the Community to overcome constraints on their development and to promote cooperation across internal borders in the context of the completion of the internal market. In July 1991, the Commission approved the programme submitted by the United Kingdom and Ireland for the eligible areas in Northern Ireland and the Irish Republic. Total expenditure under the programme is expected to be £ Irl 102 million, of which £ Irl 58 million will be provided by the Community's structural Funds. As Dundalk is situated in an eligible area, assistance will be available for projects there which meet the criteria for aid under the INTERREG programme.

(¹) OJ No C 323, 13. 12. 1991.

WRITTEN QUESTION No 2121/91

by Mr Proinsias De Rossa (CG)
to the Commission of the European Communities

(26 September 1991)

(92/C 112/60)

Subject: Regulation of the press in Europe

Following the forum on the press organized by the Commission some months ago, what proposals does it have under consideration to ensure that control of this news medium is not concentrated in too few hands and to ensure that individual citizens are protected against abuse of press power?

Answer given by Mr Dondelinger
on behalf of the Commission

(11 December 1991)

The question raised by the Honourable Member refers to areas of legislation which can touch both Community and Member State interests and responsibilities. The Commission has taken note of the views of the European Conference on the Press held in Luxembourg from 2—4 July regarding the specificity of the press and its particular national and cultural characteristics. At this stage, the Commission has no specific proposals under consideration, but is studying the question of the effect of media concentration on pluralism with a view to a possible proposal for measures.

WRITTEN QUESTION No 2127/91

by Mr Proinsias De Rossa (CG)
to the Commission of the European Communities

(26 September 1991)

(92/C 112/61)

Subject: Honey production in the Community

Does the Commission have any proposals under consideration to encourage and support the development and expansion of honey production in the Community?

Answer given by Mr Mac Sharry
on behalf of the Commission

(29 November 1991)

The Commission is not currently preparing proposals aimed at encouraging beekeeping. However it follows developments in this sector regularly and with interest, as the Honourable Member will gather from the replies given to many oral and written questions in recent times, most recently to the reply to Written Questions

No 1708/91 by Mr Pasty and No 1938/91 by Mr Musso ⁽¹⁾).

⁽¹⁾ OJ No C 66, 16. 3. 1992, p. 29.

WRITTEN QUESTION No 2161/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/62)

Subject: Spain's failure to comply with Directive 88/314/EEC

Has the Commission sent the Spanish Government a letter of formal notice for failure to communicate national measures implementing Council Directive 88/314/EEC ⁽¹⁾ on consumers?

⁽¹⁾ OJ No L 142, 9. 6. 1988, p. 19.

WRITTEN QUESTION No 2162/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/63)

Subject: Spain's failure to comply with Directive 88/315/EEC

Has the Commission sent the Spanish Government a letter of formal notice for failure to communicate national measures implementing Council Directive 88/315/EEC ⁽¹⁾ on consumers?

⁽¹⁾ OJ No L 142, 9. 6. 1988, p. 23.

WRITTEN QUESTION No 2163/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/64)

Subject: Failure of Spain to implement Directive 88/449/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure

to implement Council Directive 88/449/EEC ⁽¹⁾ on transport?

⁽¹⁾ OJ No L 222, 12. 8. 1988, p. 10.

WRITTEN QUESTION No 2164/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/65)

Subject: Failure of Spain to implement Directive 88/658/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 88/658/EEC ⁽¹⁾ on agriculture?

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 15.

WRITTEN QUESTION No 2165/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/66)

Subject: Failure of Spain to implement Directive 89/107/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 89/107/EEC ⁽¹⁾ on the internal market?

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 27.

WRITTEN QUESTION No 2166/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/67)

Subject: Failure of Spain to implement Directive 89/108/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 89/108/EEC ⁽¹⁾ on the internal market?

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 34.

WRITTEN QUESTION No 2167/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/68)

Subject: Failure of Spain to implement Directive 89/384/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 89/384/EEC (*) on agriculture?

(*) OJ No L 181, 28. 6. 1989, p. 50.

WRITTEN QUESTION No 2170/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/71)

Subject: Failure of Spain to implement Directive 89/676/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 89/676/EEC (*) on the internal market?

(*) OJ No L 398, 30. 12. 1989, p. 18.

WRITTEN QUESTION No 2168/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/69)

Subject: Failure of Spain to implement Directive 88/424/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Commission Directive 89/424/EEC (*) on agriculture?

(*) OJ No L 196, 12. 7. 1989, p. 50.

WRITTEN QUESTION No 2171/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/72)

Subject: Failure of Spain to implement Directive 90/214/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Commission Directive 90/214/EEC (*) on agriculture?

(*) OJ No L 113, 4. 5. 1990, p. 39.

WRITTEN QUESTION No 2169/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/70)

Subject: Failure of Spain to implement Directive 89/519/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Commission Directive 89/519/EEC (*) on the internal market?

(*) OJ No L 265, 12. 9. 1989, p. 30.

WRITTEN QUESTION No 2172/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities

(4 October 1991)
 (92/C 112/73)

Subject: Failure of Spain to implement Directive 90/425/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 90/425/EEC (*) on agriculture?

(*) OJ No L 224, 18. 8. 1990, p. 29.

WRITTEN QUESTION No 2173/91
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/74)

Subject: Failure of Spain to implement Directive 90/604/EEC

Has the Commission sent a letter of formal notice to the Spanish Government for failure to notify it of national implementing measures, in connection with failure to implement Council Directive 90/604/EEC⁽¹⁾ on financial entities and company law?

⁽¹⁾ OJ No L 317, 16. 11. 1990, p. 57.

Joint answer to Written Questions Nos 2161/91
to 2173/91
given by Mr Delors
on behalf of the Commission
(21 January 1992)

All the Directives referred to by the Honourable Member have been the subject of letters of formal notice for failure to communicate national implementing measures.

In the mean time, the Commission has terminated two of these proceedings (Directives 89/108/EEC and 89/519/EEC, referred to in Written Questions Nos 2166/91 and 2169/91) following communication of the national implementing measures. In another case (Directive 89/676/EEC, referred to in Written Question No 2170/91), the Commission has sent a reasoned opinion.

WRITTEN QUESTION No 2188/91
by Mrs Raymonde Dury (S)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/75)

Subject: Sale of medicines containing phenothiazines

Belgium has just banned the free sale, without medical prescription, of medicines containing phenothiazines intended for children. Will the Commission state what the position is in the other Community countries and whether it is considering standardizing the condition under which these medicines can be put on sale in the Community?

Answer given by Mr Bangemann
on behalf of the Commission
(5 November 1991)

In February 1990 Belgium informed the Committee for Proprietary Medicinal Products of its intention to make medicines containing phenothiazines intended for children available only on medical prescription. The Committee, set up by the Commission to help the Member States coordinate their position on marketing authorizations, instructed its working party on pharmacovigilance to look into the matter.

During 1990 the Belgian rapporteur carried out a Community-wide survey of the situation with regard to these medicines, and forwarded a final report to the CPMP in February 1991. This revealed that, while the legal status for the supply of phenothiazines differed between Member States, in practice either the medicines were not recommended for children or they were available only on prescription.

The Commission, conscious of the differences in legal status, forwarded to the Council in January 1990 a proposal for a directive harmonizing the basic principles applied to the legal status for the supply of medicinal products⁽¹⁾. The Council recently adopted a common position on the proposal.

⁽¹⁾ COM(89) 607.

WRITTEN QUESTION No 2201/91
by Mr Christian de la Malène (RDE)
to the Commission of the European Communities
(4 October 1991)
(92/C 112/76)

Subject: The Commission's authorization for the plan to set up a motor vehicle factory in Portugal, in the form of a joint venture

Recently the Commission gave the official go-ahead for the financial arrangements to fund the establishment of a production line for Ford-Volkswagen single-box vehicles in the Setubal region of Portugal.

Can the Commission say on which criteria and legal basis it based its consideration of this project, and through which funds and programmes, with which financial resources, its aid will be channelled?

How does the Commission intend to ascertain and check that investments in infrastructure and other aspects of this project which are not linked with the various types of Community aid will not lead to considerable distortions in competition?

Can the Commission also show that future decentralized projects on a similar scale will not substantially affect the traditional motor vehicle production sites in the other EC Member States?

Does it not consider that there is a risk that large-scale Community aid for such projects, channelled through public funds, will create an over-capacity which will have a serious impact on employment in the motor-vehicle sectors and those sectors which supply them or make direct use of their products?

Finally, does it consider that it is acceptable to grant public subsidies to a project which, according to plans, should — in the long term — account for 50% of single-box vehicles produced in the EC, at the very time when a number of countries are receiving a lesson in liberalism from the Commission, given that such a project may, in order to create employment in certain regions of the Community, lead to unemployment in the traditional motor-vehicle producing regions?

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

(4 December 1991)

On the State aid aspect of this project, the Member is referred to the summary of the Commission Decision of 3 July 1991 which has been published in the Official Journal ⁽¹⁾. This describes the motivations which underlie the Commission's Decision and addresses the State aid issues raised by the Honourable Member in his question. On the general issue concerning the effect of the siting of plants in greenfield locations on traditional car producing regions, raised in the fourth paragraph of the question, the Honourable Member is referred to the Community framework on State aid to the motor vehicle industry adopted in 1989 ⁽²⁾ and extended in December 1990 ⁽³⁾. The framework is designed to establish full transparency in State aid flow to the industry and to impose a stricter discipline in the granting of aids to the industry. A fundamental criterion in the assessment of aid proposals under the framework is that such aid should be in proportion to the problems it seeks to resolve. In the case of Community regional aid, the Commission must assess the regional development benefits of individual projects against possible adverse effects on the sector as a whole. This is in order to ensure that other aspects of Community interest such as the development of the Community's industry are taken into account. In the present project the Commission was satisfied that the level of aid authorized was reasonably commensurate with the net cost disadvantages to the promoters of locating the project in Setubal and with the need to give some additional incentive to attract investment to this disadvantaged region. The possible dislocating effects on

other centres of production would, therefore, be kept within reasonable limits.

Concerning the Community co-financing of this project, the investment will receive direct public aid of ECU 500 million. During the period of the present Community support framework until 1993, ECU 375 million will be paid; the share of the European Regional Development Fund will be 70% or ECU 263 million. In 1994, a further ECU 125 million will be granted, the exact Community share of which will be negotiated later. The ERDF share will be taken from the investment incentive scheme for Portugal, PNICIAP. Infrastructure projects linked to the investment will also be included in the integrated development operation for the Peninsula of Setubal.

Training measures linked to the project will be co-financed by the European Social fund. According to provisional estimates this could involve up to ECU 50 to 60 million of ESF financing before the end of 1993. The greater part of the professional training activities will be carried out within the context of the integrated development operation for the Peninsula de Setubal.

⁽¹⁾ OJ No C 257, 3. 10. 1991.

⁽²⁾ OJ No C 123, 18. 5. 1989.

⁽³⁾ OJ No C 81, 26. 3. 1991.

WRITTEN QUESTION No 2211/91

by Mr Lyndon Harrison (S)

to the Commission of the European Communities

(4 October 1991)

(92/C 112/77)

Subject: European poverty programme

With reference to the Commission's background report ISEC/B24/91 of 19 August 1991, reporting on the European poverty programme, will the Commission consider, in the third poverty programme, adding to the list of action-research projects a category to include youth homelessness?

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

(17 December 1991)

The choice of projects of the third Community poverty programme has been made for its whole five-year period. There are no plans to add further projects except two or three projects in the new German Länder following unification. These will be chosen in line with the same criteria as those set up for the 39 other projects already selected.

As regards the Commission's initiatives on behalf of homeless young people, the Honourable Member is referred to the Commission's answer to his oral question No H-889/91 (¹).

(¹) Debates of the European Parliament No 3-409 (October I, 1990).

WRITTEN QUESTION No 2228/91
by **Mr Víctor Manuel Arbeloa Muru (S)**
to the Commission of the European Communities
(4 October 1991)
(92/C 112/78)

Subject: Co-responsibility rates for cereals

What short and convincing explanation are we to give our farmers for the decision of the Council of Agriculture Ministers to raise the co-responsibility rates for cereals from 3 to 5%?

Answer given by Mr Mac Sharry
on behalf of the Commission
(29 November 1991)

The purpose of the cereals coresponsibility levy is to help to finance the disposal of surplus cereals. Surplus, in this case, is defined as the quantity which cannot be used without budgetary expense, minus the quantity of certain cereals substitutes which are imported.

Since the levy was introduced at a rate of 3% in 1986 the surplus has practically doubled from 12 million tonnes to 21,5 million tonnes. Furthermore, the decision to increase the levy to 5% was accompanied by a decision to exonerate from the whole levy any producer who was prepared to help limiting the surplus by agreeing to set aside 15% of his arable land.

WRITTEN QUESTION No 2251/91
by **Mr Luigi Vertemati (S)**
to the Commission of the European Communities
(18 October 1991)
(92/C 112/79)

Subject: Reduction in solid waste and packing

It is a matter of increasing urgency that the policies of the EC Member States should be harmonized as regards the

reduction, recycling and disposal of solid municipal waste, in particular as regards the packaging sector. In view of the above, can the Commission answer the following questions:

1. What approach and specific measures does it intend to take in respect of the new legislative provisions introduced by Germany, France and the Netherlands on packaging, which may restrict the free movement of goods and penalize separate waste collection schemes in other Member States?
2. What progress has been made on the proposal for a directive on waste resulting from packaging, when is this proposal likely to be adopted and when does the Commission intend to consult Parliament?
3. Does it intend to impose conditions on the production of waste from packaging without restricting economic development and the growth of industrial sectors and, if so, what would these conditions be?
4. Is the Commission taking into account the different systems for disposing of solid municipal waste in the various Member States and, if so, how?
5. How does it intend to encourage recycling rather than incineration involving energy recovery by promoting and developing further existing separate waste collection and recycling schemes and by assisting the development of such schemes in those countries which are less advanced in this sector?

Answer given by Mr Ripa di Meana
on behalf of the Commission
(28 January 1992)

1. As far as the Commission knows, France has not yet adopted new provisions dealing with packaging waste. It seems that a draft decree on the utilization of domestic packaging waste is being drawn up in that country. In the Netherlands negotiations with the government have resulted in a voluntary agreement.

Until now only Germany has adopted legislative provisions (decree of 12 June 1991). The Commission is currently examining the German situation in the light of allegations made in certain complaints. The Commission has decided to raise certain questions about this decree in a letter to the German authorities.

2. The services of the Commission are working with the Member States and trade, industry, consumer and environmental protection organizations in drawing up a proposal for a Council directive on all type of packaging. Considering the stage the work is at currently, the Commission will be able to examine a proposal at the start

of 1992; the other Community institutions will be able to discuss this proposal during the course of 1992.

3. A preventive policy is the first priority in a Community strategy on the management of waste. The services of the Commission are examining the question of common objectives and the appropriate measures to be proposed. The administration of packaging waste operates at three levels: reduction and prevention, refilling and reuse, recycling of materials and energy recovery.

4. Notwithstanding the fact that the current situation as regards the methods of disposing of waste may be very different in the Member States, it is important that the same objectives be sought so as to ensure a high level of environmental protection. Realistic time limits will therefore be set for attaining the objectives.

5. It is not a matter of encouraging energy recovery alone. All methods of waste utilization must be encouraged, paying particular attention to the ecological and economically viable recycling of materials. Incentives must be given to improve recycling capacities and waste utilization in general. Specific instruments must therefore be called upon, such as the liability of economic operators, economic instruments, etc.

WRITTEN QUESTION No 2263/91

by Mr Ernest Glinne (S)

to the Council of the European Communities

(18 October 1991)

(92/C 112/80)

Subject: Decision of the Court of Justice against the prohibition of night work by women (Case C-345/89)

On 25 July 1991 the Luxembourg Court ruled that there would no longer appear to be grounds for the concern for protection which originally inspired the prohibition of the principle of night work by women, stating that such a prohibition contravenes the directive on the equality of men and women. The Court thus found in favour of Mr Stoeckel, head of a French undertaking, who had been prosecuted by the Ilkirch (Bas-Rhin) police court for having decided in 1988, with the agreement of his female staff and the trade unions, to employ 77 female workers at night in his cassette factory. The French and Italian Governments had claimed to the Court that women could not work at night because of their family obligations and the risks of attack.

It is a matter of public knowledge that the ban on night work by women is subject to many derogations which rob the principle of its validity. What is the actual difference between a ban accompanied by exceptions and

authorization flanked by measures to protect women who are pregnant or have recently given birth as laid down in the Commission's proposal for a Directive⁽¹⁾, by providing for paid maternity leave (14 weeks, two before the predicted term and two after it)?

1. The Government of one Member State opposed the adoption of the Commission proposal in Council because it would involve an increase in production costs. How can this 'argument' be sustained? Did it come before or after the Court's ruling of 25 July? What is to become of the proposal which was thus blocked? Is a new proposal for a Directive taking into account the Court's decision now required?
2. On 4 July 1991 the Belgian Government passed a Royal Decree (see *Moniteur Belge* of 28 August 1991), making compulsory collective labour agreement No 49 of 21 May 1991, concluded within the National Labour Council, guaranteeing a specific financial allowance for workers of either sex employed on shift work involving duties at night (between 11 p.m. and 6 a.m.) or other forms of work involving duties at night. Does the granting of an allowance, apparently on an asexual basis, of 30 or 36 francs, and linked to the price index, mean that Belgium is abandoning the prohibition on night work by women?
3. Which Member States ban and which allow night work by women at present?

⁽¹⁾ COM(90) 406 final — SYN 303.

Answer

(31 March 1992)

1. At its meeting on 6 November 1991 the Council agreed to a common position on the proposal for a Directive on the protection of pregnant women and women who have recently given birth or are breastfeeding, which includes *inter alia* provisions on night work and maternity leave.
2. It is not for the Council to comment on the legislation of a specific Member State.
3. The Council has no appropriate information on which Member States ban and which allow night work by women.

WRITTEN QUESTION No 2264/91**by Mr Madron Seligman (ED)****to the Commission of the European Communities***(18 October 1991)**(92/C 112/81)**Subject: Police discrimination against foreign drivers*

As the Commission is well aware, the Preamble to the Treaty upholds the principle of improving the living and working conditions of the peoples of the EC. Indeed much of Community legislation — including freedom of movement of citizens of the Member States — derives from that important principle.

It is therefore a source of profound concern to me that some of my constituents report anti-British discrimination on the part of traffic police in both France and Spain. Details of alleged offences and the penalties exacted on the spot have been supplied to me. What has caused general consternation is that nationals in the country concerned (even in the same file of vehicles moving at the same speed) are not arrested.

I understand that similar discrimination is experienced by German and Dutch drivers in the Member States mentioned above, so that it is not just a matter of penalizing those with the steering wheel on the right,

It is appreciated that the Commission does not have competence to intervene in the running of national police forces. They nevertheless have powers of persuasion *vis-à-vis* national governments.

With 1992 and the single market in view, will the Commission consider issuing a communication to the Council on the need for even-handed treatment of all Community citizens by the police of each country?

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

(10 December 1991)

The incidents referred to by the Honourable Member were not previously brought to the attention of the Commission.

Article 7 of the EEC Treaty stipulates that there must be no discrimination on grounds of nationality. If, in the opinion of the Honourable Member, there is reason to believe that the incidents reported to him constitute a breach of that principle, he should notify the precise details to the Commission, which will then, if necessary, contact the Member States concerned.

The Commission takes the view that there is no justification for issuing a communication to the Council on a guarantee of equal treatment of all Community citizens by the police of each Member State.

WRITTEN QUESTION No 2311/91**by Mr Jean-Pierre Raffarin (LDR)****to the Council of the European Communities***(21 October 1991)**(92/C 112/82)**Subject: Planet Earth Summit*

The failure of the draft convention for the protection of forests in connection with the UN Planet Earth Summit to be held in Rio de Janeiro in 1992 is a cause for great concern since it reflects the continuing lack of understanding between the industrialized countries and the Third World with regard to the environmental aspects of development. What action can the European Community institutions take to ensure that the protection of forests is included on the agenda of this international environmental summit conference?

Answer*(31 March 1992)*

The question raised by the Honourable Member must be seen in the twofold context of the measures taken or planned by the Community to protect forests — signals of the Community's real commitment in this area — and the positions adopted by the Community and its Member States in the course of the preparations for the United Nations Conference on the Environment and Development.

As regards the first, the following should be noted:

- the Communities' participation in the International Agreement on Tropical Timber, which should contribute to *inter alia* the conservation of forestry assets;
- the Communities' collaboration with the World Bank on the preparation of the pilot programme for the preservation of Brazil's tropical forests, the guidelines for which were drawn up at the G7 Summit in July 1991;
- the Communities' participation in the execution and review of the plan of action on tropical forestry;
- the tropical forest research projects in the STEP/EPOCH programmes;

- the inclusion of the protection of tropical forests as one of the five priority areas for environmental aid under Lomé IV. As regards cooperation with the DCLAA, a percentage of 10% constituting the weighted average of the necessary financial resources of aid for the period 1991 to 1995 is reserved for projects aimed specifically at the protection of the environment and particularly at the protection of tropical forests.

As regards the second, the Community stated from the outset that it regarded the threat to and the destruction of forests as one of the three most important global environmental problems together with climatic change and the loss of biological diversity. Accordingly, at the 1992 Rio Conference in particular, the Community wants to develop instruments of international law that will ensure the proper long-term management, use and development of forests as the Commission has once again stated in its communication entitled 'A common platform. Guidelines for the Community for UNCED 1992'.

In view of the multiple ecological roles of forests, such instruments may take the form of:

- a protocol to the Convention on climatic change, reflecting the function of carbon reservoirs and climate stabilizers performed by forests;
- a specific protocol in the context of the negotiations for a Convention on biodiversity;
- a convention on the protection, management and development of forests, the drafting of which would start with a declaration of principle to be adopted at the Rio Conference, closely followed by international negotiations on a binding legal instrument.

WRITTEN QUESTION No 2322/91

by Mrs **Cristiana Muscardini (NI)**

to the Commission of the European Communities

(21 October 1991)

(92/C 112/83)

Subject: Crisis in the Miramonti tanning company

The Miramonti tanning company in Castano Primo, which is one of the four leaders in this sector in Italy, is facing a serious employment and production crisis.

Having failed to carry out the restructuring undertaken by other firms in this sector, Miramonti has been forced to make half its workforce redundant thus slowing down the production cycle which will inevitably soon affect all its workers.

In view of the already critical employment situation in the area, which has been severely hit by the crisis in the

tanning industry, can the Commission intervene to have the redundancies affecting more than 100 workers suspended?

What measures will the Commission take to bring about the restructuring so urgently required? What action does the Commission intend to take in the tanning industry which is going through a crisis which is now affecting the Community as a whole?

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

(12 December 1991)

The Commission is unable to take measures such as those referred to by the Honourable Member in the first part of his question.

As outlined in the Commission Communication on 'Industrial Policy in an open and competitive environment' of 16 November 1990, the main initiative and responsibility for structural adjustment must lie with economic operators.

The role of the Commission and public authorities is mainly to stimulate synergies in order to improve the necessary environment for industrial development by means of accompanying measures which are of a horizontal nature, and not reserved for specific sectors. In this context, major efforts in close contact with industry are being made, e.g. to open up the multilateral trading system for leather, to develop Community R & D and training and education programmes which are of particular interest to the leather industry.

WRITTEN QUESTION No 2324/91

by Mr **Francesco Speroni (ARC)**

to the Commission of the European Communities

(21 October 1991)

(92/C 112/84)

Subject: Community premium for Indica rice-growers

A number of Italian Indica rice-growers are complaining that the granting of the Community production premium is conditional upon the use of seeds from Spain.

What is the reason for this requirement and will it be abolished to promote free competition between Community seed producers and give growers real freedom of choice?

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

(6 December 1991)

The Community premium for the production of indica rice is not conditional upon the use of seed from Spain, but rather on seed which corresponds to specific morphological characteristics.

It is true that Thaibonnet is the most widely used variety currently on the market and that it is grown particularly in Spain. This variety meets the stipulated quality criteria perfectly and was available when the aid for indica rice was introduced in 1988. Since then, as a result of the development of eligible seeds, the possibilities open to Italian producers to use other seed varieties have increased considerably. Among the 12 indica rice varieties currently listed as eligible for production aid (Annex B to Regulation (EEC) No 3878/87) ⁽¹⁾, seven were proposed by Italy (Artiglio, Dedalo, Graldo, Icaro, Idra, Pegaso and Star).

⁽¹⁾ OJ No L 365, 24. 12. 1987.

WRITTEN QUESTION No 2343/91

by Mr Ernest Glinne (S)

to the Council of the European Communities

(21 October 1991)

(92/C 112/85)

Subject: Construction projects for hydro-electric power stations on the Danube

It has been confirmed that projects dating back 13 years are in full swing in Gabčíkovo-Nagymaros (Slovakia), where hydro-electric power stations are being built as part of the Hydro-Stas complex which is run by Mr Carnogursky, the brother of the Prime Minister and the Vice-President of the Slovak Parliament. Because of the harmful effects it would have on the Danube, the programme has in the past been the subject of hostile demonstrations and has given rise to concern in the countries through which the river flows and/or those affected.

A country's sense of national sovereignty is of course a delicate matter in such questions, but it would nonetheless be helpful to know what the opinion of the Community's executive institutions is in view of the importance of the Danube basin and the involvement in the projects by western European companies.

Answer

(31 March 1992)

The Council has taken due note of the information submitted by the Honourable Member concerning developments in the field of hydro-electric power in the Danube valley.

It is not for the Council to intervene in this matter which concerns the energy supplies of third countries, as well as the possible consequences for the physical environment of those countries.

WRITTEN QUESTION No 2356/91

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(22 October 1991)

(92/C 112/86)

Subject: Harassment by customs officials

1. At the end of December 1989 a Strasbourg handyman asked a friend from Kehl to fetch him some building materials (plaster board) from across the border. The French customs authorities required the friend to declare the materials, which were valued at DM 123, since he did not own them but was supplying them. Moreover, he was not entitled to act as a supplier and was required to use the services of a forwarding agent. The entire proceedings at the customs post took over two hours and involved an additional cost of DM 96,60 on materials valued at DM 123. Matters were made worse by the overbearing attitude of the French customs officials.

2. Is the Commission aware of this incident? Is it prepared to hold up this behaviour as an example to be avoided in the Member States?

3. What steps is the Commission taking in cooperation with the Member States to inform the public about the rights of citizens in the single market?

4. Is the Commission prepared to make representations to the French authorities with a view to securing the repayment of the monies paid?

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

(6 December 1991)

The Commission was not informed of the incident referred to by the Honourable Member but would point out that goods in travellers' personal luggage are exempt from duty as laid down in Council Directive 69/169/EEC of 28 May 1969 ⁽¹⁾. However, this Directive also lays down implementation rules which, if not complied with, may lead to such exemption being withdrawn.

It is not clear from this case in what capacity or under what conditions the goods were presented to the French

authorities for import. The case can only be examined more thoroughly if extra information is submitted.

The Commission is prepared to examine any evidence put before it and to take any necessary steps against the relevant French authorities if this evidence reveals that Community law was wrongfully applied.

(¹) OJ No L 133, 4. 6. 1969.

WRITTEN QUESTION No 2371/91
by Mr Yves Verwaerde (LDR)
to the Council of the European Communities
(22 October 1991)
(92/C 112/87)

Subject: Negotiations between the EEC and Poland on the conclusion of an association agreement

Can the Council report on the state of progress in the talks between the EEC and Poland with regard to the conclusion of an association agreement on the basis of Article 238 of the EEC Treaty?

Answer
(31 March 1992)

Following the negotiations with Poland, and with Hungary and Czechoslovakia, on European association agreements, the Council signed the Agreements on 16 December 1991.

Under the procedures in force the Council has provided the relevant Parliament committees with detailed confidential information on the content of the Agreements.

WRITTEN QUESTION No 2390/91
by Mrs Raymonde Dury (S)
to the Commission of the European Communities
(22 October 1991)
(92/C 112/88)

Subject: Social security rights of volunteer development workers employed by NGOs

The Commission and Council have stated their willingness to speed up action on the question of social protection for volunteer development workers (recommendation EC 85/308) (¹). A report by the Commission evaluating the situation was originally to

have been published within two years. Is there any prospect of this report now being published as soon as possible? Are the Community authorities fully aware that any further delay on the matter will create anxiety and discouragement for Community citizens who have expressed their wish to contribute practically and in person to the development process?

(¹) OJ No L 163, 22. 6. 1985, p. 48.

Answer given by Mrs Papandreou
on behalf of the Commission
(19 November 1991)

The Commission will present the report on the application in the Member States of the Council recommendation of 13 June 1985 on social protection for volunteer development workers in the first half of 1992.

WRITTEN QUESTION No 2407/91
by Mrs Maria Izquierdo Rojo, Mr José Vazquez Fouz, Mr Pedro Bofill Abeilhe, Mr Francisco Sanz Fernández and Mr Eusebio Cano Pinto (S)
to the Commission of the European Communities
(30 October 1991)
(92/C 112/89)

Subject: Policy to prevent and combat forest fires in the Mediterranean region

In the light of the Council Decisions of 29 May 1989 on a Community forests policy and Regulation (EEC) No 1614/89 (¹) on protection of the Community's forests against fires, which provides funding for preventive measures, but only until the end of 1991, does the Commission intend to continue or indeed increase the provision of funds for such measures in the future?

(¹) OJ No L 165, 15. 6. 1989, p. 10.

Answer given by Mr Mac Sharry
on behalf of the Commission
(10 December 1991)

As the Honourable Member points out, Regulation (EEC) No 3529/86 (¹), as amended by Regulation (EEC) No 1614/89, expires at the end of 1991.

During the five years that these Regulations have been in force, they have permitted the financing of 244 projects submitted by Member States to the Commission for the protection of forests against fires involving Community aid of ECU 43 million.

Moreover, to help coordinate the measures decided upon, the Standing Forestry Committee, established by Council Decision 89/367/EEC ⁽¹⁾, created a working party on the protection of forests against fire to study the causes of fires and ways of combating them and to look into ways of improving protection systems.

Their work has resulted in proposals for the renewal and reinforcement of the two Regulations.

The Commission will propose that existing measures be extended and that Community action be concentrated in high fire-risk zones by requesting Member States to submit comprehensive fire protection plans therefore permitting projects covered by such plans to be financed, with the Community contribution based on the degree of risk involved. Community measures could also help establish a decentralized Community information system on forest fires to enable managers on the ground to analyze the causes of fires and thereby combat them more effectively and to improve fire protection systems.

⁽¹⁾ OJ No L 326, 31. 11. 1986.

⁽²⁾ OJ No L 165, 15. 6. 1989.

WRITTEN QUESTION No 2436/91

by Mr Alonso Puerto (GUE)

to the Commission of the European Communities

(30 October 1991)

(92/C 112/90)

Subject: Pensions for emigrant workers

Regulations (EEC) No 1408/71 ⁽¹⁾ and (EEC) No 574/72 ⁽²⁾ on the payment and calculation of old age pensions are currently being amended.

Spain has proposed that, for pensions of the same type, the basis for calculations should be determined by reference to the last contributions actually paid by the beneficiary in Spain and that, having obtained the amount of the pension, reviews carried out in subsequent years should be applied, up to the year preceding the date when the pension falls due.

This would remedy discrimination against emigrant workers for whom the minimum contribution relating to the last occupational category paid up by the worker concerned in Spain is then taken as the basis for calculation.

1. What view does the Commission take of this?

2. When are the amendments to Regulations (EEC) No 1408/71 and (EEC) No 574/72 expected to enter into force?

⁽¹⁾ OJ No L 149, 5. 7. 1971, p. 2.

⁽²⁾ OJ No L 74, 27. 3. 1972, p. 1.

Answer given by Mrs Papandreou on behalf of the Commission

(12 December 1991)

1. The Commission's position is reflected in its proposal for a Council Regulation amending Regulations (EEC) No 1408/71 and (EEC) No 574/72, which was presented on 26 July 1989 ⁽¹⁾. The proposal includes provisions relating to the application of the Spanish legislation along the lines sought by the Honourable Member.

2. These provisions will come into force once the Regulation is adopted by the Council, where the proposal is still pending.

⁽¹⁾ OJ No C 206, 11. 8. 1989.

WRITTEN QUESTION No 2438/91

by Mr Gérard Monnier-Besombes (V)

to the Commission of the European Communities

(30 October 1991)

(92/C 112/91)

Subject: Administrative obstructiveness

Does the Commission consider it acceptable for a French Prefect to refuse to provide details enabling a Member of the European Parliament to forward a document to him?

On 26 September 1991 the questioner attempted to forward a document concerning the Somport road-tunnel project being financed by the EEC to the Prefect of the Pyrénées-Atlantiques department. He wished to fax the document but the Prefecture refused to give him the fax number.

Is such administrative obstructiveness compatible with accepted practice in the EC?

Answer given by Mr Delors on behalf of the Commission

(26 November 1991)

The Commission has no power to intervene in the matter raised by the Honourable Member, which is the sole responsibility of the national authorities.

The Commission's own practise, of course, is to supply the appropriate departmental addresses, with telephone and fax numbers, to all enquirers.

Individual departments too will be sure to provide correspondents with the relevant particulars in the interests of a smooth working relationship.

WRITTEN QUESTION No 2450/91

by Mrs Imelda Read (S)

to the Commission of the European Communities

(30 October 1991)

(92/C 112/92)

Subject: Acute human poisoning

Could the Commission indicate whether it has under active consideration proposals to establish Community-wide methods of categorization of deaths due to acute human poisoning, both by primary and secondary causes?

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

(12 December 1991)

There is no specific proposal to establish community-wide categorization of deaths due to acute human poisoning.

However, the Council resolution of 1990 ⁽¹⁾ on improving the prevention and treatment of acute human poisoning, as well as the Council Decision 86/138/EEC ⁽²⁾ on a Community system of information on accidents involving consumer products, could serve as a basis for obtaining information in this area.

In some Member States such information can be retrieved from national registries of causes of death.

⁽¹⁾ OJ No C 329, 31. 12. 1990.

⁽²⁾ OJ No L 109, 26. 4. 1986.

WRITTEN QUESTION No 2510/91

by Mr Antoine Waechter (V)

to the Commission of the European Communities

(8 November 1991)

(92/C 112/93)

Subject: Obstacles to freedom of movement in France (Pyrénées-Atlantiques)

On 1 October 1991 the questioner, accompanied by Mr J. P. Raffin, a fellow member, travelled to the Aspe Valley in

order to inspect the work being carried out on the Somport tunnel project being financed by the Commission. They were unable to reach their destination, where the Departmental Director of Utilities was awaiting them, since the Aspe Valley approach was blocked by an extremely aggressive crowd containing a number of local councillors with a reputation for violence.

The police officers present at the scene made no attempt to clear the way and left the visitors trapped in their car for over two hours while insults, obscenities and various missiles including liquid manure, were hurled at them.

The Prefect of Pyrénées-Atlantique who has, on other occasions, taken vigorous measures against demonstrators peacefully occupying the tunnel site in order to restore order, on this occasion allowed a violent mob to block a major road without making any effort to clear the way.

Does the Commission consider it normal for a Member of the European Parliament to be prevented from travelling freely on a major road in France? What measures will it take to penalize agitation of this kind?

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

(24 January 1992)

The Commission considers that the events related by the Honourable Member do not infringe the provisions of the Protocol on the Privileges and Immunities of the European Communities concerning Members of the European Parliament, nor any other provisions of the EEC Treaty.

More specifically, the Commission takes the view that measures governing public order on the territory of a Member States are the responsibility of the authorities of the Member State concerned.

WRITTEN QUESTION No 2512/91

by Mrs Sylvie Mayer (CG)

to the Commission of the European Communities

(8 November 1991)

(92/C 112/94)

Subject: Use of structural funds for the development of 'food patches'

In order to protect wildlife effectively, hunters' associations devote some of their members' subscriptions

to the protection of wildlife habitats and, consequently, the environment.

Does the Commission not consider that these measures should be encouraged by Community financing, for example Objective 5(b) structural Fund appropriations for the development of food patches in areas where farmers practise fallowing?

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

(15 January 1992)

The development of wildlife-related measures could be an interesting way of diversifying economic activities in rural areas and of contributing to new uses of the countryside. For this reason, the Commission included this principle in most of the operational programmes receiving a Community contribution under Objective 5(b).

The methods put forward by the Commission aim to develop a full-time economic activity, on the same lines as agritourism or crafts, for example. They are therefore of the same type as the two examples cited: preliminary studies, promotion, training, investment and marketing. The Commission believes that these operations should not be confined to areas lying fallow, but should be conceived as an economic 'product' in their own right, applicable to set-aside land and to any other types of land.

WRITTEN QUESTION No 2527/91

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(8 November 1991)

(92/C 112/95)

Subject: Maintaining price levels for oleaginous products

Despite the large EEC protein deficit, the Commission is preparing to bring down the price of oleaginous products for the coming year.

This measure, which will encourage imports from the United States, could also force producers, particularly sunflower growers in Poitou-Charentes, to abandon their activities.

Given the difficulties that this price reduction will cause for the growers of oleaginous plants, could the

Commission review its decision and maintain the sunflower producer price at the previous level, set at three times that of wheat?

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

(6 December 1991)

The Honourable Member is probably referring to the new support system for oilseed producers, to be introduced with effect from the 1992 harvest, and its consequences for producer prices for these seeds, and sunflower seeds in particular.

If the Commission proposal⁽¹⁾ is approved by the Council, subsequent to Parliament delivering its opinion, the producer price of oilseeds will be determined by the trend in world prices. Producers will, however, receive a direct aid calculated at regional level on the basis of cultivated land area.

The level of aid is intended to maintain the existing balance of incentive between the cultivation of cereals and oilseeds.

⁽¹⁾ COM(91) 318.

WRITTEN QUESTION No 2581/91

by Mrs Hedwig Keppelhoff-Wiechert (PPE)

to the Commission of the European Communities

(14 November 1991)

(92/C 112/96)

Subject: Old-age pension schemes for cross-border workers in the German-Netherlands border area

Working on the other side of a border is not always a voluntary choice; in some cases employment simply cannot be found in the country of residence.

1. Does the Commission not agree that a Dutch cross-border worker taking early retirement is being unfairly treated if he is obliged to pay 23% of the amount of old-age pension received from Germany by way of social insurance premiums, with the result that his income falls below the minimum subsistence level?
2. Is the Commission aware that, in Germany, no account is taken of the years spent by the wife of a Dutch cross-border worker in bringing up her children, on the grounds that the children were brought up abroad (in the Netherlands)?
3. What measures will the Commission take to resolve these problems?

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

(16 January 1992)

The first problem to which the Honourable Member refers has been cleared up by Article 17a of Regulation (EEC) No 1408/71, as amended by Regulation (EEC) No 2195/91 of 25 June 1991⁽¹⁾. This new provision is designed to avoid unnecessary social security contributions. It ensures that a retired person who is entitled to an adequate pension under the law of one Member State, but who lives in another Member State with an insurance scheme based on residence, does not have to pay contributions in the latter Member State which do not bring him corresponding benefits.

Regulation (EEC) No 2195/91 also inserted, with retroactive effect as from 1 January 1986, a new point 19 in Annex VI to Regulation (EEC) No 1408/71, Section 'C. Germany' This deals with the second problem raised by the Honourable Member.

⁽¹⁾ OJ No L 206, 29. 7. 1991.

WRITTEN QUESTION No 2589/91

by Mr Patrick Lalor, Mr Gene Fitzgerald, Mr Niall Andrews, Mr James Fitzsimons, Mr Mark Killilea and Mr Patrick Lane (LDR)

to the Council of the European Communities

(14 November 1991)

(92/C 112/97)

Subject: EC financial assistance for essential investment in access transport services to/from Ireland, and other peripheral regions

Once the Channel Tunnel has been opened in 1993, Ireland will be the only EC Member State without a land link to mainland Europe. Furthermore, Ireland has unique transport needs because it is the only island nation and one of the most peripheral regions in the Community. It is also one of the most open economies in Europe and relies very heavily on foreign trade for sustainable economic growth and employment creation.

In the light of the above factors and the study carried out by KPMG/SKC on access transport for Ireland, will the Council now indicate its position with regard to the following issues:

1. the principle of EC funding for essential investment in transport services to and from Ireland;
2. initial specific priority investments on direct services to mainland Europe, both roll-on/roll-off (Ro/Ro)

and lift-on/lift-off (Lo/Lo), financed from within Ireland's allocation of Structural Funds;

3. a significant (up to 50%) EC aid rate for such investments;
4. an allocation of EC funds for future further investment in access transport services?

Answer

(31 March 1991)

The Council is aware of the particular problems concerning the link between Ireland and the rest of the Community. However, a possible Community contribution under the ERDF in the area of transport services is a matter falling within the Commission's competence as manager of the Fund.

Consequently, having been informed that the Honourable Member has put the same question to the Commission, the Council would refer him to the reply he receives from that institution.

WRITTEN QUESTION No 2619/91

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(19 November 1991)

(92/C 112/98)

Subject: Social integration of the disabled

Further to the Commission's answer to Written Question No 1269/91⁽¹⁾ on the second Community action programme for the social integration of disabled people (Helios), can the Commission give further information on the Handynet data system on the problems of the disabled?

Can this system help to improve the circulation of information available for the disabled?

⁽¹⁾ OJ No C 311, 2. 12. 1991, p. 28.

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

(12 December 1991)

Handynet, a computerized European information system, was set up following a Council Decision adopted on 18 April 1988.

The Handynet system concentrated at the outset on technical aids and relies on data collected in the Member States in the nine Community languages.

It is now in a position to keep users informed about more than 7 000 technical aids manufactured in Europe and some 5 000 Community manufacturers and distributors.

To simplify and widen the dissemination of information to handicapped people, a compact disc version of Handynet is being prepared and will be available by the end of 1991.

Handynet's multilingual database provides individual users with information of consistent quality throughout the Community.

Member States' representatives on the Advisory Committee (Helios) have been asked to consider making this information more widely available.

Alongside the database, Handynet has developed an electronic newspaper and mailing system to enable users to transmit and receive information quickly on events, new developments and experience acquired in all areas affecting the disabled.

The Handynet system, by its content, structure, range of languages and operation based on a European network of information collection and distribution centres, helps to improve the supply of information to handicapped people.

WRITTEN QUESTION No 2642/91

by Mr Virgílio Pereira (LDR)

to the Commission of the European Communities

(19 November 1991)

(92/C 112/99)

Subject: Projects to build or modernize fishing boats submitted by the autonomous region of Madeira

Can the Commission say how many projects for the building or modernization of fishing boats have been submitted by the autonomous region of Madeira since January 1986 and how many of them have been approved?

What were the total amounts invested and what was the rate of Community participation?

Answer given by Mr Marin
on behalf of the Commission

(22 January 1992)

The Honourable Member will find in the table provided below the information in reply to his question concerning the construction and modernization of fishing boats in Madeira.

Projects to construct or modernize fishing boats submitted by the autonomous region of Madeira

(in Escudos)

Year	Numbers	Investments	EEC contribution
1986	1 const.	64 899 017	22 714 655
1987	4 const.	275 593 262	102 453 021
	1 mod.	17 570 630	6 149 720
1988/02	1 mod.	21 273 600	7 445 760
1989/01	1 mod.	11 610 000	4 063 500
	5 const.	419 951 813	152 745 455
1989/02	1 const.	59 098 324	22 977 162
1990/02	4 const.	433 264 170	163 601 852
	2 mod.	43 402 998	15 191 049
1991/02	—	—	—

WRITTEN QUESTION No 2647/91

by Mr Peter Beazley (ED)

to the Council of the European Communities

(19 November 1991)

(92/C 112/100)

Subject: Chinese imports of bicycles

Considering that one of the central aims of the European single market is the strengthening of European industry's competitiveness both in Europe and on the world market can the Council explain:

1. Why — in relation to bicycle manufacture — the import duty on Chinese bicycles was reinstated only as last as 10 September 1991 whilst the import reference point on Chinese bicycles (ECU 9,3 million) has been exceeded as early as February 1991?
2. What action the Council intends to take to achieve the agreement on the 10-year GSP provisions with the Chinese, which should have been achieved in 1991 and has now been extended until 1992?

Answer

(31 March 1992)

1. The Commission has responsibility for management of the generalized system of preferences (GSP), including provisions on the re-introduction of duty for non-sensitive industrial goods (Article 8 of Regulation (EEC) No 3831/90). Consequently, part I of this question falls within the competence of the Commission.

2. It is envisaged that the revision of the GSP as a whole will be discussed in depth by the Council in 1992 subject to the transmission of appropriate proposals by the Commission.

WRITTEN QUESTION No 2660/91

by Mr Hugh McMahon (S)

to the Commission of the European Communities

(19 November 1991)

(92/C 112/101)

Subject: European Social Fund

Can the Commission inform the House if it intends to propose, in the next revision of the ESF regulations, the full participation of social partners at all levels of the decision-making procedure, including the Monitoring Committees?

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

(12 December 1991)

The Commission is aware that Community structural measures depend for their success not only on the efforts made by the Commission and the national and regional authorities but also on the involvement of the various actors on the economic and social scenes.

Despite the limits that current rules place on the representativeness of regional and socio-economic partners, the Commission has endeavoured to devise formulae with the Member States to ensure that the social partners receive regular information and can be associated with the monitoring committees.

An open, constructive dialogue has been put in place for this purpose.

The Commission is determined to promote real involvement of the social partners. It will act in the same spirit when presenting new proposals to the Council for revision of the structural Funds rules.

WRITTEN QUESTION No 2695/91

by Mr David Martin (S)

to the Commission of the European Communities

(19 November 1991)

(92/C 112/102)

Subject: Classification of Community Acts

Why has the Commission failed to answer my Written Question No 940/91 ⁽¹⁾ as regards the last three out of my four questions?

Would the Commission now please answer:

1. whether there are any instances in which the Commission has adopted a Regulation in order to implement a Council Directive,
2. how frequently the Commission adopts Decisions to implement Council Directives,
3. whether the Commission has ever adopted a Directive to implement a Council Regulation?

Does the Commission still intend to pursue the issue of the classification and hierarchy of Community Acts in the IGCs? If so is its reluctance to answer my previous question due to an intention to quietly abandon this issue?

⁽¹⁾ OJ No C 259, 4. 10. 1991, p. 32.

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

(21 January 1992)

1 and 3. The Commission is not aware of ever having adopted a Regulation to implement a Council Directive or a Directive to implement a Council Regulation.

2. The Commission will send direct to the Honourable Member and to Parliament's Secretariat-General an illustrative list of Commission decisions adopted under the implementing powers conferred upon it by Council Directives.

WRITTEN QUESTION No 2701/91

by Mr Ben Fayot (S)

to the Commission of the European Communities

(21 November 1991)

(92/C 112/103)

Subject: Support for the European Management Institute and the proposal on the establishment of a European Law Academy

Following the report by Mr Janssen van Ray on the establishment of a European Law Academy (A3-198/91), and in view of the already well advanced plan of the European Management Institute in Maastricht to set up a branch in Luxembourg near the Court of

Justice and the European Investment Bank, can the Commission state what policy it intends to follow in this matter?

In particular, is it not necessary to avoid duplication and the proliferation of institutions with similar or indeed identical aims and instead to channel resources into an institution such as the European Management Institute whose usefulness has been proven?

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

(20 January 1992)

The Commission's policy is to encourage the development of genuinely European initiatives that are most likely to have a direct and positive impact on the quality of public administration and the implementation of Community law in the Member States.

In so doing, it aims to prevent duplication, while at the same time guarding against over-centralization. It is the Commission's view that the diversity of complementary expertise that exists within the Member States should be encouraged to serve the interests of the Community as a whole.

In this context, the Honourable Member is referred to Mr Dondelinger's statement to the Parliament on 9 November 1991, when he emphasized that initiatives such as the Academy of European Law at Trier would not be developed at the cost of other institutions of comparable merit.

WRITTEN QUESTION No 2751/91

by Mr Proinsias De Rossa (CG)

to the Commission of the European Communities

(22 November 1991)

(92/C 112/104)

Subject: European prison staff

Will the Commission state whether it has any proposals under consideration with regard to the rights, extent of authority and duties of prison staff in the European Community?

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

(12 December 1991)

The Commission is not considering proposals for measures governing the rights and obligations of prison staff in the Community.

In the absence of specific Community rules, their terms of employment remain subject to national legislation and to such general provisions of Community law as are applicable here.

WRITTEN QUESTION No 2798/91

by Mr Jean-Pierre Raffarin (LDR)

to the Council of the European Communities

(22 November 1991)

(92/C 112/105)

Subject: 'Euro-Odyssey' for young people

The European initiative, now known as 'Euro-Odyssey', enables young Europeans to attend continuing education and further training courses in a linguistic, human and social environment different from their own.

Over the five years of the scheme's existence it has emerged that the large majority of the 3 000 young people who have already completed four- or five-month courses 'abroad' have easily found permanent employment afterwards.

However, the main problem encountered by those responsible for organizing 'Euro-Odyssey' is caused by national procedures for issuing visas, work and residence permits, etc.

In order to remove national legal restrictions in this area, would the Commission be prepared to take appropriate measures to secure recognition of the status of 'Euro-Odyssey' trainees in Europe without delay?

Answer

(27 March 1992)

The Council does not have authority to recommend recognition of the status of 'Euro-Odyssey' trainees in Europe, as suggested by the Honourable Member.

WRITTEN QUESTION No 2853/91

by Mr Freddy Blak (S)

to the Council of the European Communities

(5 December 1991)

(92/C 112/106)

Subject: The killing of birds in southern Europe

Millions of birds including robins, chaffinches, nightingales, wagtails, songthrushes, harriers and many others, including protected species, are being killed in southern Europe. This is a matter which concerns us all.

What steps will the Council take to put an end to such cruelty?

Answer

(31 March 1992)

As the Honourable Member will be aware, it is the responsibility of the Commission under the terms of the Treaty to ensure Member States' compliance with their obligations under Community law in general and the provisions concerning protection of wild birds in particular.

With regard to its specific action on this matter, the Council has consistently endeavoured to strengthen the Community legislation in force.

It should be emphasized that in addition to the amendments made to Directive 79/409/EEC upon the accession of new Member States, and the amendments designed to adapt the Annexes to that Directive to developments in scientific and technical knowledge (Article 10 and 15), at the request in particular of one Member State, the Council has continued to add to the protection of wild birds:

- by deciding that the Community should accede to various conventions, such as the 'Convention on international trade in endangered species of wild fauna and flora' (1982), the 'Convention on the conservation of migratory species of wild animals' (1982) and the 'Convention on the conservation of European wild life and natural habitats' (1982);
- by systematically including in Community environmental action programmes a section on the protection of animals and their habitats which covers species of wild birds;
- by giving its agreement to a number of texts which specifically include among their objectives the protection of wild birds and their habitats, viz:

- (i) the HABITATS Directive on the protection of natural and semi-natural habitats and of wild fauna and flora;

- (ii) the ACNAT Regulation on action relating to nature conservation, which makes explicit reference to Directive 79/409/EEC in its title;
- (iii) the LIFE Regulation, which is also concerned with the financing of action to protect species of wild birds and *their* habitats (¹).

(¹) The ACNAT Regulation will be incorporated into the LIFE Regulation as soon as the latter enters into force.

WRITTEN QUESTION No 3058/91

by Mr Herman Verbeek (V)

to the Council of the European Communities

(13 January 1992)

(92/C 112/107)

Subject: Human rights and the right of asylum in Europe

1. Does the Council agree with the criticism levelled at the asylum policies of European governments by Amnesty International (AI) in the report entitled 'Europe — Human rights and asylum policy'?
2. Does the Council agree that it is absurd to demand that asylum seekers be in possession of a valid visa and will it take steps to ensure that such demands are no longer made in the EC?
3. What steps will the Council take to ensure that asylum seekers are better informed of their rights?
4. Does the Council agree with AI that asylum procedures in Italy and Ireland are totally inadequate and will it call on both countries to remedy matters concerning the right of asylum as soon as possible?
5. Does the Council envisage drawing up a list of 'safe countries' in the foreseeable future, which will make it extremely difficult if not impossible for asylum-seekers from these countries to be recognized as refugees in the EC?
6. Will the Council reply to AI's allegations in the above report that the criteria used in drawing up such a list will not be unaffected by political considerations?

Answer

(31 March 1992)

The Council is not required either to examine or to adopt a position on the report to which the Honourable Member refers.

WRITTEN QUESTION No 3187/91
by Mrs Maartje van Putten (S)
to the Council of the European Communities
 (24 January 1992)
 (92/C 112/108)

Subject: Sustainability of restructural adjustment programme for Honduras

Is the Council aware that the Government of Honduras has been advised by a delegation from the World Bank and IMF to privatize its forests on the international market by means of a tendering procedure, as part of a structural adjustment programme?

Does the Council agree that such an approach to balance of payments problems is detrimental to the natural environment in countries with financial problems and therefore cannot be regarded as sustainable?

What steps can and will the Council take to ensure that the World Bank and IMF adopt a more sustainable approach, particularly in respect of Honduras?

Answer
 (27 March 1992)

The Council has not been informed in detail of the project concerning the forests of Honduras to which the Honourable Member refers; furthermore, it is not for the Council to comment on recommendations made by the Bretton Woods institutions.

In addition, the European Communities are not members of the Bretton Woods institutions and as such could not, therefore, influence the approaches they adopt in the performance of their functions.

In any case, in the light of the European Communities' many commitments in favour of the protection of forests⁽¹⁾, confirmed yet again in the conclusions of the Council meeting on the Environment on 12 December 1991 on the 'Guidelines for the Community for UNCED 1992', the Honourable Member should not doubt that the Council seeks above all to encourage the long-term management of such forests.

Finally, in the appropriate international fora and in particular in connection with UNCED 1992 the Community and its Member States stress that sustainable development is important to all countries, whatever the present state of their economies, and 'commit themselves to promoting the Directive and adoption of a declaration by UNCED on the management, conservation and

sustainable development of forests, as a basis for an international legally binding convention'.

(¹) On this point the Honourable Member may refer to the Council's replies to Questions Nos 2311/91 put Mr Raffarin and 2525/91 put by Mr Arbeloa Muru.

WRITTEN QUESTION No 3192/91
by Mr Sotiris Kostopoulos (S)
to the Council of the European Communities
 (24 January 1992)
 (92/C 112/109)

Subject: Introduction of the Social Charter

The Social Charter, which was adopted in 1989, is an integral part of the internal market. Consequently, should the Council not decide to implement immediately the Commission's programme for the introduction of the Social Charter in order to bring national social security policies into line with each other?

Answer
 (27 March 1992)

The Council is systematically implementing the Commission action programme to which the Honourable Member refers.

In addition, the proposal for a Council recommendation on the convergence of social protection objectives and policies is under consideration by the appropriate Council Working Party, and the Council will take a decision on it at a forthcoming meeting after receiving the opinion of the European Parliament.

WRITTEN QUESTION No 3246/91
by Mr José Lafuente López (PPE)
to the Council of the European Communities
 (28 January 1992)
 (92/C 112/110)

Subject: Conditions of internment for illegal immigrants

Community provisions concerning the movement of non-Community nationals within the Member States of the Community include the issue of the type of establishment in which foreign citizens whose papers are

not in order and are awaiting deportation should be interned.

In certain Member States it is becoming common practice to hold such persons in penal establishments prior to deportation, whereas the provisions regarding such persons lay down that their internment should not be punitive in character. This therefore excludes the use of prisons or jails.

In order to ensure that the Community authorities involved observe these provisions in full, does the Council not consider that it should make an unequivocal declaration concerning the non-penal nature of the establishments in which foreign nationals awaiting deportation are to be held, and state that the excuse that such establishments do not exist is unacceptable?

Answer

(31 March 1992)

The conditions in which third country nationals whose papers are not in order are held in Member States is a matter for the authorities of those States.

WRITTEN QUESTION No 3256/91

by Mr Sotiris Kostopoulos (S)

to the Council of the European Communities

(29 January 1992)

(92/C 112/111)

Subject: Protecting consumers from adulterated olive oil

Does the Council of Ministers agree with consumer organizations that labelling should immediately be made compulsory to inform consumers when Community olive oil has been adulterated with inferior quality olive oil, especially when it comes from non-EEC Member States, so as to avoid misleading them? Will the Council say when it intends to vote on the Regulation establishing declarations of origin for this product and whether it favours the idea of classifying olive oil according to standardized types?

Answer

(31 March 1992)

The Council is in favour of any measure which will protect consumers by ensuring that they are properly

informed of the quality of products. It is therefore prepared to give favourable consideration to any Commission proposal to achieve this objective.

Regarding the olive oil sector, the Council adopted at its meeting on 10 and 11 February 1992 a Regulation amending basic Regulation No 136/66/EEC to improve the precision and clarity of the descriptions and definitions of olive oils and olive residue oils.

There is a Commission proposal before the Council for a specific regulation for the protection of designations of origin for olive oil. It will be recalled, however, that the Council is currently examining framework proposals from the Commission concerning certificates of specific character for foodstuffs and the protection of geographical indications and designations of origin for agricultural products and foodstuffs, on both of which the European Parliament delivered an opinion in November 1991.

WRITTEN QUESTION No 17/92

by Mr Josep Pons Grau, Mr Henry Saby, Mr Víctor Manuel Arbeloa Muru, Mrs Maartje van Putten (S), Mr Luciano Vecchi, Mr Giorgio Rossetti (GUE), Mr Gerardo Fernández-Albor (PPE), Mr Antoni Gutiérrez Díaz, Mrs Dacia Valent (GUE) and Mr Pol Marck (PPE)

to the Council of the European Communities

(4 February 1992)

(92/C 112/112)

Subject: Establishment of Cooperation Councils with the Maghreb and Mashreq countries

Having regard to the specific importance that the European Community attaches to the promotion of respect for human rights and to the democratization of society in the developing countries, as referred to in Commission document SEC(91) 61 and with a view to the European Parliament's consideration of financial protocols with the Maghreb and Mashreq countries under the assent procedure:

1. Does not the Council feel that, under the cooperation agreements with the Maghreb and Mashreq countries, a new role should be given to an instrument provided for in those agreements, namely the Cooperation Council, which has not been used in the cases of Syria and Jordan?
2. Does the Council not think that the Cooperation Councils should meet at least once a year for an assessment for how cooperation policies are working, not only from the economic but also from the political point of view, since this would enable both a regular in-depth analysis of such cooperation to be made and would also provide the urgently required opportunity

to suspend the financial protocols temporarily on the basis of a deterioration specifically in the field of respect for human rights?

Answer

(31 March 1992)

The Council begs the Honourable Member to refer to the Council's reply to Written Question No 237/92 and No 242/92, and to the reply which the President of the Council gave on 12 February 1992 to Oral Question No H-54/92 put by Mrs Belo.

WRITTEN QUESTION No 136/92

by Mr Juan de la Cámara Martínez (S)

to the Council of the European Communities

(7 February 1992)

(92/C 112/113)

Subject: European institute to combat desertification

Does the Council not believe it should consider setting up a European institute to combat desertification, to underpin an effective protection policy in those countries in the south of the Community which are gravely threatened by ongoing desertification and erosion?

Answer

(31 March 1992)

1. As it has already stated in its reply to a previous question from the Honourable Member (No 453/90), the Council is perfectly aware of the need to fight desertification.

For example, it recently reaffirmed this in its conclusion of 12 December 1991 concerning guidelines for the Community for the United Nations Conference on the Environment and Development to be held in Rio in June 1992.

2. At Community level, in the context of the reform of the common agricultural policy, the Council is continuing its efforts to integrate environmental concerns into farming, in particular by ensuring that fundamental balances as regards soil, water, climate, fauna and flora are maintained.

With more specific reference to the Mediterranean region, the Council has in Regulation (EEC) No 563/91 on the MEDSPA action ⁽¹⁾ provided for the possibility of Community financial support for a number of priority

measures, in particular measures aimed at the protection of soil threatened or degraded by fire or desertification and the protection of land against coastal erosion.

3. With particular regard to the reference to the setting up of a European institute to combat desertification, mentioned in the Honourable Member's question, the Commission has not submitted any specific proposals on this matter to the Council.

⁽¹⁾ OJ No L 63, 9. 3. 1991, p. 1.

WRITTEN QUESTION No 140/92

by Mr Juan de la Cámara Martínez (S)

to the Council of the European Communities

(7 February 1992)

(92/C 112/114)

Subject: Aid for environmental conservation of water reserves within the Community

What does the Council intend to do with regard to setting up a support policy for the environmental conservation of current water reserves in the Community? How does it propose to regulate the rational and responsible use of these resources and potential financial aid for such a policy?

Answer

(31 March 1992)

The Honourable Member is asked to refer to point 2 of the Council's reply to Written Question No 112/92.

WRITTEN QUESTION No 172/92

by Mr Lelio Lagorio, Mrs Maria Magnani Noya and Mr Vincenzo Mattina (S)

to European Political Cooperation

(10 February 1992)

(92/C 112/115)

Subject: Yugoslavia — shooting down of a European Community helicopter

In Croatia on 7 January 1992 a jet fighter belonging to the Yugoslav federal airforce shot down an Italian helicopter bearing the EC emblem. The weather conditions and the

place of the attack rule out any possibility of a tragic mistake.

1. What action will the European Community take with regard to the political authorities in Belgrade?
2. Will the Community suggest that the Member State Governments immediately withdraw their ambassadors from Belgrade?
3. Does the Community consider that the obvious disintegration of the Yugoslav Federal Republic calls for a dual response:
 - (a) the immediate recognition of the former Yugoslav states which have proclaimed their independence;
 - (b) all possible international pressure to be brought to bear on the Belgrade authorities to force Serbia to give up its ambiguous 'federal' role and present itself to the world as an independent state capable of assuming full responsibility for its actions?

Answer

(25 March 1992)

The shooting down of a helicopter causing the death of five members of the European Community Monitor Mission to Yugoslavia has been condemned by the Community and its Member States in their statement on 7 January 1992. They also demanded a thorough investigation of the circumstances which led to this grave incident in order to determine responsibilities to the fullest extent. To this end, the Head of the Monitor Mission was instructed to organize immediately a tripartite commission of inquiry, while the Presidency's representative in Belgrade received instructions to meet the local authorities with a view to securing their complete cooperation with the abovementioned investigation. The Community and its Member States also recalled the commitments accepted by all parties involved in the present crisis to ensure the security of all members of the Monitor Mission, and strongly urged them to abstain from any act which might jeopardize the present cease-fire which constitutes the key element in the search for a peaceful and negotiated solution. Following the incident, the Head of the Monitor Mission decided to temporarily suspend the activities of the monitors on the ground. No decision was taken by the Community and its Member States to collectively withdraw their Ambassadors from Belgrade.

The ECMM inquiry is still in progress. Following press reports about the findings of a separate federal commission of inquiry appointed by the authorities in

Belgrade, alleging that the ECMM helicopters did not have the necessary authorization to use the route they were taking at the time of the incident nor the appropriate EC markings, the Presidency's Ambassador has requested that a copy of the report be made available as soon as possible. The ECMM will comment on the findings once its own inquiries have been concluded.

In their declaration on 16 December 1991, Ministers agreed to recognize the independence of all the Yugoslav Republics fulfilling all the conditions enumerated in that declaration. In conformity with this declaration, and in the light of the advice of the Arbitration Commission, the Community and its Member States decided on the 15 January 1992, in accordance with these provisions and in accordance with their respective procedures, to proceed with the recognition of Slovenia and Croatia. With regard to the other two Republics which have expressed the wish to become independent, there are still important matters to be addressed before a similar step by the Community and its Member States will be taken.

WRITTEN QUESTION No 182/92

by Mr Sotiris Kostopoulos (S)

to the Council of the European Communities

(10 February 1992)

(92/C 112/116)

Subject: Human rights in Saudi Arabia

The International Committee for the Defence of Mohammed Al Fasi recently published a full-page appeal in the *International Herald Tribune* calling for his release from prison in Saudi Arabia. His crime had been to call for democratic reforms in Saudi Arabia and to assist with the sending of food to children in Iraq. Will the Community call on the Saudi authorities to respect human rights and to release Mohammed Al Fasi as requested by dozens of prominent figures throughout the world?

Answer

(25 March 1992)

The specific case mentioned by the Honourable Member has not been discussed in the framework of EPC. Nevertheless the Saudi Arabian authorities are fully aware of the importance which the Community and its Member States attach to respect for human rights, including freedom of speech. The Community and its Member

States have repeatedly stressed that the protection of human rights is the legitimate concern of the world community and of States individually and that respect for human rights will continue to be an important element in their relations with third countries.

WRITTEN QUESTION No 215/92

by Mr José Valverde López (PPE)

to the Council of the European Communities

(13 February 1992)

(92/C 112/117)

Subject: European network of health data on drugs abuse

The resolution of the Council of 16 May 1989 provides for a European network of health data on drug abuse ⁽¹⁾.

What progress has been made in achieving cooperation between the Member States and how effectively is this network now functioning?

⁽¹⁾ OJ No C 185, 22. 7. 1989, p. 1.

Answer

(31 March 1992)

1. The work performed by the Member States in particular with a view to ensuring the collection, processing and distribution of socio-health data on drug abuse at national level has formed the subject of a first Commission periodic report on national programmes for drug demand reduction in the European Community ⁽¹⁾. The Honourable Member will be able to draw any information from it that is of interest to him.

2. Moreover, the Commission — following the Council resolution of 16 May 1989 and the conclusions of the European Council of 28 and 29 June 1991 — submitted to the Council, on 3 December 1991, a proposal for a Regulation on the establishment of a European Drugs Monitoring Centre and a European Information Network on Drugs and Drug Addiction ⁽²⁾.

The Council's subordinate bodies are currently examining this proposal for a Regulation.

⁽¹⁾ COM(90) 527 final.

⁽²⁾ COM(91) 463 final.

WRITTEN QUESTION No 219/92

by Mr José Valverde López (PPE)

to the Council of the European Communities

(13 February 1992)

(92/C 112/118)

Subject: Measures taken by the Council and the Member States to reduce demand for illegal narcotics

The conclusions of the Council of 3 December 1990 on reducing the demand for narcotic and psychotropic ⁽¹⁾ substances contain an undertaking by the Member States to intensify measures to prevent and treat drug addiction, reintegrate addicts, train qualified staff and to draw up regular reports on demand reduction policies. What progress has been made in those areas?

⁽¹⁾ OJ No C 329, 31. 12. 1990, p. 20.

Answer

(31 March 1992)

1. Since the adoption of the conclusion of 3 December 1990 on reducing the demand for narcotic and psychotropic substances, the Council has received no further periodic report on measures to reduce the demand for drugs in the European Community.

2. It is furthermore planned that when being forwarded to the Council, such reports will also be sent to the European Parliament for information.

WRITTEN QUESTION No 241/92

by Mr Patrick Cooney, Mr Siegbert Alber, Mrs Karla Peijs, Mr Bryan Cassidy, Mr Bouke Beumer, Mr Petrus Cornelissen and Mr John Cushnahan (PPE)

to the Council of the European Communities

(13 February 1992)

(92/C 112/119)

Subject: Membership of GATT — Taiwan

As an important trading partner Taiwan (Republic of China on Taiwan) applied for GATT membership in January 1990. Given the importance of Taiwan's programme of investment in the European Community and bearing in mind that GATT membership rules allow for the seating of 'non-sovereign' territorial delegates,

1. What consideration has been given by the Council to supporting Taiwan's request for GATT membership?

2. Is the Council prepared to sponsor Taiwan's application for membership and furthermore is it ready to make a case for the setting up of a working group within GATT to consider its application without further delay?

Answer

(31 March 1992)

The Council recognizes the economic importance of Taiwan for Community trade and investment. The Council is currently examining the various problems raised by Taiwan's application for GATT membership.

WRITTEN QUESTION No 274/92

by Mr Alexander Langer (V)

to European Political Cooperation

(24 February 1992)

(92/C 112/120)

Subject: Anti-semitic remarks by President Tudjman of Croatia

According to press reports, a book entitled *Bespuca Povijesne Zbiljnosti* (The truth of history confounded) was published in Zagreb (Croatia) in 1990, the author of which is supposedly Franjo Tudjman, President of the Republic of Croatia. The book reportedly contains very serious and incredible claims concerning the Holocaust perpetrated against the Jews by the Nazis (understating their responsibility for the Holocaust, and the scale thereof), all but denies Croatian involvement in the extermination process and shifts the blame onto the victims.

Although the book has apparently been taken off the market, the fact remains that the president of a newly independent state whose existence is so contingent on European Community recognition is drawing attention to himself through views and attitudes which, without a shadow of a doubt, are highly dangerous in the 'new Europe' that is taking shape in so laborious a fashion.

How do Foreign Ministers meeting in European Political Cooperation view this situation, and what steps do they propose to take to point out to the Croatian President and

Government that there is little likelihood of the European Community placing its trust in anyone who distinguishes himself by such remarks?

Answer

(25 March 1992)

Publications espousing the views outlined by the Honourable Member deserve nothing but contempt. The unequivocal position of the Community and its Member States in that respect, has once again been clearly stated in the Declaration against racism and xenophobia adopted at the Community Council on 9 and 10 December 1991 in Maastricht.

The Declaration on Yugoslavia, issued on 16 December 1991, furthermore, clearly points out that the principle of respect for human rights and dignity, which has long been the cornerstone of relations of the Community and its Member States with third countries, does equally apply to Croatia.

WRITTEN QUESTION No 291/92

by Mr Sotiris Kostopoulos (S)

to European Political Cooperation

(24 February 1992)

(92/C 112/121)

Subject: The migration of Pontic Greeks

In view of the fact that conditions are steadily deteriorating in many democracies of the former Soviet Union, where many thousands of Pontic Greeks live, can EPC take steps to allow these Greeks to emigrate with their households as happened previously?

Answer

(25 March 1992)

The Honourable Member will recall the answer to his oral question No H-32/92, which concluded that there can be no doubt that the principle of respect for human rights and dignity, which has long been the cornerstone of relations of the Community and its Member States with third countries, will remain so in the future.