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## I

*(Information)*

## EUROPEAN PARLIAMENT

## WRITTEN QUESTIONS WITH ANSWER

## WRITTEN QUESTION No 2693/90

by Mr José Happart (S)

to the Commission of the European Communities

*(4 December 1990)**(92/C 126/01)*

1987:	121 653 head
1988:	96 649 head
1989:	120 668 head
1990:	143 691 head
1991: (six months)	71 799 head

*Subject:* Imports of cattle originating in Eastern countries

From different contacts received, it appears that a number of cattle traders have been able to obtain import licences authorizing the entry into the territory of certain Member States of several tens of thousand head of beef and veal.

This is a major distortion of competition, since the cattle imported in this way from Eastern countries force down quotations for Belgian breeders.

To forestall excessive disruptions on the market in meat will the Commission state its attitude to this phenomena and the measures envisaged to rectify the situation?

What is the number of animals that have been imported from Eastern countries since the beginning of the year?

What is the total number of animals originating in the East for which import licences have been issued since the beginning of the year?

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

*(21 November 1991)*

The trend of imports into the Community of adult bovine animals from eastern European countries is as follows:

It emerges, therefore, that there has not been a huge increase in these imports.

However, imports of calves (bovine animals weighing less than 200 kg) have risen appreciably, from 250 000 head in previous years to about 500 000 head in 1989 and 850 000 head in 1990.

Except where these imports fall under the 'estimate' arrangements, as drawn up each year by the Council (since 1989, 198 000 head per year, weighing for the most part between 220 and 300 kg), they carry a customs duty of 16% and have a levy (+ ECU 124/100 kg) applied to them.

At market level, during the second half of 1990, culled cows from the former German Democratic Republic also exerted a certain amount of pressure on prices on the markets of some Member States. In August and September 1990, animals from Germany introduced into the Member States exceeded their normal quantities by about 23 000 head. However, the production of meat from those animals, amounting to 5 500 tonnes, cannot be held as the main cause for the low level of prices. The latter resulted essentially from a combination of several factors, such as increased production, reduced consumption (BSE) and export difficulties (BSE and Gulf crisis), the effects of which were felt on the Community markets. Against this background, a number of measures were adopted in order to prevent a slump in prices.

Hence, the Commission substantially increased export refunds in order to stimulate exports and accelerate the

execution of export contracts for cows from the former German Democratic Republic. Simultaneously, the Community intervention arrangements were fully operational. With regard to the estimates drawn up by the Council on 4 March 1991, the imports of bovine animals for fattening for 1991 have been maintained at their former level (198 000 head), and the Commission said that for 1991 imports of calves should not exceed the number of calves traditionally imported. A system for monitoring imports was set up to this end. This led to the issue of import licences being suspended from 25 April 1991 (Regulation (EEC) No 1023/91, Safeguard clause). Lastly, for 1991, under the estimates, there are no imports at preferential rates for frozen meat for processing.

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

(15 October 1991)

1. The Commission has carried out a comprehensive study on the 'general access to information legislation' in the Member States which has just been published. This study deals with legislation that grants a general right of access to administrative documents. Access legislation is usually seen as an element in the relationship between the individual citizen and the state/public administration. It is in this context that the Council of Europe has addressed the issue in its Recommendation R(81)19 on the access to information held by public authorities. The Commission does not intend to propose for the time being a directive harmonizing such legislation in accordance with the procedure laid down in Article 100a of the Treaty, but it will examine carefully whether this is necessary and possible.

As part of its work in preparing the proposal for a Council Directive on the freedom of access to information on the environment, the Commission conducted a study on national rules in this field. When the Directive (90/313/EEC) was adopted on 7 June 1990, the Commission announced its intention of drawing up a proposal aimed at extending to the Community institutions the principles laid down in the Directive.

As regards the principles of transparency and the trust between the individual and the authorities, the Commission unveiled in September 1990 a package of proposals<sup>(1)</sup> on the protection of individuals in relation to the processing of personal data in the Community and information security. The proposals are designed to guarantee, for example, a right of access to personal data contained in public files and to avoid conflicts which may occur between the protection of personal data and the dissemination of public-sector information. As protection of privacy is a fundamental right of the individual, transparency is essential for each individual, in particular where cross-border data flows within the single market are concerned.

2. At the moment, there are no general rules governing the individual's access to information on Community activities. However, in the Commission's view, steps must be taken to ensure that, as the integration of the Community progresses, each individual in the Community is informed of the measures carried out in this respect.

3. The Commission does not believe that such a move is indispensable under the present circumstances.

<sup>(1)</sup> COM(90) 314 final — SYN 287 and 288.

**WRITTEN QUESTION No 474/91**

by Mr Gianfranco Amendola (V)

to the Commission of the European Communities

(19 March 1991)

(92/C 126/02)

*Subject:* Right of access to authorities' records

In the light of the provisions of the Council Directive 90/313/EEC<sup>(1)</sup> on the freedom of access to information on the environment and the importance attached to the submission of petitions, which encourages authorities to operate democratically (as introduced by Parliament with regard to the application of Community law), and since it is essential that government actions be transparent, if there is to be trust between the individual and the authorities, and the right to information is an established principle of civilized society,

1. Can the Commission say whether it has carried out a study of the legislation on the right of access to authorities' records in the Member States and whether it proposes to submit a directive harmonizing such legislation in accordance with the procedure laid down in Article 100a of the Treaty?
2. Can the Commission say on what basis the individual's access to information on Community actions is regulated and what criteria were used when that basis was adopted?
3. Does not the Commission believe that it would be appropriate to enshrine the right to information in connection with authorities' records in the draft Charter of Rights on the European Citizen?

<sup>(1)</sup> OJ No L 158, 23. 6. 1990, p. 56.

**WRITTEN QUESTION No 697/91**  
 by Mrs Christine Oddy and Mr Alex Smith (S)  
 to the Commission of the European Communities  
 (19 April 1991)  
 (92/C 126/03)

*Subject:* Sri Lanka

What steps has the Commission taken to ensure that the declaration of the 12 Member States of 19 October 1990 on violation of human rights in Sri Lanka has been complied with?

**Answer given by Mr Matutes**  
 on behalf of the Commission  
 (21 February 1992)

The Commission is coordinating its intervention closely with the EC Member States in the framework of the European Political Cooperation. The answer provided by the EPC Secretariat to the same question No 698/91 <sup>(1)</sup> reflects the Commission's position.

<sup>(1)</sup> OJ No C 210, 12. 8. 1991, p. 34.

**WRITTEN QUESTION No 816/91**  
 by Mrs Christine Crawley (S)  
 to the Commission of the European Communities  
 (3 May 1991)  
 (92/C 126/04)

*Subject:* Tobacco subsidies

In recent years, the Commission has both initiated and involved itself in a number of worthwhile projects promoting health and encouraging healthier lifestyles among Community people. I understand, however, that EC subsidies to tobacco growers have increased at an alarming rate. Would the Commission set out the amounts of tobacco subsidy over the last 10 years and state what percentage of the CAP budget these represent?

Approximately 440 000 EC people die each year from tobacco related diseases. Would the Commission review its policy of tobacco subsidy as a matter of urgency and give projections for its reduction, also explaining to what other products or projects (agricultural or otherwise) these funds will be diverted?

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

Raw tobacco is an integral part of the common agricultural policy and therefore the Community has to support the production of this commodity. The obligation to support tobacco derives from Article 39 of the EEC Treaty with a view to ensuring a fair standard of living for the tobacco producer. It should also be noted that tobacco growing is of great importance to the economy of certain, mostly less favoured regions of the Community, where in most cases tobacco is the only source of income. More than 200 000 producers are small family holdings, growing tobacco on very small plots of land (less than 1 hectare) are involved (95 000 in Greece and 71 000 in Italy).

Over the last 10 years subsidies for the raw tobacco sector have reached the following amounts (in million ecus):

1981:	361,8
1982:	622,6
1983:	671,3
1984:	776,4
1985:	862,9
1986:	782,2
1987:	803,6
1988:	966,1
1989:	1 138,8
1990:	1 232,1

These amounts represent on average 4,1% of the EAGGF (Guarantee section) expenditures. It must, however, be stressed that custom duties on raw tobacco imports are very low which implies that most of the cost to protect European production is borne by EAGGF.

On 9 October 1991, the Commission adopted proposals for a Council Regulation on a new common organization of the market in raw tobacco. These proposals aim to substantially reduce expenditure in the tobacco sector and prevent any possibility of uncontrolled expenditure.

**WRITTEN QUESTION No 887/91**  
 by Mr Ian White (S)  
 to the Commission of the European Communities  
 (8 May 1991)  
 (92/C 126/05)

*Subject:* Mentally handicapped children and adults in Romania

In view of the unsatisfactory reply to question No 2896/90 <sup>(1)</sup> would the Commission please advise:

1. What foodstuffs are being sent specifically for children and adults with mental handicaps?

2. What medicines are being sent specifically for children and adults with mental handicaps?
3. What educational supplies are being sent specifically for children and adults with mental handicaps?
4. What paint or building materials to refurbish the institutions where people with mental handicaps are confined are being sent?
5. If 'none' to questions 1 to 4, when will relief start?

(<sup>1</sup>) OJ No C 144, 3. 6. 1991, p. 16.

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

(19 February 1992)

**Mentally handicapped adults**

Mentally handicapped adults benefited from the general food and medical supplies sent to Romania. No specific supplies were directed to institutions for them.

- (a) Food aid contained: beef, butter, olive oil, maize, rye.
- (b) The medical supplies contained a standard list of 40 items.
- (c) and (d) No educational material for handicapped adults nor building materials to refurbish the institutions for handicapped adults were sent. No specific projects for handicapped adults are planned for 1991.

**Mentally handicapped children**

- (a) Mentally handicapped children received the general food supplies sent to some of the institutions consisting of maize, oil, sugar, rice, enriched flour, milk powder, infant formula, and lactose free milk.
- (b) Besides the standard list of medicines including vitamins, antibiotics and anti-pyretics, provided to all the institutions, those housing mentally handicapped children were supplied on request with additional special drugs including Tegretol, neuroleptics and valium.
- (c) Besides the general supplies for children which included early learning games, no specific games for mentally handicapped children were sent.
- (d) Material for the refurbishment of the institutions was sent, especially for heating installations, kitchens, laundry and sanitary facilities.

**WRITTEN QUESTION No 1045/91**

by Mr Luigi Vertemati, Mr Lelio Lagorio, Mr Nereo Laroni, Mrs Maria Magnani Noya, Mr Gianni Baget Bozzo, Mr Pierre Carniti, Mr Vincenzo Mattina and Mr Franco Iacono (S)

to the Commission of the European Communities

(22 May 1991)

(92/C 126/06)

*Subject:* Recent political events in the Baltic States

Events in the USSR and in particular the Baltic Republics have recently taken a dramatic turn, as reflected by the military action in Vilnius, which resulted in dozens of deaths and injuries. This is unacceptable and must be condemned.

Support for President Gorbachev's policy of democratization was based on the upholding of the rights of citizens and peoples in the whole of the USSR and the unity and integrity of the USSR cannot be secured by methods which violate the most fundamental human rights.

Does the Commission intend to inform Parliament of the measures taken *vis-à-vis* the Soviet authorities?

Will the Commission send a Community delegation to Moscow and to the Baltic Republics to observe the situation and to inform all those involved of the Community's will and determination to make its aid and support dependent upon a new Europe based on peace and cooperation, the upholding of individual and collective freedoms and the rejection of all violence?

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

(25 February 1992)

The Commission strongly reacted to the use of force against the Baltic effort for independence. Following the events of January 1991 in the Baltic countries, especially the military action in Vilnius, the Commission decided to suspend all high level contacts with the Soviet authorities and notably the meeting of the joint USSR-EC Committee that should have taken place at the end of January. Furthermore, the European Community decided to slow down the implementation of the assistance programme to the USSR agreed by the European Council in Rome in December 1990. It was nevertheless decided to continue to provide food aid for humanitarian reasons.

On 27 August 1991, the European Community and its Member States officially recognized the independence of

the three Baltic States and proposed to establish diplomatic relations without delay. At the same time, they underlined their commitment to support the Baltic States in their economic and political development. With this end in view, the Commission promised to explore all avenues for economic cooperation between the Community and the Baltic States.

Accordingly, Vice-President Andriessen led a delegation to Tallinn in September, where he held discussions with the prime ministers and ministers for foreign affairs, economy, and foreign trade of the three Baltic States. These talks focused on the political and economic situation, reform priorities, needs for assistance and future relations with the Community. On the basis of these discussions, the mandate for the negotiation of trade and cooperation agreements was given by the Council to the Commission on 4 November 1991. These are expected to be concluded shortly. The agreements will be based on the same commitments to the principles contained in the CSCE Helsinki Final Act and Paris Charter which underpinned the three States' declaration of independence.

The Commission has also granted substantial aid to the Baltic States. Following the military intervention in Lithuania, the Commission decided to allocate ECU 115 000 for emergency medical aid, and on 20 December 1991 granted ECU 45 million of food aid to the three States. The PHARE budget became available to the Baltic States on 1 January 1992; prior to this, the Community has extended ECU 15 million of the USSR's technical assistance allocation for 1991 to the Baltic States.

#### WRITTEN QUESTION No 1065/91

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(29 May 1991)

(92/C 126/07)

*Subject:* Discharge of solutions containing pesticides into the Waddenzee

Recently, the Waddenzee Association's Eemsmond Working Party wrote a report on investigations into the discharge of solutions containing pesticides into the Waddenzee. The study shows that the Waddenzee, one of Western Europe's most important natural habitats, is being seriously polluted through its fresh surface water as a result of eutrophication and the discharge of poisonous organic substances harmful to the environment which are used for agricultural purposes. The Eemsmond Working Party calculates that 4,6 tonnes of pesticides are being discharged annually into the Waddenzee in this way. Many of these substances are on the EC's black list.

1. A number of substances on the EC's 'black list' (76/464/EEC<sup>(1)</sup>) are authorized for use as pesticides. Given the harmful effect of such substances to the environment, does not the Commission consider that it should take measures to prevent this discharge into the environment?
2. Has the Commission taken steps in response to the recommendation of the European Parliament (resolution on the Conference on the North Sea held on 7 and 8 March 1990<sup>(2)</sup>) calling for a reduction in the use of pesticides in the EC and, by the end of 1990, submit a detailed action programme setting out specific proposals for directives in the light of the findings of the Third North Sea Conference?

<sup>(1)</sup> OJ No L 129, 18. 5. 1976, p. 23.

<sup>(2)</sup> OJ No C 113, 7. 5. 1990, p. 222.

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

(11 October 1991)

1. Directive 76/464/EEC requires Member States to control discharges of dangerous substances to surface waters, and certain pesticides fall within the scope of this Directive. The Commission has presented to the Council a list of priority substances for which limit values and quality objectives have to be fixed. Following the same directive Member States have the obligation to establish programmes of emission reduction for these dangerous substances. In addition there are obligations which arise from Directive 75/440/EEC on the quality of surface water, intended for abstraction of drinking water<sup>(1)</sup>. It is for Member States to respect their obligations under these directives and, where appropriate, the Commission will use its powers under Article 169 of the EEC Treaty to ensure their application.

2. Concerning the use of pesticides a proposal for a directive is currently being discussed by the Council. The directive will, if it is adopted, require that pesticides currently in use will be evaluated as to their effects and that those pesticides which pose a significant pollution problem will no longer be used.

With regard to an action programme emanating from the third North Sea Conference in March 1990, the Commission and the other participants at the Conference set up a detailed action plan at a follow-up meeting held in Copenhagen in December 1990.

The plan sets out a number of actions to be taken to implement the policy decisions taken at the last North Sea Conference.

Furthermore, the recently adopted directive on urban waste water treatment plants<sup>(1)</sup> achieved one of the decisions of the North Sea Conference, as does the proposal of directive on nitrates actually under discussion, and the future proposal currently being elaborated on the ecological quality of waters.

<sup>(1)</sup> OJ No L 194, 25. 7. 1975.

<sup>(2)</sup> OJ No L 135, 30. 5. 1991.

**WRITTEN QUESTION No 1094/91**  
by **Mr Herman Verbeek and Mr Paul Staes (V)**  
to the Commission of the European Communities  
(29 May 1991)  
(92/C 126/08)

*Subject:* Dumping of Dutch manure in Flanders

1. Does the Commission know about reports that large quantities of Dutch manure are being exported from the Netherlands to Belgium (according to the Flemish Public Refuse Corporation as much as 100 000—150 000 tonnes per year)?
2. Does the Commission acknowledge that the transporting of manure on such a large scale can cause serious pollution in the region into which it is imported and that it therefore constitutes a waste problem?
3. Can the Commission say whether the dumping of Dutch manure in Flanders is compatible with the principles laid down in the proposal for a Council regulation COM(90) 415 final (on the supervision and control of shipments of waste within, into and out of the European Community) concerning 'environmentally sound management of waste', the need to be 'self-sufficient in waste disposal' to 'reduce shipments to strict essentials' and observe 'the principle of prior written consent of the State of destination'?
4. Does the Commission not consider that the efforts being made to solve the manure problem in areas which produce a surplus of it (such as the introduction of quotas for the production of manure and the release of toxins per hectare) must not be thwarted by uncontrolled imports from elsewhere and that regions/countries must be allowed to take measures to combat such imports until the rules of final treatment and dehydration have come into effect?
5. Is the Commission aware of rumours that chemical waste is mixed in with manure shipments and is it investigating the matter?

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

(6 February 1992)

1. The Commission has no detailed information about exports of manure from the Netherlands to Belgium.
2. Since there are currently no specific Community rules in force concerning the transfer of manure within the Community and its spreading, the Commission takes the view that when this product poses a serious danger, for example, with respect to the health of livestock or water protection, Member States may adopt prohibition measures, under the terms of Article 36 of the EEC Treaty. Such measures are permissible only on condition that they do not discriminate against products from another Member State and cause no unwarranted or disproportionate obstacles to Community trade.
3. Manure is not one of the products covered by the proposal for a Regulation (COM(90) 415) on the control of waste.
4. The Commission considers that the problem of surplus waste in certain regions should not be solved by excessive spreading in other regions.
5. The Commission has no information about the presence of chemical waste in this manure.

**WRITTEN QUESTION No 1104/91**  
by **Mr Rafael Calvo Ortega (LDR)**  
to the Commission of the European Communities  
(5 June 1991)  
(92/C 126/09)

*Subject:* Food aid

Since food aid is based on the determination by product of overall quantities, independently of market developments and their effect on these products, this sometimes gives an impression of inflexibility which can give rise to comment. What is the Commission's own experience in this matter? Can the amounts earmarked for this purpose be altered without major difficulties arising?

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

(3 March 1992)

When proposing the appropriations for food aid in its preliminary draft budget, the Commission works with estimated quantities by product. These estimates are determined taking into account foreseeable trends in

developing countries' structural requirements for food aid, and the requirements of international organizations and NGOs.

When programming food aid, the Commission takes into account the demand from developing countries, international organizations and NGOs, not the Community supply. So, for example, over the past few years, the quantities for milk products have been reduced in favour of such products as vegetable oil and legumes, which are often better suited to the countries' eating habits.

Moreover, the overall quantity approved for each product is a maximum (except in the case of cereals, decided under the 1986 Food Aid Convention which has been extended until 30 June 1993 and which fixes a commitment); it is therefore possible to implement smaller quantities than those set.

This happened in 1990 when 71 000 tonnes of milk and 9 280 tonnes of butteroil were committed, although the overall quantities for those products had been set at 94 000 tonnes and 18 000 tonnes respectively.

The Commission considers that the present system is flexible enough to allow it to respond to changes in demand and conditions of supply for the various products.

**WRITTEN QUESTION No 1184/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/10)

*Subject:* Research foodborne illness

What research has been commissioned, and at what cost, by DG III in relation to the incidence of foodborne illness within the European Community, in the period 1980—1990?

**WRITTEN QUESTION No 1185/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/11)

*Subject:* Public health research contracts

What public health research contracts have been issued by DG III in the period 1980—1990 to the Robert von Ostertag Institute, Berlin, or academic staff working at this institute?

**WRITTEN QUESTION No 1186/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/12)

*Subject:* Public health research

When will DG III publish research arising from contracts issued to the Robert von Ostertag Institute, Berlin?

**WRITTEN QUESTION No 1189/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/13)

*Subject:* Foodborne illness research DG VI

What research has been commissioned, and at what cost, by DG VI, in relation to the incidence of foodborne illness within the European Community, in the period 1980—1990?

**WRITTEN QUESTION No 1190/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/14)

*Subject:* Research foodborne illness DG III

What public health research commissioned by DG III in the period 1980—1990 has been published?

**WRITTEN QUESTION No 1191/91**

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(5 June 1991)

(92/C 126/15)

*Subject:* Public health research

What public health research commissioned by DG VI in the period 1980—1990 has been published?

**Joint answer to Written Questions Nos 1184/91, 1185/91,  
1186/91, 1189/91, 1190/91 and 1191/91  
given by the Commission  
(7 November 1991)**

On the basis of an EEC contract with DG III in 1986, Prof. Gerigk, Dr Hartung and Dr Teufel of the Institut für Veterinärmedizin des Bundesgesundheitsamtes, Berlin (Robert von Ostertag Institut) and Prof. Jouve of the Ecole nationale vétérinaire de Nantes have produced a study on the elaboration of strategies for food control. The results of this study have not been published. No other research in this field has been commissioned by DG III, but the Consumers Policy Service has also ordered a study to be made on 'Food product hygiene in the European Community'. The research has been made by BEUC (ref. 218/90) and it has not yet been published. The paper deals with the incidence of food-borne disease as well as the monitoring system in the EEC countries.

In work to coordinate agricultural research in the Community and with its Scientific Committees, DG VI has organized and funded seminars, reports and studies dealing with public health aspects related to agricultural products. Important reports and proceedings published by the Commission are available on the following:

- environmental aspects of respiratory diseases in intensive pig and poultry houses,
- *Brucella melitensis*,
- Campylobacteriosis,
- anabolic agents,
- some important parasite infections in bovine considered from economic and social (zoonoses) points of view,
- Chlamydial disease of ruminants,
- Leptospirosis diagnosis and control,
- vaccination to control rabies in foxes,
- priority aspects of salmonellosis research,
- Beta-agonists and their effects on animal growth and carcase quality,
- bovine spongiform encephalopathy.

In addition, the Scientific Veterinary Committee has given opinions on several questions related to zoonotic diseases and in particular on listeriosis in cheese and biotoxins in molluscs. Other subjects, for example the problem of biotoxins in fish and microbiological contamination of fishery products, are being examined by this Committee and studies will be published quite soon by the Commission.

**WRITTEN QUESTION No 1167/91  
by Mr Gianfranco Amendola (V)  
to the Commission of the European Communities  
(5 June 1991)  
(92/C 126/16)**

*Subject:* Contradiction between directives in respect of organohalogen compounds

Whereas Directive 76/464/EEC <sup>(1)</sup> on dangerous waste classifies organohalogen compounds in List I, i.e. among the dangerous substances which, owing to their toxicity, must be eliminated from waste;

Whereas the US Environment Protection Agency classifies organohalogen compounds among the 129 substances to be eliminated from the environment because of their carcinogenic effects on man;

Whereas Directive 80/778/EEC <sup>(2)</sup> on the quality of water intended for human consumption classifies organohalogen compounds among 'undesirable substances' rather than among toxic substances (with the exception of antiparasitic and similar products);

1. Can the Commission explain how it is possible that the same compounds, recognized as toxic in the USA and by the EEC itself, are to be eliminated from waste and at the same time tolerated in drinking water?
2. Does not the Commission think it should act to ensure that all organohalogen compounds are classified among toxic substances in Annex I, section D, of Directive 80/778/EEC?

<sup>(1)</sup> OJ No L 129, 18. 5. 1976.

<sup>(2)</sup> OJ No L 229, 30. 8. 1980.

**WRITTEN QUESTION No 1169/91  
by Mr Gianfranco Amendola (V)  
to the Commission of the European Communities  
(5 June 1991)  
(92/C 126/17)**

*Subject:* Non-compliance by Italy with the directive on the quality of water intended for human consumption

Whereas Directive 80/778/EEC classifies organohalogen compounds among undesirable substances, concentrations of which in drinking water must be reduced to the lowest possible level, specifying 1 mg/l as guide level, i.e. as the value which Member States must take as a basis in fixing maximum admissible concentrations (Article 7 of the Directive);

Whereas, however, in DPR 24. 5. 88 No 236, Italy has fixed a limit 30 times higher than this and now, instead of reducing it, is even increasing it to 50 times this limit;

Whereas Directives 76/464/EEC classifies these substances as extremely dangerous on account of their 'toxicity, persistence and bioaccumulation' and whereas the Environmental Protection Agency has passed a similar verdict on the danger posed by these substances to human health, findings which have since been confirmed by all the data collected hitherto;

Whereas, therefore, no derogation from Directive 80/778/EEC must be allowed, as laid down in Article 9 (3) which states 'in no case shall the derogations . . . relate to toxic . . . factors or constitute a public health hazard';

Does not the Commission think that an infringement procedure should be initiated against the Italian Republic for violation of Directive 80/778/EEC?

**Joint answer to Written Questions Nos 1167/91  
and 1169/91**

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

*(10 October 1991)*

1. There is no contradiction between Directives 76/464/EEC and 80/778/EEC. Directive 76/464/EEC and its daughter Directives relate to discharges of certain dangerous substances to the aquatic environment. Directive 80/778/EEC relates to the quality of water intended for human consumption, in view of the importance of such water for public health.

It should be recalled that the toxic thresholds for organohalogenated compounds can be much lower for aquatic organisms than for man. While the daily human consumption of water is about 2 litres aquatic organisms can be exposed to the substances continuously, and some can bioaccumulate toxins to a considerable degree. It can therefore be correct to have stricter standards for the protection of aquatic life.

Parameters 32 and 55 in Directive 80/778/EEC include certain of the dangerous substances of the kind referred to by the Honourable Member. It is for Member States to ensure that appropriate measures are taken to ensure that the Directive's standards are respected. It is also open to Member States to apply the provisions of Article 16 where they judge it necessary to apply more stringent provisions than are specified in the Directive.

The Guide value for parameter 32 in Directive 80/778/EEC is 1 microgram/litre. However, Article 7 (3) does not oblige Member States to set values at or below

the Guide level; they are required to take the Guide level as a basis. It is therefore open to Member States to set a value higher than the Guide level, and setting such a value would not necessarily constitute a derogation. The Commission will invite the Italian Government to submit its observations on the matters raised by the Honourable Member and, in particular, the fact that the value has been increased from 30 times the Guide value to 50 times this value.

The Commission's powers to intervene with Member States are limited to those provided by the Treaty and by Directives. It is for the Italian Government to do what is necessary to comply with the Directive and also to take any further measures necessary to protect public health.

2. The Commission does not consider that it would be helpful to seek to include in the Directive an exhaustive list of the organohalogen compounds covered by List I of the Annex to Directive 76/464/EEC. It would be better to include individual substances and parametric values where circumstances made this necessary. In 1988, the Commission made a proposal <sup>(1)</sup> for a Council Directive to establish a Committee to facilitate this task. The proposal was revised in 1989 <sup>(2)</sup> but the Council has not yet acted on it. The Commission would inform the Honourable Member that it has asked a research organization to study individual substances included within parameter 32 and to recommend suitable values. The organization's report will be made available to Member States and could form the basis of proposals to the Committee.

<sup>(1)</sup> OJ No C 13, 17. 1. 1989.

<sup>(2)</sup> OJ No C 300, 29. 11. 1989.

**WRITTEN QUESTION No 1298/91**

**by Mr Enrico Falqui (V)**

**to the Commission of the European Communities**

*(14 June 1991)*

*(92/C 126/18)*

*Subject:* Compliance with Community rules on concentrations of chlorinated solvents in water intended for human consumption: Lombardy (Italy)

Directive 80/778/EEC <sup>(1)</sup> laying down concentration levels of chlorinated solvents (trichlorethene, trichloromethane and tetrachloromethane) in water intended for human consumption was implemented in Italy by the ministerial decree of 24 May 1988. The directive lays down a maximum guide level of 1 mg per

litre for these substances, which are potentially carcinogenic, for the water to be considered fit for human consumption. However, the ministerial decree deviates considerably from this since it fixes the threshold at 30 mg per litre.

Moreover, by a recent joint ministerial decree (issued by the Ministry of the Environment and the Ministry of Health) of April 1991, the Lombardy region has been authorized to depart from Community standards for three years, further raising the threshold for chlorinated solvents (to 50 mg per litre), thereby avoiding the closure of over 130 polluted sources.

1. Does the Commission not consider that, in view of this, it should initiate infringement proceedings against Italy for failure to comply with Directive 80/778/EEC?
2. More generally, does the Commission not consider that it should exercise its own authority over the competent Italian authorities in order to obviate the danger to the affected populace?

(<sup>1</sup>) OJ No L 229, 30. 8. 1980, p. 11.

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

(30 January 1992)

The Commission would refer the Honourable Member to its answers to Written Questions Nos 1167/91 and 1169/91 by Mr Amendola (<sup>1</sup>).

(<sup>1</sup>) See page 8 of this Official Journal.

**WRITTEN QUESTION No 1423/91**

**by Mr Mihail Papayannakis (GUE)**

**to the Commission of the European Communities**

(12 July 1991)

(92/C 126/19)

*Subject:* Violation of Community law in the Messolonghi — Etoliko wetland

The wetland between Messolonghi and Etoliko is one of the biggest in Europe (25 000 hectares) and is protected under the RAMSAR Convention. Located within the region are a number of ornithologically significant areas and separate salt marshes. The entire wetland has been flagrantly abused since the beginning of the 70s and is still under threat today, in particular the salt marshes at Messolonghi. One of these, Kleisova, is under particular threat from refuse dumped there from the town of Messolonghi. This step was taken as a necessary solution

since the town is unable to implement a special programme partly funded by the Community (to the amount of 70 million drachmas) because the state will not allow the local authority to take on the necessary staff. Thousands of tons of rubbish are piling up on the banks of the salt marsh and incinerated there while part of it is sliding into the water!

The area is also threatened by unauthorized building along the strip of land that separates the salt marsh from the sea and at 'Bambakoula'. Apart from the fact that the buildings are an eyesore and have been constructed illegally on public land, and their presence is not compatible with the natural features of the marsh (pollution, intensive cultivation, traffic etc.). Finally, a third activity is threatening the area, illegal and totally unacceptable fishing using banned types of nets, chemicals and dynamite.

Given that all of these activities are in violation of virtually all Community legislation on the environment, and in view of the fact that the Community is providing two billion drachmas for projects to rehabilitate the salt marshes in the area, will the Commission say what action it will take to ensure that the projects are economically and environmentally effective and to put an end to the flagrant abuses referred to above.

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

(27 November 1991)

The Commission confirms that two billion drachmas are available for Messolonghi-Etoliko in the framework of IMP — Western Greece. The Commission is monitoring the progress of this important development project, and will ensure that the environmental legislation is being respected. In particular, the Commission will pay attention to the correct application of Directives 85/337/EEC (<sup>1</sup>) (EIA), 79/409/EEC (<sup>2</sup>) (wild birds) and 75/442/EEC (<sup>3</sup>) (solid wastes).

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

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

(<sup>3</sup>) OJ No L 194, 25. 7. 1975.

**WRITTEN QUESTION No 1515/91**

**by Mrs Anita Pollack (S)**

**to the Commission of the European Communities**

(23 July 1991)

(92/C 126/20)

*Subject:* Road measures

Road pricing is increasingly discussed among Member States as a possible solution to traffic congestion. Indeed,

some Member States are already experimenting with road pricing systems. Charging private motorized road users for road space in times of high demand to reduce congestion can, however, be seen as an interference with the 'level playing field' which underpins progress toward the single European market.

With such difficulties in mind, will the Commission please state its opinion on the current legality of road pricing in the EC and say whether any action is being taken in the run-up to the single European market which will affect the legality of road pricing? Will the Commission also express its opinion on this issue of interference with the 'level playing field' with regards to toll roads which are already in use in some of the Member States?

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

(2 December 1991)

The Commission is not aware of the existence in Member States of systems charging users directly for their use of roads apart from road tolls. However, in the event that a Member State proposes to introduce such a system, the Commission would examine its implications to ensure that no infringement of the provisions of the EEC Treaty is implied. In particular, the Commission would wish to establish that such a system was not discriminatory and did not represent a form of aid, concealed or otherwise, towards a particular operator or mode of transport.

However, road tolls have been used by some Member States for a number of years in an effort to recover construction and maintenance costs for expensive infrastructures such as motorways and bridges.

The Commission has made a proposal (\*) to the Council regarding the charging of transport infrastructure costs to heavy goods vehicles. In this proposal, criteria are set out for toll roads as well as a system to avoid double taxation i.e. where road users of non-toll countries use roads in toll countries.

The Commission is currently studying the whole issue of using financial measures, to supplement regulatory action, aimed at a more efficient and well balanced transport system. At this stage, it is premature to express an opinion of the outcome of this study.

(\*) COM(90) 540 final.

**WRITTEN QUESTION No 1530/91**  
**by Mr Carlos Robles Piquer (PPE)**  
**to the Commission of the European Communities**  
(23 July 1991)  
(92/C 126/21)

*Subject:* The securing of scientists by Japan to design sixth generation computers

Whilst the Japanese and the Americans seem to be reaching a new agreement on semiconductors in the commercial field, there is still distrust about advanced research in the field of information technology. According to US sources, the Department of Trade has asked MITI to refrain from directly contacting American laboratories about large-scale projects, which must be coordinated through official channels, according to the 1988 Scientific Convention between the United States and Japan. The contacts concerned are being made between Japanese civil servants and American scientists at Bell Laboratories and a number of universities to ask them to take part in a project called 'Sixth Generation Computer Project' (*International Herald Tribune* of 22 May 1991).

Does the Commission know whether similar approaches have been made to scientists in European laboratories or universities? Can it say what the Community's policy is on this subject?

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

(5 February 1992)

The Commission is fully aware of the Japanese proposal for a new Japanese programme of research in the field of advanced computing, and is following the development of this proposal closely. In particular, the Commission is acting as a channel of communication between Japan and the European research community in this field.

NIPT (New Information Processing Technologies) has been publicly announced by the Japanese side, notably through an international conference held on 13-14 March in Tokyo and organized by MITI. Commission representatives and several European experts attended this exercise. The Commission has noted with satisfaction that MITI has regularly debriefed the Commission about the evolution of NIPT.

Pending clarification about the scope of NIPT, the Commission has encouraged selected European experts to follow NIPT through workshops and seminars organized by MITI during their preparation of the research programme, which itself will begin on full scale at a later stage.

The Commission's policy in this case, as in other related areas, is to ensure that possible European participation in high-technology activities proposed by third countries is organized in such a manner that European industrial and academic interests are respected and that balanced and equitable access to the results of such activities is ensured. To this end, the Commission will support a thorough exchange of information among interested European participants and coordinate their possible participation in these activities.

The responsible representatives of the Member States will be consulted and kept fully informed, as well as the European Parliament, of any relevant development.

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**WRITTEN QUESTION No 1657/91**

**by Mrs Ulla Sandbæk (ARC)  
to the Commission of the European Communities**

(6 August 1991)

(92/C 126/22)

*Subject:* Article 118A of the Treaty of Rome

Will the Commission please define small and medium-sized undertakings?

Could the statement that 'such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings' mean that small and medium-sized undertakings do not have to comply with the minimum health and safety requirements laid down in directives adopted on this basis?

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

(8 October 1991)

Although no formal definition of the terms 'small and medium-sized enterprises' exists in the context of the relevant provisions laid down in Article 118A of the EEC Treaty, it is customarily held in the social policy field that enterprises employing up to 50 employees may be classified as small, and those with up to 500 employees as 'medium-sized'. A degree of flexibility in these definitions is desirable in order to allow maximum effectiveness of measures taken in a specific context.

As regards the second paragraph of section 2 of Article 118A, it is stressed that the minimum requirements laid down in the directives promulgated pursuant to that article apply to all enterprises irrespective of their size.

These requirements are, however, expressed as tangible objectives that allow for flexibility in the choice of method and means which they have to be achieved, the overall aim being that harmonization of conditions as regards safety and health for all workers is obtained while maintaining the improvements made.

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**WRITTEN QUESTION No 1699/91**

**by Mr Carlos Robles Piquer (PPE)  
to the Commission of the European Communities**

(6 August 1991)

(92/C 126/23)

*Subject:* Community directive to protect independent television productions in Europe

Once again there have been calls for a directive compelling public and private television companies in the Community to purchase an annual quota of programmes from European independent producers.

The European Coordinating Committee of Independent Producers is thereby trying to ensure that our television channels show as many Community television productions as productions from outside the Community. Does the Commission consider that it can and must speed up work to prevent Community television producers from continuing to lose ground?

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

(12 November 1991)

The Commission is aware of the importance of promoting independent television productions in the Community and creating a large enough market for independent producers to be able to determine their own development and find the necessary finance. This is one of the aims clearly set out in the Commission's communication to Parliament and the Council on audiovisual policy (1).

Article 5 of Council Directive 89/552/EEC (2), to which the Member States had to give effect no later than 3 October 1991, requires that broadcasters reserve at least 10% of their transmission time or, alternatively, at least 10% of their programming budget, for European works created by producers who are independent of broadcasters; this proportion must be achieved by earmarking an adequate proportion for recent works.

The Commission will monitor the implementation and impact of this measure closely to assess whether there is a need for further action and what form it should take.

The Media programme (1991—95) also encourages the development of the independent production sector, largely through Euro-aim and the Greco project.

Lastly, the Commission will be discussing independent productions with experts in the field as part of the consultations with the industry which have been going on since the adoption of the communication on audiovisual policy. The outcome of these meetings will enable the Commission to improve its knowledge of the subject and to respond in the most appropriate manner to the concerns voiced by the Honourable Member.

(<sup>1</sup>) COM(90) 78 final.

(<sup>2</sup>) Directive of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administration action in Member States concerning the pursuit of television broadcasting activities (OJ No L 298, 17. 10. 1989).

#### WRITTEN QUESTION No 1713/91

by Mr Didier Anger and Mrs Solange Fernex (V)  
to the Commission of the European Communities

(7 August 1991)  
(92/C 126/24)

*Subject:* Incorporation of the new ICRP standards in Community regulations

At its November 1990 meeting the ICRP (International Commission for Radiological Protection) unanimously revised protection standards, adopting the following, stricter, maximum doses:

1. workers: 20 mSv/per year over five years
2. working pregnant women: 2 mSv externally
3. general public: 1 mSv/per year

What is the Commission's timetable for incorporating these maximum doses in the respective Community regulations and directives?

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

(1 October 1991)

The Council Directive laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation has always been based, since its initial adoption in 1959, on

the recommendations of the International Commission on Radiological Protection (ICRP).

The current 1980 version (<sup>1</sup>), the Annexes to which, in particular, were revised in 1984 (<sup>2</sup>), is based on the recommendations put forward by the ICRP in 1976.

In accordance with the provisions set out in Article 31 of the Euratom Treaty, the Commission has initiated the procedure for revision of the Directives currently in force in order to take account of the latest recommendations (No 60) of the ICRP.

(<sup>1</sup>) Directive 80/836/Euratom; OJ No L 246, 17. 9. 1980.

(<sup>2</sup>) Directive 84/467/Euratom; OJ No L 265, 5. 10. 1984.

#### WRITTEN QUESTION No 1730/91

by Sir James Scott-Hopkins (ED)  
to the Commission of the European Communities

(7 August 1991)  
(92/C 126/25)

*Subject:* Organic vegetables

What proportion of the EC market in 1. carrots, 2. potatoes, 3. onions and 4. turnips and swedes does the Commission believe will be supplied by organically grown products by the year 2000? Does it envisage that the current substantial premium prices available to organic growers will endure? What encouragement is it giving to producers to 'go organic', in whole or at least in part?

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

(9 October 1991)

One of the purposes of the Commission's proposal for a Council Regulation on the introduction and maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside (<sup>1</sup>) is to encourage the introduction and continuing use of organic farming throughout the Community.

Under the proposal the Community will contribute to a per hectare premium, granted by the Member States, up to a maximum annual eligible amount of ECU 250 per hectare.

The aims behind the proposal can be achieved only if the Member States are prepared to make widespread use of it. The Commission would like to see a range of organically grown produce that is as wide as possible.

Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs<sup>(2)</sup> has introduced a framework of rules covering production, labelling and inspection of organic products. This will, by guaranteeing fair competition between producers, enable organic agriculture to develop, and will also enhance consumer confidence in its products.

<sup>(1)</sup> COM(90) 366 final.

<sup>(2)</sup> OJ No L 198, 22. 7. 1991.

**WRITTEN QUESTION No 1755/91**  
**by Mr José Happart (S)**  
**to the Commission of the European Communities**  
*(1 September 1991)*  
*(92/C 126/26)*

*Subject:* Uruguay round and reform of the CAP

The Commission's proposals for the reform of the CAP are outlined in its document COM(91) 100 final.

Progressive market orientation for agricultural production and trade can only be achieved if the basic principles of the CAP are respected.

In the light of the new principles for the reform of the CAP, what progress has been made in the negotiations and what are the tangible results of the commitments entered into during the Uruguay Round?

Is the Commission aware of the need to reach agreement within GATT in order to achieve a sound reform of the CAP in economic and social terms?

Does the Commission consider that relations with third countries depends on the outcome of the Uruguay round of negotiations, particularly in respect of world trade?

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

The Commission's proposal on reform of the common agricultural policy is in line with the aim of the GATT agricultural negotiations as stressed by the Community, namely to progressively reduce support to the extent necessary to re-establish balanced markets and a more

market-oriented agricultural trading system. However, the proposal is not motivated by the negotiations in question, which are not concluded and where the eventual commitments can not be foreseen.

The measures proposed for a reform of the common agricultural policy are, hence, not elements of an agreement in the framework of GATT. The implementation of these measures is justified, in particular, by the internal situation in the Community. The aim of the GATT negotiations is to agree to concerted action which will re-establish balanced markets and a more market-oriented trading system. The reform of the common agricultural policy, as proposed by the Commission can not achieve that aim alone but other third countries also have to reform their agricultural policies.

If a balanced GATT agreement can be concluded, both the Community and third countries will benefit from the new arrangements, in particular developing countries, which will participate more fully in the multilateral trade system, special and differential treatment being provided where necessary.

**WRITTEN QUESTION No 1789/91**  
**by Mr Gijs de Vries (LDR)**  
**to the Commission of the European Communities**  
*(1 September 1991)*  
*(92/C 126/27)*

*Subject:* Copyright in respect of musical works

At its congress held on 3 and 4 June 1991 in Paris, the International Council of Authors and Composers expressed its concern at the implications of Council Directive 91/250/EEC<sup>(1)</sup> of 14 May 1991 on the legal protection of computer programmes as literary works within the meaning of the Berne Convention. The ICAC fears that, in future, the authors of computer programmes will be able to claim a share of royalties for works created using these programmes.

What is the Commission's own interpretation of the Directive on this matter?

<sup>(1)</sup> OJ No L 122, 17. 5. 1991, p. 42.

**Answer given by Mr Bangemann**  
**on behalf of the Commission**  
*(23 January 1992)*

The Directive on the legal protection of computer programs 91/250/EEC of 14 May 1991 deals with the

copyright protection of computer programs in all forms including both source code and object code.

The term 'computer programs' is not defined in the final text of the Directive but was categorized in the original explanatory memorandum (COM(88) 816 final) at point 1.1 of the particular provisions as 'a set of instructions which causes a computer to perform a particular function'.

The question of the authorship of works created with the aid of a computer program, whether such works are literary, musical, artistic or other works, is therefore not dealt with by Directive 91/250/EEC which gives protection only to computer programs. In circumstances where the computer program is only used as a tool in the creation of a work, the creator of the computer program cannot be said to be the 'author' of the work so created.

Moreover, the question of works generated entirely by a computer without any creative contribution by a human author was excluded from the scope of application of Directive 91/250/EEC as being premature, given the present state of the art. This view was also shared by the majority of states members of the Berne Union during the recent discussion on computer generated works by the Committee of Experts meeting in WIPO from 4-8 November 1991 to discuss a possible Protocol to the Berne Convention.

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**WRITTEN QUESTION No 1799/91**

**by Mr Sotiris Kostopoulos (S)**

**to the Commission of the European Communities**

*(1 September 1991)*

*(92/C 126/28)*

*Subject: Freeze on transfers of public-sector employees*

The Greek Government recently adopted a law facilitating transfers of public-sector employees. Unfortunately, this measure has been used to effect mass transfers of civil servants who do not belong to the party in government. This unacceptable situation has literally paralysed the entire public sector, which is now totally unable to respond to current Community and European initiatives taken with a view to completion of the single European market in 1993.

1. Will the Commission make representations to the Greek Government to abolish this law, which has caused such disruption in the civil service?

2. Will it take measures to ensure that the situation returns to normal in the public sector, since this is essential if Greece is to complete the complex process of adapting to the single European market?

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

*(14 November 1991)*

The Commission would regret any measure leading to a reduction on civil service efficiency. However, the internal running of their civil services is the business of the Member States.

The Member States are required to comply with the deadlines laid down in Community legal instruments.

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**WRITTEN QUESTION No 1841/91**

**by Mrs Brigitte Ernst de la Graete (V)**

**to the Commission of the European Communities**

*(1 September 1991)*

*(92/C 126/29)*

*Subject: Taxes on timber import*

ITTO, in its February 1991 report on 'Incentives on producer and consumer countries to promote sustainable development of tropical forests', proposed the partial transfer of revenue from industrialized countries (IC) to developing countries (DC) by taxes on timber imports into ICs. How would the financial transfer be monitored to ensure that these revenues would end up benefiting the indigenous peoples, by creating biospheres for example? What is the position of the Commission towards this proposal?

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

*(15 November 1991)*

The idea of a charge or levy on imports of tropical timber into the Community or any other timber-consuming country was put forward in 1988 by federations of tropical timber importers in the Netherlands and the United Kingdom.

This idea was then taken over by the UCBT (Tropical Timber Traders Union of the European Community), which made a proposal of its own.

This initiative, which was regarded as being worth consideration, was also examined within the Community and discussed by the ITTO.

The many practical difficulties involved in the application of this system, including the collection of funds, their

allocation, the monitoring of transfers and the need to ensure that proper use is made of the funds transferred, have to date represented the chief obstacle to continuing examination of the proposal.

At its tenth session the ITTO Council discussed the report referred to by the Honourable Member and decided to look more closely at all the aspects of the incentives policy, including in particular an import charge, in order to arrive, if possible, at specific proposals.

Since these are matters which come under the headings of both commercial policy and taxation, if a parallel proposal were put to the ITTO for application by its members, the Community would examine it very carefully within the authorized forums and in accordance with its own procedures.

#### WRITTEN QUESTION No 1939/91

by Mr François Musso (RDE)

to the Commission of the European Communities

(2 September 1991)

(92/C 126/30)

*Subject:* European development agencies

Will the Commission indicate the framework within which it is setting up 'European development agencies' in certain regions, giving a list of the 'agencies' which have already been or are about to be set up?

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

(25 November 1991)

The bulk of the Community's regional policy is designed primarily to accompany and support the regional policies of the Member States and the regions. The establishment of 'European development agencies' is not therefore a matter for the Commission as such but rather an initiative the impetus for which should come first of all from the national and regional authorities (<sup>1</sup>).

Such agencies do, however, exist in a number of regions and the Commission encourages their work in various ways:

- firstly by including in the forms of assistance under the structural Funds specific instruments such as global grants which are intended to foster the emergence of local development strategies. These are to be implemented by intermediate bodies, the criteria for which are very similar to those for the agencies in question;
- by carrying out a study of the local development potential of regions which includes a list of agencies

and will shortly take the form of a data base called APEL (compendium of locally granted potential);

- by encouraging the networking and exchange of experiences between agencies involved in inter-regional cooperation.

It should also be noted that, as far as the establishment and development of businesses is concerned, the Commission, as part of its regional policy, supports the setting up of business and Innovation Centres (BICs). These follow a Community model, but depend at local level on agreement between the public and the private sectors and concentrate their work on new or existing firms which put forward innovative development projects adding value to the economy of the region.

(<sup>1</sup>) The Council of European Municipalities and Regions publishes a list of European development agencies.

#### WRITTEN QUESTION No 1980/91

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(9 September 1991)

(92/C 126/31)

*Subject:* Effects of the set-aside regulations

1. Will the Commission comment on the conclusions reached by the Centre for European Agricultural Studies at Wye College in Britain in a study of the effects of the new Community set-aside regulations on European cereal production, in particular the claims that:

- (a) Community cereal production will fall by no more than 2 million tonnes;
- (b) it is primarily poor land that will be set aside;
- (c) the stipulation that the arrangement does not apply only to 15% of the land down to cereals but to 15% of all arable land makes the scheme unattractive to many farmers?

2. In view of these findings will the Commission amend its proposals for the reform of the CAP?

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

(10 January 1992)

The research to which the Honourable Member refers was based on a survey of farmers' stated intentions which

had been carried out before the full details of the temporary set-aside scheme were known. The Commission is therefore not at all surprised that the research concluded that the cereals crop would be reduced by 2 million tonnes at the most, as a result of the application of this scheme. The Commission does however share the opinion that the least fertile arable land will be withdrawn from production. This is a natural consequence of the fact that participation in the scheme is entirely voluntary. This was taken into account in the calculation of the cost-effectiveness of the scheme. Contrary to the Honourable Member's impression, participants in the scheme are not required to withdraw 15% of their total arable area from production, if they are also sugarbeet or potato producers, for example. This is precisely the kind of detail which reduces the predictive value of the abovementioned research. In fact, producers' representatives who have discussed the scheme with the services of the Commission have not expressed concern about the minimum withdrawal rate. Other concerns have surfaced, however, notably concerning the precise duration of the fallow period. The lessons drawn from this will help in the detailed design of future reforms for the arable sector.

A flexible approach has been adopted regarding organizations wishing to publicize conference and books, and where space permits, an insertion of two or three lines free of charge is accepted, if it is felt this will be of interest to the readership.

On the same principle, the inclusion of a lightweight leaflet is sometimes accepted provided that no extra cost to the Commission is incurred, and where the enclosure is felt to be of interest to the readers, as in the case in question.

In general, however, this service exists mainly for charitable and non-commercial organizations.

'European' events organized by Trade Unions would be eligible for enclosure, time and space permitting. Political events could also be considered for inclusion, provided they be connected with the Community, of general interest, and give the opportunity for expressing different viewpoints.

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**WRITTEN QUESTION No 2026/91**

by Mr James Ford (S)

to the Commission of the European Communities

(23 September 1991)

(92/C 126/32)

*Subject: The Week in Europe*

With my copy of the above publication for the week of 25 July 1991 I received a large leaflet for an expensive conference, put on by a private organization, respecting business in one of the 12 Member States of the Community.

Can the Commission tell me how much the organization concerned (FiBEX) paid the Commission for this privilege, and what criteria are laid down for approving any such requests for this facility from, for example, Trade Unions or other political organizations?

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

(26 November 1991)

*The Week in Europe* is the weekly news sheet of the London Office of the Commission with a circulation of some 11 000 persons interested in European affairs.

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**WRITTEN QUESTION No 2036/91**

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(23 September 1991)

(92/C 126/33)

*Subject: Discrimination in UK pensions*

In the UK, state retirement pensions are paid to women on reaching 60 years of age, whereas men cannot receive them until they reach 65. In the light of the spirit of Directives 79/7/EEC (1) and 86/378/EEC (2) and the draft directive COM(87) 494 which deal with the principle of equal treatment between men and women in pension schemes, would the Commission comment on this situation?

Furthermore, employees in the UK are entitled to a graduated pension based on National Insurance contributions made between 1961 and 1975. A man receives 6,81p for every £7,50 paid into the scheme, whereas a woman had to contribute £9 to receive the same benefit. Does the Commission agree that this is yet another example of the gross discrimination which exists within the UK pension system?

In the light of information contained in this question would the Commission outline what it considers to be best

practice? Moreover, in view of my question of 8 March 1990 (H-348/90) <sup>(1)</sup> would the Commission report on what action has been taken to establish, as a matter of urgency, full equality in all areas of retirement in Member States? Is the Commission now in a position to give a date by which this should be achieved?

<sup>(1)</sup> OJ No L 6, 10. 1. 1979, p. 6.

<sup>(2)</sup> OJ No L 225, 12. 8. 1986, p. 40.

<sup>(3)</sup> Debates of the European Parliament No 3-389/April 1990.

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

(4 November 1991)

1. The Commission can inform the Honourable Member that no discussions have been held in the Council on the proposal for a Directive supplementing Directives 79/7/EEC and 86/378/EEC since 12 June 1989.
2. The Commission was not aware of the discrimination referred to and is planning to approach the British Government for information on the subject.
3. The Commission is looking very closely at the new situation regarding equal treatment between men and women in occupational social security schemes following the judgment of 17 May 1990 in Case 262/88 Barber and is awaiting with great interest the Court's judgments on the further questions referred to it for a preliminary ruling, which will help to clarify the 17 May judgment.

**WRITTEN QUESTION No 2078/91**

by Mr Kenneth Stewart (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 126/34)

*Subject:* Progress of Merseyside Integrated Development Operation

Would the Commission state what amount of ERDF funding has been used on projects to date by the Merseyside Integrated Development Operation submission?

Is the Commission satisfied with the progress being made by the five local authorities on their various projects, and if not, which ones are at fault?

Has the Commission taken into account the latest assessment on poverty and deprivation in Liverpool and Bootle, and in view of this, will it consider further grant aid for the area?

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

(21 November 1991)

In the reply to Written Question No 1776/91 by the Honourable Member <sup>(1)</sup> the Commission stated that the 157 projects which had been fully approved or approved in principle were expected to attract ECU 70 million at current prices. At the 22 July interim and final grant claims for ECU 18,6 million had been approved. Since then further grant claims have been approved and by 6 September the corresponding figure was ECU 26,7 million.

The Merseyside Integrated Development Operation applies to the area as a whole and it seeks to identify and encourage those projects which will contribute most to the development of the region as a whole; it is not therefore based on allocations for each district council and the Commission is not therefore able to comment on the performance of individual local authorities. It is a matter of some disappointment that despite the evident need of the region the United Kingdom's national financial arrangements within which the public bodies in the region are obliged to operate will probably prevent Merseyside from taking up all the ERDF which was allocated to its operational programme.

The amount of aid given to each Objective 2 area for the period 1992 and 1993 has been decided on the basis of objective criteria which have been applied uniformly across the Community.

<sup>(1)</sup> OJ No C 78, 30. 3. 1992, p. 24.

**WRITTEN QUESTION No 2104/91**

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 126/35)

*Subject:* The island of Saint-Martin and the single market of 1992-93

Returning to my Written Question No 2280/90 of 15 October 1990 and the Commission's interesting reply of 19 December 1990 <sup>(1)</sup>, I should like to put the following questions:

1. As the northern part of Saint-Martin — Sint Maarten is administratively dependent on the French département of Guadeloupe, and the southern part is an overseas territory under Netherlands sovereignty, how is the apparently notional frontier defined? Why have several customs officers, to whom there have apparently been some objections, been sent relatively recently to the French part?

2. Is it true that the 1992—93 agreements on the single market will apply only to the French part of Saint-Martin, and that the Dutch part will be excluded?
3. Sint Maarten is organized as a free port, which is illegal under French law; how can this conflict be reduced and resolved, using the good offices of the Commission and its services?
4. What progress is being made on the island on the Commission proposal, adopted by the Council, under which, in principle, 'the development of the different constituents of a given geographical area, each of which has similar constraints and characteristics, requires the implementation of regional projects common to the various constituents, irrespective of their status in relation to Community law, as this makes it possible to achieve economies of scale and strengthens regional cooperation among the partners concerned'?
5. Have the potential beneficiary authorities in both parts of Saint-Martin — Sint Maarten submitted joint applications to the Commission services responsible for the internal coordination of the Structural Funds and the European Development Fund? Will the 'joint ideas' mentioned at the end of the above Commission answer (what are these ideas?) become joint applications? Will they be encouraged?
6. Should not this case, in which archaism and contradiction, not to mention indolence, are notable features, be referred to the Council?

(<sup>1</sup>) OJ No C 94, 11. 4. 1991, p. 39.

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

(22 November 1991)

While physical evidence of the border separating the French and Dutch parts of St Martin is minimal, the existence of such a border is shown in the different legal and administrative systems applied to the two parts of the island, as outlined by the Honourable Member in his Written Question No 2280/90.

The recent arrival of customs officers in the French part follows a drug seizure, and presumably reflects the desire of the French authorities that the liberal custom regime in force on the French part of the island should not facilitate illegal activities.

Community legislation enabling the completion of the Community's internal market applies to Community

territory. The Dutch part of St Martin is not part of Community territory.

The Commission is not aware of any conflict arising out of the custom regime in force.

In its contacts with the island's authorities, the Commission seeks to encourage cooperation between the two parts of the island. As far as requests for Structural Fund aid are concerned, the Commission procedures for examining such requests permit the impact of projects on both parts of the island to be taken into account.

A request from both local authorities for financing of a feasibility study into the construction of a waste treatment unit has been favourably received by the Commission. To date, no other joint requests have been received.

As indicated in paragraph 5 above, the Commission is supportive of efforts by the two parts of St Martin to work together for their mutual benefit.

#### WRITTEN QUESTION No 2110/91

by Mr Kenneth Collins (S)

to the Commission of the European Communities

(26 September 1991)

(92/C 126/36)

*Subject:* EFTA: Tariff, tax and non-tariff barriers facing EC spirit drinks

Will the Commission say what representations it has received from industrial organizations concerning the removal and/or improvement of various tariff, tax and non-tariff problems facing European Communities spirit drinks in EFTA markets?

Will the Commission further say whether it considers these representations reasonable and what steps it is therefore taking to pursue the objectives outlined in these representations?

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

(11 December 1991)

As in any decision making process, the Commission is endeavouring to take account of as broad a range of opinions on the issues as possible; to that end various trade interests concerned have forwarded documents to the Commission staff containing information on the barriers currently existing in the EFTA countries to trade in alcoholic and spirituous beverages.

The Commission is aware that certain practices in the EFTA countries, in particular regarding monopolies and the system of taxation, advertising and labelling, constitute technical barriers to trade and penalize Community exports of alcoholic and spirituous beverages to those countries.

In the negotiations on the European Economic Area, the Commission has taken account to a large extent of the concerns of those in the alcoholic and spirituous beverages trade and has made it clear in discussions that Community law, including secondary legislation, on competition must apply in the EEA under the same conditions as in the Community.

**WRITTEN QUESTION No 2202/91**

**by Mr Adrien Zeller (PPE)**

**to the Commission of the European Communities**

*(4 October 1991)*

*(92/C 126/37)*

*Subject:* Support for the forestry research programme in the context of the CAP reform

What does the Commission intend to do to promote research into fast-growing forests or short rotation coppices, which may, in the context of agricultural form, provide a real alternative to today's surplus agricultural production?

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

*(29 November 1991)*

Within the third framework programme for the Community, and in particular the specific research and technological development and demonstration programme for the European Economic Community in the field of agriculture and agro-industry, including fisheries (1990—1994), forest and woodland research are clearly included. Support is therefore available for actions to promote sustainable economic systems where trees, growing rapidly in short rotation, can be assessed as alternatives to crops creating agricultural surpluses and to make use of land set aside or abandoned.

**WRITTEN QUESTION No 2205/91**

**by Mr Ernest Glinne (S)**

**to the Commission of the European Communities**

*(4 October 1991)*

*(92/C 126/38)*

*Subject:* Lessons to be drawn from the fraudulent treatment of executives and other staff of the BCCI

Some executives and other staff of the BCCI who had been employed in the organization for 10 years did not receive any redundancy payment when their contracts were terminated after the adoption of a restructuring and streamlining plan in 1990. In both Luxembourg and Paris their employer justified this move by claiming that they had been guilty of 'severe misconduct' in refusing to be suddenly seconded to positions in Africa and Asia where they would not have been covered by French or Luxembourgish social security arrangements. In Paris the BCCP argued that those concerned were employed by the head office of the organization in Brussels and the registered office in Luxembourg. In Paris proceedings have been initiated against the BCCP, before labour tribunals, but progress is very slow; London employees seem to have suffered somewhat less.

In addition, staff were required to pay 8,33% of their salary(!) to a non-registered provident fund which they are now unable to have reimbursed. The former director of the BCCI in Luxembourg is personally implicated in misappropriating provident fund resources.

Proceedings have also been initiated before the Luxembourg courts by the Luxembourg Monetary Institute which may involve the problem of labour relations in the BCCI.

Does the Commission not agree that this case amply highlights the need to allow and even clearly encourage concerted actions and protests by staff employed by companies with a number of different seats in the Community, while protecting them from fraud? Is sufficient attention being paid to this problem in drawing up the directive due to be issued next spring?

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

*(27 January 1992)*

Procedures for informing and consulting employees of European-scale groups of undertakings are the subject of three different proposals submitted by the Commission to the Council.

The proposal for a Council Directive on procedures for informing and consulting employees of undertakings with complex structures, in particular transnational undertakings (\*) (submitted to the Council on 24 October

1980 and amended on 13 July 1983 <sup>(1)</sup>), covered all EC, non-EC, and parents undertakings, having one or more establishments or subsidiaries in the Community, and employing as a whole at least 1 000 employees in the Community. The proposal would require these to regularly inform and consult the employees' representatives via the local management, as provided by the law or practice of the Member States. No single body for employee representation was set up and the information and consultation procedures envisaged were channelled throughout the existing national representation structures. After lengthy discussions, the amended proposal did not find enough support among the Member States.

In December 1990, the Commission adopted a proposal for a Council Directive on the establishment of a European Works Council (EWC) in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees <sup>(2)</sup>. This proposal was amended and adopted by the Commission on 16 September 1991. The revised proposal's objective is to improve the provision of information to, and the consultation of, employees in Community-scale undertakings and groups of undertakings. To this end, a EWC is to be established in every Community-scale undertaking and group of undertakings. According to the Annex of the proposal, the EWC should have the right to be informed and consulted by the central management of the undertaking, by the controlling undertaking, or by any other competent level of management, about any management proposal concerning at least two controlled undertakings situated in two different Member States and having a serious consequence for the employees. The proposal makes express reference to decisions related to relocation, mergers, reduction in size, closure of undertakings and introduction of new technologies.

Situations as those referred to by the Honourable Member concerning corporate restructuring, closures or collective redundancies would be covered by the information and consultation procedures laid down by the revised proposal.

On 18 September 1991, the Commission adopted a proposal amending Council Directive 75/129/EEC on collective redundancies, with the effect of reinforcing the requirements to transnational redundancy decisions and to groups of undertakings. This would be done by ensuring that employers may not rely on the defense that they did not receive the relevant information in time from the controlling undertaking which makes the decision leading to collective redundancies.

<sup>(1)</sup> OJ No L 297, 15. 11. 1980. Supplement 3/80, Bulletin EC.

<sup>(2)</sup> OJ No C 217, 12. 8. 1983. Supplement 283, Bulletin EC.

<sup>(3)</sup> OJ No C 39, 15. 2. 1991.

**WRITTEN QUESTION No 2224/91**  
**by Mr Víctor Manuel Arbeloa Muru (S)**  
**to the Commission of the European Communities**

(4 October 1991)

(92/C 126/39)

*Subject:* Standardizing telephones in the EC

Are the charges brought by certain Member States against Community citizens for selling cordless telephones compatible with the free movement of goods and the rules against abuse of dominant market positions?

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

(4 February 1992)

The Commission is aware of several cases in which Member States have brought charges against private citizens for marketing terminal equipment not approved in the country of destination. Some of these cases concern cordless telephones.

Charges such as these are the corollary to the requirement for prior approval to market terminal equipment. The Commission feels that in the light of Article 30 of the EEC Treaty and of Directive 88/301/EEC <sup>(1)</sup> there is no justification for this requirement if the terminals are intended for a private network or for re-export. After all, the objective of approval is to ensure compliance with the essential requirements specific to the public telecommunications network in the country of destination. Consequently, if the terminals are not intended for connection to the public network, prior approval is no longer warranted and, hence, is contrary to Community legislation.

Cordless telephones operate in the radioelectric frequency spectrum. However, irrespective of the declared intended use, this type of terminal can, for technical reasons, cause interference with the public radiocommunications network. For this reason, the Commission feels that prior approval of terminals using the radioelectric frequency spectrum, as opposed to terminals physically connected to the network, is justified, even if the equipment is intended for a private network. This is the approach adopted in Directive 91/263/EEC <sup>(2)</sup> which is now being incorporated into the national legislation. Application of common conformity specifications, as provided for in the harmonization Directives adopted in this field, is the only way to build a system in which approval in one Member State suffices in order to market equipment throughout the Community.

Until such measures are introduced, the Member States' regulations imposing penalties on sellers of unapproved cordless telephones cannot be considered contrary to Article 30 of the Treaty.

However, these regulations could be contrary to Article 90 of the Treaty in conjunction with Article 86 if they impose an obligation on undertakings wishing to market cordless telephones to obtain prior approval from a body which is not independent of the public operator in the country concerned. For this reason, Article 6 of Commission Directive 88/301/EEC of 16 May 1988 enjoins the Member States to ensure that approval is granted by a body independent of their public telecommunications operator. Almost every Member State has implemented this clause. However, the independence of the bodies consequently set up can be assessed only in the light of specific cases like those raised by the Honourable Member.

(<sup>1</sup>) OJ No L 131, 27. 5. 1988.

(<sup>2</sup>) OJ No L 128, 23. 5. 1991.

#### WRITTEN QUESTION No 2246/91

by Mr Vincenzo Mattina (S)

to the Commission of the European Communities

(4 October 1991)

(92/C 126/40)

*Subject:* High-speed trains in the Italian railway system

In connection with the planned restructuring of the Italian railway network involving the introduction of high-speed trains, can the Commission answer the following questions:

1. Have the Italian authorities made any provision for informing the Commission about the actual project?
2. Can the award by private negotiation of a series of contracts worth some Lit 15 000 billion be considered to be in accordance with Community law?
3. Does the Commission not consider that the fact that the modernization of the Italian railway network affects only marginally the regions of southern Italy, whose weakness in transport and communications is undoubtedly a primary cause of their lack of economic development, constitutes a clear violation of the obligations of economic cohesion as enshrined in the Single European Act?

Answer given by Mr Van Miert  
on behalf of the Commission

(13 February 1992)

It was agreed with the Italian authorities that the details relating to the restructuring of the Italian railways would

be submitted at the next meeting of the High-Level Working Party on the High-Speed Network. These details will include information on the arrangements Italy has adopted for the introduction of high-speed rail services.

Until it has this information the Commission cannot express an opinion on the approaches being considered by the Italian authorities or on their national priorities.

Nevertheless the Commission would remind the Honourable Member that the European masterplan for high-speed railways, adopted by the Council at the meeting of 17 December 1990, provides for the southern regions of Italy to be served by two main lines which are projects of European interest. These are the new Milan-Rome-Naples-Battipaglia line, with the extension from Battipaglia to Reggio Calabria which is to be modernized, and the modernized line from Verona to Bologna, Foggia and Brindisi. These two will be linked by a modernized section between Caserta and Foggia. Sicily's two main cities of Palermo and Messina will have a modernized line.

Together, these lines and good connections from them to the main southern cities will improve rail links in the south and given the local economy a boost.

#### WRITTEN QUESTION No 2258/91

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(18 October 1991)

(92/C 126/41)

*Subject:* Cooperation between the Belgian Post Office and Greenpeace

On 25 May 1991 Greenpeace, the environmental protection organization, celebrated its twentieth anniversary. To mark the occasion the Belgian Post Office decided to organize a campaign from the end of May to 31 July 1991, to promote the sale of T-shirts bearing the slogan 'Greenpeace toujours à son poste'. Posters and leaflet were made available to customers in post offices in support of the campaign, the cost of which was largely offset by sales of the T-shirts, the proceeds going to the Post Office. This scheme has helped the Belgian Post Office improve its image among young people.

Could not the Commission encourage similar cooperation between Greenpeace and the national postal services in the other Member States?

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

(27 November 1991)

The organization Greenpeace is completely separate from the Commission, a situation which, of course, extends to its promotional activities. It is not part of the Commission's role to participate in commercial or promotional activities on behalf of a particular organization, even when those activities are of general interest.

Accordingly, it is for the individual postal authorities to decide with Greenpeace whether a promotional campaign of this kind is in their mutual interest.

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**WRITTEN QUESTION No 2301/91**

**by Mr Carlos Robles Piquer (PPE)**

**to the Commission of the European Communities**

(21 October 1991)

(92/C 126/42)

*Subject:* The Pinatubo eruption and the ocean current 'El Niño'

American scientists have recently claimed that in addition to the local damage caused, the massive eruption of the Philippine volcano Pinatubo will affect the atmosphere world-wide due to the greenhouse effect; another American expert, speaking later in Santiago, Chile, claimed that the reappearance of the ocean current known as 'El Niño' indicates that we can expect the temperature of the Pacific Ocean to rise.

Does the Commission have any information concerning these claims and the possible climatic consequences of the phenomena in question?

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

(10 January 1992)

The Commission carries out, through its Global Environment Unit, a follow-up of current scientific discussion developed in the framework of the Intergovernmental Panel on Climate Change (IPCC).

The IPCC is, for the time being, the most important body for the scientific evaluation of all the physico-chemical processes associated with the warming up of the planet.

The scientific report of the IPCC issued in June 1990 points out that aerosol particles play a relevant role in the climate system because of their direct interaction

(absorption and scattering) with solar and terrestrial radiation, as well as through their influence on cloud processes and thereby, indirectly, on radiative fluxes.

Aerosol particles derived from natural emissions may contribute in important ways to climate feedback processes. Following major volcanic eruptions, the concentration of aerosol particles can be greatly enhanced over the next few years.

Major volcanic eruptions can inject gaseous sulphur dioxide and dust, among other chemicals, into the stratosphere. The sulphur dioxide is quickly converted into sulphuric acid aerosols. If present in sufficient quantities in the stratosphere, these aerosols can significantly affect the net radiation balance of the Earth.

In summary, there is little doubt that major volcanic eruptions contribute to the variability of the global temperature record; but since the lifetime of the aerosols in the stratosphere is only a few years, such an effect would require frequent explosive eruptions to cause long-term fluctuations in aerosol loading.

It should be mentioned that during the last session of the negotiations of a Framework Convention on Climate Change (Nairobi, 9–20 September 1991), Professor Obasi, Secretary-General of the World Meteorological Organization, cited specifically as major environmental events which have recently affected climate, the oilfield fires in Kuwait and the eruption of Mount Pinatubo in the Philippines.

Nevertheless, the magnitude of global and regional climate impact (global warming or El Niño Southern Oscillation phenomenon), cannot be fully evaluated at this stage and will need further analysis in the framework of the World Climate Programme. It should be noted that climate research depends upon many years of reliable data and extensive international cooperation.

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**WRITTEN QUESTION No 2304/91**

**by Mr Carlos Robles Piquer (PPE)**

**to European Political Cooperation**

(21 October 1991)

(92/C 126/43)

*Subject:* Agreements concerning Walvis Bay

What is the nature of the agreements apparently being concluded between the governments of Namibia and South Africa for joint administration of the port of Walvis Bay and its hinterland, particularly with a view to constructing roads and railways linking it with various parts of southern Africa?

**WRITTEN QUESTION No 3185/91**

**by Mr Edward Newman (S)  
to European Political Cooperation**

(24 January 1992)

(92/C 126/44)

*Subject:* Walvis Bay, Namibia, occupied by South Africa

What have the Foreign Ministers done, and what are they prepared to do in the future to pressure South Africa to withdraw from Walvis Bay in compliance with United Nations Security Council Resolution 432?

**Joint answer**

**to Written Questions Nos 2304/91 and 3185/91**

(10 April 1992)

As the Honourable Parliamentarian is aware negotiations are presently taking place between the Governments of Namibia and South Africa on the future of Walvis Bay and the Orange River boundary.

On 14 March 1991 a joint statement was issued. The South African authorities acknowledged Namibia's vital interest in a secure deep-sea port and stated their readiness to recommend to the South African Parliament that:

- the middle of the Orange River be the border between the two countries instead of the north bank of the river
- a joint port authority be established to administer the port and to give Namibia a stake in the running of the port.

Concerning the issue of sovereignty over Walvis Bay and the offshore islands, South Africa indicated its preference to have the matter addressed only after the start of the negotiations for a new South African Constitution.

It was agreed that the desirability to establish a joint water authority in respect of the utilization of the waters of the Orange River as well as of the Kuiseb River should be investigated.

Negotiations and consultations on the subject of the future of Walvis Bay were continued on a regular basis since the abovementioned joint Statement was issued. Following a meeting on 20 September 1991 a further joint Statement was issued in which the two Governments indicated their acceptance in principle of the setting up of a Joint Administration body to administer the territory of Walvis Bay and the offshore islands as an interim

arrangement, pending an eventual settlement of the issue. To this end the two Governments decided to establish a Joint Technical Committee to advise them on the functions and structures which could lead to joint administration. In addition, as regards the Orange River boundary, it has been decided to appoint a Joint Technical Committee to investigate and report on the demarcation of the boundary in the middle of the river.

The two Joint Technical Committees above were officially constituted on 5 December 1991 and are expected to commence their work soon.

The Community and its Member States note with satisfaction the determination of the two governments to reach a solution to this issue through peaceful means and hope there will be further, early progress in the bilateral negotiations.

**WRITTEN QUESTION No 2317/91**

**by Mr Ben Visser (S)**

**to the Commission of the European Communities**

(21 October 1991)

(92/C 126/45)

*Subject:* TGV high-speed train route between Brussels and Amsterdam

According to an article which appeared in the *Volkskrant* on 6 August 1991, Commissioner Van Miert has apparently indicated his willingness to participate in a study on an alternative route to that agreed by the Netherlands and Belgium.

The part of the route concerned is where the TGV crosses the Belgian-Netherlands border.

1. Does the Commission not share the view that it is not the responsibility of the European Community to take initiatives concerning details of the high-speed train routes but that, in accordance with the principle of subsidiarity, this is a matter for the national authorities and local authorities, such as the provinces and municipalities?
2. Does the Commission not agree that its primary task is to indicate the major routes (e.g. Paris—Brussels—Amsterdam) and to ensure that the relevant decisions are based on environmental impact assessments and adequate consultation?
3. Is it correct that Commissioner Van Miert said he would take part in a study into the choice of route, despite the fact that the two governments had already reached a compromise?
4. Does the Commission not consider that the Community's involvement in the details of the choice

of route will create a precedent that will impose an unnecessary strain on its scarce manpower and resources?

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

(12 February 1992)

The Commission shares the Honourable Member's view. The details of the route are not the Community's responsibility but that of the national authorities. In the report the Commission adopted on 5 December and the Council approved on 17 December 1990, the High-Level Working Party simply laid down the general outline of the European high-speed rail network, the decision on the actual line each route would take in each section being left to the relevant national authorities.

Without making any formal commitment the Member of the Commission, Mr Van Miert, reminded those concerned that a Community contribution to the financing of a study on the high-speed link between Belgium and the Netherlands might be considered if the countries concerned so wished.

**WRITTEN QUESTION No 2325/91**

by Mr Heribert Barrera i Costa (ARC)

to the Commission of the European Communities

(21 October 1991)

(92/C 126/46)

*Subject:* Funds for Objective 2 of the Structural Funds

The Commission has decided to extend the life of the list of Structural Funds Objective 2 regions for the period 1992—1993.

It would appear that, in allocating Objective 2 funds to each Member State, the Commission studied a number of alternatives. The final decision means that Spain will receive ECU 626 million for the period 1992—1993.

Can the Commission confirm that, if it had chosen to use other methods of calculation, Spain would have benefited from an extra ECU 100 million for its Objective 2 regions?

How can it justify this loss of funding for the Spanish Objective 2 regions, when, according to the conclusions of the study carried out by the Munich 'Institut für Wirtschaftsforschung' (IFO) on the effects of 1992 and the secondary legislation on the less favoured regions of the EEC, the development prospects of the Atlantic coast Objective 2 regions of Spain are deteriorating?

Moreover, out of a total of ECU 3 350 million assigned to Objective 2 regions until 1993, the Commission has decided to devote ECU 507 million to Community initiatives. What explanation does it offer for the fact that funds for Community initiatives are being taken from the total allocation for Objective 2 regions?

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

(2 January 1992)

The total of ECU 7 205 million (1989 prices) granted to Objective 2 areas for the period 1989/93, is made up as follows:

- national initiatives (new and under way): ECU 6 311 million;
- so-called first-generation Community initiatives (non-quota measures and Community programmes): ECU 387 million;
- so-called second-generation Community initiatives (Community initiatives): ECU 507 million.

The total granted to Spain for national initiatives for the whole of the period 1989/93 is ECU 1 305 million:

- ECU 679 million for the first phase (1989—1991),
- ECU 626 million for the second phase (1992—93).

This represents 20,7% of total Community funding for national initiatives under Objective 2 over the five years (ECU 6 311 million). This is the percentage given in Commission Decision 89/289/EEC of 8 March 1989 fixing an indicative allocation between Member States of 85% of the commitment appropriations of the European Regional Development Fund under Objective 2 for the period 1989—93. The allocation criteria are based on the eligible population and the average unemployment rate in the regions concerned in each country.

Appropriations for Community initiatives under Objective 2, as for those under other Objectives, are from the total sum earmarked for all the regions covered by that Objective.

**WRITTEN QUESTION No 2344/91**

by Mr Jesús Cabezón Alonso (S)

to the Commission of the European Communities

(21 October 1991)

(92/C 126/47)

*Subject:* Relations between the European Community and Guatemala

In the last two years:

1. what measures has the Commission taken or encouraged in order to promote socioeconomic development in Guatemala?

2. how has the Commission promoted cooperation between the European Community and Guatemala?
3. on what terms has trade between the European Community and Guatemala been maintained or promoted?

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

(3 March 1992)

In view of the length of its answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

**WRITTEN QUESTION No 2349/91**

**by Mr Thomas Megahy (S)**

**to the Commission of the European Communities**

(21 October 1991)

(92/C 126/48)

*Subject:* Liberalization of textile imports from Eastern Europe

Within the framework of negotiations between the EC and Eastern Europe the Commission intends to liberalize imports in categories 36 (artificial filament fabrics) and 100 (coated fabrics) from Czechoslovakia, Hungary and Poland. Category 36 includes fabrics of acetate and viscose. The production of both these yarns is now constrained in Western Europe by environmental controls which do not yet apply in Eastern Europe. In the same way, category 100 includes all kinds of PVC- and polyurethane-coated fabrics, again with an environmental connotation. What account is the Commission taking of the danger that if trade in these two categories is liberalized there will be strong temptation for EC companies to source their products in Eastern Europe, where legislative controls do not yet exist, thus effectively exporting the pollution problem and giving rise to increased unemployment within the EC?

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

(25 February 1992)

As an intermediary step towards the conclusion of the Association Agreements between the EC and Czechoslovakia, Hungary and Poland, interim textile agreements have been concluded for one year. As a result of these negotiations, the restrictions on categories 36 and 100 have not been liberalized.

The Commission is aware of the environmental problem arising from the production of these types of fabrics in

Eastern Europe, although economic factors have constituted the major justification for maintaining the restrictions.

It is to be noted that provisions for cooperation in the environmental area are included in the Associations Agreements and we can expect that in due course, and with the assistance of the Community, substantially similar environmental standards in this sector of production will be enforced both in the EC and these countries.

**WRITTEN QUESTION No 2354/91**

**by Mrs Dorothee Piermont (ARC)**

**to the Commission of the European Communities**

(22 October 1991)

(92/C 126/49)

*Subject:* Radioactivity released by atom bomb tests on Mururoa

According to the German news magazine *Der Spiegel*, of 12 July 1991, two Greenpeace activists measuring radioactivity levels following subterranean atom bomb tests on the French Polynesian atoll of Mururoa have been arrested on the grounds that only the EC Commission is entitled to measure any radioactive contamination within Mururoa's 12-mile zone.

1. Is it true that two Greenpeace scientists were arrested on Mururoa on these grounds and does the Commission have further details of the circumstances surrounding their arrest?
2. Is it true that only the EC Commission is entitled to carry out measurements of radioactive pollution within Mururoa's 12-mile zone?
3. Is it true, as *Der Spiegel* claims, that the EC Commission has declined and continues to decline to carry out such investigations on the grounds that no funds are available for it?
4. Has the Commission carried out measurements for radioactivity within Mururoa's 12-mile zone or does it have any plans to do so?

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

(3 February 1992)

1. The Commission has not been informed of the arrest of two Greenpeace members on Mururoa.

2. Access within the 12-mile zone round Mururoa is the sovereign right of the French Government.

3. Under Article 35 of the Euratom Treaty, the Commission has right of access to radioactivity monitoring stations to check their operation and efficiency. However, the Commission does not consider it a priority for the moment to send inspectors to the Mururoa site (see also answers to oral question H-335/89 by Mrs Piermont <sup>(1)</sup> and Written Questions Nos 2450/90 by Mr Monnier-Besombes <sup>(2)</sup> and 2527/90 by Mr Hughes <sup>(2)</sup>).

4. The Commission does not itself carry out radioactivity measurements as part of the abovementioned monitoring. It has not, therefore, carried out any such measurements within the Mururoa 12-mile zone, nor does it intend to do so. Nevertheless, it is paying close attention to the trend in radioactivity levels on the basis of measurements communicated to it under Article 36 of the European Treaty.

<sup>(1)</sup> European Parliament Debates, Nos 3-3873 (November 1989).

<sup>(2)</sup> OJ No C 70, 18. 3. 1991.

#### WRITTEN QUESTION No 2406/91

by Mrs Christine Oddy (S)

to the Commission of the European Communities

(30 October 1991)

(92/C 126/50)

*Subject:* Qualifications for psychotherapy and hypnotherapy

What plans does the Commission have to regulate the recognition of qualifications for psychotherapists and hypnotherapists in the European Community?

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

(6 February 1992)

Recognition of psychotherapists' and hypnotherapists' qualifications is provided for, in the case of doctors, by the 'doctors' Directives 75/362/EEC and 75/363/EEC <sup>(1)</sup> and, in the case of non-doctors, depending on the level of training in question, either by the 'general system' Directive 89/48/EEC <sup>(2)</sup> or, in future, by the proposal for a Council Directive on a second general system for the recognition of professional education and training which complements Directive 89/48/EEC <sup>(2)</sup>.

The Commission does not therefore plan to make specific proposals in this field.

It would also refer the Honourable Member to the answers to Written Questions Nos 1059/91 by Mr Schmid <sup>(\*)</sup> and 1239/91 by Mrs Crawley <sup>(\*)</sup>.

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

<sup>(2)</sup> OJ No L 19, 24. 1. 1989.

<sup>(\*)</sup> OJ No C 263, 16. 10. 1989; amended proposal: OJ No C 217, 1. 9. 1990.

<sup>(\*)</sup> OJ No C 315, 5. 12. 1991.

<sup>(\*)</sup> OJ No C 259, 4. 10. 1991.

#### WRITTEN QUESTION No 2413/91

by Mr Wayne David (S)

to the Commission of the European Communities

(30 October 1991)

(92/C 126/51)

*Subject:* Pollution in Pontyclun

Would the Commission carry out an investigation into pollution from the factory of Purolite International Limited at Cowbridge Road, Pontyclun, Mid Glamorgan, South Wales, to establish whether EC environmental standards are being adhered to, and whether the emissions from the plant are a danger to public health?

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

(11 December 1991)

The Commission believes that no EC environmental standards apply to the atmospheric emissions from the processes operated by Parolite International. Emissions from the factory are monitored by the Employment Medical Advisory Service, Her Majesty's Inspectorate of Pollution, and the local authority Environmental Health Department. The Commission understands that none has any reason to believe that the factory poses a threat to the health of the workers at the factory or to the public living within its vicinity. In the absence of an inspectorate, the Commission sees no reason to supplement this monitoring, or to carry out further inquiries, unless more detailed information is available.

#### WRITTEN QUESTION No 2437/91

by Mrs Teresa Domingo Segarra (GUE)

to the Commission of the European Communities

(30 October 1991)

(92/C 126/52)

*Subject:* Facilities for refugees in the international section of airports

On 23 September 1991 the Council of Europe's Parliamentary Assembly adopted a report on

arrangements for asylum-seekers in European airports. The report was particularly critical for the lack of facilities currently provided for them (in terms of interpreters, legal assistance, communications with the outside world, etc.).

What measures can the Commission take to promote the introduction of humanitarian arrangements in the international section of Member States' airports for foreigners not admitted to the country and asylum-seekers, by helping to meet the cost of material and social assistance?

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

(5 February 1992)

In its communication to the Council and the European Parliament of 11 October 1991 on the right of asylum, the Commission clearly stated that no common measures in respect of immigration and asylum should detract from humanitarian achievements as regards protection for those suffering political persecution.

In asserting this principle, it attaches utmost importance to the facilities provided for asylum-seekers at airports. It will, therefore, look into the matter closely, paying attention to the need to respect the rights of asylum-seekers.

**WRITTEN QUESTION No 2455/91**

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

**to the Commission of the European Communities**

(4 November 1991)

(92/C 126/53)

*Subject:* Export of German meat from the new Länder to the Soviet Union

When Germany was unified the FRG undertook to export at its own expense to the Soviet Union a quantity of meat then estimated at about 180 000 tonnes corresponding to the slaughter of dairy cows following the introduction of dairy quotas in the new Länder.

How much meat has in fact been exported from the new German Länder to the Soviet Union and on what date?

What was the cost of storing this meat before exportation? Will these storage costs be reimbursed by the German Government?

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

(19 December 1991)

Before German unification the authorities of the former GDR concluded sales contracts for the export of beef/veal in particular to the USSR.

The quantities agreed on for export to the USSR amount to 131 000 tonnes to 140 000 tonnes (carcase weight) with cow beef accounting for 80 000 tonnes to 120 000 tonnes.

On the basis of information forwarded by the German authorities, the following quantities had been purchased or exported under the contract at 6 October 1991:

- meat purchased: 118 400 tonnes (including 91 600 tonnes of cow beef);
- meat exported: 101 700 tonnes (including 86 400 tonnes of cow beef).

The dates on which individual quantities were exported are not known to the Commission.

In this connection, it should be pointed out that in accordance with Article 2 (4) of Regulation (EEC) No 3775/90<sup>(1)</sup> (as amended by Regulation (EEC) No 2059/91<sup>(2)</sup>), Germany has been authorized to extend the term of validity of the export licences and advance-fixing certificates concerned until 31 December 1991. The decision to authorize that Member State to extend the validity of those documents was based on a number of problems arising in the execution of the contract, which prevented its being carried out in accordance with the original timetable.

No specific provision has been made by the German Government to cover the costs of storing the products prior to export.

<sup>(1)</sup> OJ No L 364, 28. 12. 1990.

<sup>(2)</sup> OJ No L 187, 13. 7. 1991.

**WRITTEN QUESTION No 2474/91**

**by Mr Ernest Glinne (S)**

**to the Commission of the European Communities**

(4 November 1991)

(92/C 126/54)

*Subject:* Engineering of food shortages in the USSR

At the public meeting held on 21 August 1991 by the Chamber of Representatives Committee on External Relations, it was pointed out that ships containing foodstuffs, including considerable quantities of meat, for the Soviet Union had been held up in the port of Antwerp. These allegations made in Parliament were not denied by the Minister, Mr Eyskens.

Will the Community institutions carry out a full investigation into the possible engineering in European ports of a situation favourable to the attempted coup d'état of 19 August 1991?

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

*(11 December 1991)*

The Commission is not aware that ships containing foodstuffs for the Soviet Union have been held up in the port of Antwerp. If commercial deliveries were involved, the Commission would not necessarily have been informed of such delays.

The Commission can, however, confirm that there have been no hold-ups in the Community's food-aid programme for the Soviet Union which is currently under way. Furthermore, no deliveries of products supplied under the programme were scheduled to go through the port of Antwerp during the period in question.

**WRITTEN QUESTION No 2477/91**

**by Mr Kenneth Stewart (S)**

**to the Commission of the European Communities**

*(4 November 1991)*

*(92/C 126/55)*

*Subject:* Factory closures and job losses on Merseyside reach crisis point

The Commission must be aware of the distress and suffering to many Merseyside families by the ever continual loss of jobs within the area, by factory closures and companies moving out of the region, the most recent company being GPT Liverpool and Huyton with job losses of 600, following Mysons of Kirby with a further 300 redundancies. The list is far too great to quote here.

Would the Commission state if GPT has received any European funding in order to help them advertise their 'System X' telecommunications product and has the UK Department of Trade and Industry taken any steps to promote the product in Europe?

In view of the deprivation in the Merseyside area, where in many cases, two generations have never had a job, and things now reaching crisis point, will the Commission consider entering into discussion with the British Government's DTI and the companies concerned, to help find a solution to this continual problem?

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

*(18 December 1991)*

The Commission shares the Honourable Member's concern at the continuing loss of manufacturing employment in Merseyside and in other areas of the Community already suffering from unacceptably high levels of unemployment.

In the case of Merseyside, these job losses reinforce the need for a sustained programme and work which will revitalize the economy of this area through public and private investment. It is in this spirit that the Commission is currently preparing the Community Support Framework which will cover Merseyside.

There is no record of the company GPT receiving help from the European Regional Development Fund for any purpose.

**WRITTEN QUESTION No 2499/91**

**by Mr Llewellyn Smith (S)**

**to the Commission of the European Communities**

*(4 November 1991)*

*(92/C 126/56)*

*Subject:* Quality instruments for the food industry

What scientific evidence is available that support DG III's view that competition increases or maintains the quality of foodstuffs, where both producers and consumers agree that a 'lower quality' product is acceptable? In such circumstances why should competition force up standards?

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

*(5 February 1992)*

The Commission considers that the concept of quality is linked with the concept of the market as defined in the ISO 9000 International Standards and the EN 29000 European Standards. These state that 'quality' is all the properties and characteristics of a service or product which confer on it the ability to meet explicit or implicit needs.

Thus, the Commission believes that, in the absence of legislation, free competition will enable needs to be expressed and satisfied.

**WRITTEN QUESTION No 2534/91****by Mr Louis Lauga (S)****to the Commission of the European Communities***(8 November 1991)**(92/C 126/57)*

*Subject:* Maximum admissible concentration of pesticides in drinking water

Parameter No 55 of Directive 80/778/EEC <sup>(1)</sup> relating to the quality of water intended for human consumption lays down a maximum admissible concentration of 0,1 mg/l for one pesticide and 0,5 mg/l for a number of different pesticides.

These maximum admissible concentrations are to be considered as detectability threshold and are in no way related to the toxicity thresholds, such as those applied in the United States.

Is the Commission considering cooperation with other international bodies, for example WHO (World Health Organization) or the Codex Alimentarius for the purposes of international harmonization in order to encourage trade and avoid unnecessary disputes or distortions of competition?

<sup>(1)</sup> OJ No L 229, 30. 8. 1990, p. 11.

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

*(7 February 1992)*

The Maximum Admissible Concentrations (MAC) for the pesticides parameter in Directive 80/778/EEC were set at about the limit of detection for pesticides in water. They reflect the view that pesticides have no place in drinking water and are an early example of the precautionary principle.

The Commission considers that the MAC values for pesticides in the Directive adopted in 1980 by the Council remain appropriate. It does not envisage making a proposal to change them.

The Commission would remind the Honourable Member that the guidelines for pesticide concentrations in drinking water issued by the World Health Organization are maximum tolerable concentrations based upon an assessment of the available toxicological information. Thus the WHO guidelines are not to be compared with EEC standards which aim at a binding high level for the quality of drinking water.

Given that the Directive applies throughout the Community it is not obvious to the Commission how its operation can lead to distortion of competition.

**WRITTEN QUESTION No 2537/91****by Mr Miguel Arias Cañete (PPE)****to the Commission of the European Communities***(8 November 1991)**(92/C 126/58)*

*Subject:* The gambling industry in the Community

Each year the gambling industry in the Community involves the movement of enormous amounts of money, represents an important source of income for many Member States, is highly controlled and there are great disparities between the different national regulations concerning it.

In view of all these circumstances and the forthcoming completion of the single market, can the Commission say what measures it intends to adopt, and by what dates, to harmonize and liberalize the gambling industry in the Community?

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

*(5 February 1992)*

The Commission agrees with the general assessment of the Honourable Member concerning the economic importance of the gambling sector in the European Community. A general presentation of the existing legal and market situation is to be found in the report on 'Gambling in the single market — A study of the current legal and market situation' published by the Office of Official Publications, copies of which have been deposited with the library of the Parliament.

The Commission intends to hold hearings with representatives of all interested parties towards the end of the year. It is only after these hearings that the Commission will be in a position to decide how to approach the sector and to prepare any necessary action. It is therefore presently too early to say exactly what measures could be appropriate and when they might be taken.

**WRITTEN QUESTION No 2544/91****by Mr Peter Crampton (S)****to the Commission of the European Communities***(8 November 1991)**(92/C 126/59)*

*Subject:* The common fisheries policy and lobsters

EC markets have recently been subject to falling lobster prices because of the importation of Canadian lobsters. There is no market regime under the CFP for lobsters.

Has the Commission investigated the possibility of dumping taking place?

Is the Commission confident that there are sufficient controls to prevent the spread of Gaffkaemia disease?

Does the Commission have any plans to introduce a regime for lobsters based upon minimum size?

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

(17 December 1991)

Statistics show that considerably more lobsters were imported in 1990 than in 1989, the total increase, all exporting countries taken together, being about 38 %.

The increase was mainly in live lobsters and, to a lesser extent, frozen lobsters.

Accordingly, average import prices fell by 18 % in 1990, although the fall was limited by sustained demand.

Therefore, the reason for the lobster market situation in 1990 was not dumping practices, but the abundant supply, not just from Canada but also from other countries. Demand, which is still running high, in particular as a result of the short supply of the directly competing product — crawfish — led to a considerable recovery during the first half of 1991, the average import price for lobster increasing by 15 %.

However, Community produce prices, although affected by the consequences of the increase in supply, have remained higher than prices for the imported product, due to the quality.

As regards veterinary controls at borders, Council Directive 90/675/EEC laying down the principles governing the organization of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, provides for the harmonization of veterinary checks on these products by the Member States, but does not have to be adopted in national law until 1 January 1993. However, until then, pursuant to Article 19 of that Directive, emergency measures may be taken by the Commission after consulting the Standing Veterinary Committee in the event of any threat to public or animal health. This procedure was used in the case of fishery products from certain Latin American countries affected by the cholera epidemic in 1990.

Finally, as regards the introduction of a minimum marketing size for lobsters, the Commission thinks one of the reasons for the abundant supply on the Community market is the fixing by the United States of minimum biological and marketing sizes, which is forcing Canada to divert part of its exports to the Community. The Commission has not yet adopted a final position and is at present examining the general problem of cohesion as

well as the coexistence of minimum biological sizes and commercial sizes.

(<sup>1</sup>) OJ No L 373, 31. 12. 1990.

**WRITTEN QUESTION No 2562/91**

**by Mr Bouke Beumer (PPE)**

**to the Commission of the European Communities**

(14 November 1991)

(92/C 126/60)

*Subject:* Active involvement with criminal organizations

A confidential report has recently been produced in the Netherlands entitled 'Organized crime in the Netherlands', listing the 599 groupings actively engaged in organized crime in that country. Approximately 14 % of these organizations receive expert outside advice. This usually takes the form of active collaboration by lawyers, notaries and tax consultants in operating the 'legal' front for such criminal organizations. Provision of such services cannot be reconciled with the meticulous and conscientious performance of the professional duties or functions of a lawyer, notary, tax consultant, etc.

1. Notwithstanding the confidential nature of this issue, can the Commission indicate to what extent use is made of lawyers, notaries, tax consultants, etc. in operating the 'legal' front for criminal organizations and, in particular, in laundering illegally obtained funds?
2. Does the Commission favour the introduction of a reporting requirement for professional bodies where they are approached in a professional capacity by criminal organizations and, possibly, in this connection will it call on the relevant professional organizations to take active self-regulatory measures?
3. Will the Commission, at European level, inform organizations representing professions such as lawyers, notaries and tax consultants that any form of active collaboration with criminal organizations constitutes a breach of professional ethics and, in certain cases, their oaths of office for which the most logical sanction would be suspension or dismissal from their profession, and that this should apply throughout the entire Community legal area?

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

(12 February 1992)

The Commission does not have any information on the role possibly played by the professions concerned in the activities of criminal organizations.

It would draw the Honourable Member's attention to the fact that the ethical rules applicable to those professions are the responsibility of the Member States.

The Commission takes the view that Member States' rules on professional conduct and their provisions of criminal law should suffice to allay the concerns that have been voiced.

**WRITTEN QUESTION No 2563/91**

**by Mr Sotiris Kostopoulos (S)**

**to the Commission of the European Communities**

(14 November 1991)

(92/C 126/61)

*Subject:* Protection of young people from the harmful effects of smoking

In connection with anti-cancer week, the Greek Red Cross announced that 75% of young people between 18 and 24 of age were smokers, many boys commencing at the age of 11 and many girls at the age of 13. According to the Anti-Cancer Association, 33% of deaths from cancer are caused by smoking. Will the Commission take steps to counter this problem and if so, what steps?

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

(25 February 1992)

One of the main priorities of the Commission's 'Europe against cancer' programme is the campaign against smoking.

The Commission has already proposed various legislative measures which have been adopted by the Council. With the internal market in mind, very strict labelling rules have been introduced and all tobacco products now have to carry health warnings (Directive 89/622/EEC) <sup>(1)</sup>. In

addition, limits have been set on the tar yield of cigarettes (Directive 90/239/EEC) <sup>(2)</sup>.

The Commission has also proposed a Directive to ban advertising of tobacco products. Moreover, under the action plan adopted for the 'Europe against cancer' programme, the Commission is funding anti-smoking measures taken by non-governmental organizations in the Member States. An external office (BASP) has been given the task of coordinating these organizations' activities.

Both the legislative proposals and the Commission's other anti-smoking activities are primarily targeted on preventing young people from smoking by improving health education.

<sup>(1)</sup> OJ No L 359, 8. 12. 1989.

<sup>(2)</sup> OJ No L 137, 30. 5. 1990.

**WRITTEN QUESTION No 2567/91**

**by Mrs Patricia Rawlings (ED)**

**to the Commission of the European Communities**

(14 November 1991)

(92/C 126/62)

*Subject:* Consumption of goatmeat (killed by non-Halal methods) in the EC

Would the Commission inform us as to the consumption of goatmeat, killed by western methods only in each Member State with a view to the future export of kid raised in Derbyshire for consumption elsewhere in Europe?

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

(15 January 1992)

**Gross human consumption of sheep and goats meat**

(<sup>000 tonnes</sup>)

Year	EUR 12	D	F	I	E	P	NL	UEBL	UK	IRL	DK	GR
1983	1 201	54	236	81	201	27	6	17	412	25	2	139
1984	1 189	49	238	86	205	26	6	16	401	24	3	135
1985	1 216	53	242	89	209	25	7	16	408	24	3	139
1986	1 182	51	248	86	212	25	8	18	382	24	3	124
1987	1 235	53	258	89	226	30	9	18	383	24	4	140
1988	1 242	53	262	93	224	32	10	18	383	23	4	140
1989	1 320	62	276	102	227	33	11	19	414	25	4	146
1990		67	312	103	249	35		20	437	27	5	144

## Gross consumption of sheep and goats meat

(kg/head)

Year	EUR 12	D	F	I	E	P	NL	UEBL	UK	IRL	DK	GR
1983	3,7	0,9	4,3	1,4	5,3	2,7	0,4	1,7	7,3	7,1	0,4	14,1
1984	3,7	0,8	4,3	1,5	5,4	2,6	0,4	1,6	7,1	6,8	0,6	13,6
1985	3,8	0,9	4,4	1,6	5,4	2,5	0,5	1,6	7,2	6,8	0,6	14,0
1986	3,7	0,8	4,5	1,5	5,5	2,4	0,5	1,8	6,7	6,8	0,6	12,4
1987	3,8	0,9	4,6	1,6	5,9	2,9	0,6	1,8	6,7	6,8	0,8	14,1
1988	3,8	0,9	4,7	1,6	5,8	3,1	0,7	1,8	6,7	6,5	0,8	14,0
1989	4,1	1,0	4,9	1,8	5,9	3,2	0,7	1,8	7,2	7,1	0,8	14,6
1990		1,1	5,5	1,8	6,4	3,4		1,9	7,6	7,7	1,0	14,2

## Slaughterings of goats

('000 heads)

Year	EUR 12	D	F	I	E	P	NL	UEBL	UK	IRL	DK	GR
1987	8 190	7	983	438	2 107	284	55					4 315
1988	8 747	8	1 109	482	2 468	304	62					4 313
1989	9 004	8	1 129	525	2 140	316	69					4 816
1990	8 895	9	1 301	557	2 017	286	67					4 655

## Slaughterings of goats

('000 tonnes)

Year	EUR 12	D	F	I	E	P	NL	UEBL	UK	IRL	DK	GR
1987	72,2	0,1	6,6	4,5	17,2	1,9	0,7					40,9
1988	75,0	0,1	7,5	3,7	18,6	2,3	0,8					41,9
1989	78,9	0,1	7,7	3,8	16,2	2,0	0,9					48,2
1990	76,6	0,1	9,1	3,9	14,9	1,8	0,8					45,8

The Commission does not have information on consumption of goat meat killed by non-ritual methods.

## WRITTEN QUESTION No 2568/91

by Mr John Cushnahan (PPE)

to the Commission of the European Communities

(14 November 1991)

(92/C 126/63)

*Subject:* Export of live animals to Spain and Portugal

Will the Commission consider proposing changes to the export licensing system (Regulation (EEC) No 3815/90<sup>(1)</sup>) to allow for a significant increase in the limit of numbers of animals and a significant extension of the period of validity of licences so that shiploads of animals can be exported to these Member States under a single licence?

(<sup>1</sup>) OJ No L 366, 29. 12. 1990, p. 30.

Answer given by Mr Mac Sharry  
on behalf of the Commission

(15 January 1992)

In order to prevent speculation, the Commission does not intend to propose changes to the export licensing system set up by Regulation (EEC) No 3815/90 of 19 December 1990, which lays down detailed rules for the application of the supplementary mechanism to trade in certain beef and meat products intended for Portugal.

However, the Honourable Member should be aware that Article 8 of the Regulation in question was amended by Regulation (EEC) No 327/91<sup>(1)</sup> to the effect that supplementary trade mechanism licences shall be valid for 30 days if the products are released onto the market in the Azores or Madeira. The purpose of this amendment was

to take account of the relatively long period required to transport products to those destinations.

(<sup>1</sup>) OJ No L 38, 12. 2. 1991.

**WRITTEN QUESTION No 2570/91**

by **Mr John Cushnahan (PPE)**  
to the Commission of the European Communities  
(14 November 1991)  
(92/C 126/64)

*Subject:* Common fisheries policy

Given the underdeveloped state of the fisheries industry in many Member States, particularly in Ireland, would the Commission agree that such Member States should be exempted from proposals for 'across-the-board' fleet reductions?

**Answer given by Mr Marín**  
**on behalf of the Commission**  
(18 December 1991)

The current common structural policy sets out the general principle of an overall reduction in fishing capacity over the period 1987—1991 of 3% in terms of gross register tonnage (GRT) and 2% in engine power (in kw). This is realized by the multiannual guidance programmes provided for within the framework of Regulation (EEC) No 4028/86 (<sup>1</sup>) for all Member States. The state of overcapacity of the Community fleet requires that all Member States contribute to the achievement of a better balance between the capacity of the fleet and the stocks which are characterized by excessive fishing mortality.

As regards the period 1992 to 1996 the Commission is at present working with the Member States on a more integrated approach for the adaptation of the capacity of the fleet to the available stocks.

(<sup>1</sup>) OJ No L 376, 31. 12. 1986.

**WRITTEN QUESTION No 2585/91**

by **Mr Virginio Bettini (V)**  
to the Commission of the European Communities  
(14 November 1991)  
(92/C 126/65)

*Subject:* The decommissioning of the Caorso nuclear power station (Piacenza, Italy)

Following the cold shutdown of the Caorso nuclear power station (Piacenza, Italy) on 26 October 1986 in the

wake of the Chernobyl disaster, the reactor fuel core was left in place with the fuel rods inserted. On 26 July 1991 the CIPE (Interministerial Committee for Economic Planning) decided to decommission the reactor.

1. What coordinated measures can be taken at Community level to ensure that a reactor is decommissioned in accordance with standards enabling the site to be used subsequently for purposes which have no connection with nuclear energy?
2. Is there not a danger that the Caorso site will become a nuclear waste dump?

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

1. It is for the national authorities alone to decide how a former nuclear site is to be used.

However, pursuant to Article 37 of the Euratom Treaty, the Italian authorities must provide the Commission with general data on any plan relating to the disposal of radioactive waste arising from decommissioning (stages 2 or 3 as defined by the International Atomic Energy Agency) of the Caorso nuclear power station (PC-I), in order to enable it to determine whether the implementation of any such plan is liable to result in the radioactive contamination of the water, soil or air space of another Member State.

The Article 37 procedure would also apply if the Italian authorities planned to authorize the establishment of nuclear waste storage facilities on the Caorso site.

2. The Commission has not been informed of the future destiny of the Caorso site and is therefore not aware of the plan to store radioactive waste there.

**WRITTEN QUESTION No 2597/91**

by **Mr Alexander Langer and Mrs Maria Aglietta (V)**  
to European Political Cooperation  
(14 November 1991)  
(92/C 126/66)

*Subject:* Role of the European Community in the crisis in Yugoslavia

1. Can the Ministers meeting in European Political Cooperation give an assessment of the action taken by the European Community in the search for a peaceful solution to the crisis in Yugoslavia, and in particular of the outcome of the Brioni agreements?

2. In the Ministers' opinion, what prospects can the European Community offer the people of Yugoslavia with regard to closer and more speedy integration into the Community, should they so wish?

3. In the Ministers' view, how does action by the EC relate to action by the CSCE on the Yugoslav crisis?

**Answer**

(10 April 1992)

The 1991 report to the European Parliament on progress towards European union gives a comprehensive picture of the involvement of the Community and its Member States in the conflict in Yugoslavia during that year. On several occasions, the European Parliament and the then Political Affairs Committee were also extensively briefed by the President of the Council of Ministers on progress in the search for a peaceful solution of this conflict. The report in the European Parliament, on 12 December 1991, by the President of the European Council on the situation in Yugoslavia and the role played by the European Community and its Member States, is furthermore a clear reflection of the most recent history of the conflict as well as the state of play at that moment.

On the 16 December 1991, the Ministers of Foreign Affairs adopted a common position with regard to the recognition of Yugoslav Republics. In this connection they agreed to recognize the independence of all Yugoslav Republics fulfilling all the conditions set out in the declaration they adopted that day. In conformity with the abovementioned declaration, and in the light of the advice of the Arbitration Commission, the Community and its Member States were in a position on 15 January 1992 to indicate their readiness to proceed with the recognition of Slovenia and Croatia. With regard to the other two republics which had expressed the wish to become independent, there are still important matters to be addressed before a similar step will be taken.

In the economic field, the restrictive measures adopted by the Community and its Member States on 8 November 1991 in the light of the seriousness of the situation in Yugoslavia were counterbalanced by positive compensatory measures introduced on 2 December 1991 in favour of parties which did cooperate in a peaceful way towards a comprehensive political solution on the basis of the EC proposals. At their meeting on 10 January 1992, this decision was extended to include Montenegro. Following the more cooperative stand of Serbia, Ministers decided to reexamine the question of sanctions against this republic in the light of its attitude with regard to the actual deployment of the UN Peacekeeping Force. The development of future relations of the Community and its Member States with the various republics will depend largely on the way the republics themselves decide to

work towards a comprehensive settlement of their differences, a.o. within the framework of the Conference on Yugoslavia.

The CSCE has also been actively involved ever since the beginning of the conflict in Yugoslavia, both in a spiritual sense and as active participant. It could be maintained that in that respect the CSCE and the Community and its Member States have been largely complementary in their approaches. E.g. the Brioni Agreement very clearly stipulates that negotiations between parties should be based upon CSCE principles, while the European Community Monitor Mission, originally organized to help stabilize the cease-fire in Slovenia, is in fact the consequence of an initiative of the CSCE. Furthermore, through regular progress reports, the Presidency keeps the CSCE abreast of the situation in the field.

**WRITTEN QUESTION No 2599/91**

by **Mrs Maria Cassanmagnago Cerretti (PPE)** and  
**Mr Paraskevas Avgerinos (S)**

to **European Political Cooperation**

(14 November 1991)

(92/C 126/67)

*Subject:* The Community's role in the Yugoslav crisis

1. Can European political cooperation give an assessment of Community action in the quest for a peaceful solution to the Yugoslav crisis and, more particularly, express its opinion of the role played so far by Community observers in guaranteeing compliance with the Brioni agreements?

2. Does European political cooperation intend in future to involve the European Parliament more closely in decision-making and in the negotiations which are now under way with the aim of finding a peaceful settlement to the situation in that country?

**Answer**

(10 April 1992)

The 1991 report to the European Parliament on progress towards European union gives a comprehensive picture of the involvement of the Community and its Member States in the conflict in Yugoslavia during that year. On several occasions, the European Parliament and the then Political Affairs Committee were also extensively briefed by the President of the Council of Ministers on progress in the search for a peaceful solution of this conflict. The report in the European Parliament, on 12 December 1991, by the President of the European Council on the situation in

Yugoslavia and the role played by the European Community and its Member States, is furthermore a clear reflection of the most recent history of the conflict as well as the state of play at that moment.

On the 16 December 1991, the Ministers of Foreign Affairs adopted a common position with regard to the recognition of Yugoslav Republics. In this connection they agreed to recognize the independence of all Yugoslav Republics fulfilling all the conditions set out in the declaration they adopted that day. In conformity with the abovementioned declaration, and in the light of the advice of the Arbitration Commission, the Community and its Member States were in a position on 15 January 1992 to indicate their readiness to proceed with the recognition of Slovenia and Croatia. With regard to the other two republics which had expressed the wish to become independent, there are still important matters to be addressed before a similar step will be taken.

In the economic field, the restrictive measures adopted by the Community and its Member States on 8 November 1991 in light of the seriousness of the situation in Yugoslavia were counterbalanced by compensatory positive measures introduced on 2 December 1991 in favour of parties which did cooperate in a peaceful way towards a comprehensive political solution on the basis of the EC proposals. At their meeting on 10 January 1992, this decision was extended to include Montenegro. Following the more cooperative stand of Serbia, Ministers decided to reexamine the question of sanctions against this republic in the light of its attitude with regard to the actual deployment of a UN Peacekeeping Force and its further participation in the Conference. The development of future relations with the various republics will depend largely on the way the republics themselves decide to work towards a comprehensive settlement of their differences, a.o. within the framework of the Conference on Yugoslavia.

The European Community and its Member States will continue to ensure that the European Parliament remains closely associated with its endeavours to find a peaceful solution to the present crisis in Yugoslavia.

**WRITTEN QUESTION No 2600/91**

by Mr Thomas Spencer (ED) and  
Mr Willy De Clercq (LDR)

to the Commission of the European Communities

(14 November 1991)

(92/C 126/68)

*Subject:* External aspects of the CAP reform proposal in the context of Uruguay Round trade negotiations

1. Does the Commission believe that its reform proposals for the CAP, namely the proposed cuts of

intervention prices for cereals (35%), beef meat (15%) and milk (10%) together with the proposed accompanying measures (set-aside, cut in milk quotas) will be sufficient to resolve the structural problems of the CAP?

2. Does the Commission further believe that these proposals will allow the Uruguay trade negotiations to be concluded successfully before the end of this year and is the Commission therefore prepared to revise its offer of a 30% reduction of overall support?

3. Which consequences does the Commission expect from its proposal for CAP reform on:

- export refunds
- market access
- internal support?

4. Is the Commission not concerned that the proposed direct income transfers to be paid to farmers in order to compensate for losses due to the reduction of intervention prices could provide new incentives to keep agricultural production at a level which would again create surpluses and hence lead to trade problems?

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

(10 February 1992)

1. The Commission believes that the proposed price cuts, in combination with direct supply control measures, will contribute to a substantial reduction of the structural surpluses in major commodity sectors. In cereals, this will be achieved through a decrease in output due to set-aside, and an increase in internal consumption as a consequence of competitive pricing. In the dairy sector, this year's 2% quota cut, plus the 3% cut in the reform package, will go a long way to restoring market balance. In the beef sector, the extensification incentives and the early disposal scheme for calves should help regulate the market.

2. The seriousness with which the Community has embarked on reform of its agricultural policy and the direction of reform should enhance the chances of successfully concluding the GATT Uruguay Round in the next few months.

3. The proposed price cuts for major commodities should, by reducing the gap between the Community price level and the world market, reduce the need for exports refunds and import levies. By moving from price support to more direct forms of aid to the producer, i.e.

per hectare or per animal payments, internal support becomes more production neutral.

4. In the case of arable crops, the direct payments would not be linked to actual production, but would be based on historical area and historical yields. The incentive to continuously increase and intensify production as in the current system, where support is based on output, would thus cease to exist. In the animal sector, the direct payments would be subject to extensification criteria and herd limits.

#### WRITTEN QUESTION No 2609/91

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(19 November 1991)

(92/C 126/69)

*Subject:* Exports of pesticides to the developing countries

Certain products needed for the protection of crops against pests, diseases and weeds may have an adverse, or even dangerous effect on the environment and public health. Some of these products are exported to Third-World countries, which were not always able to control their use or aware of the problems involved. Following the Netherlands, Belgium has recently concluded an agreement with the plant protection sector in an attempt to contain the problem in accordance with FAO and UNEP requirements. What specific Community projects exist in this area?

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

(13 February 1992)

Council Regulation (EEC) No 1734/88 <sup>(1)</sup> relates to the trade in certain dangerous chemicals, including pesticides which are banned or severely restricted in the European Community. The first time that one of these pesticides is exported to a third country, the designated authority in the exporting Member State must inform the authorities in the importing country of the pesticide shipment and must provide it with information on the following:

- the identity of the substance or preparation;
- precautions necessary in its use, including the category of danger, and risk and safety advice;
- summary of the regulatory restrictions and reasons for them;

- the name, address and telephone number of the designated authority from whom further information may be obtained.

This information dissemination is consistent with the UNEP London Guidelines for the Exchange of Information on Chemicals in International Trade in Dangerous Chemicals, and the FAO Code of Conduct on the Distribution and Use of Pesticides.

In December 1990, the Commission put forward a proposal <sup>(2)</sup> to Council for the amendment of the above Regulation so as to incorporate a 'Prior Informed Consent' (PIC) scheme compatible with that set up jointly by the UNEP and FAO. Parliament gave its opinion on this proposal at its Plenary Session of 24 October 1991.

Under the PIC scheme information on chemicals, including pesticides which are banned or severely restricted in various countries, is sent to the designated national authorities of the countries participating in the scheme — more than 100 countries to date. This information is provided in Decision Guidance Documents (DGDs) which give details of the potential hazards of the chemicals and state why they are banned or severely restricted. The DGDs are intended to help the importing country decide whether or not they wish to permit future imports of the chemical and to decide whether such imports should be subject to any conditions.

The proposed amendment to Regulation (EEC) No 1734/88 would make it mandatory for exporters in all Member States to comply with the PIC decisions of importing countries.

<sup>(1)</sup> OJ No L 155, 22. 6. 1988.

<sup>(2)</sup> OJ No C 17, 25. 1. 1991.

#### WRITTEN QUESTION No 2621/91

by Mrs Concepció Ferrer (PPE)

to the Commission of the European Communities

(19 November 1991)

(92/C 126/70)

*Subject:* Retraining of staff employed in international trade

In reply to oral question H-90/91 <sup>(1)</sup> in the February part-session, the Commission said it was supporting retraining seminars for staff employed in transport undertakings at the German-Dutch frontier and that this could usefully be extended to other Member States.

Have similar measures been carried out for staff employed at other Community internal frontiers? With what results?

When will similar retraining seminars be held for staff employed in transport undertakings on the Franco-Spanish frontier, in particular at la Jonquera and Port Bou?

Who is responsible for organizing and funding these seminars?

Who is responsible for initiating this measure?

(<sup>1</sup>) Debates of the European Parliament No 3-401 (February 1991).

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

(13 February 1992)

As far as the Commission is aware nothing similar has taken place in other Member States.

It is for the representatives of those concerned to put forward a vocational retraining programme through the Member States' competent authorities. No application relating to the region referred to by the Honourable Member has been put forward so far. Nevertheless, the Director responsible for customs matters within the Commission visited the Franco-Spanish frontier at Figueras, Port-Bou and La Jonquera on 21 November 1991 in order to inform those concerned of the action which the Commission had in view as part of the completion of the internal market, and to find out the actual facts of the situation on the spot.

These meetings will make a useful contribution to the assessment by the Commission's departments of the study now in progress into the future of customs clearing agents in the single market.

**WRITTEN QUESTION No 2624/91**

by Mr Neil Blaney (ARC)

to the Commission of the European Communities

(19 November 1991)

(92/C 126/71)

*Subject:* Frontier crossing and 1993

1. Is the Commission aware:
  - (a) that many of the frontier crossings between the Republic of Ireland and the six counties in the north under United Kingdom rule are permanently closed,
  - (b) that for some months now many of the remaining crossings have been subject to arbitrary and irregular opening and closing?
2. Does the Commission realize that this situation

- (a) involves freight companies in unpredictable delays and detours which put them at a competitive disadvantage,
- (b) results in personal stress and an economic burden for farmers with land on both side of the border, who face long detours when crossings are closed,
- (c) is a source of stress and economic disadvantage for many (for instance school-teachers) who live and work on different sides of the frontier?

3. Does the Commission agree that the closure of crossings is incompatible with the free movement of people, goods and services due to be achieved by 1 January 1993 at the latest?

4. What steps is the Commission taking to ensure the opening of the frontiers in question?

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

(23 March 1992)

The Commission would refer the Honourable Member to the reply to his oral question H-1045/91, which it gave during question time at Parliament's November 1991 part-session (<sup>1</sup>).

(<sup>1</sup>) Debates of the European Parliament No 3-411 (November 1991).

**WRITTEN QUESTION No 2625/91**

by Mr Neil Blaney (ARC)

to the Commission of the European Communities

(19 November 1991)

(92/C 126/72)

*Subject:* Frontiers and regional development aid in Ireland

Will the Commission explain how it is that the Bally Connall canal, which for some distance follows the frontier between the Republic of Ireland and the six counties under United Kingdom rule, is being restored to commercial use with EC funds, but that nothing is being done to repair the bridge over it, at Derry Lohar, which was blown up by British troops, thus facing Community citizens from either side, who wish to cross the border for legitimate economic or personal reasons, with long and time-consuming detours?

Will this barrier to free movement within the Community be removed by 1 January 1993?

If a project for rebuilding the bridge were submitted, would it be eligible for financing from the Community's regional and border area funds?

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

(25 February 1992)

The future of the bridge referred to in the question is a matter for the competent national authorities. If the authorities decided to do work on the bridge and if they were of the view that the bridge meets the criteria for assistance under an appropriate operational programme, such as the Peripherality, Tourism or INTERREG programme, it could be considered for assistance from the European Regional Development Fund.

**WRITTEN QUESTION No 2635/91**

**by Mr Filippos Pierros (PPE)**

**to the Commission of the European Communities**

(19 November 1991)

(92/C 126/73)

*Subject:* Rising unemployment in Eastern Europe and the likelihood of mass 'economic' migration

The International Labour Organization's forecast that 22 million people will be unemployed in 1992 in the USSR and the countries of Central and Eastern Europe is an alarming and extremely dangerous prospect. It is likely *inter alia* to lead to an increase in the number of 'economic refugees' coming to the Community Member States, which will place a great strain on the Community labour market and increase social tensions. 1,5 million such migrants from non-Community Member States have already settled in Greece, Italy, Spain and Portugal. It is clear that the Community will have to devise a uniform and effective policy on this matter and take immediate and radical steps to tackle the problem.

What steps does the Commission intend to take to this end and what are its views on this matter?

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

(19 February 1992)

The Honourable Member is requested to refer to the communications from the Commission to the Council and Parliament of 11 October 1991<sup>(1)</sup> setting out the

Commission's ideas on more effective cooperation in the areas of immigration and asylum.

(<sup>1</sup>) SEC(91) 1855 final and SEC(91) 1857 final.

**WRITTEN QUESTION No 2650/91**

**by Mr Fernando Suárez González (PPE)**

**to the Commission of the European Communities**

(19 November 1991)

(92/C 126/74)

*Subject:* Cooperation with Central America

The Commission has contributed ECU 350 000 towards NTP Project 87/960/996, entitled Data Bank, being carried out by the French organization SEMAGROUP.

Can the Commission explain who asked for this project to be carried out, what exactly it involves and how many Central Americans will benefit from it?

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

(21 February 1992)

The project was initiated at the request of CEDOPEX (Dominican Republic) acting on behalf of ASOEXPO, and awarded to SIECA (Guatemala).

It involves:

- identifying commercial information on European markets required by exporters of non-traditional Central American products;
- setting up two computerized offices, one in Brussels (SEMA-GROUP) and one in Guatemala (SIECA);
- creating a data bank of commercial information on non-traditional products (prices, quality standards, addresses of European importers, etc.);
- training SIECA staff to use the data bank;
- transmitting the data required by the exporters.

This programme will be of help to all exporters of non-traditional Central American products who require information on European markets. On the basis of the

membership lists of private sector export associations in the region, the number of potential users in the seven ASOEXPO countries can be estimated at around 4 000.

**WRITTEN QUESTION No 2651/91**  
**by Mr Fernando Suárez González (PPE)**  
**to the Commission of the European Communities**  
*(19 November 1991)*  
*(92/C 126/75)*

*Subject:* Cooperation with Central America

The Commission has contributed ECU 185 000 towards NTP Project 87/960/995, entitled ASOEXPO Transport Users, being carried out by the Danish organization Dangroup.

Can the Commission explain who asked for this project to be carried out, what exactly it involves and how many Central Americans will benefit from it?

**Answer given by Mr Matutes**  
**on behalf of the Commission**  
*(24 February 1992)*

The project was initiated at the request of the Foreign Trade Directorate of the Honduras Ministry of Economy and Commerce, acting on behalf of the ASOEXPO countries.

It involves organizing a seminar to be attended by representatives of international freight transport companies, Central American exporters and freight transport users, and the public sector. The objectives are:

- to assess the export capacity of ASOEXPO;
- to assess ASOEXPO's freight transport infrastructure;
- to identify the major problems (administrative, legal, technological, financial etc.) affecting transport from Central America to Europe and to find possible solutions;
- to make recommendations for improving the transport of goods to export markets.

Approximately 50 Central Americans will benefit from this project, which will create a ripple effect by virtue of the fact that the participants will include senior government officials from the ASOEXPO countries and representatives of the Central American Transport Users Associations, who will ensure that the conclusions reached are duly disseminated.

**WRITTEN QUESTION No 2657/91**  
**by Sir James Scott-Hopkins (ED)**  
**to the Council of the European Communities**  
*(19 November 1991)*  
*(92/C 126/76)*

*Subject:* Seat belts in coaches and minibuses

Bearing in mind the incontrovertible evidence that the wearing of seat belts helps to save lives, when does the Council propose to consider again making the fitting of seat belts in all coaches and minibuses in the EC compulsory?

**Answer**  
*(9 April 1992)*

On 16 December 1991 the Council adopted Directive 91/671/EEC on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 3,5 tonnes<sup>(1)</sup>. Article 1 of the Directive lays down that the provisions thereof shall apply, as regards vehicles for the transport of persons, to vehicles in category M 1 and, in respect of the front seats only, to vehicles in category M 2 whose weight does not exceed 3,5 tonnes; the categories are those defined in Directive 70/156/EEC<sup>(2)</sup>.

There is at present no Commission proposal before the Council on the subject of coaches and minibuses of a weight exceeding 3,5 tonnes, which are not included in the scope of the Directive recently adopted.

<sup>(1)</sup> OJ No L 373, 31. 12. 1991.

<sup>(2)</sup> OJ No L 42, 23. 2. 1970.

**WRITTEN QUESTION No 2693/91**  
**by Mr Jaak Vandemeulebroucke (ARC)**  
**to the Commission of the European Communities**  
*(19 November 1991)*  
*(92/C 126/77)*

*Subject:* Recognition of Belgian diploma in industrial medicine

Recognition of medical diplomas, certificates and other evidence of formal qualifications is laid down in Directives 75/362/EEC<sup>(1)</sup>, 82/76/EEC<sup>(2)</sup> and 89/594/EEC<sup>(3)</sup>.

However, it is reported that the Belgian diploma in industrial medicine has not yet been recognized.

1. What conditions must be fulfilled for a diploma in industrial medicine to be recognized by the other Member States?

2. To what extent does Belgium fulfil these requirements?
3. What steps can be taken to ensure that Belgium fulfils these requirements?

- (<sup>1</sup>) OJ No L 167, 30. 6. 1975, p. 1.  
 (<sup>2</sup>) OJ No L 43, 15. 2. 1982, p. 21.  
 (<sup>3</sup>) OJ No L 341, 23. 11. 1989, p. 19.

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

(11 February 1992)

1. For the other Member States to be required to recognize a Belgian diploma in industrial medicine in accordance with Directives 75/362/EEC and 75/363/EEC, a specialization in industrial medicine must exist in Belgium which satisfied the requirements laid down in particular in Articles 2 and 5 of Directive 75/363/EEC and which is, therefore, shown under the heading 'occupational medicine' in Article 7 of Directive 75/362/EEC.

2. The Belgian authorities did not ask for a specialization in industrial medicine to be entered in the Directives when they were updated by Directive 89/594/EEC. Furthermore, in Belgium the length of training in this discipline is only one or two years, whereas Article 5 of Directive 75/363/EEC set its minimum length at four years.

3. The Belgian authorities do not have to fulfil any requirements in this area. Nevertheless, should they wish the Directives to include Belgium among the Member States which recognize the specialization in industrial medicine, they will have to take measures to ensure that the training satisfies the requirements laid down in Directive 75/363/EEC.

**WRITTEN QUESTION No 2705/91**

**by Mr Louis Lauga (RDE)**

**to the Commission of the European Communities**

(21 November 1991)

(92/C 126/78)

*Subject:* Proliferation of fish-eating birds

The proliferation of fish-eating birds, particularly cormorants, in the French department of Ain<sup>1</sup> is a threat to the activities and development of aquaculture.

In certain EC Member States, measures to combat this problem are taken by way of derogation from European and national rules on bird protection.

Under what conditions can the Commission extend such derogations to the French department of Ain?

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

(10 February 1992)

As regards the derogations under Article 9 of Directive 79/409/EEC on the conservation of wild birds (<sup>1</sup>), it is a matter for the empowered authority to declare that the required conditions obtain and to decide what means, arrangements or methods may be used, within what limits and by whom. The empowered authority in France is the Directorate for Nature Conservation of the Ministry for the Environment.

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

**WRITTEN QUESTION No 2720/91**

**by Mr John Cushnahan (PPE)**

**to the Commission of the European Communities**

(21 November 1991)

(92/C 126/79)

*Subject:* Unemployment in the Community

The most recent 'Eurostat' figures show the unemployment rate in Ireland running at 17,8% in August 1991, exactly double the Community rate of 8,9%. The figures also reveal an unacceptably high rate of unemployment in Spain of 15,3%. Would the Commission agree that these statistics show that the Community must significantly increase its efforts at achieving economic and social cohesion among the Member States?

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

(24 January 1992)

The high levels of unemployment in the Community and the wide divergences between unemployment rates between Member States and regions is an issue of high priority in the Community. The 'Employment in Europe' report 1991, adopted by the Commission on 17 July, focuses in particular on these two issues: the persistent problem of unemployment, and the difficulties of achieving real convergence between the more- and less-developed regions of the Community.

While over nine million new jobs were created between 1985 and 1990, unemployment declined by only three million. In fact, the report notes that despite five years of substantial job creation, unemployment rates not only remain high in many areas, but are increasing once again in a number of countries.

To get unemployment moving downwards again requires not just a resumption of growth but special measures to tackle deep-seated problems affecting particular groups and regions.

Community-level policies will not be enough, however, and employment development programmes at regional and local level will also be required. The Commission's LEDA programme has developed a methodology of local development which can be applied in a wide range of circumstances.

The Community's structural policies are an essential element in this process and are currently being reviewed.

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**WRITTEN QUESTION No 2729/91**

by Mr John Bird, Mr George Stevenson, Mr Terence Wynn, Mr Roger Barton, Mrs Imelda Read, Mr Henry McCubbin, Mr Gary Titley, Mr Alexander Falconer and Mr David Morris (S)

to the Commission of the European Communities

(21 November 1991)

(92/C 126/80)

*Subject:* European Social Charter — Britool Ltd, UK, and Strafor Facom France

Having regard to the Parliament's commitment to a Social Europe and together with that commitment a keen desire to protect workers' conditions of employment including wages and salaries, and, recognizing that the completion of the internal market and the implementation of the Single Act take place on 1 January 1993,

will the Commission investigate the takeover of Britool Ltd, Cannock Staffordshire, England by the French company Strafor Facom, of Strasbourg, Alsace Lorraine, France, and will it express a view as to whether the new contracts and conditions imposed upon the workforce are compatible with the spirit, and letter, of the Social Charter?

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

(29 January 1992)

The laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses, have been approximated by Council Directive 77/187/EEC of February 1977<sup>(1)</sup>. According to its preamble, this Directive is intended 'to provide' for the protection of employees in the event of a change of employer in particular to ensure that their rights are safeguarded'.

Article 3 (1) provides that the transferor's rights and obligations arising from a contract of employment or from an employment relationship shall be transferred to the transferor and Article 6 requires both the transferor and the transferee to inform and consult employees' representatives on the reasons and implications of the transfer. The Directive does not however apply to takeovers by share purchase.

Directive 77/187/EEC has been implemented in the United Kingdom by the Transfer of Undertakings (Protection of Employment) Regulations 1981, which apply to the transfer from one person to another of an undertaking situated in the United Kingdom immediately before the transfer. It is up to the national authorities to ensure that the abovementioned regulations are observed by the employers concerned, the Commission's role being limited to ensuring that the laws of the Member States fully implement the Directive's provisions.

<sup>(1)</sup> OJ No L 61, 5. 3. 1977.

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**WRITTEN QUESTION No 2743/91**

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(21 November 1991)

(92/C 126/81)

*Subject:* Presence of Commission officials at an armaments trade fair

Is the Commission aware that, on Tuesday, 22 October 1991, Dr G. Burghardt (Deputy Secretary-General of the Commission), Mr Juan Majo Cruzate (adviser in DG XIII) and Mr Robert Verrue (DG III) spoke at an arms industry symposium on in Brussels?

Had they been instructed by the Commission to do so and was this in connection with a European defence policy?

Does the Commission consider such activities to be compatible with an active peace policy?

Will the Commission forward the texts of the speeches made by these officials?

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

(12 February 1992)

On 22 October 1991 Mr Burghardt, Political Director in the Secretariat-General, and Mr Robert Verrue, Director in DG III, addressed the symposium of the Armed Forces Communications and Electronics Association (AFCEA) in response to an invitation from the Association.

The symposium was devoted to electronic technologies in the service of international security. The Commission has always been in favour of the fullest exchange of information and opinions with a wide range of European bodies on major subjects of European interest. It therefore encourages its officials to accept invitations which enable them to explain Community policies.

At the symposium the Commission speakers had an opportunity to address a large audience on the Commission's approach to the political, industrial and scientific aspects of European security. The Commission made specific proposals on this matter at the Intergovernmental Conference on Political Union. The common foreign and security policy should, in the words of the Rome II European Council, 'aim at maintaining peace and international stability'.

The views expressed by the Commission officials were their own; they did not use prepared texts.

**WRITTEN QUESTION No 2749/91**

**by Mr Proinsias De Rossa (CG)**

**to the Commission of the European Communities**

(21 November 1991)

(92/C 126/82)

*Subject:* Social security conventions

According to a report prepared by the Irish Free Legal Advice Centres (FLAC), considerable confusion is caused among claimants and advisors by the retention on Irish statute books of pre-existing laws such as social security conventions with the UK, which are now largely defunct and overtaken by EC regulations.

Does the Commission have any plans to see this situation rectified?

**WRITTEN QUESTION No 2753/91**

**by Mr Proinsias De Rossa (CG)**

**to the Commission of the European Communities**

(22 November 1991)

(92/C 126/83)

*Subject:* Payment of social security benefits outside the jurisdiction

According to a report by FLAC (Ireland) there remain many provisions in Irish legislation concerning payment of social security benefits outside the jurisdiction, which

are not applied in practice but nonetheless cause considerable confusion.

Does the Commission have any plans to ensure that this situation is rectified?

**Joint answer to Written Questions Nos 2749/91  
and 2753/91**

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

(23 January 1992)

Community law relating to social security does not create an identical system of social security throughout the EC. It coordinates national systems in order to facilitate the movement of employed and self-employed persons from one Member State to another. Member States may continue to apply their national laws in so far as they are not contrary to Community law and it is for them to decide their programmes for repeal of redundant laws.

It may be relevant to retain on the Statute books certain bilateral conventions and other laws relating to payment of benefit abroad given the fact that Regulation (EEC) No 1408/71<sup>(1)</sup> replaces conventions only in so far as they relate to its personal and material scope.

Even in relation to persons and matters to which the Regulation applies, following the recent case law of the Court<sup>(2)</sup>, conventions may be relevant when a claim for benefit is being considered and a more favourable result could be obtained under a convention.

<sup>(1)</sup> OJ No L 149, 5. 7. 1971.

<sup>(2)</sup> Case No 227/89 Rönfeldt, judgment of 7. 2. 1991.

**WRITTEN QUESTION No 2786/91**

**by Mr Freddy Blak (S)**

**to the Commission of the European Communities**

(22 November 1991)

(92/C 126/84)

*Subject:* Emptying of chemical toilets

An increasing number of tourist buses travelling in Europe are equipped with chemical toilets. Unfortunately these cannot be emptied into ordinary toilets at service stations and other stopping places. When emptied in the countryside, they cause pollution. Will the Commission therefore take the initiative to enact rules to ensure that chemical toilets can be emptied in an environmental acceptable manner?

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

The problem stated by the Honourable Member has not been identified by the Commission as a subject for priority action at Community level: consequently, no measures are currently envisaged.

**WRITTEN QUESTION No 2814/91**  
**by Mr Sotiris Kostopoulos (S)**  
**to the Commission of the European Communities**  
(5 December 1991)  
(92/C 126/85)

*Subject:* Development of woodland by building cooperatives

The Greek Ministry of Agriculture and the Ministry of the Environment, Regional and Public Works have put forward proposals for building projects involving 25 hectares of woodland belonging to 215 building cooperatives. Can the Commission state what steps it intends to take to tackle the problem of the destruction of woodland through building?

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

The Commission would refer the Honourable Member to its answer to Written Question No 1106/91 by Mr Dessylas<sup>(1)</sup>.

<sup>(1)</sup> OJ No C 38, 15. 2. 1992.

**WRITTEN QUESTION No 2815/91**  
**by Mr Christopher Jackson (ED)**  
**to the Council of the European Communities**  
(5 December 1991)  
(92/C 126/86)

*Subject:* ECIP

On 14 June 1991 the European Parliament unanimously adopted a favourable opinion on the Commission's proposal for a Regulation on the EC Investment Partners financial instrument, intended to benefit the countries of Asia, Latin America and the Mediterranean.

The Council has not yet approved the proposed Regulation, although Parliament's opinion was given under the emergency procedure, recognizing that administrative and budgetary constraints demanded a decision creating a legal basis for the continuation of ECIP within the shortest possible time.

1. Given the importance which is attached to ECIP and the Council's request for urgency, can the Council explain why, after more than 20 meetings to discuss the proposal, no decision has yet been taken and can it give any indication of when it expects to take a decision?
2. As an equivalent measure for the countries of Central and Eastern Europe was adopted after only six meetings, does this mean that North/South relations are suffering because of the Council's preoccupation with Central and Eastern European countries?
3. Is it the intention of the Council, in accordance with the wishes of Parliament, to ensure full geographical coverage of ECIP, flexibility of operation under an appropriate committee procedure as recommended by Parliament, and continuity of the proposal for a minimum of three years?

**Answer**  
(9 April 1992)

Further to a conciliation procedure with the European Parliament, on 3 February 1992 the Council adopted the Regulation on the implementation for a trial period of the European Communities Investment Partners financial instrument for countries of Latin America, Asia and the Mediterranean region<sup>(1)</sup>.

<sup>(1)</sup> OJ No L 35, 12. 2. 1992, p. 1.

**WRITTEN QUESTION No 2832/91**  
**by Mr Mauro Chiabrando (PPE)**  
**to the Commission of the European Communities**  
(5 December 1991)  
(92/C 126/87)

*Subject:* Aid for industrial firms located in Modane

The Delegation for the Industrialization of Modane (Savoie, France) — an area bordering on Valle di Susa in the province of Torino (Italy) — recently published a document setting out, with a view to the 1993 single European market, a series of incentives available to Italian firms proposing to locate in the area.

The incentives consist of assistance and advice provided free of charge, together with logistical support, in order to encourage firms to locate there.

The support also involves a considerable volume of financial assistance, including developed sites on reduced and negotiable terms, the construction of buildings for subsequent leasing, rental or sale. There are also subsidies from the department and region concerned in order to reduce the cost of the buildings substantially.

'Preferential and secure financing' is also being granted, with unsecured loans and tax incentives, seven-year loans on particularly advantageous terms. Reductions in the cost of electricity consumption for a maximum period of five years, and up to 25% of the cost involved, are being provided by the Savoie Departmental Council. There are also tax exemptions, aid for hiring and training staff, etc.

Is the Commission aware of this initiative by the local authorities in Savoie, has the initiative been authorized, and does the Commission believe that all the incentives are covered by the competition rules laid down in the EEC Treaty?

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

*(11 February 1992)*

On 27 September 1990, the Commission declared that the extension to the canton of Modane of the activity of Sofirem, the coal conversion company, approved by decision of 31 May 1989, was compatible with the common market.

As a result, the region of Modane, where some 25 to 30% of jobs are expected to be lost owing to the reduction in activity connected with customs operations and the reorganization of rail transport, is eligible for assistance from Sofirem in the form of subsidized loans, the acquisition of holdings — which, as a rule, do not constitute aid — and the provision of advisory services. Unless the Commission is notified in advance, only firms with not more than 100 employees and with a turnover not in excess of ECU 10 million qualify. The gross maximum aid intensity may not exceed 7,5% with aid for advisory services being excluded from the calculation. The normal conditions governing cumulation of aid and sensitive sectors must also be respected.

With regard to the other measures mentioned by the Honourable Member and not previously brought to the attention of the Commission, information has now been requested from the French authorities on the basis of the particulars contained in the written question.

**WRITTEN QUESTION No 2872/91**  
**by Mr Diego de los Santos López (ARC)**  
**to the Commission of the European Communities**  
*(5 December 1991)*  
*(92/C 126/88)*

*Subject: General medical practitioners*

With effect from 1 January 1995, in order to begin work as a general medical practitioner, it will be necessary to complete specific training, in accordance with Council Directive 86/457/EEC<sup>(1)</sup>. In Spain such training is carried out through the 'MIR' procedure and lasts three years, with candidates being called up by the public authorities.

Are Member States obliged to establish specific training in general medical practice, without making access conditional upon budgetary constraints, and allowing other alternative training procedures?

Is such training compulsory for private and public practice?

Could Article 7 (5) of the above directive be discriminatory with respect to those who cannot gain access to such training in their own country, to the advantage of others who may have qualified in non-member States?

Could this situation give rise to a kind of 'dumping' in training and an exodus towards those countries where it is easier to obtain training, which would benefit those with greater economic resources? Can the Commission clarify who is responsible for deciding that a doctor is 'established', in accordance with Article 7 (2) of the above directive?

Does the Commission not consider it should harmonize the procedures for access to specific training in order to guarantee equality of opportunity? Does it intend to do this before 1 January 1995?

<sup>(1)</sup> OJ No L 267, 19. 9. 1986, p. 26.

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

*(14 February 1992)*

Community law does not prevent Member States from limiting — by way of an examination — access to specific training for general medical practitioners, provided that nationals from other Member States are not discriminated against.

The scope of Directive 86/457/EEC is not determined by the distinction between private and public sector. Pursuant to Article 7 (1), the training covered by the Directive will be compulsory from 1 January 1995 as regards exercise of the activities of general medical practice under the national social security scheme.

The Commission considers that training as a general practitioner acquired in a non-member country must satisfy at least the minimum criteria laid down in Articles 2 and 3 of Directive 86/457/EEC and that, at all events, recognition of a diploma from a non-member country pursuant to Article 7 (5) binds only the Member State which grants recognition, and not the others.

The authorities competent to recognize a doctor's qualification pursuant to Article 7 (2) are the authorities which allowed the doctor in question to become established on their territory and to practise there in accordance with Directives 75/362/EEC and 75/363/EEC (1).

The Commission takes the view that it is for each Member State, and not the Community institutions, to ensure equality of opportunity between nationals as regards access to specific training in general practice.

(1) OJ No L 167, 30. 6. 1975.

**WRITTEN QUESTION No 2876/91**

**by Mr Michael Welsh (ED)**

**to the Commission of the European Communities**

(5 December 1991)

(92/C 126/89)

*Subject:* UK budget contribution

In the Official Journal of 12 December 1990, pages 76 and 77, the Court of Auditors published tables showing own resources received by Member States and annual payments to Member States 1985—89. If one deducts the figures shown in the payments table from the own resources tables the net contribution from the United Kingdom to the Community budget is as follows in million ecu.

1986: 1 438,4  
1987: 2 606,0  
1988: 2 070,0  
1989: 3 553,8

Can the Commission state whether these figures take account of all rebates and other adjustments and if not what the true net contribution should be.

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

(28 January 1992)

According to the information available to the Commission, the figures calculated by the Court of Auditors include the correction of the budget imbalances for the United Kingdom.

**WRITTEN QUESTION No 2878/91**

**by Mr Yves Verwaerde (LDR)**

**to the Commission of the European Communities**

(5 December 1991)

(92/C 126/90)

*Subject:* Commission premises in Brussels

Would the Commission draw up a list of the premises it occupies in Brussels?

Could the Commission also specify how it uses these premises?

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

(18 February 1992)

The Commission is sending direct to the Honourable Member and Parliament's Secretariat a list of the premises it occupies in Brussels with details of how they are used.

**WRITTEN QUESTION No 2884/91**

**by Mr Gianfranco Amendola (V)**

**to the Commission of the European Communities**

(5 December 1991)

(92/C 126/91)

*Subject:* Danger of jet skis

The Mediterranean coast has recently been invaded by jet skis, powerful aquatic scooters which are extremely dangerous to bathers. No licence, registration plate or other form of identification is necessary to drive them off the coast of Italy.

These powerful machines (500—650 cc) are a source absurdly excessive and unnecessary noise, pollution and injury.

Will the Commission take steps, and if so what steps, to protect Community citizens, already exposed to so many forms of pollution and other dangers, who now find that even their holidays may be spoiled by these machines, which merely serve to encourage yet another manifestation of speed coupled with mindlessness?

**Answer given by Mr Van Miert  
on behalf of the Commission  
(1 April 1992)**

The Commission would refer the Honourable Member to its answer to Written Question No 2155/90 by Mrs Diez de Rivera Icaza (<sup>(1)</sup>).

(<sup>(1)</sup>) OJ No C 161, 20. 6. 1991.

Only two of these complaints remain outstanding, those of 31 May 1985 and June 1991. The delay concerning the former complaint has been due to the need to establish a leading precedent in a parallel case, and because of many and substantial changes to the agreements over a period of time, some of which related to requirements resulting from new UK legislation subsequent to the 1989 MMC Supply of Beer Report. Nevertheless, both the outstanding cases are expected to reach conclusions in the near future.

**WRITTEN QUESTION No 2897/91  
by Mr Ian White (S)  
to the Commission of the European Communities  
(5 December 1991)  
(92/C 126/92)**

*Subject:* Beer sector complaints

Will the Commission produce details of the number of complaints which it has received on issues relating to the interpretation of Title II of Regulation (EEC) No 1984/83 (<sup>(1)</sup>) since the introduction of that Regulation broken down as between Member States and giving the date on which such complaints were received?

Will the Commission also indicate when it anticipates dealing with these complaints and explaining the reasons for the lengthy delays which have been experienced in dealing with many of them?

(<sup>(1)</sup>) OJ No L 173, 30. 6. 1983, p. 5.

**Answer given by Sir Leon Brittan  
on behalf of the Commission  
(10 February 1992)**

The Commission does not have a specific monitoring system which records complaints on issues relating to the interpretation of Title II of Commission Regulation (EEC) No 1984/83 of 22 June 1983. However, research has revealed the information requested, as per the table below:

Date of complaint	Member State concerned
8 June 1984	Germany
26 June 1984	Germany
30 November 1984	United Kingdom
31 May 1985	United Kingdom
14 November 1985	United Kingdom
9 April 1986	United Kingdom
19 December 1986	United Kingdom
9 July 1987	United Kingdom
4 September 1989	Germany
20 June 1991	United Kingdom

**WRITTEN QUESTION No 2917/91  
by Mr Carlos Robles Piquer (PPE)  
to European Political Cooperation  
(9 December 1991)  
(92/C 126/93)**

*Subject:* Community contributions to nuclear disarmament in war zones

According to recent reports, the nuclear disarmament policy advocated by the American President, George Bush, may be seriously jeopardized in certain countries in the Far East. In particular, prospects are uncertain in the Korean peninsula, following talks between the Prime Ministers of North and South Korea held at the end of October, since the government of Pyongyang intends to become a nuclear power (*International Herald Tribune*, 28 October 1991). Similarly, the situation in China is worrying in the light of its unexplained delay in ratifying the Non-Proliferation Treaty at a time when Washington was accusing it of collaboration with Iran in this area (*Le Monde*, 1 October 1991)?

1. Given the worldwide importance of nuclear disarmament, how will EPC help to achieve threatened objectives in this area?
2. In particular, does the Community have any means of preventing Soviet nuclear scientists from offering the benefit of their experience to countries which are attempting to acquire nuclear weapons for their armed forces?

**Answer  
(10 April 1992)**

The Community and its Member States fully share the concerns expressed by the Honourable Parliamentarian.

Regarding his introductory remarks, the Community and its Member States welcome the signature by North Korea of its safeguard agreement and look forward to its early

ratification and implementation. They also welcome China's decision to accede to the NPT.

In the Declaration on Non-Proliferation and arms exports adopted by the European Council in Luxembourg in June 1991, the Community and its Member States expressed their support for a strengthening of the regime of nuclear non-proliferation and called on all States to become parties to the Treaty on the non-proliferation of nuclear weapons. In the context of the 46th UNGA, they reiterated this position and called in particular for a strengthening and improvement of the IAEA's safeguards system.

They proposed to the IAEA Board of Governors, as well as to the IAEA General Conference (Vienna, 16–20 September 1991) the adoption of a first set of measures which will be relatively straightforward to implement but which will nevertheless make an immediate contribution to the effectiveness of safeguards, namely:

- an obligation for States to declare any new facilities to the Agency at least 180 days before construction work begins; in the case of any facilities already under construction or complete, but not yet in use, immediate declaration;
- an obligation to declare all civil nuclear materials, including uranium ore concentrate (yellow cake) produced in the territory of a State;
- effective use by the Agency of special inspections, including the use of such inspections in relation to undeclared nuclear facilities;
- setting up by the IAEA of a universal register of exports and imports of equipment covered by Infcirc 254 and at the discretion of the IAEA, verification that:
  - I. equipment covered by Infcirc 254 is actually located in a monitored facility, and that
  - II. all nuclear materials processed in that facility are effectively monitored,
- an obligation to notify the Board of Governors of any application for exemption under the terms of Articles 36 and 37 of Infcirc/153, before accepting such an application.

Although noting that the proposals put forward by the Director-General of the Agency in the meantime largely address these immediate concerns, the Community and its Member States believe that consideration should be given to improving the long term effectiveness, efficiency and credibility of the international safeguards regime.

The last point raised by the Honourable Parliamentarian is a major source of concern for the Community and its Member States. At their recent EPC Ministerial meeting in Lisbon, on 17 February 1992, they agreed to convey to the authorities of the republics of the former Soviet Union their readiness to give any technical support they may need to eliminate nuclear weapons and establish an effective non-proliferation system.

On that same occasion, they also subscribed to the proposal put forward by Germany, together with Russia and the United States to create an International Science and Technology Centre in Russia that would support projects aimed at giving weapons scientists and engineers of the former Soviet Union opportunities to redirect their talents to non-military endeavours and in particular to minimize any incentives to engage in activities that would result in proliferation of nuclear, biological, and chemical weapons, and missile delivery systems. Through these projects, scientists and engineers would also contribute to ongoing efforts to reduce and eliminate weapons of mass destruction, including development of technologies that could assist in these efforts. The Commission will examine ways of giving financial support to this initiative in the framework of the 1992 Programmes for Technical Assistance.

I can assure the Honourable Parliamentarian that the Community and its Member States will spare no efforts aimed at achieving an effective non-proliferation system.

#### WRITTEN QUESTION No 2940/91

by Mr François Guillaume (RDE)

to the Council of the European Communities

(9 December 1991)

(92/C 126/94)

*Subject:* Situation of persons employed by transit agencies in view of the elimination of internal borders as of 1 January 1993

The introduction of the single European market as of 1 January 1993 will considerably alter border control procedures. The elimination of internal borders and the payment of VAT and related levies at the point of destination instead of at the borders constitutes a direct threat to the job of 85 000 persons employed in transit agencies within the Community in addition to customs staff. The jobs generated by external trade will not be sufficient to maintain the level of employment in this sector.

1. What measures will the Commission take to alleviate the social consequences of the elimination of borders in 1993 in respect of those employed by transit agencies and customs staff, together with their families?
2. What steps will it take to retrain and redeploy the staff concerned and under what financial conditions?

**Answer***(13 April 1992)*

On the subject of the vocational training of customs officials, the Council adopted a Decision (91/341/EEC) on 20 June 1991 on the adoption of a programme of Community action (Matthaeus programme) <sup>(1)</sup>.

For the rest, the Council would remind the Honourable Member of the role of the European Social Fund, which is administered by the Commission, in the field of vocational training and redeployment and of the Community initiative concerning border areas (INTERREG).

As the Internal Market Council meeting on 25 February 1992, the Commission also raised the specific problems facing customs agents following completion of the internal market.

<sup>(1)</sup> OJ No L 187, 13. 7. 1991, p. 41.

**WRITTEN QUESTION No 2973/91****by Mr Sérgio Ribeiro (CG)****to the Commission of the European Communities***(13 January 1992)**(92/C 126/95)*

*Subject:* Budget heading for arms industry conversion

In view of the recent statements by Commissioner Brittan on the Community's arms industries, which, in his view, are uncompetitive because they are heavily protected, and in view of the recent European Parliament resolution (12 September 1991) on the impact of cuts in military spending on employment in certain regions, does the Commission intend to present, in a future general budget of the Communities, a budget heading in support of the conversion of arms industries to civilian purposes, with a view not only to preventing employment in, and the economy of, regions dependent on those industries from being adversely affected but also to making a positive contribution to encouraging disarmament?

**Answer given by Mr Bangemann  
on behalf of the Commission***(18 February 1992)*

Over the last year the Commission has already commented on the conversion of the arms industry in its answers to Written Questions Nos 437/91 by Mr Arbeloa Muru <sup>(1)</sup> and 540/91 by Mr Peter <sup>(2)</sup> as well as during the debate which took place in Parliament on 9 September 1991 concerning the impact on employment of cuts in military spending.

On each of these occasions, the Commission indicated that it would monitor developments very closely, paying particular attention to the consequences for employment, technological potential and economic activity in certain regions of the Community. It also reported on the studies under way.

As regards employment, a large proportion of those employed in the arms industry is made up of engineers and scientists, of which there is, generally speaking, a shortage in the economy. This should facilitate the absorption into civil industry of surplus skilled workers from the arms industry.

Where such workers are in areas eligible for assistance under Objective 2 of the structural Funds, it is up to Member States to take the most appropriate measures under the operational programmes approved by the Commission.

In 1991 the Commission devoted 52% of the appropriations under budget heading B2-61 (Perifra), amounting to some ECU 21 million, to help finance small-scale pilot projects in regions suffering as a direct consequence of disarmament agreements and military spending cuts. A large number of these projects were concerned with the conversion of the arms industry. In 1992 an amount of ECU 50 million is to be appropriated under this heading, part of which will be used for similar measures.

Under the present rules, however, the structural Funds cannot address the difficulties of the arms industry as a whole or tackle problems of retraining and conversion on an industry-wide basis.

<sup>(1)</sup> OJ No C 281, 28. 10. 1991.

<sup>(2)</sup> OJ No C 214, 16. 8. 1991.

**WRITTEN QUESTION No 3005/91****by Mr Gerardo Fernández-Albor (PPE)****to the Commission of the European Communities***(13 January 1992)**(92/C 126/96)*

*Subject:* Reflections on the new Community fisheries policy

According to Commission sources, the common fisheries policy initiated in March 1983 has met with overwhelming

failure due to the pressure of excessive uncontrolled fishing activity on diminishing resources.

It appears that in order to halt the deterioration in this situation the European Community has proposed the short-term implementation of far-reaching reform; the proposed measures include more direct European Community control over the activity of fishing fleets belonging to the different Member States with a view to ensuring greater compliance with current legislation and improved conservation of resources.

Since such rumours have led to queries from the fishing sector about the new Community guidelines, could the Commission indicate whether it sees fit to draw up a white or blue paper on the subject for the consideration of all the sectors involved, prior to adopting a new Community fisheries policy, in order to seek the best solutions for all concerned?

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

(4 February 1992)

On 4 December 1991 the Commission adopted a report to the Council and Parliament on the common fisheries policy.

Although Article 8 of Council Regulation (EEC) No 170/83 <sup>(1)</sup> confines the scope of the report to the fishery situation in the Community, the economic and social development of coastal areas and the state of stocks and their likely evolution the Commission has taken the opportunity to give a broad and full review of the common fisheries policy as a whole and to map out what it considers the best way of safeguarding the future of the industry.

The report sets out what might be done to effect the immediate imperative of tightening access to fishery resources, by reducing the fishing effort of the Community fleet, including capacity reduction, and by more rigorous management and monitoring of fishing activities. It also stresses the need for short term action in the form of accompanying measures to counter the socio-economic impact of these reductions.

The report is intended to stimulate discussion within the Community bodies and elsewhere and it is only in the light of discussion in the first months of 1992 that the Commission will present its regulatory proposals.

<sup>(1)</sup> OJ No L 24, 27. 1. 1983.

**WRITTEN QUESTION No 3007/91  
by Mr Carlos Robles Piquer (PPE)  
to the Commission of the European Communities**

(13 January 1992)

(92/C 126/97)

*Subject:* European Community aid to university-industry training partnerships

One of the main results of the implementation of the Comett programme (I and II) has been the proliferation and consolidation of UITPs (university-industry training partnerships), of which there are already 156 throughout Europe, acting as effective intermediaries between universities and industry, while at the same time organizing student exchanges.

Since these partnerships are grant-aided by the European Community there is considerable interest in extending this effective aspect of the Comett programme to all the member countries, thereby strengthening its implementation.

Could the Commission indicate the nature of Community aid to UITPs, the prerequisites for access to such aid and what Community provisions generally regulate European Community support for UITPs?

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

(23 January 1992)

In accordance with Council Decision 89/27/EEC of 16 December 1988 adopting the second phase of the Programme on Cooperation between Universities and Industry regarding training in the field of technology (Comett II) (1990-94) <sup>(1)</sup>, the Community is granting financial support to 158 university-industry training partnerships (UITPs) under the Comett II programme. This support is to further cooperation and partnership between universities and industry for the purposes of:

- contribution to the identification of training needs in technology;
- meeting requirements on a structured and coordinated basis;
- providing a support structure for implementing the Comett programme;

- strengthening cooperation and inter-regional transfer between Member States; and
- developing links in the form of sectoral networks.

If these conditions are met, the Community may provide a flat-rate contribution to the UITP of up to 50% of planned expenditure. This support will be reduced progressively, with a ceiling per UITP of ECU 70 000, ECU 60 000 and ECU 50 000 respectively for the first three years of operation.

(<sup>1</sup>) OJ No L 13, 17. 1. 1989.

#### WRITTEN QUESTION No 3041/91

by Mr Christian de la Malène (RDE)

to the Commission of the European Communities

(13 January 1992)

(92/C 126/98)

*Subject:* The importance of the concept of 'EC mark' in the 1989 directive on construction products

In the context of Directive 89/106/EEC (<sup>1</sup>) on construction products, can the Commission state how the concept of 'EC mark' should be understood?

Should it be given a limited meaning covering only the essential requirements of the product, or should a wider interpretation be given covering not only the essential requirements but also the specific characteristics of the product which, once incorporated, should enable the product to be used for the purpose for which it was designed in accordance with the essential requirements?

(<sup>1</sup>) OJ No L 40, 11. 2. 1989, p. 12.

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

(27 February 1992)

The Commission would refer the Honourable Member to its answer to Written Question No 1685/91 by Mr Lamassoure (<sup>1</sup>).

(<sup>1</sup>) OJ No C 102, 22. 4. 1992.

#### WRITTEN QUESTION No 3118/91

by Mr Thomas Spencer (ED)

to the Commission of the European Communities

(24 January 1992)

(92/C 126/99)

*Subject:* UK Broadcasting Act

The United Kingdom's Broadcasting Act, which came into force on 1 January this year, appears to grant the UK authorities the power to board, arrest and tow away ships, even if they are outside UK territorial waters, if they are operating a broadcasting radio station not in conformity with the 1967 Marine Broadcasting Act. Could the Commission state whether these aspects of the UK legislation are in conformity with the EEC Broadcasting Directive and also with the more general provisions of the Treaty, such as Article 59 *et seq.*?

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

(3 March 1992)

The Honourable Member is referred to the answers to Written Questions No 772/91 by Mr Raffarin (<sup>1</sup>) and No 1679/91 by Mr Vernier (<sup>2</sup>).

(<sup>1</sup>) OJ No C 214, 16. 8. 1991.

(<sup>2</sup>) OJ No C 102, 22. 4. 1992.

#### WRITTEN QUESTION No 3136/91

by Mr Edward McMillan-Scott (ED)

to European Political Cooperation

(24 January 1992)

(92/C 126/100)

*Subject:* Surveillance of Romanian steps towards pluralism

Will the Foreign Ministers verify a report that dossiers on Securitate Officials will not be opened for 60 years and that none of these officials will be arrested for pre-revolutionary activities?

#### WRITTEN QUESTION No 3137/91

by Mr Edward McMillan-Scott (ED)

to European Political Cooperation

(24 January 1992)

(92/C 126/101)

*Subject:* Surveillance of Romanian steps towards pluralism

Does the proposal in the draft Romanian Constitution to establish a National Defence Council, separate from the

civil government, conform to the Foreign Ministers' idea of a state based on the rule of law with organs of state subject to the same law?

**WRITTEN QUESTION No 3199/91**

**by Mr Edward McMillan-Scott (ED)  
to European Political Cooperation**

*(24 January 1992)*

*(92/C 126/102)*

*Subject: Surveillance of Romanian steps towards pluralism*

As proof of Glasnost in Romania, will the Foreign Ministers request the Romanian authorities to bring to justice the perpetrators of the murder of the Roman Catholic priest, Father Geza Palfy, who protested at the suppression of 25 December as a holiday by the Ceausescu regime? Father Palfy disappeared in 1984.

**Joint answer**

**to Written Questions Nos 3136/91, 3137/91 and 3199/91**

*(10 April 1992)*

The specific points raised by the Honourable Member have as such not been discussed in the framework of European Political Cooperation. However, as the intensive debate with the Honourable Member over the last year will bear out, he is most certainly aware that the Community and its Member States are keeping developments in Romania under constant review, particularly so all aspects pertaining to the human rights situation in that country.

**WRITTEN QUESTION No 3212/91**

**by Mr Reimer Böge (PPE)**

**to the Commission of the European Communities**

*(28 January 1992)*

*(92/C 126/103)*

*Subject: Monitoring in the fisheries sector*

Fishing quotas are frequently exceeded in many Member States. A fisherman who has used all but 500 kg of his cod quota and nets 3 tonnes at the first attempt does not throw the dead fish back into the sea, since the processing industry provides him with an adequate outlet. This has led to a black market which may account for up to 50% of fish exports.

Inspectors in Denmark have admitted that only one infringement in four is discovered. Fines were imposed in

214 cases only, although Danish fishermen put to sea 150 000 times.

In one case two Danish traders were fined DM 13 000 for purchasing 300 000 kg of plaice designated as turbot from Dutch suppliers so that the latter could maintain their plaice quota. The Dutch suppliers were not penalized.

1. Can the Commission suggest ways of combating such forms of black marketeer?
2. In view of such incidents, does the Commission consider that the quota policy cannot be implemented in practice and should therefore be reviewed?
3. Does the Commission consider that such infringements can be effectively countered by stricter controls given that to date, such controls have achieved only a modest degree of success, or have failed completely to identify a number of offenders?

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

*(28 February 1992)*

1. The Commission would point out that responsibility for ensuring compliance with the provisions on the conservation of fishery resources lies first and foremost — according to Article 1 of Regulation (EEC) No 2241/87 — with the Member States.
2. The Commission has on several occasions urged the Member States to take appropriate control measures to thwart illegal marketing, not only by stepping up physical checks at the place of unloading but also by imposing stiffer penalties on offenders. To that end it would also be useful if the various inspection departments in the Member States were to coordinate their efforts to trace the origin of products transported by road.
3. The Commission plans to put proposals to the Council in the next few months for Community control measures to reinforce the existing monitoring arrangements and make inspections more effective. In these proposals the Commission will stress the importance of integrated control.

**WRITTEN QUESTION No 3232/91**

**by Mr Victor Manuel Arbeloa Muru (S)  
to European Political Cooperation**

*(28 January 1992)*

*(92/C 126/104)*

*Subject: Combating illegal immigration*

The working party set up following the meeting of 28 European Justice and Interior Ministers on 30 and 31

October 1991 in Berlin to take joint action against illegal immigration consists of representatives of Austria, Hungary and Italy. Does Italy represent the Community as a whole?

**Answer** <sup>(1)</sup>

(13 April 1992)

The Berlin Conference, to which the Honourable Member is referring, was held outside the context of the European Communities and the Council is not, therefore, in a position to answer the question.

<sup>(1)</sup> This reply has been given by the Council of the European Communities, within whose province the question came.

**WRITTEN QUESTION No 3240/91**

by Mr Ernest Glinne (S)

to the Council of the European Communities

(28 January 1992)

(92/C 126/105)

*Subject:* Support for the local Israeli-Palestinian community of Neve Shalom

In 1972 Trappist monks leased out 12 500 m<sup>2</sup> to a local mixed Israeli-Palestinian community known as Neve Shalom (New Peace) situated in a sparsely populated mountain region half way between Jerusalem and Tel Aviv. This community was recognized in 1989 by the parastatal regional council Mateh Jehuda, which helps several kibbutzim and villages in the canton, but Israeli legislation still prevents foreign aid from being sent to this community and particularly to the Palestinian members of it.

Belgian national radio broadcast a very informative programme on 1 November 1991 in which spokesmen for the two parties acknowledged, to varying degrees, the positive nature of this experience as an instrument for achieving local rapprochement of two enemy peoples. The 'mixed community' of 80 inhabitants — including 20 well-educated children including young Palestinians from the nearby Arab village of Abu Gosh — has, since its creation, educated a considerable number of adolescents and had the help of hundreds of adult educators concerned to carry out their work in a spirit of mutual trust.

Given that, despite its limited size, this inimitable experience deserves appreciation and support on a wider scale, does the Commission not consider that this is an exceptional case which warrants generosity — in political

and material terms — even though Israeli interlocutors persist in considering the Arabs of Neve Shalom as unusual Israelis or total outsiders rather than as non-violent Palestinians?

**Answer**

(9 April 1992)

Under the Council Decisions of 27 October 1986 the Community applies measures to help the Palestinian inhabitants of the West Bank of the Jordan and of the Gaza Strip in the form of trade arrangements and financial assistance. The latter is intended to improve the economic and social situation of the Palestinian inhabitants of the Occupied Territories, efforts being concentrated on projects or measures in agriculture and industry that create jobs, on training and on the improvement of the operation of local Palestinian institutions such as town councils, universities, colleges and Arab vocational organizations. Projects in the field of housing and health are given priority at present.

This aid, for which a commitment appropriation of ECU 12 million has been entered in the 1992 budget, is administered by the Commission in accordance with a procedure similar to that applicable to the implementation of the cooperation agreements concluded by the Community with neighbouring States.

In addition, the Council Decision of 22 July 1991 on financial aid for Israel and the Palestinian population of the Occupied Territories (91/408/EEC), intended to help reduce the negative consequences of the Gulf War, provides for non-repayable aid for those people of ECU 60 million. That aid is administered by the Commission in accordance with the procedure laid down in the Decision.

It is therefore for the Commission to consider whether the local community to which the Honourable Member refers is eligible for Community aid.

**WRITTEN QUESTION No 60/92**

by Mr Jean-Pierre Raffarin (LDR)

to the Council of the European Communities

(6 February 1992)

(92/C 126/106)

*Subject:* Veterinary inspection posts in Poitou-Charentes

The Implementation of Directive 90/675/EEC of 10 December 1990 <sup>(1)</sup> on veterinary inspection posts for products originating from third countries does not

provide for inspection posts to be established either in the port of Rochefort or of La Rochelle.

This state of affairs is detrimental to the smooth running of the economy in the Poitou-Charentes region.

In taking note of this situation, would the Council be prepared to reconsider the establishment of frontier inspection posts on the Atlantic coast in the Poitou-Charentes region?

(<sup>1</sup>) OJ No L 373, 31. 12. 1990, p. 1.

**Answer**  
(9 April 1992)

Under Article 9 of Directive 90/675/EEC and Article 6 of Directive 91/496/EEC, it is the Member States' role to submit to the Commission the list of border inspection posts responsible for carrying out veterinary checks upon importation of products and live animals into Community territory, once they have been shortlisted by national authorities, acting in conjunction with the Commission departments which verify their compliance with the requirements set out in those Directives. The Commission draws up the Community list only after inspection of the border posts designated by the Member States.

In the context of the criteria laid down at Community level, the selection of borders posts is therefore primarily the Member States' responsibility.

They have made this a particular issue in their dealings with the republics of the former Soviet Union by linking the questions of recognition and non-proliferation.

In their declaration on the 'Guidelines on the recognition of new States in Eastern Europe and in the Soviet Union', dated 16 December 1991, Ministers listed as precondition for recognition of a new State 'acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability'.

In their statement on the 'Future Status of Russia and other former Soviet Republics', dated 23 December 1991, the Community and its Member States expressed their expectation to receive assurances from the Commonwealth of Independent States that they 'will ensure single control over nuclear weapons and their non-proliferation'.

In their statements on the 'Recognition of former Soviet Republics' dated 31 December 1991 and 15 January 1992, the Community and its Member States expressed their readiness to proceed with recognition on the basis of assurances received and on the understanding that all republics 'on whose territory nuclear weapons are stationed, will adhere shortly to the Nuclear Non-Proliferation Treaty as non-nuclear weapon States'.

The Community and its Member States will continue to give priority to non-proliferation issues, including the question of a possible 'nuclear brain-drain', in their future contacts with the republics of the Commonwealth of Independent States, namely within the framework of the science and technology international centre.

#### WRITTEN QUESTION No 91/92

by Mr Panayotis Roumeliotis (S)  
to European Political Cooperation  
(6 February 1992)  
(92/C 126/107)

*Subject:* Nuclear weapons in the former Soviet Union

According to many articles in the European and international press and recent statements by former Soviet officers there is a great danger that the former Soviet republics have uncontrolled access to weapons and nuclear materials. What steps will European Political Cooperation take to avert this danger?

**Answer**  
(10 April 1992)

The Community and its Member States attach great importance to the non-proliferation of nuclear weapons.

#### WRITTEN QUESTION No 97/92

by Mrs Maartje van Putten (S)  
to the Council of the European Communities  
(6 February 1992)  
(92/C 126/108)

*Subject:* Community fact-finding mission to Bangladesh (20–22 October 1991)

1. Did the fact-finding mission to Bangladesh obtain information concerning the (human rights) situation in the Chittagong Hill Tracts? What were its findings?
2. With whom did the members of the fact-finding mission discuss the situation in Bangladesh and what conclusions did they draw?
3. Were discussions held on the possibilities of a safe return from the Indian State of Tripura of those who had earlier fled the Chittagong Hill Tracts?

4. What guarantees does the Council have that food and financial aid provided by the European Community or the Member States to Bangladesh will be properly used and will benefit the Chittagong Hill tribes and not simply serve to fund the militarization of the area?

**Answer**  
(13 April 1992)

The aims of the fact-finding mission to Bangladesh undertaken from 20 to 22 October by the President-in-Office of the Council (Development), accompanied by his predecessor and successor or their representatives, were:

- to examine the relationship between emergency aid, aid for reconstruction, and long-term development assistance and to investigate whether coordination between donors could be improved;
- to demonstrate Europe's concern for and show Europe's interest in Bangladesh, which is one of the poorest countries, subject to recurrent disasters, and one of the principal beneficiaries of aid from the Community and its Member States, and where parliamentary democracy has recently been restored.

In its talks with the country's political leaders, the Community delegation repeatedly stressed the importance attached by the Community and its Member States to respect for human rights and the need for democracy to become firmly established. The specific question mentioned by the Honourable Member concerning the situation in the Chittagong Hill Tracts was not raised.

**WRITTEN QUESTION No 134/92**  
by Mr Juan de la Cámara Martínez (S)  
to the Council of the European Communities  
(7 February 1992)  
(92/C 126/109)

*Subject:* Mining areas other than coalmining areas

Given the existence of the Community RECHAR support programme for coal-mining areas, and the fact that there are other non-coalmining areas and regions in the Community which are currently undergoing major redevelopment, has the Council considered setting up a specific programme to assist the latter?

**Answer**  
(9 April 1992)

The Council has not to date received any proposal from the Commission for the introduction of a programme of specific aid for the non-coal mining areas of the Community. The Honourable Member's attention is, however, drawn to the fact that a discussion of the general question of mining policy is planned for the next Council meeting on Industry.

**WRITTEN QUESTION No 138/92**  
by Mr Juan de la Cámara Martínez (S)  
to the Council of the European Communities  
(7 February 1992)  
(92/C 126/110)

*Subject:* Information and Coordination programme for environmental policies to protect the Mediterranean

Does the Council propose to implement an information and coordination programme involving all the various levels of public administration (local, regional, national and Community) so as to increase the effectiveness of environmental policies to protect the Mediterranean?

**Answer**  
(9 April 1992)

1. In its resolution (87/C 328/01) on the continuation and implementation of a European Community policy and action programme on the environment (1987—1992) (\*) adopted on 19 October 1987 the Council stressed the urgency of action to ensure the overall and integrated protection of the environment in the Mediterranean region.

2. In that connection the Council adopted Regulation (EEC) No 563/91 on action by the Community for protection of the environment in the Mediterranean region (MEDSPA) (†) on 4 March 1991.

The MEDSPA action takes account in particular of the points of concern mentioned in the Honourable Member's question:

- one of the objectives listed in Article 2 of the Regulation is in fact 'to increase cooperation and coordination on protection of the environment in the region concerned by integrating Community action and the operations carried out at regional, national and international level';
- it should also be pointed out that the priority measures eligible under this Regulation include, as regards

action in non-Community Mediterranean countries, help with the establishment of administrative structures and technical assistance in the establishment of environmental policies. The implementation of such measures may also facilitate exchanges of information and coordination between the entities involved.

(<sup>1</sup>) OJ No C 328, 7. 12. 1987, p. 1.

(<sup>2</sup>) OJ No L 63, 9. 3. 1991, p. 1.

**WRITTEN QUESTION No 216/92**

**by Mr José Valverde López (PPE)**

**to the Council of the European Communities**

(13 February 1992)

(92/C 126/111)

*Subject:* Safety of food, drink and water intended for human consumption

The conclusions of 3 December 1990 of the Council and the Ministers for Health meeting within the Council on the safety of food, drink and water intended for human consumption (<sup>1</sup>) recognized that the chief task of the Community is to take urgent, coordinated and thorough action to adopt as soon as possible effective rules, particularly in the sectors which are of importance in achieving a high level of health protection. What steps have been taken by the Council and the Member States to coordinate existing rules and to guarantee, 'through effective, uniform application, that they are actually complied with'?

(<sup>1</sup>) OJ No C 329, 31. 12. 1990, p. 19.

**Answer**

(9 April 1992)

The Commission report to the Council and the Parliament on the implementation of measures for completing the internal market (SEC(91) 2491 final) analyses the situation as at 10 December 1991. It examines the problems of implementing the measures for completing the internal market in each of the areas covered by the White Paper — including the sectors playing a predominant role where a high level of health protection must be attained — and initiatives taken to ensure correct application of the various measures adopted.

Regarding the rules applicable by the Member States in the absence of Community regulations, the Commission indicates, in its interpretative communication on the free movement of foodstuffs within the Community (<sup>1</sup>), how the principle of the mutual recognition of national rules and standards is to be applied, for matters which do not require the adoption of Community legislative measures, and the limits within which the Member States may meet the mandatory requirement of public health protection.

To date, the Council has not received a specific proposal from the Commission on other measures to coordinate existing rules. If the Commission as initiator judges another Council Decision on this subject to be necessary, the Council will not fail to examine with the closest attention any proposal to reinforce the present level of coordination.

(<sup>1</sup>) OJ No C 271, 14. 10. 1989, p. 3.

**WRITTEN QUESTION No 217/92**

**by Mr José Valverde López (PPE)**

**to the Council of the European Communities**

(13 February 1992)

(92/C 126/112)

*Subject:* Improving the prevention and treatment of acute human poisoning

The resolution of the Council of 3 December 1990 on improving the prevention and treatment of human poisoning (<sup>1</sup>) expressed determination to take the necessary steps, including coordinated annual reports by the competent authorities on the work of poison centres. What progress has been made in carrying out the tasks set out in this resolution?

(<sup>1</sup>) OJ No C 329, 31. 12. 1990, p. 6.

**Answer**

(9 April 1992)

1. The Council does not at present have any information on implementation of the resolution of 3 December 1990 on improving the prevention and treatment of acute human poisoning.

2. Under the resolution, it is up to the Commission, when the time comes, to submit a report to the Council that will be taken as a basis for a review of the provisions of the resolution, which should take place within five years of its adoption.

**WRITTEN QUESTION No 301/92**

by Mrs Raymonde Dury (S)

to the Council of the European Communities

(24 February 1992)

(92/C 126/113)

*Subject:* Opening of borders and trade in drugs

Every day numerous people cross the Belgium-Netherlands border to purchase drugs in the Netherlands which are freely available across the counter there in order to resell them at a considerable profit in Belgium. Many of these people obtain the money to buy drugs by committing a crime or crimes in Belgium and reselling the stolen goods in the Netherlands.

The Belgian legal authorities consider that the Netherlands police could help them by identifying Belgian drug purchasers in the Netherlands and passing on their names. Is this arrangement covered by the Schengen Agreement?

**Answer**

(9 April 1992)

The Honourable Member is asked to refer to the written reply which she received to her Question No H-96 on the same subject, put during Question Time in the February 1992 part-session.

The Council is not able to reply to the last part of the question, since the Schengen Agreement is outside the framework of the European Communities.

**WRITTEN QUESTION No 332/92**

by Mr Edward Newman (S)

to the Council of the European Communities

(27 February 1992)

(92/C 126/114)

*Subject:* Study on granting certain rights to third country nationals

A study into the feasibility of granting certain rights, applicable to EC citizens, to third country nationals who have been residing in an EC Member State for a number of years, has apparently been requested by the Ministers responsible for immigration of the 12 Member States. Who will carry out this study, when will it be completed and what will be the status of its results? Is it to be a confidential inter-governmental document or a document

of the European institutions? How is the study to be financed? Will the European Parliament be informed of the results before its publication?

**Answer**

(13 April 1992)

At its meeting in Maastricht the European Council took note of a report on immigration and asylum drawn up at its request by the Ministers responsible for immigration.

The European Council considered that the report formed an adequate basis for the measures to be taken in those areas and agreed on the work programmes and timetables set out in it. The European Council asked the Ministers for Immigration to implement them; the questions raised by the Honourable Member will be dealt with in this context.

The report has been forwarded to the European Parliament.

**WRITTEN QUESTION No 335/92**

by Mr Edward Newman (S)

to the Council of the European Communities

(27 February 1992)

(92/C 126/115)

*Subject:* Study on fingerprint collection of asylum-seekers

The ad-hoc Group on Immigration is commissioning a feasibility study of a European fingerprint collection of asylum-seekers which should be completed before the end of June this year.

What will be the status of the study findings and how is it to be financed? Will the European Parliament be informed of the results before the report is officially issued?

**Answer**

(13 April 1992)

At this stage of proceedings it is envisaged that the feasibility study into a European fingerprint exchange system will be conducted by a working party answerable to the Ministers with responsibility for immigration.