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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 227/91
by Mr Carlos Robles Piquer (PPE)
to European Political Cooperation
(18 February 1991)
(92/C 309/01)

Subject: Community Member States with observer status in the WEU

The principle of establishing a common security policy has been underpinned by the prospect of political union and the need for the Community Member States to structure their defence policies accordingly.

Under the recent Italian Presidency, the Commission considered the possibility of including in the Treaty of Rome Article V of the amended Treaty of Brussels. However, any moves to bring together the WEU and the European Community must take account of the fact that three Community Member States, Greece, Denmark and Ireland, have not yet signed the Treaty of Brussels.

Assuming that the principle of a common security policy gains sufficient acceptance to bring about the integration of the WEU with the European Community, does European Political Cooperation consider that the above three countries should be granted observer status by the Member States of the European Community signatory to the Treaty of Brussels for the purposes of their meetings and activities in this particular framework?

Answer
(6 September 1992)

Any relationships that may exist between a future common foreign and security policy of the Union and the WEU are currently under examination by the Intergovernmental Conference on Political Union. The Presidency therefore finds it inappropriate to attempt to prejudge the outcome of the discussions in progress within that forum.

WRITTEN QUESTION No 436/91
by Mr Víctor Manuel Arbeloa Muru (S)
to the Council of the European Communities
(11 March 1991)
(92/C 309/02)

Subject: Elimination of chemical weapons

What specific measures does the European Community propose to take to make headway in eliminating chemical weapons throughout the world?

Answer (1)
(6 September 1992)

The Community and its Member States are in favour of the early conclusion of a global, comprehensive and verifiable convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. They therefore support all the efforts made to conclude the current negotiations as quickly as possible, preferably by July 1992, and endorse President Bush's initiative of 13 May 1991 to this end.

Until a convention placing a full ban on chemical weapons is concluded, they are in favour of measures to prevent the proliferation of such weapons and the adoption of measures to monitor exports of chemical-weapon precursors and equipment which could be used to produce chemical weapons. The Community and its Member States — which already operate individually a policy of stringent controls on exports of chemical-weapon

components and precursors — are pursuing their activities in the Australian Group and adopted a Community Regulation on the matter on 20 February 1989.

Provisions adopted at national level are generally amended and implemented through consultations under the aegis of European Political Cooperation.

In the Community framework, it should be noted that on 19 March 1990 the Commission forwarded a proposal amending the above Regulation the purpose of which is to extend the list of products concerned, introduce a system of exchanges of information between the Commission and Member States and lay down uniform technical criteria for granting or refusing export licences. This proposal is still in abeyance.

(1) This reply has been provided by the Foreign Ministers meeting in Political Cooperation, within whose province the question came.

WRITTEN QUESTION No 444/91
by Mr Edward McMillan-Scott (ED)
to European Political Cooperation
(11 March 1991)
(92/C 309/03)

Subject: The Community's relations with Romania

Do the Foreign Ministers agree that aid provided by the Community to Romania must depend on the extent of political and economic reform judged by the following:

— respect for human rights

— establishment of a multiparty system

— holding of free and fair elections

— establishment of the rule of law

— economic liberalization with a view to introducing market economies

— freedom of the press

In the case of Romania, will the Foreign Ministers state precisely which of the foregoing benchmarks of political reform have been satisfied?

How many of the foregoing benchmarks must be satisfied before the Foreign Minsters agreed aid other than humanitarian aid?

Do the Foreign Ministers agree that the same benchmarks of political reform must be rigorously applied to each of the States of Central and Eastern Europe without exception?

Answer
(6 September 1992)

In the reply to the specific point raised by the Honourable Member, the Community and its Member States agree with the Honourable Member that the criteria he mentions in his question are at the centre of political and economic conditionality which underlies the assistance granted to the countries of Central and Eastern Europe. Aid to Romania should accordingly take these criteria into account.

The Community and its Member States accept that Romania has embarked on a process of reforms moving in the desired direction. But they are convinced that the situation in the country is still a delicate one and that it is for the European Community as well as the international community as a whole to remain vigilant in regard to developments in Romania.

On the more general subject of the policy of the Community and its Member States *vis-à-vis* Romania, the Honourable Member should refer to the replies which have been given to a number of questions, and in particular to his Oral Questions Nos H-1294/90, H-1314/960, H-0151/91 and H-0274/91.

WRITTEN QUESTION No 838/91
by Mr Víctor Manuel Arbeloa Muru (S)
to European Political Cooperation
(3 May 1991)
(92/C 309/04)

Subject: Economic cooperation: asylum

What does EPC understand by economic cooperation to prevent 'massive waves of applications for asylum' from the countries of Eastern Europe, as discussed at the conference held in Vienna on 24 and 25 January 1991?

Answer
(6 September 1992)

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

WRITTEN QUESTION No 897/91
by Mrs Raymonde Dury (S)
to European Political Cooperation
(8 May 1991)
(92/C 309/05)

Subject: International control of arms sales

The Commission has announced its intention of promoting controls on arms sales at Community level. Its announcement was approved by the Council and the European Parliament.

However, its appears that the United States does not intend to impose restrictions on its own arms sales in the world, thereby undermining efforts to contain the risk of armed conflict.

What view does European Political Cooperation take of this and of the proposal by the Canadian Prime Minister, Mr Mulroney, to hold an international summit on measures to limit or possibly halt arms sales?

Answer
(25 August 1992)

In the Declaration on Non-proliferation and Arms Export adopted by the European Council in Luxembourg on 28—29 June 1991, Heads of State and Government expressed their belief in the need for immediate and far-reaching international action to promote restraint and transparency in the transfer of conventional weapons and of technologies for military use, in particular towards regions of tension.

At an internal level, the Community and its Member States have since the Luxembourg European Council intensified their efforts to identify steps which could make possible a common approach to arms transfers. This has been done by examining possibilities for a common approach on the basis of the seven criteria approved by the Luxembourg European Council, when implementing their respective policies on arms exports, and by proposing appropriate measures to attune national export controls of military goods beginning with a comparison of national policies and the identification of common elements and differences in national regulations.

As a result of these efforts an eighth criteria has recently been approved concerning arms export controls. In addition, considerable progress has been made on finalization of lists of conventional arms to be controlled by all Member States.

The European Council in Maastricht on 9—10 December 1991 identified four areas related to security as areas which could be the subject of joint action. One of these was 'the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports'. The European Council requested the Ministers for Foreign Affairs to begin preparatory work with a view to defining the necessary basic elements for a policy of the Union by the date of the entry into force of the Treaty.

The Community and its Member States believe that, as expressed in the UNGA resolution 43/75 I, 'arms transfers in all their aspects deserve particular serious consideration by international community *inter alia* because of:

(a) their potential effects in further destabilizing areas where tension and regional conflict threaten international peace and security and national security;

(b) their potentially negative effects on the progress of the peaceful social and economic development of all peoples;

(c) the danger of increasing illicit and covert arms trafficking.'

The Community and its Member States consider that an increased level of openness and transparency in the field of armaments is therefore absolutely necessary to enhance confidence, promote stability, help States to exercise restraint in military production and the transfer of arms, ease tensions and strengthen regional and international peace and security. They are convinced that effective efforts in this field will have to be based on concerted international action.

In that spirit and as a first step, the Twelve and Japan tabled a draft Resolution at the 46th UNGA which, in particular:

— requests the Secretary-General to establish and maintain a universal and non-discriminatory Register of Conventional Arms, to include data on international arms transfers as well as information provided by Member States on military holdings, procurement through national production and relevant policies, aims at achieving restraint and transparency in the transfers of weapons by means of a univeral and non-discriminatory Register;

— requests the Conference on Disarmament to address, as soon as possible, the question of the interrelated aspects of the excessive and destabilizing accumulation of arms, including military holdings and

procurement through national production, and to elaborate universal and non-discriminatory practical means to increase openness and transparency in these fields;

— requests the Conference on Disarmament to address the problems of, and the elaboration of practical means to increase openness and transparency related to the transfer of high technology with military applications and to weapons of mass destruction, in accordance with existing legal instruments.

This Resolution has been approved with an overwhelming majority by the UN General Assembly and a panel of governmental experts is currently examining the modalities of its implementation. The result of its work is to be considered at the next UN General Assembly. The United States and Canada have strongly supported the adoption of this Resolution and are involved with all work related to its rapid implementation.

WRITTEN QUESTION No 1257/91
by Mrs Christine Oddy (S)
to European Political Cooperation
(14 June 1991)
(92/C 309/06)

Subject: Guyana

When did the Foreign Ministers meeting in European Political Cooperation last consider the situation in Guyana?

What steps will the Foreign Ministers take to send international observers to ensure that the forthcoming elections are observed by international observers?

Answer
(25 August 1992)

The Community and its Member States regularly exchange views, within the competent EPC Working Group, on Latin America and Caribbean developments likely to foster democratic government, including elections.

The Community and its Member States for instance discussed the decision taken by President Hoyte in late autumn last year to have the elections scheduled for 16 December 1991 postponed in what he qualified 'the absence of adequate electoral lists'. They are furthermore, through individual Member States, keeping contact with various candidates to the elections in order to be in a position to make an appropriate assessment of the pre-electoral situation in Guyana. The Honourable Member may be assured that should there be evidence that the elections were not only postponed, but indeed jeopardized, the Community and its Member States would coordinate their views in order to take a common course of action in support of the respect for democratic procedures.

The Guyanese Government has invited the Carter Center and Commonwealth Secretariat to send observer teams to monitor forthcoming elections. The invitation to send observers has not been extended to other international groups or organizations but accredited diplomats in Guyana will be permitted access to all stages of the electoral process. On 8 June, the Guyanese electoral Commission published a provisional voters list for examination and correction by all political parties as a next step towards holding general elections.

WRITTEN QUESTION No 1285/91
by Mr Leen van der Waal (NI)
to the Commission of the European Communities
(10 June 1991)
(92/C 309/07)

Subject: Cultural activities of the Commission

The Commission announced in the Official Journal the creation of the 'Platform Europe' award scheme in the framework of its 'Cultural Action' (1).

1. Does the Commission consider that there is such a thing as European culture? If so, what is it?

2. What is the Commission's legal basis for its intention to undertake cultural activities at European level?

3. Can the Commission define precisely what it means by the specifically 'European dimension' and by the 'common roots' through which European creativity is nourished?

4. There is currently a great deal of uncertainty in the Member States about the applicability of the EEC Treaty to the cultural sector. In particular there is concern about the powers remaining to the Member States with regard to their own national cultural policies.

   (a) Does the Commission agree that the pursuit of an independent cultural policy should remain a matter for the Member States?

(b) Can the Commission make clear that the activities it has announced to promote the 'European dimension' do not impinge upon the area of responsibility of the Member States?

(1) OJ No C 67, 10. 7. 1991, p. 2.

Answer given by Mr Dondelinger on behalf of the Commission

(19 August 1992)

The Honourable Member will be aware that the Maastricht Treaty contains new provisions for Community cultural action (Article 128). The aims is to 'contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity'.

Commission action is therefore to be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:

— improvement of the knowledge and dissemination of the culture and history of the European peoples;

— conservation and safeguarding of cultural heritage of European significance;

— non-commercial exchanges;

— artistic and literary creation, including in the audiovisual sector.

Article 128 also requires the Community and the Member States to foster cooperation with non-member countries. And cultural aspects are to be taken into account in activities in other areas.

To help the Council and Parliament establish a reference framework and determine priorities before the end of this year, the Commission adopted a communication on new prospects for Community cultural action on 29 April 1992. It highlights the principle of subsidiarity, the idea being that the Community should opt for activities that supplement those of the Member States with the primary objective of removing barriers, improving information flows and thereby generating added value at Community level.

The Commission further proposes greater cooperation with the professionals and the treaties in the Member States in close collaboration with the European Parliament and the new Committee of the Regions.

In all events, new action cannot be launched until the Maastricht Treaty has come into force; it will have to comply with the procedures of Articles 128 and 189b, which require unanimity in the Council.

WRITTEN QUESTION No 1872/91
by Mr Diego des los Santos López (ARC)
to the Commission of the European Communities

(1 September 1991)

(92/C 309/08)

Subject: Structural aids for agriculture

The Spanish Government has decided, apparently for budgetary reasons, to suspend indefinitely the structural agricultural aid provided under Royal decree No 808/85, implementing in Spain Council Regulation (EEC) No 797/85 of 12 March 1985 (1) on improving the efficiency of agricultural structures. In addition, it has instructed the local authorities not to approve any investment projects involving these aids within their respective territories. The resulting situation is particularly serious in Andalusia, whose agricultural structures have suffered particularly severe difficulties as a result of the reform of the CAP.

Does not the Commission consider that refusal to approve projects for investment aid under Council Regulation (EEC) No 797/85 constitute failure to implement and comply with Community rules on the part of the Spanish Government?

Can the Commission give information on the use made by the Andalusian and Spanish authorities of the Community aid package provided under Council Regulation (EEC) No 797/85?

Does not the Commission consider that, to prevent such situations arising, it is necessary to adopt measures to facilitate the direct implementation of Community structural agricultural measures in the least-favoured areas and that these measures should be adequately funded by the Community to prevent budgetary problems of the Member States further aggravating the differences between the richest and poorest regions of the Community?

(1) OJ No L 93, 30. 3. 1985, p. 1.

Answer given by Mr Mac Sharry on behalf of the Commission

(8 July 1992)

The Spanish Government informed the Commission of temporary suspension of approval of decisions granting

aid as provided for by Royal Decree 808/87 implementing in Spain Regulation (EEC) No 797/85, now replaced by Regulation (EEC) No 2328/91 (1). A new Royal Decree 1887/91 was issued in replacement on 31 December 1991.

Member States are required to grant investment aid to farmers meeting the terms of Regulation (EEC) No 797/85 (now (EEC) No 2328/91). The Commission can however accept that a Member State faced with budgetary difficulties of exceptional gravity may defer payment of aid for a limited period, if this proves necessary, in order to adjust implementation of the Regulation in its territory, which has indeed been the case in Spain.

EAGGF Guidance expenditure on investment aid for Objective 5(a) in Spain was ECU 121 million for the period 1987—91. Individual figures for Andalusia are not available at present.

As regards direct application of the structural measures as desired by the Honourable Member, the very large number of farmers involved means that the Community cannot contemplate any arrangement for direct payment by the EAGGF. The present aid system is in fact the outcome of the long evolution of the Community's structural measures. The Community has opted for the indirect method of co-financing national aid schemes and the rules adopted when the structural Funds were reformed have, reflecting objectives and conditions set at Community level, confirmed this approach.

In view of the need to respect the sovereignty of the Member States repayment of indirect aid can only be made through the national treasuries.

(1) OJ No L 218, 6. 8. 1991.

WRITTEN QUESTION No 2313/91
by Mr Mihail Papayannakis (GUE)
to the Commission of the European Communities
(21 October 1991)
(92/C 309/09)

Subject: Preservation of the 'Dama dama' deer in Rhodes

According to residents on the island of Rhodes and the Greek mass media, the 'Dama dama' deer is being threatened with extinction, mainly as a result of illegal hunting, fires (frequently arson), and cross-breeding.

This species of deer, which is unique in Europe, made its first known appearance among Greek fauna in the 60th Century BC, as evidenced by pictures on Ancient Greek pottery and amphorae.

Today, 30 to 40 deer live freely on Rhodes, which provides their only natural environment, while 135 are being bred in captivity in unacceptable conditions (in a noisy, treeless and very restricted area).

Since this particular species of deer forms a very rare part of our natural heritage, can the Commission say whether it is aware of the reasons for its disappearance and whether it knows what measures the competent local authorities are taking to preserve it? Finally, will it endeavour to save this species as part of the measures laid down in the recent Community directive on the conservation of natural and semi-natural habitats and wild fauna and flora?

Answer given by Mr Van Miert
on behalf of the Commission
(23 September 1992)

The Commission is not aware of any threats to the existence of the Dama-Dama deer on the island of Rhodes.

No provision is made for the Dama-dama deer in the Annexes to the recently adopted 'Habitats' Directive. The Commission is therefore unable to act under that Directive. This matter falls solely within the responsibility of the Greek authorities.

WRITTEN QUESTION No 2338/91
by Mr Ernest Glinne (S)
to the Commission of the European Communities
(21 October 1991)
(92/C 309/10)

Subject: Restricted rights for bank employees in Turkey

A visit to Turkey by a delegation from the International Federation of Employees and Technicians (IFET) has confirmed that the right of public-sector bank employees to membership of a trade union is flouted by the Turkish Government, which stubbornly refuses to sign the International Labour Organization's Convention No 89 on trade union freedom, thus making Turkey the only European country not to have done so. Furthermore, the right to strike is explicitly denied to private-sector bank employees under the terms of Law No 2822 on collective agreements, strikes and lock-outs (Articles 29, 30 and 31 thereof).

The IFET has complained to the ILO about the Turkish Government's attitude and the legal provisions it has

adopted, and has expressed its grievances to the International Monetary Fund, the World Bank and other international institutions, including the Commission.

What action has been taken by the Community's executive institutions in response to the IFET's communication, with particular regard to the implementation and development of the Association Agreement with Turkey and consideration of that country's application for membership of the Community?

Answer given by Mr Matutes on behalf of the Commission

(1 July 1992)

The Commission has long been aware of the restrictions on trade union activities in certain sectors which were applied in Turkey after the military take-over in September 1980.

Indeed, it referred to this matter — among other justifications that were also given — in the opinion on Turkey's application for full membership of the EC, which was delivered on 18 December 1989.

However, the Commission has to point out that the ratification of ILO Conventions by a non-member State falls outside the scope of the competences of the EC institutions.

The Honourable Member may nevertheless wish to note that since tabling his question, the outcome of the Parliamentary elections held in Turkey on 20 October has resulted in a change of government. The new coalition government announced in its programme, which received the Turkish Parliament's vote of confidence on 30 November, its intentions to turn Turkey into a modern State. This State will be based on the rule of law and will be a fully participatory pluralist democracy, in which labour laws will be upgraded to conform with ILO standards. If this takes place, the ban on joining trade unions in the public sector should be lifted.

WRITTEN QUESTION No 2395/91
by Mr Max Simeoni (ARC)
to the Commission of the European Communities
(22 October 1991)
(92/C 309/11)

Subject: European centre for poetry and East-West cultural dialogue in Sibiu (Romania)

A project for the creation of a European centre for poetry and East-West dialogue in Sibiu (Romania) is currently being discussed with the European association for the Promotion of Poetry. The project, which was launched by decision of the Romanian Parliament, has been approved by the Romanian Government.

The project includes a library, a secretariat responsible for setting up a network for the promotion of poetry in Central and Eastern Europe, the publication of bilingual and multilingual volumes and the organization of translation seminars.

It would be desirable for the Community to give both moral and financial support to this project, which will help to re-establish cultural ties between Eastern and Western Europe. Could the Commission consider earmarking approximately ECU 60 000 from the 1992 budget for aid to the above project under the existing budget headings?

Answer given by Mr Dondelinger on behalf of the Commission

(15 September 1992)

The promoter of the project for the creation of a European Poetry Centre in Sibiu have approached the Commission for Community financial support.

The Commission does not give general financial aid towards operating expenditure and, for budgetary reasons, cannot undertake to grant multiannual aid. Furthermore, it mainly supports projects involving at least three Member States so as to encourage the development of transnational networks in the cultural field.

The Commission has nonetheless instructed the relevant departments to study the project with a view to identifying practical activities which might possibly qualify for support.

WRITTEN QUESTION No 2601/91
by Mr Hugh MacMahon (S)
to the Commission of the European Communities
(19 November 1991)
(92/C 309/12)

Subject: Taiwan

Since Taiwan's recent liberalization arrangements for imported spirits include widely differing liberalization dates and taxation rates, which are incompatible with

GATT principles, and given its restrictive advertising regime, what action does the Commission now intend to take to help bring about the necessary reforms?

Answer given by Mr Andriessen on behalf of the Commission

(31 July 1992)

There are no formal relations between the Community and Taiwan, nor is Taiwan a member of the GATT. Thus there is no forum for making formal representations to Taiwan on this issue.

Nevertheless, the Commission has, since January 1991, made known to the Taiwanese authorities its dissatisfaction with the taxation regime which accompanied the liberalization of their spirits market, the dates for the liberalization of cognac and brandies and the restrictive advertising rules which make it difficult for new products to benefit from the liberalization.

Despite the modifications to the regime introduced in August 1991, the Commission considered that discrimination continued to persist vis-à-vis the Community. For this reason, and following further efforts to resolve the problem, it was reluctantly decided to operate a 5 % cutback on Taiwan's textile quotas in the Community for 1992. Clearly, if the issue is resolved, the Commission will take the necessary measures to restore the full quotas immediately.

The Commission will continue to do its utmost to obtain from Taiwan the necessary reforms and use the occasion of informal contacts to make it clear to Taiwan the gravity with which it views such obvious discrimination against Community exports.

WRITTEN QUESTION No 2670/91
by Mr Henry Chabert (RDE)
to the Commission of the European Communities

(19 November 1991)

(92/C 309/13)

Subject: European Community policy towards the countries of Eastern Europe and towards the USSR, and measures by businesses in the Community Member States to assist those countries

The Community often experiences difficulties, as is patently obvious, as regards ways and means of utilizing the budget appropriations for measures concerning the Soviet Union and the countries of Eastern Europe, whereas there are a good many businesses prepared to fund a good many projects in those countries.

Can the Commission first spell out precisely what rules must be complied with, and what action must be taken, by businesses wishing to develop their relations with the countries of Eastern Europe, such businesses very often finding it impossible to obtain information that would make it easier for them to act.

More specifically, can it say what procedure must be followed by any SME wishing to come into contact with the relevant services in its directorates-general in order to obtain information on the various procedures and arrangements in connection with cooperation between such businesses and their counterparts in the countries of Eastern Europe?

Lastly, can the Commission say whether it accepts the principle of a balance of nationalities in connection with the various fostering measures it supports as regards training and aid for Community businesses wishing to boost their activities involving Eastern European countries?

Answer given by Mr Andriessen on behalf of the Commission

(31 July 1992)

There are two possibilities open to SME:

Community firms may obtain cofinancing for both feasibility studies (preinvestment) and measures to underpin investment in a Central or Eastern European country (training, especially) under the Joint Venture PHARE Programme (JOPP). JOPP can also provide a contribution towards the joint venture's equity capital.

To obtain financing, a firm's first step is to get in contact with one of the banks forming part of the network of financial intermediaries in each Member State for the implementation of JOPP.

Furthermore, Hungarian, Polish and Czechoslovak firms, whether or not they are partners of Community SME, are also eligible for loans from local banks in these three countries that are taking part in PHARE-financed SME programmes.

At the moment, however, credit lines have been opened only in a few pilot regions. For further information, firms should contact the local management unit of these SME programmes, namely the Hungarian Foundation for Business Promotion in Budapest, the Cooperation Fund in Warsaw and the Ministry of Labour in Prague.

On the question of access to aid and financial facilities, each application is examined on its merits (economic

viability of the project, the firm's development plan, etc.) by the financial intermediary of the programme in question.

WRITTEN QUESTION No 3032/91
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(13 January 1992)
(92/C 309/14)

Subject: Protection of the ancient site of Pyrra on Lesbos

An experimental shellfish farm, licensed by the prefecture of Lesbos, has been established in the area of Skamioudi in the gulf of Kalloni, 13 metres from the ancient settlement of Pyrra, now underwater. According to complaints by the fishermens' cooperatives of Skala, Kaloni and Polikhnitos, the main reason for establishing this unit is the illegal gathering of wild shellfish (cockles), but it also creates an obvious threat to the ancient sunken settlement.

Will the Commission state how it intends to demonstrate its concern for the ancient settlement of Pyrra, which is part of Europe's historical and cultural heritage?

Answer given by Mr Van Miert
on behalf of the Commission
(23 September 1992)

Oyster-farming projects such as that planned in the maritime region of Skamioudi do not fall within the scope of Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment ([1]). Under that Directive, only the salmon-breeding projects referred to in Annex II must be subjected to an environmental assessment if they are considered likely to have significant effects on the environment.

The Commission, moreover, is not aware of the existence of any installation of this type in the abovementioned region.

In consequence, the Commission considers that it has no legal basis for action in respect of the decisions taken by the Greek authorities.

([1]) OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 3214/91
by Mr Vincenzo Mattina (S)
to the Commission of the European Communities
(28 January 1991)
(92/C 309/15)

Subject: Gas pipeline in Portugal

Is the Commission aware that, under an international tendering procedure, the public service contract for the administration of a liquefied natural gas terminal and regasification plant and a high-pressure natural gas pipeline between Setubal and Braga was awarded to a tenderer who proposed financial arrangements considered by the awarding authority and its financial consultant to be inadequate and unsuitable for the requirements of the project?

Does the Commission consider that it can grant a non-repayable loan of over ECU 100 million for a project whose financial structures fail to meet the necessary conditions for European Investment Bank funding?

Is the Commission aware that the successful tender has proposed a 'cost-plus' price structure, which is incompatible with that used in other Community Member States, where gas is sold in competition with other forms of energy? Is the Commission aware that the successful tenderer, as acknowledged by the awarding authority, has quoted only indicative prices to end-users and not assumed any binding commitment in this respect, thereby infringing the draft directive to improve the transparency of gas prices charged to industrial end-users (COM(89) 332 final of 18 September 1989)?

WRITTEN QUESTION No 3215/91
by Mr Vincenzo Mattina (S)
to the Commission of the European Communities
(28 January 1992)
(92/C 309/16)

Subject: Gas pipeline in Portugal

Is it true that although the Commission has received several requests to investigate the international public tendering procedure for the award of a public service contract for the administration of a liquified natural gas terminal and regasification plant and a high-pressure natural gas pipeline between Setubal and Braga, it is about to earmark funds under the 'Regen' programme for this project?

If so, does the Commission not consider that it should review its decision and suspend financing until it has been

shown beyond doubt that the above international public tendering procedure was carried out correctly and with the necessary transparency? Furthermore, does the Commission consider it suitable to grant immense non-repayable loans to a project such as that presented by the successful tenderer which will not facilitate links between outlying regions and the rest of the Community, which is an objective of the 'Regen' initiative?

Does the Commission not consider that a project specifically providing for a link with the Spanish network would be more suitable, particularly in view of the rapid progress recently made on the 'Maghreb gas pipeline'?

Joint answer to Written Questions Nos 3214/91 and 3215/91 given by Mr Millan on behalf of the Commission

(13 July 1992)

The Commission confirms that an application under the REGEN initiative has been submitted by the Portuguese authorities.

Within the procedures for programme approval, the Commission takes care to examine the eligibility of all proposals. The REGEN programme is no exception to this rule.

As regards the public call for tenders concerning the Portuguese project the Commission considered the complaint submitted to it in great detail, but found no evidence that the tendering procedures used for the contract were contrary to the relevant provisions of Community law. Accordingly, on 1 April 1992 the Commission decided to take no further action on the complaint. Following the Commission's decision to file the infringement case the REGEN programme was approved on 13 April 1992.

WRITTEN QUESTION No 202/92

by Mr Luigi Vertemati (S)

to the Council of the European Communities

(13 February 1992)

(92/C 309/17)

Subject: Recognition of the CIS countries and security in Europe

The demise of the authoritarian governments of Eastern Europe and the dissolution of the Communist Party in the Soviet Union and all the other Communist parties have opened the way towards democracy and pluralism in all the countries of the former USSR. The new Commonwealth of Independent States (CIS) has not yet taken on any well defined form. Major principles of cooperation, preservation of peace and protection of human rights are embodied in the Paris Charter, which resulted from the CSCE process. However, recent events in the CIS countries do not appear to guarantee that these principles will be respected, thereby placing at risk the inhabitants of the individual countries and Europe as a whole. The European Community has already taken a number of political and economic measures to encourage democratic development in all the CIS countries.

1. Does the Council intend to submit the CSCE documents for signature to the individual countries when they are recognized as such?

2. Does the Council intend to make relations between the European Community and the CIS or the individual member countries thereof subject to their acceptance of CSCE principles?

Answer [1]

(15 October 1992)

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 identified a number of preconditions for such recognition. Among these were:

— respect for the provisions of the Charter of the United Nations and the commitments subscribed to in the Final Act of Helsinki and in the Charter of Paris, especially with regard to the rule of law, democracy and human rights;

— guarantees of the rights of ethnic and national groups and minorities in accordance with the commitments subscribed to in the framework of the CSCE.

In the light of the assurances given by the CIS Republics to fufil the abovementioned requirements the Community and its Member States decided to proceed with the recognition of Armenia, Azerbaijan, Belarus, Kazakhstan, Moldova, Turkmenistan, Ukraine and Uzbekistan on 31 December 1991, Tajikistan and Kyrgyzstan on 15 January 1992 and, on receipt of similar assurances, Georgia on 23 March 1992.

Following the receipt of letters accepting CSCE commitments and responsibilities, Armenia, Azerbaijan, Belarus, Kazahkstan, Kirgistan, Moldova, Tajikistan,

Turkmenistan, Ukraine and Uzbekistan were welcomed as participating States at the Prague Meeting of the CSCE Council on 30—31 January 1992, and Georgia was welcomed as participating State at the Helsinki Meeting of the CSCE Council on 24 March 1992.

All the new participating States in the CSCE have accepted without qualification the commitments set out in CSCE documents. Several have also signed the Helsinki Final Act and the Charter of Paris for a New Europe. In addition, the declaration of the General Affairs Council on 11 May 1992 stipulated that — among other things — respect for human rights, democracy and a market-oriented economy were to be an integral part of the future agreements of the Community with CSCE countries.

(1) This reply has been provided by the Foreign Ministers meeting in Political Cooperation, within whose province the question came.

WRITTEN QUESTION No 229/92
by Mrs Christine Oddy (S)
to the Commission of the European Communities
(13 February 1992)
(92/C 309/18)

Subject: Amateur gardeners' concerns

The healthy hobby, gardening, is one of the most popular pastimes. Is the Commission aware of great worries gardeners have about the effects of draft proposals COM(89) 649 (1), COM(89) 650 (2) and COM(89) 651 (3)? What steps are being taken to protect both the existing genetic diversity of rare and unusual plants and the specialist small nurseries which may be neither amateur nor local? A fixed registration fee for each variety will cause many nurseries to close down altogether, ruining their owners and spoiling a valuable hobby for many EC citizens, a great number of whom are elderly and retired.

(1) OJ No C 46, 27. 2. 1990, p. 3.
(2) OJ No C 52, 3. 3. 1990, p. 16.
(3) OJ No C 54, 6. 3. 1990, p. 5.

Answer given by Mr Mac Sharry
on behalf of the Commission
(8 July 1992)

The three draft proposals referred to by the Honourable Member have now become law. Council Directive 91/628/EEC on the marketing of ornamental plant propagating material and ornamental plants (1) was adopted on 19 December 1991 and the Directives on the marketing of young plants and propagating material other than seeds, of vegetables (2) and on the marketing of fruit plant propagating material and fruit plants (2) were adopted on 29 April 1992.

The Directives have to be transposed into national law by the Member States by 31 December 1992. They apply to the marketing of the various types of propagating material within the Community, and any supplier of such material must take all the necessary measures to guarantee compliance with the standards set up by the Directive at all stages of production and marketing.

It is to be noted that 'supplier' is defined as 'any natural or legal person carrying out professionally at least one of the following activities with regard to propagating material: reproducing, producing, preserving and/or treating and placing on the market'.

With regard to the Honourable Member's concern relating to small producers, there is provision in the Directives for measures to exempt from certain requirements, small producers, all of whose production and sales is intended for final use by persons on the local market who are not professionally involved in plant production.

Additionally, in the young vegetable and fruit plants directives it is laid down that certain provisions shall not apply to measures for the conservation of genetic diversity. In the view of the Commission, rare and unusual plants will not be threatened.

The concept of official variety catalogues which is included in the existing EEC legislation on agricultural, horticultural and forestry plant seed and propagating material for potatoes and vines, has been carried over into the three new directives but in different forms which are specifically adapted to the existing variety situation in the respective fields.

(1) OJ No L 376, 31. 12. 1991.
(2) OJ No L 157, 10. 6. 1992.

WRITTEN QUESTION No 235/92
by Mr Vassilis Ephremidis (CG)
to the Commission of the European Communities
(13 February 1992)
(92/C 309/19)

Subject: EMU, social costs and fiscal arrangements

The process of realization of EMU requires measures to promote nominal convergence between Member States,

involving the more or less rapid approximation of inflation rates and public debt levels. Member States with high inflation rates and/or high public sector deficits will thus be obliged to implement economic policies tending towards nominal convergence, and it is consequently expected that some will introduce severe 'austerity' programmes.

What action does the Commission intend to take to favour 'real' economic convergence between Member States, to ensure that the competitiveness of individual national economies is not based on the limitation of labour costs and social benefits in general, and to guarantee equitable fiscal arrangements?

Answer given by Mr Delors on behalf of the Commission

(31 July 1992)

The progress towards EMU does indeed require an effort to achieve further convergence towards lower levels of inflation and a reduction of budget imbalances. The achievement of those objectives does not run against the objective of real economic convergence, neither does it imply a threat to the levels of social cohesion and equity within Member States.

Inflation is, in itself, an inequitable and inefficient form of taxation and therefore its reduction actually contributes to the objectives mentioned. Disinflation has, it is true, some transient costs in economic, social and political terms. One cannot say however that EMU, by making this process faster and somewhat more binding, will necessarily increase those costs. In fact, it is argued that the faster and more credible the disinflation process, the lower its costs will be in the end.

Similar considerations apply to the process of budgetary adjustment, which should bring national government finances to a stable path. The EC structural Funds help the Member States with less economic capacity to achieve that goal without reducing the supply of public goods, in particular public investment. Moreover, the Commission has proposed a reinforcement of the Community structural support to those Member States for 1993—1997, and it will review the conditions under which such support is granted after 1993. That support will continue to contribute to the social and economic cohesion in the Community and to the convergence of real economic performances in all Member States.

On the other hand, EMU does not itself imply lower levels of social protection or remuneration in any Member State, rather the opposite, in the long term. It will be desirable, of course, that incomes and social benefits in each region are not incongruously out of line with economic realities. But EMU should not unleash a race for competitiveness at the expense of social and economic cohesion, as was emphasized with the creation of the Community Charter of basic social rights for workers. This should ensure that all Community citizens enjoy an equitable share in the economic benefits brought about by EMU.

WRITTEN QUESTION No 260/92
by Mr Mihail Papayannakis (GUE)
to the Commission of the European Communities

(24 February 1992)

(92/C 309/20)

Subject: Uncontrolled cattle-rearing

On the island of Ikaria what the locals are referring to as 'uncontrolled cattle-rearing' has become unexpectedly widespread. This is in breach of a traditional arrangement under which breeders rear their cattle in enclosed areas allowing the land outside of these to be farmed and provide a living for many of the inhabitants of the main villages on the island. For some time now, certain cattle breeders have not been maintaining the fences or have been deliberately pulling them down. This has had disastrous effects on crops and the woodland which covers a large part of the island and is causing a public health hazard. Protests by the local inhabitants, eg. those in Evdilos and Daphni, who called a public meeting over the issue, have brought no response from the Greek Government authorities. Given that cattle-breeding on the island is heavily subsidized from Community funds — which is one of the reasons why cattle-rearing is spreading beyond the traditional boundaries — what representations will the Commission make to the Greek authorities to restore the traditional balance between arable and cattle farming on Ikaria and to protect the environment, particularly the woodland, and public health. Would it be appropriate to carry out checks on the spot to determine how Community aid for cattle-rearing is being used and consider the possibility of penalties?

Answer given by Mr Mac Sharry on behalf of the Commission

(8 July 1992)

As the Community rules at present stand the granting of subsidies for cattle-rearing is not tied to the introduction of surveillance or other requirements designed to protect the environment.

It is up to national authorities therefore to take whatever action they may consider necessary to ensure the practical compatibility of crop and stock farming.

The Commission has proposed, as part of the reform of the common agricultural policy, the introduction of pluriannual programmes, cofinanced by the Community and drawn up following detailed consultation between the Member States and the Commission, under which a series of measures would be introduced to encourage farmers to make a genuine contribution to environmental protection through the use of specified farming methods.

WRITTEN QUESTION No 290/92
by Mr Sotiris Kostopoulos (S)
to the Council of the European Communities
(24 February 1992)
(92/C 309/21)

Subject: European defence

In view of the fact that the French President, Mr François Mitterand, during his visit to Luxembourg, recently returned to the question of a common European defence policy referring to the need to establish a firm programme to enable European countries to create a common military force, can the Council give its views on President Mitterand's recent statement?

Answer (1)
(15 October 1992)

The issue raised by the Honourable Member falls outside the scope of EPC competence.

(1) This reply has been provided by the Foreign Ministers meeting in Political Cooperation, within whose province the question came.

WRITTEN QUESTION No 311/92
by Mr Alexandros Alavanos (CG)
to the Council of the European Communities
(27 February 1992)
(92/C 309/22)

Subject: Fivefold increase in road tolls for Greek lorries in Hungary

Owing to the crisis in Yugoslavia, road transport between Greece and Western Europe is mainly through Hungary. The Hungarian authorities recently imposed a fivefold increase in road tolls. This measure runs counter, de facto and de jure, to the provisional EEC-Hungary agreement and also to the future association agreement between the two parties, which is now in its final stage. The European Parliament's Committee on External Economic Relations has called on the Council and the Commission to protest at the Hungarian measures against Greece. What representations has the Council made to the Hungarian Government to repeal these measures?

Answer
(23 October 1992)

The exchange of letters on transit with Hungary were signed on 16 December 1991 at the same time as the Association Agreement and the Interim Agreement between the EEC and that country.

Later, Hungary unilaterally increased the fee for paid transit permits. A similar problem arose with Czechoslovakia. The Commission began negotations at the end of which it was agreed that the matter could be satisfactorily resolved by, among other things, increasing the number of free transit permits.

Following these negotiations, exchanges of letters amending the previous exchange of letters were signed with Czechoslovakia and Hungary on 1 July and 3 July respectively. The Council authorized the signing of these exchanges of letters subject to subsequent conclusions following the opinions of the European Parliament and the Economic and Social Committee.

WRITTEN QUESTION No 316/92
by Mr João Cravinho (S)
to European Political Cooperation
(27 February 1992)
(92/C 309/23)

Subject: The situation in East Timor

In connection with the trial of three survivors of the Dili massacre, which started on 20 January 1992, the Portuguese Ministry of Foreign Affairs made the following statement, 'the imminent trials indicate that the excuses and promises made by the Indonesian government to try to calm the protests at the behaviour of the army in East Timor are without substance. Dozens of young people from East Timor were arrested in Dili, Bali and Jakarta following the massacre of 12 November 1991. Reliable sources claim that a number of them were severely mistreated and tortured. Some of them are

accused of 'subversion' and may face the death penalty. It went on to say 'there is every indication that during the trials the accused will be deprived of even the most elementary form of defence and there will be no guarantees whatsoever that their behaviour will be judged at all impartially'.

In view of the serious nature of the statements made by the Foreign Minister of the Member State which at present holds the presidency of the Community, can EPC say:

1. whether it recognizes the validity of the claims made by the Portuguese Foreign Ministry and whether it is willing to accept fully the responsibilities deriving from such recognition?

2. what measures it has taken and what credible guarantees Indonesia will give as a consequence?

3. If it does not accept the above statements, whether it intends to take to its logical conclusion the Community's principles on the subject, set out in the European Council's declaration of 25/26 June 1991 and the resolution adopted by the Council of Development Ministers in 1991?

Answer

(25 August 1992)

The Community and its Member States are following with deep concern the human rights situation in East Timor.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the Declaration on Human Rights adopted by the Luxembourg European Council in June 1991 and the resolution and the Regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991. This concern has furthermore been the object of a great number of common statements and demarches to the Indonesian authorities.

The Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. In their statement on 3 December 1991 they have further called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

The Community and its Member States have on 13 February 1992 issued a new statement expressing their position on this problem, namely that those developments be followed by concrete and effective steps to improve significantly the human rights situation in East Timor. The Community and its Member States welcomed the involvement of the UN in this process and are now looking forward to a report from the visit to Indonesia and East Timor of the personal representative of the UN Secretary-General.

Moreover, they reiterated their support to the efforts of the Secretary-General of the United Nations to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese. In this context, they stated also that they favour the start of a dialogue without preconditions between Portugal and Indonesia under the Secretary-General's auspices, as contained in the constructive proposal recently put forward by Portugal.

The Community and its Member States will continue to monitor closely the developments in the field of human rights in East Timor and to consider the appropriate measures to be taken in the light of these developments.

Statements made by the Foreign Ministries of the Member States are not discussed in the EPC framework.

WRITTEN QUESTION No 400/92

by Mr Bouke Beumer (PPE)

to the Commission of the European Communities

(27 February 1992)

(92/C 309/24)

Subject: International military economic cooperation with America

Mr van Voorst tot Voorst, the Netherlands State Secretary of Defence, feels Europe should have improved access to the American defence market: the Netherlands, Belgium, Denmark and Norway should be able to submit tenders for the F-16 aircraft modernization programme (worth an estimated ECU 900 million).

1. Can the Commission provide a breakdown of movements in goods and services in the military sector in recent years between the various Member States and the US (and Canada)?

2. To what extent does the Commission think that legislation in the US (and Canada) and Europe is an obstacle to international economic cooperation in the military sector?

3. Has there been explicit mention in the international (trade) negotiations, in which the EC is directly involved, of international military cooperation by the Community in the military sector? What have been the results? What objectives have been put forward by the Community?

Answer given by Mr Andriessen on behalf of the Commission

(18 September 1992)

1. The Commission does not have a complete picture of trade in military equipment between each Member State and the United States because the statistics on much of it are classified pursuant to Article 223 (1) (a) of the EEC Treaty.

Figures published by specialized research organizations and institutes show, however, a heavy deficit for the Member States as a whole in this trade. According to last year's NATO study on the arms trade between 1984 and 1988, the US exported US$ 14,89 billion of equipment to the Community over the period but imported only US$ 2,8 billion from it. The biggest EC importers were the UK (3,3 billion), Germany (2,5), the Netherlands (2,1), Spain (2,1) and Belgium (1,6). Germany was the biggest exporter to the US with US$ 1,33 billion. The study also revealed that the value of EC trade with Canada is very small.

2. On both sides of the Atlantic there are laws enabling governments to control trade and investment in, or transfers of, sensitive technologies for reasons of national security. Such laws may on occasion be invoked in areas where there is no real threat to national security; in such instances they would then constitute a barrier to international cooperation.

The US and most Member States have concluded memoranda of understanding on military equipment. These memoranda grant mutual access to defence markets and make the transfer and production of military technologies easier.

The US has a number of laws whose main aim is to protect the core of the country's arms industry. They include many provisions which refer to national security to justify restrictions on foreign imports, market access and investments.

Chapters III, IV and XII of a report on US obstacles to trade and investment published by the Commission last April (1) provide specific information on the subject.

Among these obstacles are the 'Buy American' public procurement policy, and powers to restrict direct foreign investment in sectors of the economy seen as important for national security.

US participation in multilateral control mechanisms and its foreign policy have also led it to place controls on exports not only of arms and nuclear products but also of dual-purpose products and technologies. These controls are extraterritorial and may therefore have hindered certain partnerships. However, the US recently decided to waive extraterritorial controls for many of its dual-purpose products and technologies on the COCOM industrial list where they are exported to COCOM member countries or those treated in the same way.

As a member of NATO Canada has generally fulfilled its COCOM obligations as regards the export of military equipment. COCOM restrictions on this kind of equipment and where it may be sent are set out in the Canada's Export and Import Permit Act. When COCOM relaxed its restrictions, Canada did likewise.

A new act, which came into force on 3 October last year (on the export, import, manufacture, and purchase and sale of, or other dealings in, certain arms) also restricts trade in military equipment.

Canada's public procurement practices also restrict trade in military equipment (or at least imports) but in a way that is still compatible with the country's rights and obligations under the GATT Code on Public Procurement.

Over the last decade Government policy and practice have encouraged cooperation with nations which supply Canada with military equipment. This is usually known as 'industrial offset benefits' and means that in exchange for a big contract to supply military equipment (e.g. jet fighters, tanks or submarines), the supplier must transfer

the relevant technology to, establish a variety of joint ventures with, or agree to buy substantial components from Canadian firms.

3. Given the current scope of its competence, the Community has not engaged in discussions on international economic cooperation in the military field.

However, it is regularly critical of the harm done to international free trade, including that due to distorted interpretations of 'national security'. The damage done by the US laws and practices mentioned in point 2 has been included in this year's Commission report on trade barriers and is brought up in bilateral dialogues with the US and within international forums, particularly GATT.

(1) Copies of the report have been sent to Parliament.

WRITTEN QUESTION No 413/92
by Mr José Valverde López (PPE)
to the Commission of the European Communities
(2 March 1992)
(92/C 309/25)

Subject: New 'sherry' fraud in Great Britain

The 'Asociación de bodegas de Jerez' (Fedejerez) has brought proceedings regarding a new 'sherry' fraud before the British courts. A wine called 'Stone's Original Pale Cream' has appeared on the market and is advertised as a blend of British sherry and sherry, which constitutes an illegal use of Jerez wines. Has the Commission begun any proceedings against this abuse of the Jerez name, and against the tax discrimination to which Jerez wines are subjected compared with so-called 'British sherry'.

Answer given by Mr Mac Sharry
on behalf of the Commission
(8 July 1992)

The Commission has received a complaint about the marketing in the United Kingdom of a product called 'Stone's Original Pale Cream', a blend of British sherry and sherry, and has been informed that the Consejo Regulador de Jerez-Xérès-Sherry-Manzanilla Senlúcar de Barrameda (Supervisory Council for Sherry and Manzanilla) has brought emergency proceedings before a British court.

A complaint proceeding was opened and examined from the technical and legal standpoints. It was considered necessary to send specific control officials to inspect the premises of the firm producing the drink in question, in March 1992. A second control mission took place in May 1992.

According to information available to the Commission, the Royal Court of Justice in the United Kingdom has pronounced in favour of the plaintiffs.

The Commission is examining this judgment and will decide whether further action is necessary.

The Commission is examining also the system of taxation of the products referred to by the Honourable Member in the context of the proposals on the harmonization of excise duty on intermediate products now being discussed in the Council and which are to be approved this year.

WRITTEN QUESTION No 444/92
by Mr Alonso Puerta (GUE)
to the Commission of the European Communities
(2 March 1992)
(92/C 309/26)

Subject: Establishment of a power station at Puertollano (Ciudad Real, Spain)

The public undertaking ENDESA is to set up a power station at Puertollano, which will receive Community aid under the Thermie programme. The provisions governing the Community's funds state that measures financed by the Community must comply with current Community legislation on environmental protection.

Can the Commission ascertain from the competent authorities that in this particular case the following directives will be correctly applied:

1. 85/337/EEC (1) on the assessment of environmental impact;

2. 80/779/EEC (2) on air quality limit values and guide values for sulphur dioxide and suspended particulates;

3. 84/360/EEC (3) on the combating of air pollution from industrial plants;

4. 88/609/EEC (4) on the limitation of emissions of certain pollutants into the air from large combustion plants;

5. 82/501/EEC (5) on the major-accident hazards of certain industrial plants?

(1) OJ No L 175, 5. 7. 1985, p. 40.
(2) OJ No L 229, 30. 8. 1980, p. 30.
(3) OJ No L 188, 16. 7. 1984, p. 20.
(4) OJ No L 336, 7. 12. 1988, p. 1.
(5) OJ No L 230, 5. 8. 1982, p. 1.

Answer given by Mr Van Miert on behalf of the Commission

(1 October 1992)

A power station such as that planned at Puertollano (Ciudad Real), Spain, is covered by Annex I to Directive 85/337/EEC and must therefore be the subject of an impact assessment.

The Commission will therefore contact the Spanish authorities to find out what action they have taken or plan to take with regard in particular to Article 4.1 of Directive 85/337/EEC.

In this context, particular attention will be paid to assessment of the foreseeable impact of the project on air quality as regards SO_2, dust and NO_2.

Furthermore, it should be pointed out that this project has been included under the Thermie programme because of the technology which it is proposed to use, this being the most advanced in terms of clean technology for the use of coal in electric power stations.

A few figures suffice to illustrate this: sulphur oxide emissions will be about 10 mg/m³N and nitrogen oxide emissions about 60 mg/m³N, while the maximum emissions allowed under Directive 88/609/EEC are 400 and 650 mg/m³N respectively.

WRITTEN QUESTION No 493/92
by Mr Alex Smith (S)
to European Political Cooperation
(9 March 1992)
(92/C 309/27)

Subject: Political cooperation with Cuba

In reply to Mr Dessylas (H-1268/91) (1) it is stated that 'an improved relationship between the European Community and Cuba cannot be but negatively affected by the preoccupying human rights situation in Cuba' and that the Community will reserve their position 'pending substantive changes in both the internal and external policies of Fidel Castro and his regime'. Will the minister detail Cuba's record on human rights in comparison with other nations with which the Community has special agreements on trade and technical cooperation, e.g. Turkey?

(1) Debates of the European Parliament, No 3-413, January 1992.

Answer

(15 October 1992)

Cuba's human rights record causes grave concern to the Community and its Member States, which do not, however, engage in comparative studies on human rights abuses worldwide. Rather they wish to see the universal standards enshrined in the Universal Declaration of Human Rights and the two human rights covenants implemented internationally.

The European Community and its Member States follow developments in all countries and make representations both collectively and bilaterally to those that fail to respect fundamental human rights. The Member States are also active in international human rights fora and in particular the United Nations Commission on Human Rights.

WRITTEN QUESTION No 494/92
by Mr Víctor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(9 March 1992)
(92/C 309/28)

Subject: Recovery of works of art

Will a Community directive be drawn up in the near future to facilitate the recovery of works of art plundered from certain Community Member States?

Answer given by Mr Bangemann on behalf of the Commission

(3 September 1992)

On 15 January 1992 the Commission adopted a proposal for a Directive on the return of cultural objects unlawfully removed from the territory of a Member State and a proposal for a Regulation on the export of cultural goods (1). These two proposals are back-up measures that are both necessary and sufficient for the removal of

controls on cultural objects at the Community's internal frontiers. They should, therefore, be implemented not later than 1 January 1993. The Council has organized work in such a way that this deadline can be met.

(1) OJ No C 53, 28. 2. 1992.

WRITTEN QUESTION No 526/92
by Mr Carlos Robles Piquer (PPE)
to European Political Cooperation
(16 March 1992)
(92/C 309/29)

Subject: Possibility of using Community diplomatic channels to lodge complaints

The Spanish Government has decided to use diplomatic channels to demand compensation from the United States for the death of the Spanish photographer, Juantu Rodriguez, who was killed on 21 December 1989 in Panama by US troops while he was covering the invasion of that country for the newspaper *El País*.

In view of the European Community's new external policy arrangements, one wonders whether such claims might be made by one state to another or whether, on the contrary, it would be more appropriate for such diplomatic measures to be coordinated at Community level.

Does EPC consider that, in future, such claims could be made 'under the Community flag' in the form of concerted action as part of the Union's external policy?

Answer
(15 October 1992)

The Honourable Member may recall previous answers given to oral and written questions relating to the death of the Spanish photographer in Panama in December 1989.

The Community and its Member States believe that, in the light of current arrangements, it is for the State concerned to decide whether to take bilateral action, as has the Spanish Government in the specific case referred to, or whether to pursue the matter through European Political Cooperation. The right of initiative in such cases will remain with the Community and its individual Member States following ratification of the Maastricht Treaty.

WRITTEN QUESTION No 537/92
by Mrs Winifred Ewing (ARC)
to European Political Cooperation
(16 March 1992)
(92/C 309/30)

Subject: Non-voluntary repatriation of Vietnamese refugees from Hong Kong

Will the Foreign Ministers meeting in political cooperation give their support to the relaunching of the plan to set up an 'International Managed Centre' to deal with the plight of Vietnamese refugees in a humane, just and practical way?

Answer
(25 August 1992)

As the Honourable Parliamentarian will be aware, the Community and its Member States welcomed in a statement dated 4 November 1991 the agreement of 29 October 1991 reached by the Governments of the United Kingdom, Hong Kong and Vietnam on the return to Vietnam under procedures agreed with the UN High Commissioner for refugees of Vietnamese migrants in Hong Kong determined not to be refugees. This agreement was considered a major step forward in the full implementation of the comprehensive plan of action (CPA) for Indochinese refugees. This breakthrough overtook the earlier discussions with the Vietnamese on internationally managed centres.

Of particular importance in the agreement reached was the confirmation by the Vietnamese Government that no illegal immigrant who returns to Vietnam will face persecution and that the Government will continue to facilitate the monitoring of those who return by the United Nations High Commissioner for refugees and others, to ensure that these guarantees are fully respected.

The Community and its Member States make use of every relevant opportunity to remind the Vietnamese authorities about the importance they attach to the strict fulfilment of this agreement and reaffirm their commitment to the international assistance programme designed to facilitate this social and economic reintegration of returning asylum seekers.

The main activity of the Community and its Member States is presently to support the Vietnamese Boat People Reintegration Programme, now established as an international programme including humanitarian as well

as development elements. This important programme has made good progress and has resulted in an increasing net return of Vietnamese refugees.

WRITTEN QUESTION No 543/92

by Mr Gérard Caudron, Mr Alman Metten, Mr Alan Donnelly, Mr Barry Seal and Mr Panayotis Roumeliotis (S)

to the Commission of the European Communities

(16 March 1992)

(92/C 309/31)

Subject: Harmonization of taxation of interest on capital

Is the Commission aware of the judgment of the Karlsruhe constitutional court on the taxation of savings?

In the light of this judgment, does it intend to review and reformulate its proposals on the harmonization of taxation on savings?

Does it consider that these measures will make it possible to eliminate tax havens from the Community, allowing equal treatment in the taxation of earned and unearned income?

Answer given by Mrs Scrivener on behalf of the Commission

(23 September 1992)

The Commission is aware of the recent judgment by the Constitutional Court in Karlsruhe on the taxation of income from savings. Following the judgment, the Federal Government has tabled a draft law introducing, from 1 January 1993, a withholding tax that is to be levied by financial institutions on interest paid to German residents.

In this context, the Commission would point out to the Honourable Members that on 8 February 1989 it transmitted two proposals for directives to the Council, one on the introduction by all Member States of a minimum withholding tax of 15% on interest income [1] and the other on the strengthening of mutual assistance between the Member States in the field of taxation with a view to preventing tax evasion [2]. Despite detailed discussions, the Council has not managed to reach agreement on these two proposals, which are still before it.

At this stage, the Commission does not consider that the conditions for contemplating any rewording of the proposals are met.

[1] OJ No C 141, 7. 6. 1989 — Proposal for a Council Directive on a common system of withholding tax on interest income.

[2] OJ No C 141, 7. 6. 1989 — Proposal for a Council Directive amending Directive 77/799/EEC concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation and value added tax.

WRITTEN QUESTION No 646/92

by Mr Gary Titley (S)

to the Commission of the European Communities

(23 March 1992)

(92/C 309/32)

Subject: Support for the victims of crime

1. Is the Commission aware that several countries within Europe do not have any system for obtaining compensation for victims of violent crimes?

2. Does the Commission have any plans to encourage Member States, without criminal compensation and victim support, to set up such schemes?

3. Until such time as comprehensive European wide criminal compensation and victim support schemes are in existence, will the Commission take action to ensure that reciprocal arrangements are put in place to cover citizens from participating countries who are visiting non participating Member States?

WRITTEN QUESTION No 708/92

by Mr Ian White

to the Commission of the European Communities

(6 April 1992)

(92/C 309/33)

Subject: Victims of crime

With the completion of the Single Market an increasing number of EC citizens will be able to travel freely throughout the Union. In the event of EC citizens falling victim to crime of any kind, does the Commission envisage either:

1. establishing a network of victim support organizations throughout the Union with the cooperation of the governments of Member States,

2. a criminal injuries compensation scheme throughout the Union with the cooperation of Member States?

If the answer to either question 1 or 2 is 'No', does the Commission envisage a study into either of these particular subjects?

WRITTEN QUESTION No 745/92

by Lord Inglewood (E)

to the Commission of the European Communities

(6 April 1992)

(92/C 309/34)

Subject: Compensation of victims of crime

Does the Commission consider that harmonizing compensation schemes for victims of crime in the Member

States would be a suitable step in order to ensure that citizens of one Member State are protected if they are the victims of crime whilst in another Member State?

WRITTEN QUESTION No 828/92
by Mr Christopher Jackson (ED)
to the Commission of the European Communities
(14 April 1992)
(92/C 309/35)

Subject: Victim support schemes

Bearing in mind the complete freedom of movement of EC citizens in a border-free Europe, has the Commission given any thought to drawing up draft proposals harmonizing compensation schemes for victims of crime in the EC, and introducing them in those countries where such schemes do not already exist?

Joint answer to Written Questions Nos 646/92, 708/92, 745/92 and 828/92 given by Mr Bangemann on behalf of the Commission
(22 September 1992)

The judgment given by the Court of Justice on 2 February 1989 in Case 186/87 and the resolution adopted by Parliament on 12 September 1989 on compensation for victims of violent crimes led the Commission to examine whether the Community had any jurisdiction in this field.

The conclusion reached was that this was not the case, with the result that the Commission will not be initiating legislation in this connection.

For further details, the Honourable Members are referred to the answer given by the Commission to Oral Question No H-578/90 by Mr Stewart ([1]).

As regards the lack of compensation machinery in certain Member States, it should be noted that Portugal, in Decree-Law No 423/91 of 30 October 1991, recently introduced a system for compensating victims of violent crimes. Greece is now the only Member State not to have such a system, since such systems, albeit limited in scope, already exist in Italy and Spain.

([1]) Debates of the European Parliament No 3-394 (October 1990).

WRITTEN QUESTION No 651/92
by Mr Hemmo Muntingh (S)
to the Commission of the European Communities
(26 March 1992)
(92/C 309/36)

Subject: Sulphur-free diesel fuel

It is reported that a process is being used in Malaysia to convert natural gas into sulphur-free diesel fuel. The plant in Malaysia produces clean diesel, kerosene and naphtha emitting only steam and carbon dioxide for countries such as Japan and Singapore. Recent research has shown that this 'Fischer-Tropsch' process can also be used on coal and that clean petrol can be produced.

Is it true that a method exists to produce completely clean diesel fuel and that a commercial application now exists?

Why does this application not yet exist on the European market?

What immediate action will the Commission take to promote the large-scale use of sulphur-free diesel fuel in the European Community?

Answer given by Mr Van Miert on behalf of the Commission
(23 September 1992)

The Fisher-Tropsch process has been known since the 1920's and was mainly used by Germany during the Second World War in order to produce fuel. Recently it is being used in South Africa. To produce 1 tonne of fuel, about 3 tonnes of good coal and up to 10 tonnes of brown coal are needed. This leads to around two to three times more CO_2 emissions than when fuel is produced from crude oil. Also the production costs are higher than the on crude oil process.

Theoretically, the Fisher-Tropsch process can also be used to transform natural gas into a range of products, one of which is fuel. The first time this process has been brought into practice on a production scale level is at this factory in Malaysia.

The main reasons for building this plant there were:

(a) the fuel (diesel) produced from local crude oil is of a very bad quality; before combustion it has to be blended with a much better quality;

(b) 50% of the production of this plant is used to satisfy local demand of chemical basic products, necessary to produce other chemical products.

These preconditions do not exist in the EC and consequently, no estimation can yet be given on the CO_2 aspect of this production plant.

Recently the Council reached a common position on the sulphur content of diesel fuel of 0,05% by weight by 1 October 1996 and the Member States will take measures to ensure that this product comes progressively on the market before that date. The estimated additionnal costs for the consumer are around 0,008 ECU/litre (= $ 0,011/litre).

WRITTEN QUESTION No 681/92
by Mr George Patterson (ED)
to the Commission of the European Communities
(26 March 1992)
(92/C 309/37)

Subject: Intervention subsidies for apples and pears

Can the Commission justify why intervention subsidies for apple and pear growers are only available to members of cooperatives, whereas subsidies for cereals, peas and bean growers are not restricted to cooperatives only and can be allocated to independent growers as well? The existing regulations for apple and pear growers effectively exclude around 50% of UK producers who are not members of cooperatives.

Will the Commission please define a cooperative organization for the purpose of intervention for apple and pear growers under Regulation (EEC) No 1035/72 (1)?

(1) OJ No L 118, 20. 5. 1972, p. 1.

Answer given by Mr Mac Sharry
on behalf of the Commission
(6 July 1992)

Organizations of producers of fruit and vegetables play a vital role in the common organization of the markets for fruit and vegetables. The main functions of such organizations, which are set up by the producers, are to increase concentration of supply, reduce price fluctuations and make available to their members appropriate technical resources for the packaging and marketing of products.

These producers' organizations, which are recognized by the Member States provided they satisfy certain conditions and provide adequate guarantees as to the length and effectiveness of the measures they take are also responsible for paying to producers who are members financial compensation for produce which is not sold and withdrawn from the market.

It is true that the intervention system for fruit and vegetables differs from that for other products, such as cereals. Financial compensation for products withdrawn from the market can be granted by the organization only to producers who are members. This is to encourage producers to join such organizations, since they constitute a key factor in the organization of the market for fruit and vegetables.

In view of the special features of the market for fruit and vegetables and its method of operation, the Commission does not intend to propose changes to the existing arrangements.

WRITTEN QUESTION No 735/92
by Mr Luigi Moretti (ARC)
to the Commission of the European Communities
(6 April 1992)
(92/C 309/38)

Subject: Failure by Italy to provide notification of national measures to implement directives on transport policy

The enactment of Community directives in national legislation is one of the Member States' primary obligations. Italy is still behind schedule with the adoption of such directives.

How has the Italian Government justified its failure to provide notification of the implementation of Directives 74/561/EEC (1), 74/562/EEC (2), 77/796/EEC (3), 89/463/EEC (4), 88/599/EEC (5) and 87/540/EEC (6)?

Has the Commission served notice of proceedings on the Italian Government and has this been followed by the delivery of reasoned opinions?

(1) OJ No L 308, 19. 11. 1974, p. 18.
(2) OJ No L 308, 19. 11. 1974, p. 23.
(3) OJ No L 334, 24. 12. 1977, p. 37.
(4) OJ No L 226, 3. 8. 1989, p. 14.
(5) OJ No L 325, 29. 11. 1988, p. 55.
(6) OJ No L 322, 12. 11. 1987, p. 20.

Answer given by Mr Van Miert on behalf of the Commission

(18 September 1992)

Italy has made great strides forward in the enactment of Community transport directives.

Commission representatives went to Rome in March for meetings with the Italian authorities on this matter. The undertakings made and the determination of the Italian Government to fulfil its obligations to the Community are encouraging signs. The Commission expects that the adoption of Italy's 1992 Community Law will take care of most of the remaining problems concerning enactment of Directives.

All the directives cited by the Honourable Member have been the subject of infringement proceedings by the Commission against Italy because of non-implementation within the time limits laid down. Directives 74/561/EEC, 74/562/EEC and 77/796/EEC have since been enacted correctly into Italian law, apart from a few small details. Directive 89/463/EEC has been repealed by Article 16 of Council Regulation (EEC) No 2343/90 (1). Some of the measures needed to implement Directive 87/540/EEC were contained in Italy's 1991 Community Law (published on 20 February 1992), which otherwise authorized the Minister of Transport to adopt the remaining necessary measures. Lastly, the Italian authorities have undertaken to enact Directive 88/599/EEC with the 1992 Community Law.

(1) OJ No L 217, 11. 8. 1990.

WRITTEN QUESTION No 742/92
by Mr Carlos Robles Piquer (PPE)
to the Commission of the European Communities
(6 April 1992)
(92/C 309/39)

Subject: Current situation concerning the European Financial Engineering Company (EFEC)

The range of financial instruments provided by the European Community to small and medium-sized undertakings has included, in particular, the creation of the 'European Financial Engineering Company' in the form of a limited company set up under Luxembourg law on 10 April 1987.

Given the importance of the banks holding shares in the EFEC and of the financial institutions supporting it, it was to be expected that it would be an extremely useful instrument in the vital and delicate field of financing for small and medium-sized undertakings in the European Community.

The EFEC will soon have been in existence for five years. In view of this, can the Commission assess its performance and say what major conclusions can be drawn from its activity and what future prospects it offered concerning its viability and the need for Community involvement in providing financing instruments for SMUs in the European socio-economic context?

Answer given by Mr Christophersen on behalf of the Commission

(8 July 1992)

The European Financial Engineering Company (EFEC) was founded in 1987 by the Club of Institutions of the European Community Specializing in Long-term Credit. The Commission encouraged the formation of the company at the time, especially as EFEC intended to concentrate its activity on small and medium-sized enterprises, focusing in particular on advisory services, studies, capital search and business development in general; financing proper was not part of its remit. The company was wound up on 30 July 1991 under a decision taken by its shareholders at their general meeting.

Since EFEC was a private-law company, it is not for the Commission to review its performance or to draw conclusions from its activity.

WRITTEN QUESTION No 747/92
by Mrs Mary Banotti (PPE)
to the Commission of the European Communities
(6 April 1992)
(92/C 309/40)

Subject: Directive on liability for construction services

Could the Commission give its opinion on the views of BEUC and other consumer organizations who ask that the draft text of this directive should ensure that the provider of the service be held liable for anomalies which could occur during a ten-year period beginning on the date of reception and that the victim should be guaranteed rapid repair of the problem at the expense of the builder?

Answer given by Mr Van Miert on behalf of the Commission

(25 September 1992)

The Commission is well aware of the views of BEUC and other consumer organizations on the liability of construction services.

However, BEUC has informed the Commission that the document referred to by the Honourable Member was not prepared in consultation with BEUC.

At present, the situation regarding this matter is the following: the Commission services have set up working groups of experts to deal with the aspects of acceptance, liability, legal guarantee and financial cover for the legal guarantee. These working groups have now finished their work on the basis of which the Services of the Commission are establishing a 'Document de réflexion' which will be submitted for observations to all the parties concerned, including BEUC and the other consumer organizations.

After consultation and taking into account the subsidiarity principle, the Commission will decide on the opportunity for eventual harmonization and the possible content of a special Directive.

With regard to the period of the liability, the Commission can inform the Honourable Member that this still remains an open question.

In conclusion, the Commission can assure the Honourable Member that it will take account of both consumers' interests and those providing construction services.

WRITTEN QUESTION No 761/92
by Mr José Happart (S)
to the Commission of the European Communities
(6 April 1992)
(92/C 309/41)

Subject: Reform of the CAP and redeployment of agricultural workers

A considerable number of rural areas will receive the full impact of restructuring in the agricultural sector, and the lack of alternative job opportunities is well known.

Self-employed and agricultural workers will not be eligible under the terms governing grants which can be financed by the European Social Fund, since access is restricted to those registered as unemployed.

What is the outlook regarding redeployment or vocational training for this category of workers, who will be faced with an interruption in their professional career and are not covered by unemployment entitlements?

Answer given by Mr Mac Sharry
on behalf of the Commission
(22 July 1992)

Council Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88 [1] as regards the European Social Fund [2] extended both the scope of the vocational training measures and the persons eligible to benefit with regard to the rural regions covered by Objective 5 (b).

To quote: 'By way of derogation from paragraph 3, vocational training shall include, in the regions covered by Objectives 1, 2 and 5 (b), any vocational training and further training measure required for the use of new production and/or management techniques in small and medium-sized enterprises.'

Fund assistance is to be granted:

'as regards Objectives 1, 2 and 5 (b), to measures intended to:

— encourage job stability and develop new employment possibilities, organized for persons:

— who are unemployed,

— who are threatened with unemployment, particularly within the context of restructuring requiring technological modernization or substantial changes in the production or management system,

— employed in small and medium-sized enterprises,

— facilitate vocational training for any working person involved in an operation which is essential to the achievement of the development and conversion objectives of an integrated programme.' (Article 2 (b))

Moreover, the guidelines regarding assistance from the European Social Fund under Objectives 3 and 4, which cover the combating of long-term unemployment and the occupational integration of young persons, allow for a preferential nature for measures under the two objectives above implemented in regions or zones covered by Objectives 1, 2 or 5 (b) which, while not being directly related to regional or rural development or industrial restructuring, demonstrate that they are particularly geared towards the requirements and prospects on the labour market.

These provisions therefore cover the problem raised by the Honourable Member.

Lastly, within the framework of the CAP reform's accompanying measures, a Community aid scheme was introduced for early retirement intended to guarantee

adequate income for farmers aged over 55 who have not reached normal retirement age but who decide to give up farming activities.

(1) OJ No L 185, 15. 7. 1988, p. 9.
(2) OJ No L 374, 31. 12. 1988, p. 21.

WRITTEN QUESTION No 850/92

by Mr Wilfried Telkämper (V)

to the Commission of the European Communities

(14 April 1992)

(92/C 309/42)

Subject: Community imports of wood, paper and wood-pulp

1. What are the Community's total imports of wood, wood products, paper and wood-pulp?

How great is the share of domestic production (broken down by country) of the Member States?

What are the countries of origin of the raw materials? What regions or forest areas do they come from?

Who are the producers and exporters? Who are the main importers?

2. What volume of wood, wood products, paper and wood-pulp is extracted directly from primeval forests (e.g. Canadian rain forests) and imported directly or via third countries into the EC?

3. What proportion of the abovementioned products comes from forests under intensive cultivation?

4. Are there any laws in the countries of origin to protect threatened species which are dependent on the forests and the habitats of such species? If so, what laws?

Are there any protected areas in the countries of origin guaranteeing the long-term preservation of all existing forest ecosystems? If so, what protected areas?

5. What percentage of paper and wood-pulp imported into the EC is bleached with chlorine?

What percentage of paper and wood pulp imported into the EC undergoes environmentally harmless bleaching (e.g. oxygen)?

What percentage of paper produced in the EC has a maximum content of recycled paper?

Are there any studies of the volume of new wood-pulp that could be saved if maximum use were made of recycled paper? If so, what studies?

Are any efforts being made to extend the use of recycled paper, in particular for mass-circulation printed matter?

Answer given by Mr Bangemann on behalf of the Commission

(6 July 1992)

1. The Community's total imports of wood and articles made out of wood from outside the EC amounted to 296 million m^3 in 1990. Imports of paper (including paperboard) amounted to 17,2 million tonnes and imports of wood pulp amounted to 9,2 million tonnes.

The following tables gives the share of domestic production in apparent consumption (broken down by country) of the Member States. The statistics available to the Commission for wood and wood products are too disaggregated to allow a meaningful calculation by country — calculations have therefore been made for roundwood, sawnwood, and panels (statistical source: FAO of the UN). The calculations for woodpulp and paper/paperboard are based on figures supplied by the industry:

(%)

Country	Woodpulp	Paper/ paperboard	Industrial roundwood	Sawnwood	Wood-based panels
Germany	38	52	88	66	74
France	50	53	94	80	56
Italy	20	63	44	24	81
Netherlands	21	23	26	1	0
Belgium/Luxembourg	60	13	38	29	41
United Kingdom	25	38	91	18	26
Denmark	0	16	72	32	28
Spain	72	68	88	61	57
Portugal	89	68	92	78	97
Ireland	N/A	0	99	34	43
Greece	N/A	0	80	40	67

As far as raw materials are concerned the main suppliers of wood pulp from outside the Community are the USA, Canada, Sweden and Finland. The main suppliers of non tropical wood are Sweden and the former Soviet Union. The main suppliers of tropical wood are the ACP countries and Malaysia. The import statistics do not identify regions or forest areas.

Germany and France are the largest paper and paperboard producers and exporters in the Community. Germany and the United Kingdom are the largest importers.

Germany and France are the largest producers of wood pulp. Spain and Portugal, whose production is very significant in EC terms, are the major exporters. Germany is the largest importer.

The largest producers and exporters of wood are France and Germany. The largest importers are the UK and Italy. Germany is the largest producer and exporter of wood based panels and the UK is the largest importer.

2. Import statistics do not indicate the type of forest from which the product originates.

3. Production, import and export statistics available to the Commission do not provide the information required to calculate the proportion of wood and paper products which come from forests under intensive and sustained management.

4. Although the Commission is concerned to encourage the protection of threatened species, the precise laws and the means by which the long term preservation of existing forest ecosystems are guaranteed in the countries of origin are a matter for those countries and do not come within the Commission's competence. The Commission can have an influence in promoting the preservation of forest ecosystems, for example, through encouraging the drawing up of norms for sustainable forest management under the auspices of the ITTO.

5. Import statistics do not identify the process used in the bleaching of paper and wood pulp.

There is no generally agreed figure for the maximum content of recycled paper and the percentage of EC produced paper conforming to this criterion cannot therefore be calculated. For the same reason the reduction in the requirement for new wood pulp resulting from maximum use of recycled paper cannot as far as the Commission is aware be reliably calculated, and the Commission unaware of any studies of this kind. In this context it is important to note that the manufacture of virgin wood pulp creates an important market for the thinnings which result from sound forestry management practices.

Efforts are being made to extend the use of recycled paper. A proposal for a Community Directive on packaging and packaging waste is currently being prepared which will certainly have an influence on recycling rates. Consumer pressure is also undoubtedly influencing the extent of the use of recycled paper. As far as mass-circulation printed matter is concerned, the Commission understands that a number of companies are considering investing in new or replacement capacity for newsprint based on the use of recycled raw materials.

WRITTEN QUESTION No 883/92

by Mr Peter Crampton (S)

to the Commission of the European Communities

(14 April 1992)

(92/C 309/43)

Subject: Cohesion Fund

Can the Commission say why the Cohesion Fund is directed to a certain number of Member States of the European Community when there are *regions* throughout the Community which would qualify on the per capita income criteria?

Answer given by Mr Christophersen on behalf of the Commission

(6 July 1992)

The Commission would draw attention to the fact that it is the Member States which decided at Maastricht that the Cohesion Fund should provide Community financial assistance to those Member States whose per capita GNP is less than 90 % of the Community average.

The Cohesion Fund will strengthen structures in the poorer countries of the Community, which will have to achieve certain objectives as regards convergence, for example a balanced budget, in the context of economic and monetary union.

Cohesion Fund intervention is designed to allow Member States to implement Community decisions on environmental issues (projects designed to bring the situation into line with Community standards) and on transport infrastructures (projects of Community interest within the framework of the general outline of trans-European networks).

WRITTEN QUESTION No 887/92

by Mr Henry McCubbin (S)

to the Commission of the European Communities

(14 April 1992)

(92/C 309/44)

Subject: Imports of mohair and cashmere into the Community

How much mohair and cashmere is imported into the Community and what is the size of the deficit between home production and imports?

Does the Commission have any plans for formulating a policy on fine fibre production?

Answer given by Mr Bangemann on behalf of the Commission

(13 July 1992)

Mohair and cashmere are currently imported into the Community under heading 51 02 10 50 of the Combined Nomenclature.

This heading includes other fibres: camel, yak, Tibetan and similar goats. There is at present no way to break imports down according to fibre type.

However, it is fair to say that mohair is the main component of Community imports under heading 51 02 10 50 (representing 70—80% of imports), with cashmere in second place (10—20%).

Imports into the Community under this heading totalled 14 328 tonnes in 1990 and 16 947 tonnes in 1991.

The Community produces almost no mohair or cashmere fibres.

The Commission has no plans to formulate a policy on fine fibre production.

WRITTEN QUESTION No 903/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(15 April 1992)

(92/C 309/45)

Subject: The environment in Aridaia

Asbestos mining in the region of Aridaia has created serious environmental problems and constitutes a public health threat. What steps does the Commission intend to take to protect the environmental and public health in the abovementioned region?

Answer given by Mr Van Miert on behalf of the Commission

(2 October 1992)

The Commission has been aware of the serious effects of asbestos fibres on human health and the environment for several years. Following a Commission proposal and taking into account these effects which can result from the use of asbestos, processing of products containing asbestos, demolition of buildings and the transport and disposal of waste containing asbestos, on 19 March 1987 the Council adopted a Directive on the prevention and reduction of environmental pollution by asbestos (87/217/EEC) [1] relating to these activities. However, the Directive excludes any process directly associated with the mining of the ore.

Moreover, Directive 85/337/EEC [2] provides that plans for asbestos mining installations, such as those operating in the Aridaia area in Greece must undergo an environmental impact assessment.

The Commission does not know whether such a study has been conducted in the past. It would therefore ask the Honourable Member to provide more details of the project, notably regarding its authorization and the date on which this was granted.

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[1] OJ No L 85, 28. 3. 1987.
[2] OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 912/92

by Mr Hemmo Muntingh (S), Mr Jan Bertens (LDR), Mr Bryan Cassidy (ED), Mrs Jessica Larive (LDR) and Mr Henry McCubbin (S)

to the Commission of the European Communities

(15 April 1992)

(92/C 309/46)

Subject: Overfishing and the revival of the hunt for harp seals in Canada

Are fishermen from the EC involved in the catch of Northern cod? How many and from which countries are they? What is their catch both in declared quantities as well as in estimated real catches? What is the percentage of foreign fishermen fishing on Northern cod related to domestic fishermen and what is the percentage of European fishermen? What percentage of the total catch has, since 1983, annually been taken by European fishermen?

It is not obvious that the decrease in the stock of Northern cod is not caused by the harp seal but, in reality,

by overfishing, a common phenomenon all over the world and certainly in the EC itself?

Is the Commission prepared to inform the Canadian Government that it is most probably not the harp seal that is causing the decline of the cod stocks but the overfishing by fishermen, which are partly European? And is the Commission prepared therefore to protest sharply against expansion of the hunt for harp seals, which will be the consequence of the government's plan to stop limiting the issuing of licenses to seal hunters?

Is the Commission prepared to approach the Canadian Government to find a joint solution for the problem of overfishing and at the same time find a definite solution for the protection of the harp seal?

Is the Commission prepared to inform the Canadian Government of the danger of a consumer boycott by European consumers on fisheries products from Canada if the hunt for the harp seal is expanded?

Answer given by Mr Marín
on behalf of the Commission
(13 August 1992)

It is expected that approximately 150 fishing vessels flying the flag of Germany, Portugal, Spain or the United Kingdom are participating for a shorter or longer period of the year in fishing in the Northwest Atlantic and in particular in the area covered by the Northwest Atlantic Fisheries Organization. A significant proportion of these fishermen is involved in cod fishing.

According to revised provisional figures total Community catches for 1991 in this area amount to 124 049 tonnes of which 34 753 tonnes is northern cod. As a percentage of the total catches in the Northwest Atlantic, Community fishing represents a figure arount 10%.

Apart from fishing, the abundance of fish stocks is subject to fluctuations in the ecosystem and environmental factors, such as changes in prey and predator structures as well as, for example, water temperature. The reasons for such fluctuations and the interrelationship between different species are often unclear. Against this background, a doubling of certain stocks cannot be considered abnormal. As regards the harp seal stock, it has to be assumed that the Canadian measures prohibiting large vessels offshore seal hunting and all commercial hunting of white coat harp seals, applied as from 1987, have caused the reduction in mortality which, possibly together with other factors, allowed for the recovery of this stock. Although an influence cannot be denied, the doubling of the harp seal stock since 1983, cannot be considered as a threat for prey species and, in particular, not for the northern cod stock. Scientific research is seeking to establish the real impact of the seal population in the Northwest Atlantic.

In assessing allowable fishing possibilities for fish stocks, scientists try to take account, as much as possible, of the natural fluctuations in the stocks in order to respect the ecological balance. Against this background, the mortality caused by fishing should remain in principle at levels allowing the stock in question to increase and in particular, in the case where stocks are depleted, the fishing mortality should be fixed on a conservative basis. The decrease in the northern cod stock is believed to be caused by inadequate management of fisheries in the past and by environmental conditions. As regards environmental causes it can be noted, for example, that northern cod has almost disappeared off the coast of West Greenland.

By letter of 29 April 1992, the Commission drew the attention of the government of Canada to the feelings in Europe and elsewhere regarding a possibly unjustified increase in the killing of harp seals. If appropriate the Commission would not hesitate to return to this matter with the Canadian authorities.

The Community and Canada, together with other Contracting Parties of the NAFO, are trying to adjust the fishing patterns in the NAFO Regulatory Area in order to ensure conservation of fish stocks. The Community notes with satisfaction that Canada accepted the idea of an extraordinary meeting of the NAFO Scientific Council in order to assess the northern cod stock in the areas NAFO 2J and 3KL. This meeting was held on 1—4 June 1992 and confirmed the decline in northern cod stock possibly as a result of environmental conditions (water temperature). The Commission stopped Community fishery on 3 June 1992.

WRITTEN QUESTION No 1013/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(27 April 1992)
(92/C 309/47)

Subject: Income support for Greek farmers

Is the Commission aware that the Greek authorities are considering amending the rules on the payment of Community subsidies to farmers possibly leading to checks by the tax authorities and other government departments on the subsidies, particularly in the case of farmers in financial difficulties? Does the Commission agree that all Community income support should be paid directly to all eligible farmers?

Answer given by Mr Mac Sharry
on behalf of the Commission
(14 July 1992)

The Greek authorities are said to be envisaging changes in the procedures and detailed rules governing the award of Community subsidies to farmers; it seems that a number of alternatives are being studied.

However, as far as the Commission is aware, no firm plans have apparently taken shape so far.

WRITTEN QUESTION No 1035/92
by Mr François Guillaume (RDE)
to the Commission of the European Communities
(27 April 1992)
(92/C 309/48)

Subject: Proposal for a regulation on the common organization of the market in ethyl alcohol of agricultural origin

In answer to Written Questions Nos 880/91 (1) by Mrs S. Martin and 1311/91 (2) by Mr F. Guillaume the Commission confirmed that it was drawing up a proposal for a regulation on the common organization of the market in ethyl alcohol of agricultural origin.

When will the Commission submit this draft to be voted on by Council and what will be the main thrust of its proposals?

(1) OJ No C 55, 2. 3. 1992, p. 8.
(2) OJ No C 311, 2. 12. 1991, p. 29.

Answer given by Mr Mac Sharry
on behalf of the Commission
(6 July 1992)

It is planned to submit a new proposal to the Council on the common organization of the market in ethyl alcohol of agricultural origin by the end of 1992.

At present the Commission is still considering the measures to be laid down for the common market organization of this sector. The proposal is likely to cover the improvement of the conditions of competition and free circulation in the sector, and possibly also the determination of certain conditions for the production and use of these products, given the social and economic importance of the processing of certain agricultural raw materials into ethyl alcohol for the economies of some Community regions.

WRITTEN QUESTION No 1038/92
by Mr Filippos Pierros (PPE)
to the Commission of the European Communities
(27 April 1992)
(92/C 309/49)

Subject: Compliance by Greece with the deadlines set by the Directive on competition in the markets in telecommunications terminal equipment

Directive 88/301/EEC (1) of 16 March 1988 on competition in the markets in telecommunications terminal equipment is of particular significance for the completion of the single market. In particular, it sets three deadlines (31 December 1988, 30 September 1989 and 30 June 1990) for informing the Commission of the draft technical specifications and type-approval procedures for categories of telecommunications terminals, for example additional telephone sets, modems, telex terminals, mobile telephones, satellite stations, etc. Despite these binding deadlines, the Greek Telecommunications Authority has failed to comply with them and to take the necessary measures. What view does the Commission take of this and what measures will it take to ensure immediate compliance with Community legislation?

(1) OJ No L 131, 27. 5. 1988, p. 73.

Answer given by Sir Leon Brittan
on behalf of the Commission
(9 July 1992)

Directive 88/301/EEC, which requires the withdrawal of exclusive rights relating to telecommunications terminals, also stipulates that the Member States must ensure that technical specifications for equipment previously supplied by a monopoly are drawn up and published.

In August 1988 the Greek authorities notified the Commission that, at the time the Commission Directive was adopted, access to the OTE network was subject to the initial NET 4 technical specifications (October 1987) and that they would notify the specifications for specific terminal equipment in accordance with the timetable laid down in Article 8 of the Directive.

In 1990 Greece gave notification of the technical specifications drawn up by the OTE for telephone sets and modems. Since these terminals belong to category A in the Commission Directive, it is true that this notification was somewhat late. Nevertheless, the Greek authorities have taken note of the detailed opinion delivered by the Commission at the time.

For other terminals, it is technically possible for Greece not to adopt specifications of its own but to base itself on international or European specifications such as NET 2 for X.25 terminals. The Commission is unaware that

Greece is applying other national technical specifications. If this were so, it would remind the Greek authorities of their notification requirement under Article 8 of the Commission Directive.

WRITTEN QUESTION No 1086/92
by Mr Madron Seligman (ED)
to the Commission of the European Communities
(30 April 1992)
(92/C 309/50)

Subject: Botswana fence

In his answer to my Written Question No 672/91 (1) Commissioner Marín stated that it was not the case ... that these fences were planned without benefit of environmental impact studies.

I submitted that question in March of last year and the reply is dated March 1992.

According to the *Official Journal of the European Communities* (2), my colleague Mr Hemmo Muntingh tabled a similar question No 323/91 also in March 1991. In Commissioner Marín's reply dated 8 May, he said categorically that no environmental impact assessment by an independent consultant had yet been made.

Would the Commissioner kindly indicate the following:

1. Who performed the assessment and at what date between May 1991 and March 1992?
2. How does that assessment report attempt to refute all the contrary evidence submitted by environmental and zoological experts?
3. Why did Mr Muntingh's question achieve 10 months' priority over mine on the same subject?

(1) OJ No C 159, 25. 6. 1992, p. 5.
(2) OJ No C 227, 31. 8. 1991, p. 5.

Answer given by Mr Marín
on behalf of the Commission
(8 September 1992)

In order to avoid any misunderstanding on the subject of the Okavango 'northern' fence, the Commission wishes to make the following points clear:

1. The fencing works along the northern border of the Okavango are being carried out at the sole initiative of the Botswana government. The Commission has played no part in this decision. Indeed, the government of Botswana has engaged in fencing operations ever since the 1950's, long before the country joined the Lomé conventions. The primary aim of fencing was, and still is to protect cattle from foot and mouth disease believed to be favoured through contacts with wildlife, in particular buffalo.

2. The actual northern fence is being financed by Kuwait funds. Not being involved in the matter, the Commission has never been approached for a financial contribution.

3. As already noted in the reply to Written Question No 323/91 by Mr Muntingh, no environmental impact assessment was made prior to the building of the fence. Although such an assessment, even carried out a posteriori, could still be useful, only the government is entitled to take a decision in this matter.

   The question, therefore, of who performed the assessment and at what date is premature. The impression which the Honourable Member might have gathered that the fences were planned with the benefit of environmental impact studies, result from an incorrect interpretation of the Commission's answer to his Written Question No 672/91.

4. One should note that environmental and zoological experts are not unanimous on the impact of this fence on wildlife. A sizeable body of conservationists has indicated that the environmental effects of fencing along the borders of the Okavango delta may also be positive. Such is the case of the existing 'southern' fence built in 1982 which, without noticeable detrimental effects on wildlife, has proved a blessing in disguise by preventing large scale invasion of the delta by cattle.

   Confronted with the conflicting demands of an electorate traditionally bent on expanding cattle raising — a way of life, it should not be forgotten, in Botswana, and a minority opinion of other people, involved in the preservation of the environment, the government has in democratic fashion attempted to find a middle way by drawing the alignments of the northern fence as it now stands.

   This has indisposed many local people who fear that the new fence is putting an end to their hopes of seeing their cattle grazing ever further into the lush wetland of the Okavango.

   For the opposite reason, the government Department of Wildlife and National Parks has opted for acceptance of the new fence, pointing out that further stalling would probably result in a less favourable alignment in the future, due to further pressure of the popular cattle lobby.

5. The Commission apologises for the delay in forwarding the previous answer, due to a confusion with a similar question from another Parliamentarian on the same matter.

WRITTEN QUESTION No 1171/92

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(15 May 1992)

(92/C 309/51)

Subject: Contribution of EEC Member States to the Third World

Community solidarity towards the countries of the Third World requires a special effort on the part of the Community Member States, not only to reduce the disparities between rich and poor countries but also to help meet the most pressing requirements of the people of those countries.

Some time ago it was proposed that the developed countries should set aside 3% of their GDP, as a gesture of solidarity, to help meet the most pressing requirements of the poorest countries in the world and encourage them to move towards economic development.

On the basis of the information available, can the Commission state what percentage of GDP each Member State earmarks for helping the countries of the Third World and to what extent it considers that it should encourage the EC Member States to fulfil the recommendation that 3% of their GDP should be given over to help towards the development of the Third World?

Answer given by Mr Marín on behalf of the Commission

(4 August 1992)

The Commission has no knowledge of the source for the target of 3% of GDP referred to by the Honourable Member. The United Nations' figure for the major international commitment, which has been made by most of the Member States — although they have not all given a deadline for achieving this target — represents an aid effort equivalent to 0,7% of GDP for all Third World countries.

In this context, according to the information available to the Commission based on statistics published by the OECD's Development Assistance Committee (of which it is a member), the amount of official development assistance provided by each Member State during the period 1989—1990 as a percentage of GDP (last available figures) is as follows:

ODA of EC Member States, 1989—1990

(net disbursements) 1989 and 1990

EC and Member States, $US '000 000 and % of donor's GDP

	B	DK	D	F(1)	IRL	I	NL	UK	E	GR	P	L	Total	incl. EC
1989	703	937	4 949	7 450	49	3 613	2 097	2 587	537	38	107	18	23 085	2 809
%	0,46	0,94	0,41	0,78	0,17	0,42	0,94	0,31	0,14	0,07	0,24	0,29		
1990	891	1 171	6 320	9 381	57	3 395	2 592	2 647	959	..	148	25	..	3 237
%	0,45	0,93	0,42	0,79	0,16	0,32	0,94	0,27	0,2	..	0,25	0,28		

(1) Including overseas departments and territories.
. . Not available.

While it shares the Honourable Member's concern to see a greater commitment in favour of the developing countries, the Commission would draw his attention to the fact that under the current division of responsibilities at Community level, this remains a matter exclusively for the Member States' own jurisdiction.

WRITTEN QUESTION No 1191/91

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(15 May 1992)

(92/C 309/52)

Subject: The environment at Vathi Avlidas

Dead fish are being washed ashore at Vathi Avlidas and this sorry sight is increasingly alarming local residents who regarded it as a bad omen because both their sea and air are polluted. The pollution is caused by the many factories and shipyards in the area. The sea is polluted with chemicals and sewage and the air by toxic gases. Houses and trees are covered with cement dust and when the wind blows the locals are virtually overcome by the dust and the stench. Last summer some people went swimming in the sea and nearly all of them had problems with their health, such as headaches, eye and throat irritations etc. Will the Commission point out to the Greek authorities that the management of these industries must also comply in the Vathi Avlidas area with the relevant provisions on safety and protection of the environment and public health?

Answer given by Mr Van Miert on behalf of the Commission

(24 September 1992)

The Commission has no specific information about the pollution at Vathi. From the information provided by the

Honourable Member, it would seem that the situation in question is the result of dumping of industrial waste and waste from shipyards, and air pollution caused by industrial emissions.

Of the Community provisions in force, Directive 76/464/EEC on the discharge of dangerous substances into the aquatic environment and Directive 84/360/EEC on the combating of air pollution from industrial plants undoubtedly apply to the case in point.

The competent authorities in the Member States are responsible for taking steps to eliminate pollution caused by dangerous substances on List I, to reduce pollution arising from List II substances (Article 2 of Directive 76/464/EEC), and to ensure that the operation of certain industrial plants belonging to the categories listed in Annex I is subject to prior authorization (Article 3 of Directive 84/360/EEC).

In this context, the Commission will request information concerning pollution at Vathi and the steps taken by the Greek authorities pursuant to the two directives. It will inform the Honourable Member of the findings of this enquiry and any action it intends to take, as soon as possible.

WRITTEN QUESTION No 1196/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(15 May 1992)
(92/C 309/53)

Subject: The new main roads in Athens

The Greek Government's announcement that it intends to build new main roads in the Athens area has caused a major public outcry. The authorities and the residents of the Athens boroughs of Agios Paraskevis, Holargos, Papagos and Halandrion and the residents of these areas through which these roads will run, have stepped up their protests on the grounds that the project will cause inordinate environmental damage, completely alter the character of certain areas, affect property and destroy the quality of life etc. The first coordinated and strong reaction has come from 172 residents of Papagos, who have appealed to the State Council and protested strongly to the authorities against the plans for the construction of Imittou Avenue without a prior environmental impact assessment being made.

Is the Commission aware of this? Will it demand that these main roads should not cause inordinate environmental damage? In the particular case of Imittou Avenue, will it at least propose that it should not be built in accordance with the present plans at least?

Answer given by Mr Millan
on behalf of the Commission
(14 July 1992)

The Commission is not currently involved in financing the major road building project (part of the Athens ring road) to which the Honourable Member refers. It should be noted that an invitation to tender for the construction of the project on a self-financing basis is under way.

The Greek authorities have requested Community part-financing for preparatory work on a single section (Ymitos) and the Commission is evaluating the appropriateness of providing funding.

Irrespective of whether the Community funds all or only part of the project, it is obvious that the Greek authorities are required to comply with Directive 85/337/EEC [1] on environmental impact assessments. The Commission has information to the effect that the public concerned is being consulted as part of an assessment, as laid down in the Directive. It should also be noted that, under the rules for the management of the Structural funds, it is not possible to grant Community assistance if the Directive has not been complied with.

[1] OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 1247/92
by Lord O'Hagan (ED)
to the Commission of the European Communities
(21 May 1992)
(92/C 309/54)

Subject: Car prices

There are wide variations in the price of the same car sold in different Member States.

What action is the Commission prepared to take in order to bring an end to this distortion of competition?

Answer given by Sir Leon Brittan
on behalf of the Commission
(15 September 1992)

The Commission has, for some time now, been aware of the existence of price discrepancies for cars between

Member States. Consequently, as the Honourable Member will know, a report on intra-EC car price differentials has just been completed and has been published in the weeks since this particular question was posed. In the light of the findings in this report, the Commission has also produced a communication summarizing the results and outlining the envisaged steps which will now ensue.

It is the Commission's intention to increase transparency in the area of car pricing and availability throughout the EC by taking the following steps. Car manufacturers are being asked to assure their dealers that they are free, in line with Regulation (EEC) No 123/85, to sell to other authorized dealers and to end users (either directly or through an intermediary) across national frontiers. They must thus ensure that the dealer has an adequate supply of vehicles to meet such demand. Furthermore, the manufacturers will also be called upon to publish price lists so that accurate comparisons can be made by consumers for models with the same specifications across the Member States. They will also be asked to conduct, on a regular basis, an analysis of comparative prices, which will be submitted to the Commission. This particular exercise will help to ensure that price differentials are kept within the range permitted by Regulation (EEC) No 123/85.

On a more specific basis, the Commission is prepared to take proceedings against manufacturers and/or dealers where there is evidence that dealer-to-dealer sales across national frontiers or parallel imports by end users between national markets are being deliberately obstructed. In this context, it may be necessary for the Commission to take action against national governments where it is seen that they are principally responsible for providing obstacles to cross-border trade within the Common Market.

Therefore, it can be seen from the practical measures described above that the Commission is determined to ensure that the selective distribution system is fully compatible with the true Single Market, and serves the interests of both consumers and producers.

WRITTEN QUESTION No 1256/92

by Lord O'Hagan (ED)

to the Council of the European Communities

(4 June 1992)

(92/C 309/55)

Subject: Draft Directive on working time

How many jobs in each Member State does the Council calculate will be lost if the draft Directive on working time is introduced in its present form?

Answer

(23 October 1992)

The purpose of this proposal for a Directive is to contribute towards improving the health and safety conditions of workers in the Community.

Because of the provisions relating to derogations and the potential for implementation of the Directive through collective agreements it is difficult at this stage to estimate the impact of the proposal on employment.

WRITTEN QUESTION No 1260/92

by Mr Ben Visser (S)

to the Commission of the European Communities

(14 June 1992)

(92/C 309/56)

Subject: Check on VAT numbers by exporters

According to accountants and tax advisers in the Netherlands, there may be chaos when, from 1 January 1993 onwards, businesses themselves become responsible for ensuring correct settlements and paperworks in connection with imports and exports. Businesses themselves will then be required to ask their customers abroad for their VAT numbers and to check them with the taxation authority. In addition, they will have to keep extensive records on taxation, import and export statistics and the like.

According to accountants and tax advisers, there is a considerable likelihood that, inadvertently, mistakes will be made under the new system. Mistakes will not come to light until the taxation authority carries out checks, and businesses will still be able to be tackled on this year later.

1. Does the Commission believe that, as of 1 January 1993, the risks for businesses will become greater because they themselves will have much more to do?

2. Is there a time limit by which taxation authorities must carry out their checks? If not, might not such a time limit be useful so that businesses know what the position is?

Answer given by Mrs Scrivener on behalf of the Commission

(9 September 1992)

1. Under the system of collecting VAT on intra-Community trade in goods to be introduced on 1 January 1993 ([1]), the transaction in the Member State of departure is exempt when two conditions are met ([2]):

(a) the goods sold are transported from the Member State of departure to another Member State;

(b) the person acquiring the goods is a taxable person or a non-taxable legal person acting as such whose intra-Community acquisitions do not fall outside the scope of VAT.

In practice, the VAT status of the person acquiring the goods will be ascertained from his registration for VAT purposes with the authorities of a Member State other than that in which the goods originate. For this reason, the Member States are under an obligation to identify all those concerned (3) and to keep an up-to-date register of traders issued with identification numbers (4), so that sellers may, if they so wish, although this is not compulsory, obtain from their own tax authorities confirmation of the validity of the VAT identification number attributed to a client by the tax authorities of a different Member State (5).

Consequently, if the seller is acting in good faith and has taken steps to avoid incorrect application of the VAT rules, intra-Community trade cannot involve any measures of uncertainty.

It is also worth bearing in mind that the requirements on traders concerning their VAT returns in respect of intra-Community trade will be the same as those already applicable to domestic trade. Consequently, there will be no practical problems since the new system is based on arrangements for taxation and tax returns that have long been familiar. The burden on traders will be eased: customs procedures and formalities requiring a specialized 'export' department or the services of an outside body will no longer need to be completed for import/export business (6); physical customs control and the associated hold-ups at frontiers will be a thing of the past; traders' cash position will no longer be encumbered by the need to pre-finance VAT on imports, etc.

Administrative cooperation in the VAT field will be based on the computerized SITE system, one of whose features is that it will enable businesses to obtain from their tax authorities rapid confirmation of the VAT numbers of new clients.

2. It is a principle of ordinary law that the Member States have autonomous control over VAT arrangements.

The Member States deal with intra-Community sales 'without prejudice to other Community provisions and subject to conditions which they shall lay down for the purpose of ensuring the correct and straightforward application of the exemptions provided for (in respect of intra-Community sales) and preventing any evasion, avoidance or abuse' (7). Monitoring of VAT is a matter for the Member States alone. It is for this reason that no time bar has been set.

(1) Directive 91/680/EEC amending the sixth VAT Directive (77/388/EEC) and supplementing the VAT system.
(2) Article 28c (A) (a) of the sixth VAT Directive, as amended by Directive 91/680/EEC.
(3) Article 22 (1) (c) of the sixth VAT Directive, as replaced by Article 28h of Directive 91/680/EEC.
(4) Article 6 (1) of Regulation (EEC) No 218/92.
(5) Article 6 (4) of Regulation EEC No 218/92.
(6) The single administrative document (SAD) and the Community transit procedure (T2) are no longer required for intra-Community trade in goods.
(7) Article 28c (A) of the sixth VAT Directive, as amended by Directive 91/680/EEC.

WRITTEN QUESTION No 1265/92
by Mrs Ursula Braun-Moser (PPE)
to the Commission of the European Communities
(4 June 1992)
(92/C 309/57)

Subject: SEED fund

With regard to setting up small and medium-sized enterprises, the Commission makes reference in its documents to the so-called SEED fund for business start-up loans.

How much does this fund contain, and are there other funds? How can small and medium sized enterprises submit applications for monies from these funds, and what are the criteria?

Answer given by Mr Cardoso e Cunha on behalf of the Commission
(22 September 1992)

Spurred on by the fact that the European venture-capital industry has so far shown little interest in financing business start ups (less that 8% of the investment of venture-capital companies has gone to financing enterprises setting up in business), the Commission launched in 1988 the 'seed capital' pilot scheme (1), under which it supports the creation of seed funds throughout the Community.

The Commission's support for 24 funds currently in existence takes the form of an advance on their operating costs. For 16 of these funds situated in assisted regions, it is accompanied by a capital contribution channelled through the Business and Innovation Centres established in these regions under the Community's regional policy.

The 24 funds have an average capital of ECU 1,6 million, giving an aggregate capital of ECU 38 million, not including the Commission's capital contribution to the 16 funds situated in assisted regions.

They invest in new or embryonic enterprises by means of an equity participation. Assistance never takes the form of a loan.

The typical project will have a relatively long development phase and will often involve the use of new technologies. The risks are high although the gains may be substantial. The funds have complete freedom with regard to their choice of projects, which they select according to various economic profitability criteria. The eligibility criteria defined by the Commission apply solely to project size:

— the capital requirement for a proposed business start-up may not exceed ECU 350 000;

— recently created businesses must be legally independent and must satisfy the following conditions:

  — existing venture-capital investment of not more than ECU 50 000,

  — annual sales of not more than ECU 100 000,

  — fewer than 10 employees, and

  — the total value of share capital not exceeding ECU 1 500 000.

Applications for finance must be submitted to the nearest seed capital fund, which will evaluate the project and decide whether the application can be granted.

(1) Commission Decision of 19 October 1988 on a Community pilot scheme to stimulate seed capital.

WRITTEN QUESTION No 1278/92
by Mr Christian de la Malène (RDE)
to the Commission of the European Communities
(4 June 1992)
(92/C 309/58)

Subject: Relations between the Community and Japan and the future of the European motor industry

In its reply to Written Question No 3040/91 (1) concerning the future of the European motor industry, the Commission states that it expects the recent declaration signed by Japan and the Community in July 1991 to provide a more advantageous framework for the pursuit of more balanced economic (i.e. commercial and financial) relations with Japan, and that it intends to make every effort to re-establish such a balance.

It is clear that European motor manufacturers are having great difficulty in improving their penetration of the Japanese car market and the figures show that the foreign manufacturers' share of the Japanese market is already very small and is declining even further, whilst it is fully recognized that this is not as a result of the selling price of vehicles manufactured in Europe nor of the level of technology which such vehicles incorporate.

Does the Commission therefore believe that the closed nature of the Japanese market is linked to other factors and does it consider that the principle of reciprocity as regards motor cars in the context of the July 1991 agreement and, more generally, as regards trade as a whole between Japan and the Community has not been adequately taken into account in the efforts to restore balanced trade? Can the Commission say what steps it intends to take to remedy this state of affairs and whether it intends to consider the lack of reciprocity in its communication, currently in preparation, on the internal aspect of the motor industry?

(1) OJ No C 141, 3. 6. 1992, p. 35.

Answer by Mr Bangemann
on behalf of the Commission
(16 September 1992)

It is true that European Community motor manufacturers' market shares are comparatively small in Japan, amounting to 2,7 % in 1987 and 3,1 % in 1991, after rising to 3,1 % in 1988, 3,3 % in 1989 and 3,5 % in 1990.

The Commission considers that the recent fall could well be attributable to short-term factors and not indicative of an irreversible structural decline in the competitive position of European manufacturers.

In addition, the considerable differences between the market shares of the various Community producers and the relative success of some of them indicate that substantial investment in the creation of a sales network and a certain tenacity may bear fruit on the Japanese market, although it is admittedly a difficult one to penetrate.

The Commission is encouraging European producers to continue with and step up their efforts on this market. It has stated that it is continuing to seek more balanced trading relations as a whole with Japan.

Where motor vehicles are concerned, in its recent communication entitled 'The European motor vehicle industry: situation, issues at stake, and proposals for action' (1), the Commission indicates that:

— it attaches special importance to the operation of international trade in this sector,

— it is pursuing this objective, in particular, within the framework of the multilateral GATT discussions, and

— it wants the industry to contribute to the attainment of this objective by assessing of existing obstacles or discriminatory practices.

The Commission will not hesitate to take all necessary measures if such obstacles or practices are brought to its attention.

In general, in its recent communication on the Community's relations with Japan ([2]), the Commission proposes to establish regular statistical monitoring of its trade with Japan, so as to identify the possible existence of such obstacles or practices for its trade as a whole, in particular by making a comparison with the performances of Community firms on other markets.

([1]) COM(92) 166 final.
([2]) COM(92) 219.

WRITTEN QUESTION No 1292/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(4 June 1992)
(92/C 309/59)

Subject: Teaching in the private sector in Greece

Current Greek legislation does not allow nationals of other EEC Member States to set up private schools in Greece and to teach groups of more than five people or, irrespective of the number of groups, to more than 10 people. Greece also prohibits nationals of other Community Member States from providing home tuition, and from being hired as directors or teachers in such private schools or private vocational schools, with the exception of private language schools where a quota of foreign teachers can be employed. Will the Commission take steps to persuade the Greek Government that Greek legislation must be brought into line with Community law forthwith?

Answer given by Mr Bangemann on behalf of the Commission
(17 September 1992)

The Commission is aware of the problem referred to by the Honourable Member.

By its judgment of 15 March 1988 (Case 147/86) the Court of Justice found that Greece had failed to fulfil its obligations under Articles 52 and 59 of the EEC Treaty, by prohibiting nationals of other Member States from setting up 'frontistiria' and private music and dancing schools and from giving private lessons at home, and its obligations under Article 48 by prohibiting or restricting access for nationals of other Member States already employed in Greece and of members of their family to the posts of director or teacher in such schools. Greece having over a long period done nothing to comply with this judgment, the Commission initiated new proceedings based on Article 171 of the EEC Treaty. As a result, in its judgment of 30 January 1992 (Case C-328/90), the Court again found against Greece. Such repeated failure to comply with a Court judgment is of grave concern to the Commission, which will certainly make political representations to the Greek Government.

As far as Community migrants are concerned, the Commission would point out that previous decisions of the Court have recognized that Articles 48, 52, and 59 of the EEC Treaty have direct effect. As a result, the persons concerned are able to request their implementation directly from the Greek courts, which are required to ignore the provisions of Greek legislation which conflict with them. Also, under the terms of the Court judgment of 19 November 1991 in Joined Cases C-6/90 and C-90/90 *A. Francovich and Others v Italian Republic*, individuals must be allowed to claim, before a national court, compensation from a Member State for damage suffered by them as a result of its failure to transpose a Directive. In the Commission's opinion, this decision should be readily implementable in the case of a Member State's legislation not conforming with the provisions of the EEC Treaty itself. This should be all the easier in this case as two judgments of the Court have established that Greece has failed to fulfil its obligations.

WRITTEN QUESTION No 1302/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/60)

Subject: New report by EEC experts on the Greek economy

Can the Commission confirm whether the new report by Community experts on the Greek economy is largely negative? What are the main conclusions regarding inflation, the public sector borrowing requirement, the net requirements of central administration (the state

sector minus the public welfare organizations), the general deficit in terms of GNP and finally restrictions on employment in the public sector?

Answer given by Mr Christophersen on behalf of the Commission

(17 September 1992)

The Commission's economic forecasts for 1993, published in June, confirm the overall assessment which the Commission has already communicated to the Honourable Member in the answer to his Written Question No 909/92 (1), namely that, while the Greek economy has made definite progress since 1991, this is still insufficient, in particular in the areas of fiscal adjustment and structural reform, to ensure a progressive convergence of the Greek economy with the rest of the Community and its full participation in the process of economic and monetary integration.

The Commission regrets that it is unable to provide detailed answers to the questions asked by the Honourable Member concerning the content of the documents it is preparing for the bodies responsible for the multilateral surveillance of Member States' economies. For this ongoing process, which started during the current stage one of EMU, to be as effective as possible, it must be based on in-depth analyses and take place in an atmosphere of complete frankness, and this would not be possible without the confidentiality surrounding the corresponding deliberations of the Monetary Committee and of the Council (Economic and Financial Affairs).

However, since it is anxious to ensure that Parliament is properly informed on this subject, the Commission has on many occasions, and in particular through Mr Christophersen, declared its absolute willingness to come and present, in an appropriate framework, the results of the deliberations on multilateral surveillance.

(1) OJ No C 274, 22. 10. 1992, p. 50.

WRITTEN QUESTION No 1334/92
by Mr James Nicholson (PPE)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/61)

Subject: Progress of the agricultural development operational programme for Northern Ireland

Is the Commission satisfied with the implementation to date of the ADOP for Northern Ireland?

Is the Commission satisfied that the structure of the programme encourages farmers to apply for assistance under it?

What is the up to date situation of payments made to farmers under the programme and how much remains to be paid out?

Answer given by Mr Mac Sharry on behalf of the Commission

(20 July 1992)

Uptake of the Agricultural Development Operational Programme (ADOP) for Northern Ireland is taking place at a slower rate than originally planned. The problem of underspending is primarily associated with the land improvement measures in Sub-programme 1 where the number of claims has been in line with the forecasts but the value of these claims has been much less than expected. The Monitoring Committee at its last meeting in April 1992 agreed a number of technical modifications which should lead to some recovery in expenditure. However, the Commission is of the opinion that more radical improvements to the programme should be examined including the inclusion in the programme of further measures to support local initiatives for rural development.

The administrative structure of the Programme is basically similar to that of the former Agricultural Development Programme and appears suited to local conditions in Northern Ireland. The eligibility conditions for applicants are not rigid in that they can be modified by the Monitoring Committee if it becomes apparent that they are discouraging applicants from applying for assistance. As noted above the Monitoring Committee at its meeting in April 1992 made changes to the conditions of the Programme which improved accessibility for farmers.

The public contribution to the ADOP is set at ECU 96,16 million (1989 prices) for the period March 1990 to December 1993. Public expenditure up until December 1991 under the programme was as follows:

(in millions of ecu)

March 1990 to December 1990	8,964
January 1991 to December 1991	13,986
Total	22,950

It should be noted that not all of this money is paid directly to farmers; part is paid to the Department of Agriculture for Northern Ireland in respect of measures implemented directly by them.

WRITTEN QUESTION No 1361/92
by Mrs Mary Banotti (PPE)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/62)

Subject: School milk scheme

Could the Commission provide me with the figures for EC aid under the school milk scheme for all Member States for 1991? Does the Commission monitor the Scheme in order to ensure that those that are disadvantaged can avail themselves of this scheme and what has been the experience of the Commission in cooperating with the Irish authorities in the operation of the scheme?

Answer given by Mr Mac Sharry
on behalf of the Commission
(9 September 1992)

Expenditure from the 1991 budget on the Community school milk scheme is set out below for each Member State. The amount of aid per 100 kilograms of product is equal to ECU 33,51 for whole milk and ECU 21,15 for semi-skimmed milk.

Participation in the scheme depends on the initiative of the schools or the suppliers of the milk products in question. The Commission is therefore not able to verify, much less ensure, that these initiatives guarantee the participation of all levels of society.

Furthermore, the Commission would stress that the school milk aid scheme was not planned as a social measure, but is essentially intended to promote within schools the milk-drinking habit and the consumption of milk products. So the checks the Honourable Member has in mind do not form part of the aims of the measure.

As regards collaboration with the Irish authorities in implementing the scheme, the Commission can confirm that no problem of note has so far occurred.

As for the Honourable Member's concerns for the disadvantaged, the Commission would like to point out that it has set in place a measure (1) to make foodstuffs withdrawn from intervention available to organizations designated by the Member States for distribution to the most deprived persons in the Community. Under this measure, the recipients must receive foodstuffs free of charge or in any event at a price which does not exceed the costs of their distribution.

EAGGF expenditure for the school milk scheme under the 1991 bugdet

(in millions of ecu)

Belgium	8,542
Denmark	4,898
Germany	45,491
Greece	0,021
Spain	22,051
France	32,789
Ireland	2,844
Italy	9,583
Luxembourg	0,223
Netherlands	5,269
Portugal	5,233
United Kingdom	49,580
Total EEC	186,523

(1) Council Regulation (EEC) No 3730/87 of 10 December 1987, OJ No L 352, 15. 12. 1987.

WRITTEN QUESTION No 1363/92
by Mr George Patterson (ED)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/63)

Subject: Ban on foam-filled furniture

Certain Member States currently operate a ban on the sale of foam-filled furniture on consumer safety grounds and the differences in national laws therefore constitute barriers to free trade in furniture.

Since the Commission has not yet proposed a draft directive in this field, and in view of the forthcoming abolition of border controls on 1 January 1993, how does the Commission propose to reconcile the requirements of free movement of goods with national legislation in certain Member States operating a ban on foam-filled furniture? How does it foresee that Member States can continue to operate their national ban on sales of such furniture, without using border controls to stop imports from other Member States?

Answer given by Mr Bangemann
on behalf of the Commission
(4 September 1992)

Since the Commission has not yet submitted a proposal to the Council in this field, it is foreseeable that a Directive

on the fire behaviour of upholstered furniture, related articles and constituent products shall not be in force on 1 January 1993.

In this circumstance, it is for the Member States to decide the level at which they intend to protect the health and life of people, taking into account the requirements of the free movement of goods within the Community.

This means that existing national legislation remains valid until the EC Directive comes into force.

It does not appear that a change in situation will occur in the United Kingdom on 1 January 1993, as enforcement is carried out by the local authorities on trading standards and their coordinating body (1).

(1) Re: page 20 of 'A guide to the furniture and furnishings (Fire) (Safety) Regulations, DTI'.

WRITTEN QUESTION No 1371/92
by Mr Carlos Robles Piquer (PPE)
to European Political Cooperation
(5 June 1992)
(92/C 309/64)

Subject: New additions to the American nuclear arsenal

Does EPC have any information about a meeting held in New Mexico in January 1992 at which the 'Father of the H bomb', Mr Edward Teller, is reported to have recommended the construction of an atomic bomb 10 000 times more powerful than the largest bomb yet manufactured?

Answer
(15 October 1992)

No.

WRITTEN QUESTION No 1372/92
by Mr Ian White (S)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/65)

Subject: The construction of the Severn Barrage Project

The South-West Region of the British TUC has expressed its concern at the lack of progress in the development and building of the Severn Barrage. The barrage, constructed across the Severn Estuary near Cardiff and Weston-super-Mare, will have a primary purpose to generate electricity for supply to the National Grid. Each year the barrage could supply at least 14 TerraWatt hours of electricity and save fuel equivalent to that consumed by about two large modern power stations. However, the presence of the barrage could also open up a wide range of developmental opportunities in the South West Region, thus bringing many other benefits not least jobs, new housing, large areas of safe water for recreation as well as a positive effect on local wildlife.

In 1987 a £ 4,26 million study jointly funded by the Department of Energy, the Severn Tidal Power Group and the Central Electricity Generating Board, was started. This included a £ 950 000 study for environmental and hydrodynamic studies. This means that a total of £ 20 million has been spent by Government and industry on a series of feasibility studies since the mid-eighties.

Even though the social and environmental effects on the region have shown to be very positive, the project is making no progress. This lack of progress is seen by the TUC as being caused by a lack of enthusiasm from British Government and private sector companies. If a barrage is to be built, it will require a large commitment from the British Government, not necessarily of money but certainly of willpower and leadership. Industry will never go it alone due to the slow return on capital investment.

If the last stage of the project proved the viability of the barrage then construction could be started by 1995 and be producing clean, safe, reusable and unlimited electricity by the millennium.

Will the Commission take steps to investigate the delay, confirm that it supports the barrage in principle and put pressure on the British Government to provide funding and leadership in the project?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(21 September 1992)

The Severn Barrage, as other major renewable energy projects, is — if economically viable — in line with the Community energy policy objective of increasing the development of renewable energy sources and thereby enabling them to make a significant contribution to the total energy balance. It further contributes to achieving the Community objective of reducing the CO_2 emissions to the atmosphere, although no contribution can of

course be expected by the year 2000. The Commission can thus support in principle the Severn Barrage Project. Concerning any potential impact on wildlife or habitats likely to result from such a proposal, the United Kingdom Government is aware of the importance of the Severn Estuary and of its obligations with respect to Community policy in this field. The Commission has, however, to respect the principle of subsidiarity.

WRITTEN QUESTION No 1375/92
by Mrs Annemarie Goedmakers (S)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/66)

Subject: Genetically manipulated bacteria

E-coli-K12 bacteria, which are widely used as vectors for genetically manipulated material have been shown to have a relatively high chance of survival outside laboratory conditions (LT Journal, 2 April 1992). More than 90% survive the standard precautionary measure, rinsing in a 35 °C bath. This means that the bacteria can survive in the sewer and that genetic material can combine with other bacteria in effluent. Pilot studies are being carried out by the Wageningen Agricultural University to establish whether this really occurs.

1. Will the Commission inform the Member States of this report and require them to take additional precautions pending the results of the investigation?

2. Does Community legislation provide sufficient scope for preventing the uncontrolled spread of genetically manipulated material?

3. If so, what measures are being considered by the Commission? If not, what rules have been drawn up by the Commission to prevent the future spread of genetically manipulated material and when will these rules be introduced?

Answer given by Mr Van Miert
on behalf of the Commission
(7 September 1992)

Directive 90/219/EEC on the contained use of genetically modified micro-organisms stipulates that workplace and environmental exposure to Group I genetically modified micro-organisms (the majority of genetically modified E-coli K12 would fall into this group), should be kept to the lowest practicable level.

The escape into the environment of the micro-organisms through the wash water of laboratory coats can be considered as being within the limits (lowest practicable level) set by the Directive.

Furthermore, according to Directive 90/219/EEC, GMMs are classified as Group I if certain criteria are met. (These criteria are set out in Annex II to the Directive). The corresponding criteria for the recipient organism are:

— non-pathogenic;

— no adventitious agents;

— proven and extended history of safe use or built-in biological barriers, which, without interfering with optimal growth in the reactor or fermentor, confer limited survivability and replicability, without adverse consequences in the environment.

E-coli K12 still seems to satisfy these criteria. The Commission and the competent authorities of the Member States are, however, alert to any data showing the E-coli K12 does not satisfy the above mentioned criteria. The Dutch Competent Authorities briefly informed the Committee of the Competent Authorities for Directive 90/219/EEC of the recent laboratory findings. Once the Commission receives the full report it will circulate it to all competent authorities.

WRITTEN QUESTION No 1380/92
by Mrs Concepció Ferrer (PPE)
to the Commission of the European Communities
(5 June 1992)
(92/C 309/67)

Subject: Measures for the introduction of a European dimension in education

Parliament has adopted a resolution on the European dimension at university level (A3-305/90 (1)) calling on the Commission to draw up proposals to introduce a permanent European element into higher education and calling on the universities to offer all students general studies courses in European history, to make European law compulsory in law faculties and to offer a wider range of languages.

In addition, Article 126 (2) of the Treaty of Maastricht establishes the need to develop a European dimension in the field of education. In view of this, can the Commission say what measures it has taken or will be taking in order to introduce a 'European dimension' in the education and training of European citizens?

(1) OJ No C 48, 25. 2. 1991, p. 216.

Answer given by Mrs Papandreou on behalf of the Commission

(31 July 1992)

Following the adoption of the resolution of the Council and the Ministers of Education meeting within the Council on 24 May 1988, the Commission has launched a series of activities to support the development of a European dimension in education in schools, notably in the field of teacher training and assistance to organizations and associations to promote cooperation, including the creation of teaching materials and joint publications. A first progress report on this action was issued by the Commission in 1991 (1). The intention is to intensify and consolidate work in this area and in particular to develop in-service training for teachers on the European dimension and to encourage teacher and pupil exchanges. In 1993, Member States will be asked to provide a second report on the action they have taken with respect to the development of the European dimension in the school curricula.

At the same time a major impetus to the realization of this objective in the field of higher education has been achieved through a number of EC programmes such as Erasmus, Lingua and Comett. The development of university studies in the social sciences on European integration has also been promoted through the Jean Monnet Action which has supported the establishment throughout the Member States of chairs and courses in European studies. The development of the European dimension for all students is advocated by the Commission in its Memorandum on Higher Education in the European Community (2) which is currently being widely discussed throughout the Member States. The Commission intends to produce early in 1993 a synthesis report of the feedback received and based upon these reactions to make proposals for supporting and strengthening the activities of the Member States in this area. Future initiatives for cooperation at Community level will be examined in the light of the articles concerning education and training set out in the draft Treaty of Maastricht and fully respecting the principle of subsidiarity.

(1) SEC(91) 1753.
(2) COM(91) 349 final.

WRITTEN QUESTION No 1404/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/68)

Subject: Small and medium-sized firms in Greece

Greece is one of the countries with a high percentage of small and medium-sized businesses and yet it rarely features in European programmes designed specifically to assist businesses of this type. It is generally thought that the main reason for this is the fact that only firms with between 10 and 99 employees are considered to be small or medium-sized, whereas in the other Member States — and in Community terms, as expressed in the General Industrial Classification of Economic Activities within the European Communities (NACE) — small and medium-sized firms are defined as those employing between 10 and 499 people. Does the Commission share this view and, if so, what does it intend to do to point out to the Greek Government that it should not continue to see things from its own narrow perspective since this is having a harmful effect on a great many Greek small and medium-sized businesses?

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

(22 September 1992)

The definitions of small and medium-sized businesses (SMEs) used both in the Member States and in the context of Community activities differ significantly depending on the objective in mind.

The Commission's general approach to the definition of SMEs was described recently in a report (1) to the Council which was also sent to Parliament and to the Economic and Social Committee. It transpires that the maximum usable threshold in terms of the number of employees in 500 but that lower thresholds are justified for certain measures. No 'minimum' threshold is mentioned although the specific nature of firms with fewer than ten employees, which account for some 91% of firms in the Community, is acknowledged.

The use of definitions of SMEs in the context of Community activities is independent of the use made by Member States of different definitions for their own activities.

(1) SEC(92) 351.

WRITTEN QUESTION No 1414/92
by Mr Ernest Glinne (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/69)

Subject: Illegal fishing in Mozambican waters

Pirate vessels — mostly from South Africa — are illegally fishing in Mozambican waters; the main catch is shrimps. Local coastal authorities are powerless and the Government does not have a single patrol boat to intercept these pirates while its helicopters are needed in the civil war still ravaging the country.

In the edition of 23 April 1992 the South African Weekly Mail notes that pirates operate mainly in the Bay of Machungulo, 25 km south of Maputo. The Mozambican Government has tightened up legislation and made it more difficult to obtain fisheries permits and adopted other measures, amending the calendar of parliamentary business to push these measures through. Nevertheless, in the absence of the physical means to stop piracy it remains powerless. The 'Weekly Mail' has also published a number of declarations on this matter by Mr Ernest Nhambe, director of the Maritime Administration in Maputo, and Mr Luis Martins, biologist at the Secretariat of State for Fisheries.

Given that a decision by the Council and the text of a fisheries agreement concluded between the Community and Mozambique were published in the Official Journal ([1]), I should like to know how the Commission is supporting Mozambican protests to the Republic of South Africa and how it is endeavouring to ensure that these very important natural resources are preserved for Mozambique?

([1]) OJ No L 107, 24. 4. 1992.

Answer given by Mr Marín
on behalf of the Commission
(20 July 1992)

The Community has concluded a fisheries agreement with Mozambique in which the two parties recognize 'the importance of the rational conservation, management and exploitation of the marine resources'. The Community is therefore concerned about any illegal fishing in Mozambique's waters.

However, even though under the Agreement the Community 'undertakes to take all appropriate steps to ensure that *its* vessels observe ... the laws relating to fishing in Mozambique's waters consistent with the provisions of the United Nations Convention on the Law of the Sea', it is clear that, since the Agreement acknowledges that Mozambique has sovereignty or jurisdiction over its exclusive economic zone, the control of fishing activities in that zone is the responsibility of Mozambique.

Accordingly, while the Community can take measures concerning its own vessels, it can in no way intervene in a dispute between two independent sovereign States in which no Community vessel is involved.

WRITTEN QUESTION No 1426/92
by Mr Ernest Glinne (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/70)

Subject: The dangers of the additive MMT, produced by the Ethyl Corporation for vehicle fuels

It has taken 70 years to acknowledge the harmfulness of 'leaded' fuel (containing tetrachthyl). The Ethyl Corporation is now resorting to manganese (which has dangerous effects if breathed in, rather than taken orally) to launch a new additive, methylcyclopentadienyl manganese tricarbonyl, commonly known as MMT. A number of alarming studies, notably those carried out by the Canadian neurotoxicologist John Donaldson of the University of Manitoba, a consultant in Ottawa, indicate that the new additive has dangerous effects on the cerebral system, particularly for exposed workers, children and growing foetuses. These include amyotrophic lateral sclerosis (Charcot's syndrome), Huntington's chorea and Alzheimer's disease (both serious disorders), disorders resembling the symptoms of Parkinson's disease, respiratory problems, hallucinations and miscarriages.

Considerable quantities of MMT were placed on the United States market before the adoption of the 1977 Clean Air Act. Since then, the Ethyl Corporation and the Environmental Protection Agency (EPA) have been putting their arguments for and against the additive being 'legalized' and marketed in 1993. The EPA has expressed reservations, as a result of which the Ethyl Corporation brought a legal action last February before the Federal Court of Appeal in Washington. The additive would seem to be highly dubious, in view of work carried out by John Donaldson (also for the Canadian National Research Council) and the opinions of scientists such as Michael Ashner, a neurotoxicologist at Albany Medical College in New York, and Alejandro Daniels, of Burroughs Welcome.

What are the Commission's views on the matter, given that a product about which there are serious doubts should be kept off the market until such time as it has

been proven to be harmless? Consumers are not guinea pigs to be experimented on until serious symptoms manifest themselves, often at a late stage. Does MMT have access to the Community market? How and on the basis of what legislation?

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

(22 September 1992)

The Commission has been informed about the use of MMT as an octane improver in petrol. This additive has been authorized for use in unleaded petrol in the USA for about 15 years. The amount of MMT in petrol is 10 to 15 parts per million.

The Environmental Protection Agency (EPA) refused to allow the use of MMT in unleaded petrol when the first catalysers were introduced following the reduction in US pollutant emission standards for cars. Under US law, catalysers must be guaranteed to have a service life of 50 000 miles (80 000 km).

While it is recognized that the lead in petrol causes catalysers to deteriorate very rapidly, there has not been sufficient experience or time to show that MMT does not do the same. Under pressure from car manufacturers and to avoid law suits against the Government, the EPA has preferred to prohibit the use of MMT in unleaded petrol.

A few years later, Canada passed a law on car emissions similar to that of the USA. Given their experience that MMT does not cause catalysers to deteriorate, the Canadian Government authorized its use in any type of petrol.

The use of MMT is not regulated at Community level. At the national level, some Member States such as Germany and the Netherlands prohibit all metal additives to petrol other than lead compounds in leaded petrol.

MMT has not yet been considered at Community level in terms of the classification and labelling of dangerous substances. The Commission is not in possession of the studies referred to by the Honourable Member.

In terms of health, a number of animal experiments has shown that, in concentrated form, MMT has neurotoxic effects similar to those found with tetraethyl lead. Certain precautions have to be taken for the protection of workers during the production and handling of the product, the toxicity of which becomes apparent in particular when it is breathed in and on cutaneous exposure.

Directive 89/391/EEC (1) defines an overall strategy for the protection of workers which includes general safety principles, in particular the obligation of employers to assess the health and safety risks to workers and to consider the possibility of replacing dangerous products by less dangerous ones.

(1) OJ No L 189, 29. 6. 1989.

WRITTEN QUESTION No 1430/92
by Mrs Cristiana Muscardini (NI)
to the Council of the European Communities

(16 June 1992)

(92/C 309/71)

Subject: War in the former state of Yugoslavia

Can the Council explain how the European Community is able to tolerate with such complacency the massacre resulting from a pointless, avoidable and above all foreseen war in Yugoslavia? Does the Council objectively believe that it has done everything necessary to avoid this situation?

The Council must be aware that the Serbian dictatorship's next step, after Slovenia, Croatia and Bosnia-Herzegovina, will be to launch a brutal attack on Kosovo.

What does the Council intend to do to prevent this fourth pointless, avoidable and above all foreseen tragedy?

Answer (1)

(15 October 1992)

The Honourable Member will no doubt have followed the ongoing exchange of views between the European Parliament and the Presidency on the role of the Community and its Member States in finding a solution to the conflict in Yugoslavia. The questions and considerations regarding the position of Kosovo are by their nature part of the general debate on the situation in the region.

In their Declaration on 15 June, the Community and its Member States, noting the potentially dangerous situation in Kosovo, urged all parties, including the

Albanian Government, to show the necessary restraint and sense of responsibility. The European Council in Lisbon, on 26 and 27 June 1992, repeating the urgent call on the authorities in Belgrade in the same Declaration, urged the Serbian leadership to refrain from further repression and engage in serious dialogue with representatives of Kosovo. The Community and its Member States had already made it clear to the authorities in Belgrade that failure to do so would impede prospects for the restoration of normal relations with the international community. The European Council furthermore reminded the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the Conference on Yugoslavia.

The European Council also stressed the need to despatch immediately observers to Kosovo and to neighbouring countries to prevent a resort to violence and to contribute to the restoration of confidence. Calling upon the CSCE to take the necessary steps, the Community and its Member States expressed their readiness to take part in such a mission.

(1) This reply has been provided by the Foreign Ministers meeting in Political Cooperation, within whose province the question came.

WRITTEN QUESTION No 1443/92
by Mr Alman Metten (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/72)

Subject: Algemeen Burgerlijk Pensioenfonds (ABP) (Dutch Public Servants Superannuation Fund) and directives for the award of public works contracts

1. Are 'public works contracts' awarded by bodies which form part of the public administration in the broad sense of the term?

2. Is the Algemeen Burgerlijk Pensioenfonds (ABP) (Dutch Public Servants Superannuation Fund) an organization which is subject to the directives concerning coordination of procedures for the award of public works contracts, for example Directive 89/440/EEC (1)?

3. If so, why does the ABP not appear in the 'list of bodies governed by public law referred to in Article 1 (b)' set out in Annex I to Directive 89/440/EEC?

4. Has the Netherlands Government recently informed the Commission of changes which ought to be made in its list of bodies governed by public law? If not, does not the Commission think that the list of bodies governed by public law in Annex I to this Directive should genuinely be rendered 'as exhaustive as possible' in order to make it clear to all concerned what their rights and obligations are?

(1) OJ No L 210, 21. 7. 1989, p. 1.

Answer given by Mr Bangemann
on behalf of the Commission
(3 September 1992)

1. Public contracts and contracting authorities are defined in Article 1 of the 'supplies' (1) and 'works' (2) Directives. The Court of Justice has already delivered a ruling on the interpretation of the scope of those definitions.

According to the interpretation of the concept of 'the State' given by the Court (3) in connection with the Directive on public works contracts (4), the concept of 'authorities awarding contracts', as referred to in Article 1 (b), must be interpreted in functional terms. The Court points out that: 'The aim of the directive (. . .) would be jeopardized if the provisions of the directive were to be held to be inapplicable solely because a public works contract is awarded by a body which, although it was set up to carry out tasks entrusted to it by legislation, is not formally a part of the State administration.

Consequently, a body (. . .) whose composition and functions are laid down by legislation and which depends on the authorities for the appointment of its members, the observance of the obligations arising out of its measures and the financing of the public works contracts which it is its task to award, must be regarded as falling within the notion of the State for the purpose of the abovementioned provision, even though it is not part of the State administration in formal terms.'

2. The case referred to by the Honourable Member is currently being examined by the Commission.

3. In the interests of greater transparency of application, the 'works' Directive contains in Annex 1 a list of bodies which fulfil the criteria defining bodies governed by public law. However, this list is not exhaustive. The obligation to comply with the Directive depends solely on the applicability of the criteria identifying bodies governed by public law.

4. According to the last subparagraph of Article 1 (b) of the 'works' Directive, this list must be as exhaustive as possible. The Commission can always update it by including in the Annex those bodies governed by public law which meet the criteria and are mentioned in the notifications periodically sent to it by Member States

relating to changes to their lists and by taking account of the opinion of the Advisory Committee for Public Contracts (5).

(1) Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts (OJ No L 13, 15. 1. 1977), as amended by Council Directive 88/295/EEC of 22 March 1988 (OJ No L 127, 20. 5. 1988).
(2) Council Directive 71/305/EEC of 26 July 1971 concerning the coordination of procedures for the award of public works contracts (OJ No L 185, 16. 8. 1971), as amended by Council Directive 89/440/EEC of 18 July 1989 (OJ No L 210, 21. 7. 1989).
(3) Case 31/87 *Gebroeders Beentjes BV v. State of the Netherlands* [1988] ECR 4635.
(4) Council Directive 71/305/EEC of 26 July 1971 concerning the coordination of procedures for the award of public works contracts (OJ No L 185, 16. 8. 1971).
(5) Annex 1 was updated by Commission Decision 90/380/EEC of 13 July 1990 (OJ No L 187, 19. 7. 1990).

WRITTEN QUESTION No 1457/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/73)

Subject: Natural disaster in Farkadona

The region of Farkadona in Trikala recently suffered another major natural disaster. The sight of whole areas of crops under water recalls pictures of flooding in Pakistan and India. After heavy rainfall the rivers Pinios and Ennipias burst their banks and flooded more than 5 000 hectares of land growing cotton, sugar beet, maize and cereals. Given that irrigation and drainage infrastructures are lacking in the area of Farkadona, does the Commission intend to subsidize anti-flooding works? As regards the wholesale destruction of crops, will it propose that farmers be compensated as soon as their losses are known?

Answer given by Mr Mac Sharry
on behalf of the Commission
(8 September 1992)

Were the Greek authorities to make such a request, the problem of flooding in the Farkadona area of Trikala could be examined under the regional programmes included in the Community support framework for Greece — for example the IMP for the region — which include measures to prevent flooding and erosion.

As for compensating farmers for the losses to harvests they have suffered as a result of the floods, this is a matter for the Member States.

WRITTEN QUESTION No 1459/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/74)

Subject: Destruction of the natural beauty of the Kastro Ileias area

Inhabitants of the municipality of Kastro Ileias have complained that the natural beauty of this area is being destroyed. They allege in particular that people who wish to develop the area are hiring well-paid workers to remove sand from the beach at Kastro at night and take it to a concrete factory. Can the Commission make representations to the Greek authorities to put an end to this illegal activity?

Answer given by Mr Van Miert
on behalf of the Commission
(30 September 1992)

Sand extraction projects are covered by Annex II to Directive 85/337/EEC (1) and, as such, are subject to an environmental impact assessment if their impact is considered to be substantial in terms of type, size or location.

At all events, if the extractions are unlawful only the Member State concerned can stop them. The Commission is able to intervene only in obvious cases of infringement of existing Community law.

(1) OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 1467/92
by Mr Karel de Gucht (LDR)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/75)

Subject: Delays in making ESF payments

In Flanders, various training and employment projects for the underprivileged have been launched with the help of ESF resources.

It appears that serious delays are occurring in the payment of the resources allocated — waiting periods of two years are not abnormal — seriously jeopardizing the financial well-being of these projects.

Is the Commission aware of these delays?

Are the Community or the national authorities to blame for the long waiting periods?

What measures does the Commission plan to take to remedy the situation?

Answer given by Mrs Papandreou on behalf of the Commission

(3 September 1992)

The old Fund (before 1990)

The majority of applications have been processed. A small number of files are still being dealt with.

Situation after the reform (as from 1990)

Decentralization has increased participation at regional level but has also had the effect of lengthening the procedures for submitting applications and for payment.

In 1991 and at the beginning of 1992, the Commission analysed financial flows in the Member States. It is now considering how it can eliminate as many intermediaries as possible in the payment cycle.

It is true that 1990, the first year of the new Fund, saw a number of teething troubles involving both the Commission and the Member States. For example, the decisions regarding the operational programmes relating to projects in Flanders were not taken until July and September 1990.

For 1990 two advances were paid for these programmes, corresponding to 80% of the ESF contribution for that year. The balance has been paid for most of the programmes.

Additional information had to be requested from the responsible authority for some programmes before the payment of balances could be finalized. These payments are now being made.

For 1991, an initial advance was paid in most cases.

Applications for payment of a second advance for 1991 and the first advance for 1992 were received recently for most projects. The Commission has almost finished processing them.

Analysis of financial flows shows that the time taken for payment after the decision on the first advances for 1990 or after receipt of the applications for the other advances or the balances is reasonable, both within the Commission and in the Member States for payment to the project sponsors.

However, it must be pointed out that some payments were delayed by requests for amendments on the part of the responsible authorities.

The Commission has endeavoured to simplify as much as possible the Social Fund's procedures.

It is also looking into ways of improving the computerized transmission of data relating to the planning, implementation and payment phases.

WRITTEN QUESTION No 1472/92

by Mr Konstantinos Tsimas (S)

to the Commission of the European Communities

(16 June 1992)

(92/C 309/76)

Subject: Intra-Community trade balances and the single market

In the light of the implementation of the Single Act and, notably, efforts to establish the single market since 1 July 1987 and the development of trade between the 12 Member States before and since this date, will the Commission say:

How the establishment of the single market has affected intra-Community trade flows? What is the present pattern of trade and how does it compare with that during the five years leading up to 1 July 1987? Which Member States now have a more positive or more negative intra-Community trade balance? What are the reasons for present trends in this area?

Answer given by Mr Christophersen on behalf of the Commission

(16 October 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 Parliament's Secretariat.

WRITTEN QUESTION No 1473/92
by Mr Jan Bertens and Mrs Jessica Larive (LDR)
to the Commission of the European Communities

(16 June 1992)

(92/C 309/77)

Subject: Violation by a Greek court of the right to freedom of expression

1. Is the Commission aware of the verdict of a Greek court of 5 May 1992, sentencing four young people to 19 months in prison for publishing a leaflet setting out their opposition to the growing nationalism in Greece?

2. Does it consider this verdict by the Athens court to be compatible with fostering and upholding the right to freedom of expression, as laid down in the preamble to the Single European Act and recognized in Title 1 of the Treaty on European Union (Article F(2)) as a general principle of Community law?

3. What does it propose to do to assert its role as guardian of the Treaties?

Answer given by Mr Delors on behalf of the Commission

(17 September 1992)

The activity referred to by the Honourable Members does not in this instance fall within the scope of Community law.

Respect for human rights is guaranteed by the Member States through the commitments they have undertaken, both internationally — by ratifying the Convenants on Economic, Social and Cultural Rights and on Civil and Political Rights — and regionally — by ratifying the Council of Europe's 1950 Convention on Human Rights and Fundamental Freedoms. In November 1974 Greece ratified that Convention, which provides for appeals to the European Commission of Human Rights; Article 10 guarantees freedom of expression.

Article 10 (2), however, reads: 'The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.'

WRITTEN QUESTION No 1493/92
by Mr Carlos Robles Piquer (PPE)
to the Commission of the European Communities

(16 June 1992)

(92/C 309/78)

Subject: Community action to fight malaria in the Third World

According to the WHO Yearbook, malaria continues to constitute one of mankind's major problems, affecting over 2 000 million people — 40% of the world's population — in 100 countries.

Malaria has spread, largely due to the resistance to insecticides of the mosquitoes which carry it and of the parasite itself to medication, and to climatic changes and the rudimentary nature of health services in remote areas.

Economically speaking, the parasites which cause tropical diseases represent a heavy burden on public health in the developing countries. What is the Community's contribution to the fight against diseases such as malaria and parasites which cause tropical diseases? How much health aid does the Community provide to the neediest Third World countries, and what place does this issue occupy in the Community's health aid policy?

Answer given by Mr Marín on behalf of the Commission

(27 July 1992)

The current resurgence of malaria in many parts of the world is partly due to the fact that the parasite and the mosquitoes which carry it have developed resistance to anti-malarial insecticides and medication.

Other contributory factors include adequate means to combat the disease and man-made environmental changes caused by agriculture or the development of water resources.

The international scientific community is now well aware that other ways of tackling the disease need to be found. However, such a move is being hampered by a lack of knowledge about the parasite and its carrier, hence the current emphasis on research programmes.

The Commission is contributing to such research through its life sciences and technologies programme for developing countries and is supporting many European scientific teams working with their counterparts in those countries.

Unfortunately, malaria is only one of the plagues affecting health in developing countries.

In many cases, the ways of preventing and curing such infections are well known. However, the extent of the problems, and the steep costs and organizational difficulties in tackling them have forced health care strategies to be revised.

Emphasis must now be placed on the reform of health systems to enable developing countries to meet the basic needs of their people.

The Commission is currently offering major support for such reform through targeted budget assistance, development projects and backing for NGOs, and increasing amounts of aid are being provided for more countries and projects.

WRITTEN QUESTION No 1509/92

by Mr Joachim Dalsass (PPE)

to the Commission of the European Communities

(16 June 1992)

(92/C 309/79)

Subject: Equivalence of the title 'Restaurator im Tischlerhandwerk' issued by the Schloss Raesfeld Further Education Centre with the Florence University title 'Laurea per Restauratore di beni culturali ed ambientali'

Mr Erich Mayr, a native of Bolzano currently residing at 22, Obereggen Str. in Deutschnofen, was awarded the title 'Restaurator im Tischlerhandwerk' (carpentry restorer) at the Schloss Raesfeld Craft Restoration Centre. He then applied in Bolzano for this German title to be recognized as the equivalent of 'restauratore dei beni culturali ed ambientali'. This request was refused, wrongly so in the opinion of the author of this question.

Mr Mayr then submitted a petition to the European Parliament's Committee on Petitions on 30 November 1991, forwarding all the supporting documents he regarded as relevant to his case.

In view of the above, does the Commission consider that on the basis of the Council Directive of 21 December 1988 the title 'Restaurator im Tischlerhandwerk' issued by the Schloss Raesfeld Craft Restoration Centre should be recognized as equivalent to the title 'restauratore dei beni culturali ed ambientali' issued by Florence University? If so, what does the Commission intend to do to persuade the authorities in South Tyrol to recognize the equivalence of these titles?

Answer given by Mr Bangemann on behalf of the Commission

(10 September 1992)

For Mr Mayr to be able to invoke Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of diplomas [1], the training required to exercise the profession of 'restauratore dei beni culturali ed ambientali' in Italy must involve at least three years of higher education and his German diploma must satisfy the same condition. If these conditions are met, Directive 89/48/EEC makes it the responsibility of the authorities in the host Member State to examine the equivalence of the two diplomas. If this examination reveals major differences concerning the duration or content of training, these authorities may require additional evidence under the conditions laid down by the Directive.

If Mr Mayr's training consists of post-secondary education of less than three years' duration, then pending the entry into force in June 1994 of the Council Directive on a second general system for the recognition of professional education and training, which supplements Directive 89/48/EEC, he could none the less invoke the rulings of the Court of Justice in *Heylens* (Case 222/86) and *Vlassopoulou* (Case C 340/89), according to which the host Member State must take account of diplomas obtained in other Member States.

If, however, for the purpose of continuing his studies in Italy, Mr Mayr wishes to obtain purely academic recognition of the diploma which he obtained in Germany, he should apply to the University of Florence to ascertain whether his diploma can be considered

equivalent to the diploma delivered by that institution or to the Centre for Information on Mobility and Academic Equivalence (CIMEA) in Rome, which is part of the Community's network of National Academic Recognition Information Centres (Naric).

(1) OJ No L 19, 24. 1. 1989.

WRITTEN QUESTION No 1523/92
by Mr Florus Wijsenbeek (LDR)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/80)

Subject: Botswana

It is quite clear that my Written Question No 1612/91 (1) relates not only to plans to dredge the Lower Boro river in the Okavango Delta, but equally to the building of the Northern Buffalo Fence.

Can the Commission say whether an independent study has been carried out into the ecological impact of the building of the Northern Buffalo Fence, or whether such a study will be carried out in future?

Who has carried out, or will carry out, such a study?

Is the Commission prepared to submit the results of such a study to the relevant Parliament committee or to me personally?

(1) OJ No C 159, 25. 6. 1992, p. 7.

Answer given by Mr Marín
on behalf of the Commission
(24 September 1992)

When the Government of Botswana decided, beginning 1991, to proceed with (a) the dredging of the Lower Boro and (b) the fencing of the northern approaches of the Okavango Delta, the Delegation of the Commission followed closely the controversies about these schemes.

It is worth noting that both schemes were launched at the sole initiative of the Government, were not conceived directly or indirectly in the framework of an EDF financed project and were undertaken with local and external funding in which the Commission took no part.

The role of the Commission was and has always been, in the above context, that of an outside observer. It was ready, if asked, to provide advice but of course could not intervene in matters which are the exclusive concern of the Government.

The current state of affairs regarding both schemes is as follows:

(a) Concerning the dredging of the Lower Boro, the Government has been receptive to complaints from outside and has enabled all kinds of organizations such as i.a. 'Greenpeace' to visit extensively and report at will on the scheme. Furthermore it has accepted to suspend all further dredging pending the conclusions of an independent impact assessment report, financed at Government expense. This report, drafted by the International Union for the Conservation of Nature and Natural Resources (IUCN), is now partially available and its conclusions are being studied by the Government. They indicate that the dredging project is not advisable, that the water needs of Maun should be covered by groundwater and water flowing normally out of the Delta, using better techniques, improving the distribution system and controlling consumption. The Government has already indicated that it will follow the conclusions of the IUCN team and terminate the project.

The Commission has received, as a matter of information, an advance copy of the draft report of IUCN.

(b) Concerning the fencing being undertaken along the northern approaches of the Okavango Delta, the Government has chosen not to proceed first with an environmental impact study as has been the case with the dredging of the Lower Boro. Apparently the Government is satisfied that the impact of this fence will be broadly similar to that of the southern fence which guards the western and southern approaches of the Okavango Delta. It may be recalled that the southern fence, built in 1982, has had practically no detrimental effect on wildlife movements, while simultaneously having the priceless advantage of preserving the wildlife area from the invasion of cattle originating from the residential and pastoral lands to the west and south of the Okavango Delta. It is expected that the northern fence will have similar consequences. Its alignment does not cut any known wildlife migratory route, as it is improbable that wildlife would be tempted to roam into the residential and pastoral lands to the north of the fence. This is plainly evident from the reading of the map issued in December 1989 by the Botswanan Ministry of Local Government and Lands which charts the course of both the southern and northern fences; a copy of this map can be forwarded upon request to the Honourable Member.

It should be noted that the Government, although declining to envisage a pre-feasibility impact study as such

of the fence, was not insensitive to the pressure of outside opinion as demonstrated by the invitation it extended to a team of American and European environmental specialists to visit Botswana in early 1992 to assess the issues. This team which included among others experts such as Prof. Harris, University of Florida, Prof. Wrammer, University of Goteborg, Prof. Tietema, Free University of Amsterdam, Prof. Cooke, University of Botswana, Mr Pfister, Conservation Foundation London, Mr Warren, environment correspondent of the Guardian London, etc. had the opportunity to meet district officials, tribal authorities, non-governmental organizations and other bodies interested in environmental issues. It has recently published its findings and concluded that although it would have preferred different fence alignment, it agreed that the existing fence was preferable to no fence at all as it constituted an effective barrier to the far greater danger of cattle invading of the Okavango Delta.

WRITTEN QUESTION No 1524/92
by Mr Karel de Gucht (LDR)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/81)

Subject: Subsidization measures in the Region of Wallonia (Belgium)

The Kingdom of Belgium — or, to be more precise, the Region of Wallonia — grants every undertaking from that region taking part in a trade fair abroad a flat rate subsidy of approximately ECU 1 230 (on each occasion).

Does the Commission consider that such support measures are compatible with Articles 92 ff of the EEC Treaty?

If not, what measures will the Commission consider taking?

Answer given by Sir Leon Brittan
on behalf of the Commission
(4 September 1992)

In May the Commission decided that in future, whenever an enterprise received aid not exceeding ECU 50 000 over a period of three years, such aid, being small in size, would have to be considered as 'de minimis' aid not satisfying the conditions for the application of Article 92 (1) of the EEC Treaty.

This is the case with the aid of some ECU 1 230 referred to by the Honourable Member. Accordingly, the Commission is not planning to take any action in this connection.

WRITTEN QUESTION No 1540/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/82)

Subject: Water pollution in the prefecture of Ioannina

The communities of Limni, Bissani, Doliana and Ano and Kato Ravenia in the prefecture of Ioannina have been deprived of water recently because of pollution of the river Gormos from which they draw their water. The river has been polluted by effluent from pig farms and cheese dairies which is very rich in organic matter and very difficult to treat; indeed this can only be done in purification plants. Given this situation does the Commission intend to notify the Greek government of the need to implement Community directives and to impose sanctions on those responsible?

Answer given by Mr Van Miert
on behalf of the Commission
(24 September 1992)

The Commission does not think that the Greek Government is unaware of the need to implement Community directives.

However, if the provisions of Directive 75/440/EEC (1) concerning the quality required of surface water intended for the abstraction of drinking water are not being observed in the region to which the Honourable Member refers, those concerned should bring the matter up with the Greek authorities or, if they wish, lodge a complaint with the Commission.

At present, any sanctions which might be applied against the polluter are determined solely by the laws and administrative decisions of the Member States.

(1) OJ No L 194, 25. 7. 1975.

WRITTEN QUESTION No 1541/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/83)

Subject: Saving Lake Vegoritida

The Association of Friends of Lake Vegoritida in Arnissa in the prefecture of Pella says that responsibility for polluting the lake lies with the competent authorities. This Association which was founded a little time ago in an attempt to save the lake which is threatened by pollution and by a dramatic fall in the water level has realistically proposed that a committee for the Protection of the Environment of Vegoritida should be set up consisting of local government bodies and all those interested in the future of the lake. If the Commission is asked to do so, does it intend to help allocate funds from Community programmes for this purpose?

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

The Community feels that a display of interest on the part of the general public is one of the best ways to ensure the effective implementation of Community and national legislation on environmental protection.

As far as funding is concerned, any interested parties can obtain all necessary information from the competent Greek authorities. The eligibility of proposals depends on the regulations in force.

WRITTEN QUESTION No 1542/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/84)

Subject: The threat of ecological disaster in the Mediterranean due to poisonous aquatic plants

The Mediterranean faces ecological disaster due to the spread of poisonous aquatic plants from the Caribbean. These poisonous algae are spreading very rapidly along the French coastline smothering all forms of maritime life in their path. So far the Mediterranean has not produced any natural weapon to combat these plants whose scientific name is Caulerpa Taxifolia. Given that biologists are particularly worried that these plants may pollute marine products, does the Commission intend to state exactly how things stand and what measures the Community is taking in this matter?

Answer given by Mr Van Miert
on behalf of the Commission
(20 October 1992)

The Commission would refer the Honourable Member to its answer to Written Question No 1118/92 by Mr Robles Piquer (1).

(1) OJ No C 289, 5. 11. 1992, p. 42.

WRITTEN QUESTION No 1557/92
by Mr Bernard Antony (DR)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/85)

Subject: Humanitarian aid to the people of Croatia made victims of war

In seven months of war Serbian Communist troops have killed more than 10 000 Croatian civilians, driven 700 000 people from their homes, destroyed hundreds of schools, hospitals and churches, and ruined the Croatian economy.

1. What action will the Commission take to provide humanitarian aid to the civilian population of Croatia, now the victims of the war of conquest launched by the Serbian Communist authorities?

2. Does the Commission not consider:

   (a) That the arrival of UN forces in the Croatian regions at war must now be followed by the return to their towns and villages of the Croatians driven out by the Serbian Communist army?

   (b) That Serbian Communist authorities, responsible as they are for this war and for the atrocities committed in it, must now compensate its victims?

   (c) That the reconstruction of the Croation regions ravaged by the Serbian Communist armies must be financed by the Communist Government of Serbia?

Answer given by Mr Matutes
on behalf of the Commission
(15 September 1992)

The Commission shares the Honourable Member's concern and has already undertaken a large-scale response to the problem.

Since the start of the fighting in the former Yugoslavia, the Commission has approved a total of ECU 169 million in emergency aid for displaced persons and refugees. The aid is intended for all civilian communities in need, whoever they may be, and the people of Croatia have therefore also benefited from it.

The Commission believes that the need for people to return to their home villages is a crucial problem that should be tackled in due time. However, it also believes that the current political and military situation is such that a permanent return at this stage would be premature or even dangerous for the people involved.

The Commission is also of the opinion that the problems of rebuilding destroyed areas and possible compensation for the victims should be examined as part of a more general political settlement of the crisis, something which requires a guarantee of lasting peace in the area.

WRITTEN QUESTION No 1563/92
by Mr Juan de Dios Ramírez Heredia (S)
to the Council of the European Communities
(16 June 1992)
(92/C 309/86)

Subject: Policy document on poverty and social exclusion

The European Parliament, the Commission and the Council itself have repeatedly protested against the poverty and social exclusion which affect millions of EC citizens. The President of the Commission has stated that a policy document identifying the needs and rights of people living in poverty and a state of social exclusion within the EC should be drawn up and disseminated as widely as possible.

Does the Council intend to draw up such a document as a first step towards the adoption of a 'Charter of Citizens' Rights?

Answer
(23 October 1992)

The Council has adopted several Acts concerned with combating poverty and social exclusion, notably the Council Decision of 18 July 1989 establishing a medium-term Community action programme concerning economic and social integration of the economically and socially less privileged groups in society, the resolution of the Council and of the Ministers of 29 September 1989, the recommendation on common criteria concerning sufficient resources and social assistance in the social protection systems, adopted 24 June 1992.

It also adopted on 24 June 1992 a recommendation on the convergence of social protection policies.

These Acts are part of a comprehensive and systematic drive to combat social exclusion and contain a series of general principles and practical guidelines to enable people to assert their basic right to resources and benefits sufficient for them to live in human dignity.

WRITTEN QUESTION No 1569/92
by Mr Juan de Dios Ramírez Heredia (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/87)

Subject: Aid to Yugoslavian refugees

The Commission has earmarked ECU 30 million for refugees in Yugoslavia, having earlier set aside a further ECU 19 million in emergeny aid for them.

There are more than one million gipsies in Yugoslavia. I have learnt that it is mainly this community which has been compelled to move away because of the war and the violence.

Does the Commission know to what extent this aid has reached what is so large a section of the population?

Answer given by Mr Matutes
on behalf of the Commission
(16 September 1992)

The Commission shares the Honourable Member's concern and responded on 2 July this year by approving further substantial humanitarian aid of ECU 120 million for the victims of the conflict in the former Yugoslavia.

The Commission and its partners operating in the field are committed to avoiding any discrimination whatsoever, and refugee or displaced gipsies have therefore received Community aid under the same conditions as all other victims of the fighting.

WRITTEN QUESTION No 1572/92
by Mr Peter Crampton (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/88)

Subject: Abstraction of groundwater by farmers for irrigation purposes

Council resolution of 25 February 1992 on the future of Community groundwater policy expresses particular concern about the lowering of groundwater levels and/or the pollution of certain aquifers. The resolution asks the Commission to present a detailed action programme by mid-1993 if possible and to develop a draft revised Directive on groundwater as part of an overall fresh water management policy.

In Humberside there are rivers and becks which are drying up, partly as a result of the abstraction of groundwater by local farmers for irrigation purposes. It would appear that the common agricultural policy, with its incentives to increase production, is contributing to falling water tables and the consequent loss of ecosystems and general amenity.

Can the Commission tell me:

— what assessment it currently makes of this particular impact of the CAP on the environment?

— what changes will be made in the CAP to curtail the lowering of groundwater levels caused by farming practices?

— how such changes will be incorporated into the action programme, as requested in Council resolution of 25 February 1992?

Answer given by Mr Van Miert
on behalf of the Commission
(30 September 1992)

The Council resolution of 25 February 1992 on the future Community groundwater policy invites the Commission to submit a detailed action programme for which the final declaration of the Ministerial seminar, held on 26 and 27 November 1991 at The Hague, should provide guidelines.

In this declaration the participants agreed to establish a programme of actions to be implemented by the year 2000 at National and Community level aiming at a sustainable management and protection of freshwater resources.

Some of the actions proposed to be included in such an action programme are directly related to agriculture, namely measures to promote more efficient water use and reduction of freshwater consumption in particular in areas of water scarcity, changes in agricultural practices to prevent pollution and the implementation of rules for good agricultural practice.

A general proposal for freshwater management and groundwater protection is being developed at the Commission level with the contribution of the Member States under the principle of subsidiarity, to be submitted to the Council before middle 1993.

WRITTEN QUESTION No 1577/92
by Mr Jacques Vernier (RDE)
to the Commission of the European Communities
(16 June 1992)
(92/C 309/89)

Subject: Flavourings: supplementary directives

Council Directive 88/388/EEC (1) of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs provides for the adoption of specific directives for various categories of flavourings (flavouring substances, flavouring sources, flavouring preparations).

However, almost four years after the adoption of Council Directive 88/388/EEC, no proposals for specific directives have yet been submitted by the Commission, even though such directives are necessary to complete and implement the approximation of national legislation in this field.

1. What progress has the Commission made in drawing up these proposals and when does it expect to submit them?

2. Does it not consider that such delays in adopting specific directives following the adoption of

framework directives are detrimental to the implementation and credibility of Community policies?

(1) OJ No L 184, 15. 7. 1988, p. 61.

Answer given by Mr Bangemann on behalf of the Commission

(3 September 1992)

Council Directive 88/388/EEC on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs provides that the Council will adopt 'appropriate provisions' concerning flavouring substances, smoke flavourings, process flavourings and flavouring sources.

With a view to implementing this programme of legislation, the Commission departments are completing preparations for a first draft regulation aimed at guaranteeing the safe use of flavouring substances. This proposal is due to be submitted to the Commission for adoption in September. A second set of measures relating to smoke flavourings and process flavourings is expected in early 1993.

The length of the preparation stage for these proposals is due to the following factors:

— the number of substances and products involved is very large, with nearly 5 000 substances and about 13 000 sources;

— preliminary consultation of the Scientific Committee for Food regarding each category of flavourings means that criteria can be established for evaluating whether they can safely be used in foodstuffs.

WRITTEN QUESTION No 1605/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities

(24 June 1992)

(92/C 309/90)

Subject: Eligibility of Member State nationals for employment in the public service

Can the Commission provide brief but specific details concerning the application in each Member State of the fourth paragraph of Article 48 of the EEC Treaty concerning the eligibility of Community nationals for employment in the public service in the Member States on the basis of the interpretation by the Court of Justice in its Judgment of 17 December 1980 (Case 149/79, Commission v. Belgium)?

WRITTEN QUESTION No 1606/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities

(24 June 1992)

(92/C 309/91)

Subject: Abolition of nationality requirements for recruitment in the industrial and commercial public services in France

In view of the abolition of the nationality requirements for recruitment contained in the fourth paragraph of Article 48 of the EEC Treaty and the interpretation by the Court of Justice of the European Communities in its judgment of 17 December 1980 (Case 149/79, Commission v. Belgium), can the Commission indicate whether the main French industrial and commercial public services (SPIC) have complied with this Community rule?

Joint answer to Written Questions Nos 1605/92 and 1606/92 given by Mrs Papandreou on behalf of the Commission

(11 September 1992)

As regards the application in the Member States of the fourth paragraph of Article 48 as interpreted by the Court of Justice, the Commission would refer the Honourable Member to the answer to Written Question No 302/92 by Mrs Dury (1) on this matter.

The situation is developing favourably in the Member States where a number of legislative measures amending the relevant national laws have already been taken or are being drafted.

Nevertheless, discrimination against EEC nationals in this field persists in several instances. The infringement procedures initiated in these cases by the Commission against the Member States in question will be continued until national provisions have been brought into line with Community law.

As regards the abolition of nationality requirements for access to public industrial and commercial services (SPIC) in France, the Commission is able to inform the Honourable Member that as a result of recent amendments to the regulations, the situation is in several cases (e.g. the water and electricity distribution service (EDF), the gas distribution service (GDF) and the urban transport sector (SNCF and RATP)) regular and in conformity with the Treaty. As regards the Post Office and France Télécom, decrees provided for by law No 91-715 of 21 July 1991 will have to be adopted so as to

provide access for EEC nationals to employment in these services.

(1) OJ No C 247, 24. 9. 1992.

WRITTEN QUESTION No 1608/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(24 June 1992)
(92/C 309/92)

Subject: Freedom of establishment for lawyers within the Community

What steps does the Commission intend to take in response to the joint deliberations by the Paris and Barcelona Bar Councils calling for the adoption of a specific directive for lawyers to complement Council Directive 89/48/EEC (1) of 21 December 1988 on the mutual recognition of diplomas thereby facilitating the freedom of establishment of lawyers in the Community?

(1) OJ No L 19, 24. 1. 1989, p. 16.

Answer given by Mr Bangemann on behalf of the Commission
(3 September 1992)

As things stand, freedom of movement for lawyers is governed by Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration.

The Commission is monitoring the work being done by the CCBE (Council of the Bars and Law Societies of the European Community) with a view to preparing the way for a specific 'establishment' directive for lawyers.

WRITTEN QUESTION No 1636/92
by Mrs Christine Crawley (S)
to the Commission of the European Communities
(24 June 1992)
(92/C 309/93)

Subject: Vitamin and mineral supplements

Residents in the UK are concerned about the effects of EC legislation on vitamin and mineral supplements. What maximum level of vitamins and minerals in publicly available supplements will the Commission be recommending?

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

The Commission is currently considering the necessity of preparing proposals to cover food supplements and what provisions would need to be included in any such proposals. It is expected that any proposals could be put forward in early 1993.

The Commission is not in a position at the moment to give any details as to the content of any forthcoming proposals.

WRITTEN QUESTION No 1711/92
by Mr Gijs de Vries and Mr Florus Wijsenbeek (LDR)
to the Council of the European Communities
(1 July 1992)
(92/C 309/94)

Subject: Report by the Court of Auditors to the Council on the Delors II Package

Has the Council received the report by the Court of Auditors on the implementation of the Delors II Package concerning the monitoring of Community policy, following the introduction of the Treaty of Maastricht, as requested on 2 April 1992?

Is the Council prepared to forward the Court of Auditors' report to Parliament without delay and to discuss it with Parliament?

Answer
(23 October 1992)

The Council received the 'Opinion of the Court of Auditors complementary to the annual reports on Community expenditure since 1988 on the EAGGF Guarantee Section, structural measures, research and non-member States' on 15 May 1992.

The Council has no objection to making that opinion together with the Commission's comments thereon

available to the European Parliament, should the latter so request.

WRITTEN QUESTION No 1760/92
by Mr Sotiris Kostopoulos (NI)
to the Council of the European Communities
(2 July 1992)
(92/C 309/95)

Subject: Forest fires

Forest fires affect Member States, particularly in the Mediterranean, and are a serious ecological problem sometimes involving financial implications. Thus, it has become essential to make plans for, in the near future, a more effective immediate response system such as can be achieved by creating an intra-Member State fire service equipped with an airborne rapid response task force which will be in a position to ensure greater cooperation and swift intervention to protect forests. How does the Council view such a development?

Answer
(23 October 1992)

1. The Council has repeatedly expressed its concern regarding the Community's forests and regarding the problem of fires in particular. As long ago as 1986 it adopted Community measures in this field with the aim of supporting and supplementing the protection and prevention measures implemented by Member States at national level.

At its meeting on 13 and 14 July 1992, the Council agreed to revise the measures currently in force. The aim of the revision is to:

— focus Community efforts in the first instance on areas with a high fire risk;

— increase the measures for analysing causes of forest fires, for prevention and for surveillance in the context of the zonal plans;

— develop a system of information (databank) on forest fires.

2. With regard to active measures to combat forest fires, initiatives in this field come within the framework of the measures set out by the Council in its resolution adopted in July 1991 on improving mutual aid between Member States in the event of natural or technological disasters.

WRITTEN QUESTION No 1788/92
by Mr Enrique Sapena Granell, Mrs María Izquierdo Rojo and Mr Pedro Bofill Abeilhe (S)
to the Commission of the European Communities
(2 July 1992)
(92/C 309/96)

Subject: Triangular operations in Eastern Europe and the Mediterranean

The Commission has recently been funding 'triangular' import-export operations between the countries of Eastern Europe in order to prevent the Community market from being flooded by surpluses, for example, agricultural surpluses from certain countries of Eastern Europe, while the other countries of Eastern Europe are suffering severe shortages.

To what extent could these arrangements be extended to other areas, such as the Maghreb countries?

In view of the agricultural surpluses in Morocco and the food shortages in Algeria, does the Commission not consider that similar triangular operations could be introduced there?

Answer given by Mr Matutes
on behalf of the Commission
(22 September 1992)

The Maghreb is not particularly suited to triangular operations, notwithstanding the impression that might be given by the contrast between exporting and importing countries.

All three Maghreb countries are importers of staples (cereals, ordinary cooking oil and milk) and producers, even exporters, of typical Mediterranean products (citrus fruits, tomatoes, olive oil). Furthermore, only Tunisia of the central Maghreb countries is a direct recipient of Community food aid, and the product in question is milk powder, which neither Morocco nor Algeria could provide.

Algeria receives aid indirectly through NGOs working with Tuareg and Sahrawi refugees. Some of this indirect aid is indeed bought locally.

WRITTEN QUESTION No 1792/92
by Mr Pol Marck (PPE)
to the Commission of the European Communities
(2 July 1992)
(92/C 309/97)

Subject: Central America

In the last five financial years, how many studies have been carried out on problems in Central America as part

of the support programmes for the countries of Central America, Panama and Mexico?

1. What studies were planned?
2. What was their objective?
3. What budgetary appropriations were earmarked for this purpose?
4. Who was responsible for implementing the studies?
5. Which studies have been completed?
6. What action will be taken by the Commission by way of a follow-up?

Answer given by Mr Matutes on behalf of the Commission

(21 September 1992)

The lists of EC-backed schemes in Central America in 1990—91, which will be sent direct to the Honourable Member and the Parliament Secretariat, show that studies made up only 0,2 to 0,4% of all annual cooperation programmes between the Community and countries in the region. The information sought by the Honourable Member is therefore of little significance.

Over 99,5% of Community credit for Central America goes on the preparation, implementation and monitoring of practical cooperation projects and around 2 to 3% of this sum is spent on the outside expertise (not including technical assistance within the projects themselves) needed to identify, develop, assess and monitor them.

WRITTEN QUESTION No 1819/92
by Mr Víctor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(6 July 1992)
(92/C 309/98)

Subject: Abolition of international controls in the EC

Can the Single European Act be seen as 'purely an economic document', as some countries appear to see it, which would allow the abolition of controls on individuals as economic subjects but not as citizens?

Answer given by Mr Bangemann on behalf of the Commission

(22 September 1992)

In its communication of 8 May 1992 to the Council and to Parliament on the abolition of border controls (1), the Commission stated that, in its view, Article 8a of the EEC Treaty requires the Member States to abolish, with effect from 1 January 1993, international frontier controls on all persons, whether or not they are economically active and irrespective of their nationality.

(1) SEC(92) 877 final.

WRITTEN QUESTION No 1837/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 July 1992)
(92/C 309/99)

Subject: Agriofarrango (wild gorge) in Crete

The community of Pinagaidakia has alleged that shepherds and land-grabbers in the region have been negotiating the sale of one of the last ecological paradises in Crete, namely the gorge known as 'Agriofarrango'. This gorge, which lies between Kaloi Limenes and Matala contains very rare species of local flora and a wood of palm trees. Given that land ownership rights in the region are confused and that the gorge most probably belongs to the public, according to the forestry directorate at Heraklion will the Commission ask the Greek Government to designate the 'Agriofarrango' a national park?

Answer given by Mr Van Miert on behalf of the Commission

(1 October 1992)

In view of the fact that the question raised by the Honourable Member is concerned above all with the observation of national regulations and the field of regional planning, which comes within the competence of the national or regional authorities of the Member States, the Commission, with due regard for the principle of subsidiarity, has no intention to take action in this case.

WRITTEN QUESTION No 1847/92
by Mrs Cristiana Muscardini (NI)
to the Commission of the European Communities
(23 July 1992)
(92/C 309/100)

Subject: EAGGF financing in Piedmont

With regard to gaining access to funds made available by the European Agricultural Fund, will the Commission state the name of the office and of the person responsible for this sector in the Piedmont region, to whom

applications are submitted and according to what procedure, and who is responsible for approving a request for funds?

How many such projects have been submitted in the last five years and, of those, how many have been accepted and how many rejected?

Answer given by Mr Mac Sharry on behalf of the Commission

(8 September 1992)

The department responsible for measures in Piedmont financed by the EAGGF Guidance Section is the Assessorato regionale agricoltura e foreste, Corso Stati Uniti, 21, 10128 Torino.

Since the Commission is unable to supply the other information requested, the Honourable Member should contact the abovementioned department directly. The regional authority in the Member State is responsible for the presentation of dossiers, any approval required at regional level and the type of measures financed.

In general, the EAGGF Guidance Section has no data on the number of dossiers presented at national or regional level regarding application for aid, nor on the number of dossiers accepted or rejected.

WRITTEN QUESTION No 1903/92

by Mr James Ford (S)

to the Commission of the European Communities

(23 July 1992)

(92/C 309/101)

Subject: Conscientious objection in Greece

In the light of the case of Anastasios Georgiadis, a religious minister of the Congregation of Jehovah's Christian Witnesses, can the Commission say what action it is considering in cases where the Greek Government, despite consistent declarations on human rights of conscientious objectors from the European Parliament, is failing to offer a realistic alternative to military service for conscientious objectors?

Answer given by Mr Delors on behalf of the Commission

(17 September 1992)

As it has often had occasion to point out, the Commission has no competence in this field and therefore does not propose to take action there.

Respect for human rights is amply guaranteed by the Member States which have made commitments both at international level, by ratifying pacts on economic, social and cultural rights and on civil and political rights, and, at regional level, by ratifying the Council of Europe's 1950 Convention for the Protection of Human Rights and Fundamental Freedoms. Greece ratified this Convention in November 1974, Article 9 of which states that 'everyone has the right to freedom of thought, conscience and religion'.

When the Council of Europe's Committee of Ministers adopted the recommendation to the Member States regarding conscientious objection to compulsory military service on 9 April 1987, the Greek delegate reserved his government's right to comply with the document or not.

WRITTEN QUESTION No 2011/92

by Mr Alex Smith (S)

to the Council of the European Communities

(1 September 1992)

(92/C 309/102)

Subject: Nuclear safety in Central and Eastern Europe

What decisions have been taken by the Council to support the giving of technical and financial aid through the European Bank of Reconstruction and Development to states in Central and Eastern Europe to increase the operational safety of nuclear plants, and to help decommissioning of nuclear facilities judged by independent international experts to be unsafe to operate?

Answer

(23 October 1992)

1. The Council has on several occasions reiterated that it is a matter of importance and urgency for improvements to be made to the nuclear safety of nuclear power stations in Central and Eastern Europe.

Is has found this to be a priority issue in the context of providing technical assistance to the countries in this area.

2. Following the conclusions of the European Council in Rome (14 and 15 December 1990) and in accordance with the guidelines established and the decisions taken by the Council in this context (1) — and without prejudice to any aid provided bilaterally by Member States or to cooperation which has been initiated or is to be initiated in the long term under the cooperation agreements with the countries of Central and Eastern Europe and the republics of the former USSR — programmes have been established or are planned to provide the relevant countries in this category with technical assistance in the

field of nuclear safety as well. Responsibility for managing such programmes rests with the Commission.

3. While the Member States and the Community as such are members of the EBRD, and the Community Institutions and the EBRD are required — for obvious reasons concerning the optimization of work done in the same context — to co-ordinate their activities, the fact remains that, owing to its statute and its scope (and also as regards likely future members), the EBRD is of a more broadly international nature and has its own capital; its activities are therefore to be regarded separately from those of the Community Institutions.

If the Honourable Member would like more detailed information on this subject, he should consult Council Decision 90/674/EEC establishing the EBRD [2], to which the relevant agreement is annexed.

[1] In particular, Regulation (EEC/Euratom) No 2157/91 of 15 July 1991 (OJ No L 201, 24. 7. 1991, p. 2).
[2] OJ No L 372, 31. 12. 1990, p. 1.

WRITTEN QUESTION No 2015/92

by Mr Alex Smith (S)

to the Council of the European Communities

(1 September 1992)

(92/C 309/103)

Subject: Climate change and biodiversity treaties

What initiatives will be taken by the Council to implement across the Community the two treaties on climate change and biodiversity respectively, and the agenda 21 blueprint for sustainable environmental management, following the agreement made at the United Nations Conference on Environment and development in Rio in June?

Answer

(23 October 1992)

As stated in the conclusions of the Lisbon European Council (26 and 27 June 1992), the Council and the Community Member States are prepared to commit themselves to an eight-point plan for the rapid implementation of the measures agreed at Rio.

In this connection, the Council has already begun a preliminary examination of a number of Commission proposals submitted as part of the Community strategy to limit carbon dioxide emissions ('Altener' programme; tax on CO_2 emissions and energy; monitoring mechanism for greenhouse gases).

WRITTEN QUESTION No 2183/92

by Mrs María Izquierdo Rojo, Mr Víctor Manuel Arbeloa Muru, Mr Jesús Cabezón Alonso, Mr José Álvarez de Paz, Mrs Carmen Díez de Rivera Icaza, Mrs Ana Miranda de Lage, Mr Joan Colom i Naval (S), Mr Arturo Escuder Croft, Mrs Carmen Llorca Vilaplana (PPE), Mr Rafael Calvo Ortega, Mr Carles-Alfred Gasòliba i Böhm (LDR), Mr Heribert Barrera i Costa (ARC), Mr Guadalupe Ruiz-Giménez Aguilar (LDR), Mr Juan de la Cámara Martínez, Mr Mateo Sierra Bardají (S), Mr Joaquín Sisó Cruellas, Mr José Valverde López, Mr Marceloni Oreja (PPE), Mr Fernando Pérez Royo (GUE), Mr José Escudero (PPE), Mr Alonso Puerta (GUE), Mr Manuel Medina Ortega, Mr Eusebio Cano Pinto, Mr Carlos Bru Purón und Mr Pedro Bofill Abeilhe (S)

to the Council of the European Communities

(1 September 1992)

(92/C 309/104)

Subject: Implementation of the Cohesion Fund

The Maastricht Summit agreed to set up a new Cohesion Fund in 1993. In its proposal 'From the Single Act to Maastricht — The means to match our ambitions', the Commission observes that steps to implement the new fund need to be speeded up.

Does the Council of Ministers plan to ensure that the Cohesion Fund enters into force in 1993?

Answer

(23 October 1992)

Pursuant to the second paragraph of Article 130d of the Treaty on European Union, the Cohesion Fund will be set up by the Council before 31 December 1993. The Council will be required to act unanimously on a Commission proposal, after obtaining the assent of the European Parliament and consulting the Economic and Social Committee and the Committee of the Regions.

The Lisbon European Council decided to put the Cohesion Fund into operation in early 1993. That is why the Commission submitted on 31 July a preliminary draft Regulation establishing a Cohesion Fund, which the Council bodies have begun to examine. Formal adoption of the Regulation will obviously not be able to take place until the entry into force of the Treaty on European Union.

As for the financial aspects, the Commission's proposals of February 1992 (Delors II package) deal with the future European fund in the chapter entitled 'Structural measures'.

Discussion on these proposals is under way and the Council has therefore not yet taken a decision which would enable it to reply to the Honourable Members.

CORRIGENDA

Corrigendum to the answer to Written Question No 15/92

(Official Journal of the European Communities, No C 247 of 24 September 1992)

(92/C 309/105)

On page 14, in the first line of the first paragraph of the answer and in the fifth line of the second paragraph, delete the word 'draft'.