

Official Journal

of the European Communities

ISSN 0378-6986

C 16

Volume 36

21 January 1993

English edition

Information and Notices

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	I Information	
	European Parliament	
	<i>Written Questions with answer</i>	
93/C 16/01	No 1463/91 by Mrs Brigitte Ernst de la Graete to the Commission Subject: Energy cooperation: assessment	1
93/C 16/02	No 2579/91 by Mrs Hedwig Keppelhoff-Wiechert to the Commission Subject: Tax discrimination against cross-border workers in the German-Netherlands border area	1
93/C 16/03	No 3210/91 by Mr Jean-Pierre Raffarin to the Commission Subject: The legal implications of classifying non-game birds	2
93/C 16/04	No 3242/91 by Mr Gerardo Fernández-Albor to the Commission Subject: Community aid to improve safety at sea	2
93/C 16/05	No 109/92 by Mr Sotiris Kostopoulos to the Commission Subject: Sea turtles	3
93/C 16/06	No 480/92 by Mr Sotiris Kostopoulos to the Commission Subject: The Asmaki irrigation canal in Larissa	3
93/C 16/07	No 481/92 by Mr Sotiris Kostopoulos to the Commission Subject: Poisoned pellets in natural habitats	3
93/C 16/08	No 636/92 by Mr Sotiris Kostopoulos to the Commission Subject: Probable pollution of Lake Mornos	4
93/C 16/09	No 714/92 by Mr Diego de los Santos López to the Commission Subject: Disposal of radioactive nuclear waste in El Cabil (Andalusia)	4
93/C 16/10	No 779/92 by Mr Sotiris Kostopoulos to the Commission Subject: The wetlands of Kerkini	5

<u>Notice No</u>	Contents (continued)	Page
93/C 16/11	No 792/92 by Mr Arthur Newens to the Commission Subject: Comparative state pensions in European Community countries	5
93/C 16/12	No 842/92 by Rinaldo Bontempi, Tullio Regge, Mauro Chiabrando, Maria Magnani Noya, Kenneth Collins and Hugh McMahon to the Commission Subject: Possible lack of funds for the Ouverture programme	7
93/C 16/13	No 849/92 by Mr Wilfried Telkämper to the Commission Subject: Imports of wood from areas with ill-defined rights of use	8
93/C 16/14	No 852/92 by Mr José Lafuente López to the Commission Subject: Restrictions on teaching posts on grounds of nationality	9
93/C 16/15	No 941/92 by Mr Reimer Böge to the Commission Subject: Administrative problems affecting the rapeseed support system	9
93/C 16/16	No 947/92 by Mrs Cristiana Muscardini to the Commission Subject: Approximation of legislation on precious metals	10
93/C 16/17	No 990/92 by Mr James Ford to the Commission Subject: Advertisements for places in the institutions	10
93/C 16/18	No 1059/92 by Lord O'Hagan to the Commission Subject: The status of the denomination ECU	10
93/C 16/19	No 1089/92 by Mr Mihail Papayannakis to the Commission Subject: Environmental pollution at Aghios Theodori	11
93/C 16/20	No 1165/92 by Mrs Brigitte Langenhagen to the Commission Subject: Undesirable environmental consequences in Khalkidiki	12
93/C 16/21	No 1192/92 by Mr Sotiris Kostopoulos to the Commission Subject: Environmental protection of the Amvrakikos Gulf	12
93/C 16/22	No 1232/92 by Mr Mihail Papayannakis to the Commission Subject: Athens—Delphi road through Arachova	13
93/C 16/23	No 1299/92 by Mr Sotiris Kostopoulos to the Commission Subject: Protection of listed buildings in Arachova	13
	Joint answer to Written Questions Nos 1232/92 and 1299/92	13
93/C 16/24	No 1239/92 by Mr Gary Titley to the Commission Subject: Definition of workers' representatives and de-recognition of trade unions	13
93/C 16/25	No 1282/92 by Mr Ernest Glinne to the Commission Subject: 'Refunds' for exports to the Vatican City	14
93/C 16/26	No 1298/92 by Mr Sotiris Kostopoulos to the Commission Subject: Turtles on island of Kos	15
93/C 16/27	No 1347/92 by Mr Sérgio Ribeiro to the Commission Subject: Threatened bankruptcy of the Irmãos Stephens factory and training institute (Marinha Grande — Portugal)	15
93/C 16/28	No 1405/92 by Mr Sotiris Kostopoulos to the Commission Subject: Regional policy in Greece	15

<u>Notice No</u>	<u>Contents (continued)</u>	<u>Page</u>
93/C 16/29	No 1409/92 by Mr Herman Verbeek to the Commission Subject: Illegal trafficking in medicines and growth promoters	16
93/C 16/30	No 1422/92 by Mr Sérgio Ribeiro to the Commission Subject: Application of VAT to cultural goods	16
93/C 16/31	No 1478/92 by Mrs Anita Pollack to the Commission Subject: Health and safety at work for women	17
93/C 16/32	No 1486/92 by Mr José Lafuente López to the Commission Subject: EC regulation of time-sharing	18
93/C 16/33	No 1508/92 by Sir James Scott-Hopkins to the Commission Subject: Health care for travellers	18
93/C 16/34	No 1538/92 by Mr Sotiris Kostopoulos to the Commission Subject: Pollution at the beach Aghio Isidoro on Lesbos	19
93/C 16/35	No 1539/92 by Mr Sotiris Kostopoulos to the Commission Subject: Protection of the Bay of Kalloni	19
	Joint answer to Written Questions Nos 1538/92 and 1539/92	19
93/C 16/36	No 1585/92 by Mrs Brigitte Ernst de la Graete to the Commission Subject: Flood Action Plan in Bangladesh	19
93/C 16/37	No 1588/92 by Mr Jaak Vandemeulebroucke to the Commission Subject: Stride programme	21
93/C 16/38	No 1595/92 by Mr Jaak Vandemeulebroucke to the Commission Subject: Structural policy for Belgium	22
93/C 16/39	No 1596/92 by Mr Jaak Vandemeulebroucke to the Commission Subject: Structural funds for the Netherlands	22
	Joint answer to Written Questions Nos 1595/92 and 1596/92	22
93/C 16/40	No 1619/92 by Mr Pol Marck to the Commission Subject: Imports of meat into the United Kingdom	23
93/C 16/41	No 1633/92 by Mr Panayotis Roumeliotis to the Commission Subject: The problems of those returning to Greece from the former Soviet Union	23
93/C 16/42	No 1698/92 by Mr Detlev Samland to the Commission Subject: Language requirements relating to Invitation to Tender No 91/C/262/05	24
93/C 16/43	No 1700/92 by Mr Diego de los Santos López to the Commission Subject: Solid urban waste processing plant in Utrera (Seville)	24
93/C 16/44	No 1703/92 by Mr Edward Kellett-Bowman to the Commission Subject: EC aid to Afghanistan	25
93/C 16/45	No 1762/92 by Mr Sotiris Kostopoulos to the Commission Subject: The mortality rate in Greece	26

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
93/C 16/46	No 1773/92 by Mr Yves Verwaerde to the Commission Subject: Erasmus grants for the 1991/92 academic year	27
93/C 16/47	No 1794/92 by Mrs Anita Pollack to the Commission Subject: Impact of greenhouse effect	27
93/C 16/48	No 1823/92 by Mrs Martine Buron to the Commission Subject: Follow-up to the resolution of the Council and of the Ministers for Social Affairs meeting within the Council on combating social exclusions	28
93/C 16/49	No 1845/92 by Mrs Cristiana Muscardini to the Commission Subject: Verbano di Novara dairy cooperative	28
93/C 16/50	No 1849/92 by Mr Christopher Jackson to the Commission Subject: Diabetics	29
93/C 16/51	No 1897/92 by Mr Henry McCubbin to the Commission Subject: Safeguarding employees' rights in the event of transfers of undertakings	29
93/C 16/52	No 1902/92 by Mr James Ford to the Commission Subject: Dietary supplements	30
93/C 16/53	No 1914/92 by Mr Ian White to the Commission Subject: Animal cruelty at fiestas	30
93/C 16/54	No 1980/92 by Mr Ernest Glinne to the Commission Subject: Transport of plutonium by sea	30
93/C 16/55	No 2005/92 by Mr Alex Smith to the Commission Subject: Transfer of nuclear materials in UK	31
93/C 16/56	No 2007/92 by Mr Alex Smith to the Commission Subject: Toxic waste management	31
93/C 16/57	No 2028/92 by Mr Jacques Vernier to the Commission Subject: VAT: entry into force of the transitional taxation system on 1 January 1993	32
93/C 16/57	No 2117/92 by Mr Mauro Chiabrande to the Commission Subject: Labelling of donated blood	33
93/C 16/59	No 2843/92 by Mr Alonso Puerta to the Commission Subject: Restructuring of the iron and steel sector in Spain	33

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 1463/91

by Mrs Brigitte Ernst de la Graete (V)

to the Commission of the European Communities

*(16 July 1991)**(93/C 16/01)**Subject:* Energy cooperation: assessment

Assessment of the Lomé programmes of action in the ACP countries has brought to light various technical and political problems in respect of energy projects (particularly hydro-electric power stations). It has been shown that certain projects are not feasible because of a lack of funding in the ACP countries concerned, inaccurate economic, environmental and social impact studies or insufficient qualified personnel to supervise and plan the implementation of projects.

Who carried out the assessment and who provided the funding?

Can detailed results be forwarded to Parliament?

What conclusions does the Commission draw from this for future purposes?

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

(8 September 1992)

The assessment of energy projects in ACP countries to which the Honourable Member refers was carried out by Sussex Research Associates Ltd of Britain, in tandem with Lahmeyer International of Germany. The assessment was funded under the Article entitled 'evaluation of the results of Community aid and practical follow-up measures' within the Chapter of the 1986 budget on 'specific measures for cooperation with developing countries'.

The Commission will forward directly to the Honourable Member and to Parliament's Secretariat a copy of the May 1988 summary report on this evaluation of energy projects in ACP countries.

All assessments seek to make it possible to use the lessons of past experience to improve action in the future. In this particular case, thanks to the recommendations of the study (which were turned into 'basic principles' by the meeting of the ACP-EEC Council of Ministers of 6 and 7 May 1991), the departments of the Commission with responsibility for this field now possess guidelines which promise to improve activities in energy-related matters.

WRITTEN QUESTION No 2579/91

by Mrs Hedwig Keppelhoff-Wiechert (PPE)

to the Commission of the European Communities

*(14 November 1991)**(93/C 16/02)*

Subject: Tax discrimination against cross-border workers in the German-Netherlands border area

Tax arrangements for cross-border workers are governed by an agreement concluded by Germany and the Netherlands on 16 June 1959 with the purpose of preventing double taxation. In 1980, a protocol to the agreement laid down that 90% of income must be earned in the country of employment in order to ensure that Dutch cross-border workers were placed on an equal footing with German workers.

However, a Dutch cross-border worker who does not meet the 90% requirement is not entitled to the wages tax annual adjustment in the Federal Republic of Germany.

What will the Commission do to end this discrimination?

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

(26 October 1992)

Under German income tax law, the wages tax annual adjustment (Lohnsteuerjahresausgleich) is available only to persons with unlimited tax liability (unbeschränkte Steuerpflicht), i.e. who have their permanent address or are ordinarily resident in Germany.

Accordingly, frontier workers who have their permanent address in another Member State, except those covered by the additional protocol of 18 March 1980 to the Convention concluded on 16 June 1959 between Germany and the Netherlands with a view to avoiding double taxation, may not benefit from the wages tax annual adjustment.

The Commission takes the view that the exclusion from the annual adjustment of frontier workers who do not have their permanent address or are not ordinarily resident in Germany is an infringement of Article 48 of the EEC Treaty and of Article 7 (2) of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community⁽¹⁾. It has, therefore, initiated infringement proceedings against Germany under Article 169.

⁽¹⁾ OJ No L 257, 19. 10. 1968.

WRITTEN QUESTION No 3210/91

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(28 January 1992)

(93/C 16/03)

Subject: The legal implications of classifying non-game birds

The Muntingh report on hunting calls for certain species of game birds to be protected on the grounds that they are liable to be confused with protected species, when hunters are known for their knowledge of fauna and are perfectly able to distinguish between different species.

Looking at these proposals from a legal point of view, is the Commission aware that the resulting case law will give legal force to what is no more than an approximation?

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

(4 September 1992)

The report referred to by the Honourable Member is not the sort which can have direct legal effects *per se*.

Although the Commission is aware that the report could be used, albeit in combination with many other elements, for interpreting certain provisions of Directive 79/409/EEC, or its amendment, relating to the protection of wild birds, it would point out that this could happen only in exceptional circumstances, and the same applies for all reports or similar documents which may be considered part of the preparation work for Community legislation.

WRITTEN QUESTION No 3242/91

by Mr Gerardo Fernández-Albor (PPE)

to the Commission of the European Communities

(28 January 1992)

(93/C 16/04)

Subject: Community aid to improve safety at sea

The number of vessels lost off the Galician coast (Spain) and the heavy toll in human lives reveal the shortcomings in safety provisions on board these vessels, particularly fishing boats.

Inspections should clearly be carried out to ascertain whether safety measures are complied with on vessels, such as the provision of communication and navigation systems, radio beacons, life-rafts, life-jackets and flares. However, such equipment is sometimes beyond the means of the vessel's owners, despite subsidies from the Galician regional government.

Can the Commission state whether it would be possible, under the fisheries budget, to earmark Community aid to cover approximate 40% of the cost of installing such safety equipment, which is what is required to complement national aid so as to allow an integrated maritime safety plan for the region to be implemented?

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

(29 September 1992)

The Council Regulation on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾ makes provision for the Commission to grant financial assistance for fishing-fleet modernization undertaken by the Member States within multiannual programmes. Eligibility for such contributions is subject to a number of conditions, and the level of funding in the case of the region of Galicia is 35% (it can in certain cases be 40%) of the investment eligible for aid. Part of that investment must be covered by the Member State.

Safety equipment does not, however, appear on the list of categories of eligible investments found in Annex I to the Commission Regulation laying down transitional provisions and detailed rules for the application, as regards measures for the modernization of the fishing fleet, of the Regulation referred to above ⁽¹⁾.

The Commission is currently examining the possibility of amending the implementing Regulation in order to make investment in safety equipment eligible for a Community contribution.

⁽¹⁾ OJ No L 376, 31. 12. 1986.

⁽²⁾ OJ No L 88, 31. 3. 1987.

WRITTEN QUESTION No 109/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(10 February 1992)

(93/C 16/05)

Subject: Sea turtles

Environmental organizations such as the Cephallonia and Ithaca Nature Protection Society are calling upon all the relevant authorities to conduct special environmental studies with a view to preparing a management plan to define conservation zones and the conditions applying to them in the areas where the sea turtles live. They are also calling on Greek state bodies and Community institutions to finance an information programme for inhabitants and visitors, for scientific monitoring of the breeding areas of the sea turtles and the collection of data to improve the conservation effort. What will be the Commission's contribution to a solution to this problem so that the sea turtles will be effectively protected in the Cephallonia and Ithaca area?

Answer given by Mr Van Miert
on behalf of the Commission

(24 September 1992)

The Commission has been supporting action for the protection of sea turtles since 1986. Examples of this include defining areas of protection, laying down management measures and devising information campaigns.

The Commission also intends to give further financial backing in the context of the LIFE regulation to the protection of the most fragile ecosystems and species of the Ionian Sea.

WRITTEN QUESTION No 480/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(9 March 1992)

(93/C 16/06)

Subject: The Asmaki irrigation canal in Larissa

The local authorities of eleven municipalities in Larissa situated near the Asmaki irrigation canal, are planning measures to clean it, since it has been polluted by agricultural and industrial effluent and agricultural chemicals; they argue that if this situation is allowed to continue, the water table will become polluted and the quality and volume of local agricultural production will be directly threatened. Can the Commission say to what extent the area can be cleared up using Community experience in this field and under what conditions Community funding can be granted for measures by the 11 municipalities concerned to clean up the Asmaki canal?

Answer given by Mr Van Miert
on behalf of the Commission

(19 October 1992)

It is true that certain measures relating directly or indirectly to the environment may be co-financed by the Community.

For the details of how financing works, the authorities of the eleven municipalities situated near the irrigation canal referred to by the Honourable Member should consult the competent authorities in Greece.

WRITTEN QUESTION No 481/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(9 March 1992)

(93/C 16/07)

Subject: Poisoned pellets in natural habitats

Because of the alleged damage caused by 'harmful' wild animals, the Ioannina Hunting Association recently requested and obtained from the local Forestry Department authorization to place poisoned pellets in the Vourkopotomo, Papingo and Haradra Aou areas and in the Vikos-Aoos national park, most of which are established game reserves. What view does the Commission take of what amounts to the extermination of 'harmful' wild animals?

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

(4 September 1992)

The Greek authorities have informed the Commission that the placing of poisoned bait in the Ioannina region is intended exclusively for the control of foxes (*vulpes vulpes*). This bait is not placed in the central area of the Vikos Aaos National Park. The Greek authorities have given an assurance that precautions are taken by the local forestry services to minimize the detrimental impact on other species.

WRITTEN QUESTION No 636/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(23 March 1992)

(93/C 16/08)

Subject: Probable pollution of Lake Mornos

Domestic sewage and waste and effluent from sheepfolds and pigsties in all of Upper Doridos, consisting of 20 villages or more, ends up in Lake Mornos and, consequently, the Athens water supply. It is reported that the Athens water company is unable to cope with all the probable forms of pollution with the present water filtration system, in particular with contamination caused by viruses. Will the Commission urge the Greek Government

1. to modernize the filtration system used for the Athens water supply and
2. take immediate measures to protect the source, Lake Mornos?

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

(23 September 1992)

As with all types of water distributed for human consumption, the quality of the drinking water supplied by EYDAP must comply with Directive 80/778/EEC relating to the quality of water intended for human consumption ⁽¹⁾.

The information which the Commission has at present is not a sufficient basis for assuming that the waters of Lake Mornos are of poor quality and, as such, fail to comply with Directive 75/440/EEC concerning the quality required of surface water intended for the abstraction of drinking water in the Member States ⁽²⁾.

If the Honourable Member has any information which contradicts this assessments, the Commission would ask him to notify it.

⁽¹⁾ OJ No L 229, 30. 8. 1980.

⁽²⁾ OJ No L 194, 25. 7. 1975.

WRITTEN QUESTION No 714/92

by Mr Diego de los Santos López (ARC)

to the Commission of the European Communities

(6 April 1992)

(93/C 16/09)

Subject: Disposal of radioactive nuclear waste in El Cabril (Andalusia)

The European Community intends to extend the Community Action Programme for Radioactive Waste from 1993 to 1999. The Commission takes the view that, for the continuation of this plan, the problem of nuclear waste and particularly its safe administration and final disposal is one of the most important nuclear issues of our decade.

With regard to the results of the action programme:

Can the Commission give information concerning the solutions proposed for waste storage in El Cabril (Andalusia)?

What waste administration and storage problems have arisen in El Cabril and what solutions have been put forward?

Are there now, or have there ever been any type of restriction on Community trade, in particular in agricultural products from El Cabril and the surrounding area for reasons relating to radioactive contamination?

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

(20 October 1992)

1 and 2. A facility for the temporary storage of low and medium-activity radioactive waste has been in service on the El Cabril site since 1961. This facility became the property of the Spanish National Radioactive Waste Agency (ENRESA) in 1986 and currently consists of three buildings which are able to provide temporary storage for roughly 15 000 waste packages originating in research centres, hospitals, industry and nuclear power plants.

Moreover, in agreement with the 'General plan for radioactive wastes' approved by the Spanish Government, ENRESA was authorized, in 1989, to build an installation that is capable of storing low and medium-activity radioactive waste that has already been produced and waste, the production of which is planned in Spain up to the year 2000. The design of that new facility is in line with an international approach that has already been

adopted, i.e. that of surface storage using a system of engineered barriers in order to confine the radioactivity of the waste packages. That approach is used in particular in France at the La Manche storage centre and will be used for the new Aube storage centre which was placed in service in February 1992.

However, the design of the El Cabril facility differs in a number of specific aspects, the most noteworthy in the scope for recovering any wastes stored at any given moment, as required by the safety authority. The facility will have a capacity of 35 000 m³ and is planned to enter into service in the summer of 1992.

3. The Commission is unaware of any radioactive contamination incident linked with the temporary storage facility that has been in service since 1961. The new storage facility has been designed to avoid any of radioactivity escapes towards the outside once it has entered into operation.

On 28 November 1991 the Spanish authorities supplied the Commission with general data relating to the intended discharge of radioactive effluents from that new facility in accordance with Article 37 of the Euratom Treaty.

It emerges from examination of those general data that implementation of that project is unlikely to involve any health hazards for the population of any other Member States.

It should be noted as regards, in particular, agricultural products from the El Cabril region that the Spanish authorities are responsible for ensuring compliance with the directives laying down the basic standards ⁽¹⁾ which include annual dose limits for the population, whatever the exposure routes under consideration.

As regards the maximum permissible radioactive contamination levels specific to foodstuffs and animal feeds, the Community regulation ⁽²⁾ concerning this matter is restricted to instances of radiological urgency.

⁽¹⁾ Directives 80/836/Euratom, OJ No L 246, 17. 9. 1980 and 84/467/Euratom, OJ No L 265, 5. 10. 1984.

⁽²⁾ Regulations (Euratom) No 3954/87, OJ No L 371, 30. 12. 1987, (Euratom) No 2218/89, OJ No L 211, 22. 7. 1989, (Euratom) No 944/89, OJ No L 101, 13. 4. 1989 and (Euratom) No 770/90, OJ No L 83, 30. 3. 1990.

WRITTEN QUESTION No 779/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(6 April 1992)

(93/C 16/10)

Subject: The wetlands of Kerkini

The wetlands of Lake Kerkini in the prefecture of Serres are at risk. The ecological group of Serres prefecture cultural centre claims that some state authorities view the

lake solely as a reservoir and that plans are being drawn up to increase the height of the dam wall. However, if the height of the dam wall and the average water level are increased, this will inevitably destroy the wetlands and in particular the abundant birdlife of Kerkini. Does the Commission consider these measures by Greece will violate Directive 79/409/EEC ⁽¹⁾ on the protection and conservation of wild birds? Does the Commission intend to recommend that the Greek Government abort all plans to increase the height of the dam, especially since the Ministry of the Environment and Regional Planning had previously announced that a Kerkini wetland information centre would be set up by 1994?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

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

(24 September 1992)

Since the area in question has been classified by Greece as a special protection area in accordance with Article 4 of Directive 79/409/EEC, Greece is obliged to take appropriate measures in order to avoid, in that area, the pollution or deterioration of habitats and also disturbances affecting birds where that effect is significant.

A means of implementing that obligation could be to submit any project that is likely to have an effect on the area to an assessment of its repercussions on the environment and in particular on its potential for preserving wild birds, and only to issue an authorization where there is no negative effect.

With this in mind the Commission will ask for detailed information on the facts mentioned by the Honourable Member and shall take any measures required.

WRITTEN QUESTION No 792/92

by Mr Arthur Newens (S)

to the Commission of the European Communities

(6 April 1992)

(93/C 16/11)

Subject: Comparative state pensions in European Community countries

Further to the answer given by the Commission to Written Question No 2620/88 ⁽¹⁾ by my colleague, Mr Edward Newman on the relative value of state pensions in European Community Member States, expressed in purchasing power standard ECU, would the Commission now provide an up-date, calculated for a single person at

his/her legal retirement age after a full contribution career, for as recent a date as available figures permit?

(¹) OJ No C 262, 16. 10. 1989, p. 58.

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

(15 October 1992)

Eurostat has carried out a study on 'Old-age income replacement ratios at the time of retirement' which gives the ratio of end-of-career pay (in 1989) to the pension first payable (1 January 1990). The comparability of these data is guaranteed by the application of a method

common to all twelve Member States. Calculations have been made for a number of eventualities concerning levels of pay, length of career, sex and composition of the household; they take account of the tax burden so as to produce net ratios.

The data in the following table are taken from the study and include the replacement ratios for a pensioner with no dependants and a full contribution career. The figures relate to 'compulsory' pensions, i.e. those paid under social security schemes and compulsory supplementary schemes (¹), with voluntary supplementary pensions and income from personal savings (third pillar) being excluded. Three hypotheses are presented: an end-of-career wage equal to 2/3, 100% and 200% of the average wage of workers in manufacturing industry (²).

Gross and net replacement ratios for compulsory retirement pension

Person without dependent spouse — full contribution career

Country	Gross annual amount of pension		Gross replacement ratio	Net annual amount of pension		Net replacement ratio
	in national currency	in ecus		in national currency	in ecus	
2/3 average wage						
Belgium	286 196	6 719	59%	286 196	6 719	81%
Denmark	61 488	7 801	51%	59 464	7 545	83%
Germany	15 425	7 621	53%	14 435	7 131	72%
Greece	1 078 112	5 726	112%	1 043 140	5 540	125%
Spain	837 270	6 388	90%	818 364	6 244	98%
France	51 824	7 489	78%	50 580	7 309	96%
Ireland	3 245	4 219	44%	3 110	4 044	57%
Italy	12 444 000	8 200	78%	11 533 000	7 600	91%
Luxembourg	425 466	9 989	76%	383 320	9 000	86%
Netherlands	14 344	6 275	50%	13 676	5 982	66%
Portugal	374 486	2 092	77%	374 486	2 092	89%
United Kingdom	2 926	3 939	42%	2 926	3 939	53%
100% average wage						
Belgium	342 844	8 049	47%	342 844	8 049	73%
Denmark	61 488	7 801	34%	59 464	7 545	60%
Germany	23 140	11 432	53%	21 654	10 698	77%
Greece	1 407 112	7 473	98%	1 313 901	6 978	107%
Spain	1 256 878	9 590	90%	1 133 666	8 650	97%
France	68 347	9 876	69%	65 152	9 415	88%
Ireland	3 245	4 219	29%	3 110	4 044	42%
Italy	18 696 000	12 320	78%	16 094 000	10 605	89%
Luxembourg	563 832	13 238	67%	481 317	11 301	78%
Netherlands	14 344	6 275	33%	13 676	5 982	49%
Portugal	561 722	3 138	77%	561 722	3 138	94%
United Kingdom	3 446	4 639	33%	3 434	4 623	44%

Country	Gross annual amount of pension		Gross replacement ratio	Net annual amount of pension		Net replacement ratio
	in national currency	in ecus		in national currency	in ecus	
200% average wage						
Belgium	526 307	12 357	36 %	434 122	10 193	53 %
Denmark	61 488	7 801	17 %	59 464	7 545	37 %
Germany	34 709	17 148	39 %	32 448	16 031	63 %
Greece	2 504 992	13 304	87 %	2 055 360	10 916	97 %
Spain	2 509 290	19 146	90 %	2 055 633	15 685	97 %
France	117 600	16 993	59 %	102 334	14 787	75 %
Ireland	3 245	4 219	15 %	3 110	4 044	26 %
Italy	39 333 000	25 919	82 %	31 326 000	20 642	94 %
Luxembourg	905 884	21 269	54 %	692 344	16 255	69 %
Netherlands	14 344	6 275	17 %	13 676	5 982	27 %
Portugal	1 123 450	6 275	77 %	1 102 168	6 156	102 %
United Kingdom	4 876	6 565	23 %	4 507	6 068	30 %

Two remarks should be made concerning the Honourable Member's choice of parameters: the hypothesis of a single pensioner produces significantly different results to those for a person with a dependent spouse, and the notion of full contribution career is not identical in all 12 countries. The following figures have been used:

Belgium	45 years
Denmark	40 years
Germany	45 years
Greece	35 years
Spain	35 years
France	37,5 years
Ireland	40 years
Italy	35 years
Luxembourg	40 years
Netherlands	40 years
Portugal	37 years
United Kingdom	45 years

The study will be published shortly. An update indicating the ratios in January 1992 for pensioners who retired in 1990 and 1992 is planned for next year.

(¹) Denmark, Greece, France.

(²) Eurostat has preferred to use data that are broadly available, reliable and comparable rather than values which are theoretically more appropriate or more detailed but which would involve a fair measure of estimation.

WRITTEN QUESTION No 842/92

by Rinaldo Bontempi (GUE), Tullio Regge (GUE), Mauro Chiabrande (PPE), Maria Magnani Noya (S), Kenneth Collins (S) and Hugh McMahon (S)

to the Commission of the European Communities

(14 April 1992)

(93/C 16/12)

Subject: Possible lack of funds for the Ouverture programme

It should also be pointed out that the replacement ratio guaranteed by 'compulsory pensions' must be adjusted if account is taken of non-compulsory supplementary schemes, especially in those countries in which statutory pensions are essentially calculated at a flat rate without reference to the level of wages (Ireland, United Kingdom, Netherlands, Denmark). This important aspect has been included in the scope of the study.

In December 1990 the Commission provided about LIT 7,5 billion for a number of projects in Piedmont (Italy), Strathclyde (UK), Asturias (Spain) and Saarland (Germany) as part of the East/West Ouverture programme (network arrangements for regions and towns). 22 projects are now operational and others (including 27 in Italy) are expected to be submitted to the Commission for 1992. To date, the networks set up under

the Ouverture programme are proving particularly successful both for Eastern partners and small and medium-sized undertakings in the regions concerned.

However, there appears to be a strong likelihood that the Commission will not provide further financing, and that projects in the second and third stage of the programme will not be approved, thereby seriously damaging our credibility in the eyes of our Eastern European partners.

Does the Commission not consider that it should take measures to ensure that funding can be continued, particularly since some of the appropriations earmarked for the PHARE programme, to which Ouverture is linked, were not used in 1991?

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

The Ouverture programme was approved in December 1990 for Community funding under Article 10 of the ERDF regulation ⁽¹⁾. It was proposed by four regional authorities — Strathclyde, Piemonte, Asturias and Saarland — as a programme to assist the less favoured areas of the Community in establishing contact and exchanging information and experience with counterparts in central and eastern Europe. Participation in the programme is open to all regional authorities. The total cost of the programme as proposed to the Commission was ECU 8,39 million for the period 1991/93, of which the Community's contribution was agreed at ECU 4,89 million.

Towards the end of 1991 the regions asked for an increase in the Community's contribution to Ouverture in view of the higher than expected demand for participation by regional and local authorities. The Commission was not able to approve this request but agreed to review the position at the end of 1992 in the light of experience of the programme at that time and the level of resources then available under Article 10 of the ERDF regulation. During 1992 further projects are being funded under Ouverture from funds still at its disposal although it is clearly not possible to accept every project that is put forward. The Commission also approved for Community funding in 1991 another east-west programme (Ecos) proposed by the Council of European Municipalities and Regions. Ecos will receive Community aid amounting to ECU 4,84 million between 1992/94 thus providing additional resources to regional and local authorities for east-west contact and exchange of experience.

All funds available to the Phare programme were fully committed in 1991.

⁽¹⁾ OJ No L 374, 31. 12. 1988.

WRITTEN QUESTION No 849/92

by Mr Wilfried Telkämper (V)
to the Commission of the European Communities
(14 April 1992)
(93/C 16/13)

Subject: Imports of wood from areas with ill-defined rights of use

How many wood products imported into the EC are from areas with ill-defined land rights and rights of use?

1. Is the Commission aware that in British Columbia (Canada) forest clearance operations are carried out even in instances where the land rights, rights of use and ownership of the Indian nations, the government and the timber industry have not been defined?
2. Is the Commission aware that the UN Human Rights Commission has found Canada guilty of infringing Article 27 of the International Covenant on Civil and Political Rights because of the illegal extraction of raw materials from the territory of the Lubicon Cree and the destruction of their subsistence economy?
3. What consequences does this have for the Community's policy on wood imports?

**Answer given by Mr Andriessen
on behalf of the Commission**
(11 September 1992)

1. The Commission is aware that land use rights in British Columbia are currently defined by the Canadian constitution, by provincial laws and regulations, and by existing treaties between the government and aboriginal groups in BC. The Commission is also aware that the government of British Columbia has expressed its intention to negotiate modern treaties reflecting the full range of aboriginal title to parts of British Columbia, an intention having the support of BC's native peoples. All forestry companies in BC must comply with the existing system of forest and tree farm licensing, which takes into account, inter alia, the interests and concerns of those aboriginal groups claiming title to such lands. In future such firms will also be compelled to comply with the provisions of the modern treaties to be negotiated between the province and all aboriginal groups in British Columbia.

2. The Human Rights Commission has confirmed that an obligation to the Lubicon Cree exists — an obligation which the Government of Canada acknowledges. That Commission also found that the offer which Canada had made was fair, would meet Canada's obligations under the International Covenant on Civil and Political Rights,

and constituted an appropriate remedy. The Lubicon leadership has so far refused to accept the Canadian offer.

3. The Commission draws no conclusions from the above facts pertaining to the Community's policy on wood imports.

WRITTEN QUESTION No 852/92

by Mr José Lafuente López (PPE)

to the Commission of the European Communities

(14 April 1992)

(93/C 16/14)

Subject: Restrictions on teaching posts on grounds of nationality

In some Member States, such as Spain, university posts at professorial level may only be offered to nationals, on the grounds that a university professor is a state official by definition. This circumstance requires reconsideration in view of the principle of the free movement of professionals in the Community.

The situation appears all the more anomalous given that some of the present leading academic and political figures in Spain have at some point taught in universities in other Member States, without any obstacles being placed in their way by the host country. Nonetheless, in Spain persons of other nationalities may only be visiting or associate professors, and not titular professors.

Does the Commission consider, in view of the removal of barriers in the EC as from 1993, that the existing rules in Spain are compatible with the Community provisions on the free movement of professionals?

Answer given by Mrs Papandreou
on behalf of the Commission

(11 September 1992)

The matter raised by the Honourable Member is related to the general proceedings which the Commission has commenced against several Member States with a view to enabling Community nationals to gain access to posts in certain public services.

These proceedings relate, amongst others, to teaching posts at all levels which, according to the judgments given by the Court of Justice in Cases 66/85, 33/88 and C-4/91, cannot be considered as 'public service employment' within the meaning of Article 48 (4) of the EEC Treaty.

In response to the official notice served upon it, the Spanish government has notified the Commission of a draft law shortly to be placed before the Spanish parliament affording Community nationals access to teaching posts in the public sector. Under the terms of the bill, the categories and grades be opened up to EC citizens will be determined at a later stage.

The infringement proceedings will be continued until such time as the national provisions are brought into line with Community law.

WRITTEN QUESTION No 941/92

by Mr Reimer Böge (PPE)

to the Commission of the European Communities

(15 April 1992)

(93/C 16/15)

Subject: Administrative problems affecting the rapeseed support system

The implementation and monitoring of the new rapeseed support system is causing considerable administrative costs in certain regions or Member States of the Community.

1. Does the Commission consider that the 'processing fee' deducted by national authorities from rapeseed support payments is compatible with Community law?
2. How many staff does it consider that the Schleswig-Holstein authorities need, with 120 000 hectares of rapeseed, and 8 000 applicants and about 400 applications to process in detail?
3. Is the Commission prepared to review its proposal for the introduction of an integrated administration and monitoring system to avoid excessive costs to Member States in the introduction of the new support system?

Answer given by Mr Mac Sharry
on behalf of the Commission

(9 July 1992)

1. Article 2 (2) of Regulation (EEC) No 615/92 ⁽¹⁾ prohibits the administration from making any charges to producers.

2. The number of man-hours involved in checking applications will depend on the control system adopted. The Commission Regulation includes provision for control through remote sensing (financed in part by the EC budget) specifically to help minimize labour input. In the final analysis the question may only be answered by those responsible locally.

3. The Commission is determined to protect the Community budget from the possibility of fraud through a vigorous control policy. This control programme will be reviewed as part of consultations on the integrated administration and control system discussions.

(¹) OJ No L 67, 12. 3. 1992.

WRITTEN QUESTION No 947/92

by Mrs Cristiana Muscardini (NI)
to the Commission of the European Communities
(15 April 1992)
(93/C 16/16)

Subject: Approximation of legislation on precious metals

Can the Commission take the necessary measures to ensure that Community legislation on the approximation of national rules concerning the identification, classification and monitoring of precious metals establishes the principle of marking by the manufacturer and the reciprocity of controls carried out in the individual Member States by an authority appointed for this purpose?

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

The Commission's policy on the subject referred to by the Honourable Member consists in encouraging Member States to apply the principle of mutual recognition of provisions which offer equivalent guarantees, and to eliminate unjustified barriers to trade, particularly as regards the standard mark and the sponsor's mark.

In a bid to harmonize existing national legislation, the Commission is currently drawing up a proposal for a directive designed to remove barriers which Member States seek to justify by reference to mandatory requirements.

With this aim in mind, it intends to carry out a study to determine which aspects it should take into consideration in making its proposals. In the process, it will be making contact with the Member States and the industry.

As regards the affixing of the standard mark, the Commission cannot commit itself at this stage as to the final decision which will be taken.

WRITTEN QUESTION No 990/92

by Mr James Ford (S)
to the Commission of the European Communities
(15 April 1992)
(93/C 16/17)

Subject: Advertisements for places in the institutions

Will the Commission say what percentage of advertisements for recruitment to the institutions are placed in the press aimed at women and ethnic minorities?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(8 July 1992)

As the Honourable Member will appreciate, the Commission is unable to comment on the recruitment policy of the other Community institutions.

The Commission is bound by its Staff Regulations to select its officials from among nationals of Member States without reference to race, creed or sex.

However, in line with the Commission's positive action programme for female staff, the notices of competition published in the *Official Journal of the European Communities* contain the words 'The Commission is an equal opportunities employer and particularly welcomes applications from women'.

Furthermore, as experience has shown that advertisements placed in the popular press attract far greater numbers of applicants than those placed in specialized journals, the Commission's notices of competition containing the above wording on equal opportunities are published in the leading daily newspapers of the Member States.

WRITTEN QUESTION No 1059/92

by Lord O'Hagan (ED)
to the Commission of the European Communities
(30 April 1992)
(93/C 16/18)

Subject: The status of the denomination ECU

The European Currency Unit is commonly called the ECU.

1. Is this term part of the legal vocabulary of the Community?

2. Is the name ECU already the official name of the European Currency Unit?
3. Would it be difficult to change that name?
4. If it is possible for the name to be changed, what are the legal processes via which a decision would be made?

**Answer given by Mr Delors
on behalf of the Commission**
(22 September 1992)

1 and 2. Yes.

In conformity with paragraph 6.1 of the European Council resolution of 5 December 1978, which asked the Ecofin Council to take a decision to modify the unit of account used by the European Fund of Monetary Cooperation (EFMC), to introduce the ECU into its operations, and to define its composition, the Council Regulation (EEC) No 3180/78 of 18 December 1978 states that, with effect from 1 January 1979, EFMC operations would be expressed in ECU, defined as a basket of Member States' currencies. Consequently, since then the European Currency Unit has been replaced officially and legally by the ECU. Article 102 A of the EEC Treaty as amended by the Single European Act refers to this denomination.

3 and 4. Article 3a of the Treaty on European Union, signed on 7 February 1992, specifies that the ECU will become the single currency of the Community; the Treaty is due to be ratified by national procedures by the end of this year. With the ECU specified in the new Treaty, therefore, changing its name would be a most cumbersome task (akin to changing any of the Treaty's provisions). Such a change must indeed be re-negotiated and then be ratified by all the Member States pursuant to Article 236 of the EEC Treaty.

from the operations of large industrial plants (Motor Oil Refinery, Fulgor, Sulfur, etc.). As regards air pollution, the main pollutants from the Motor Oil refinery are sulphur dioxide, the average levels of which exceed EEC standards, nitrogen oxides, smells caused by hydrogen sulphides and particles. The sea is also being heavily polluted by effluent from the refinery. Greenpeace measurements have indicated particularly high levels of ammonia, organic nitrogen and the toxic pollutants phenol and chlorophenol.

There are also high levels of heavy metals and oils in water and sediments. Solid waste is a great problem because of the toxicity of certain (e.g. lead-bearing sludge) and of the large percentage of oily mixtures, disposal of which is uncontrolled, and pollution of the subsoil as a result of large-scale oil leaks has recently been discovered. Since important directives (e.g. 84/360/EEC⁽¹⁾, 80/779/EEC⁽²⁾, 76/160/EEC⁽³⁾, 83/513/EEC⁽⁴⁾, 75/442/EEC⁽⁵⁾, 80/68/EEC⁽⁶⁾ etc.) are being contravened and the result is pollution of the environment and public health hazards and there is no real control over industry, will the Commission state whether it

1. Intends to send inspectors to ascertain how far the Greek authorities are applying Community directives in practice, although they have transposed them into national legislation?
2. Intends, if breaches of Community legislation are found, to start proceedings against Greece? and
3. Would consider it desirable to finance the supply and deployment of a mobile monitoring unit in the area?

⁽¹⁾ OJ No L 188, 16. 7. 1988, p. 20.

⁽²⁾ OJ No L 229, 30. 8. 1980, p. 30.

⁽³⁾ OJ No L 31, 5. 2. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 24. 10. 1983, p. 1.

⁽⁵⁾ OJ No L 194, 25. 7. 1975, p. 39.

⁽⁶⁾ OJ No L 20, 26. 1. 1980, p. 43.

WRITTEN QUESTION No 1089/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(30 April 1992)

(93/C 16/19)

Subject: Environmental pollution at Aghios Theodori

Aghios Theodori, an important tourist resort in the 1960s, is faced with enormous environmental problems involving air, sea, soil and ground water pollution, arising mainly

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

(24 September 1992)

The Commission has noted the facts mentioned in the Honourable Member's question. It will be asking the Greek authorities for information and will be taking appropriate action in the light of their response.

In this particular case of Community legislation, there is no provision for sending inspectors. However, the Commission frequently holds meetings with the

authorities in the Member States to keep tabs on the application of Community environment directives.

Funding for the setting up of any monitoring unit is a matter for the Greek authorities, which are obliged to implement the measures provided for by the Community directives.

WRITTEN QUESTION No 1165/92

by Mrs Brigitte Langenhagen (PPE)

to the Commission of the European Communities

(15 May 1992)

(93/C 16/20)

Subject: Undesirable environmental consequences in Khalkidiki

In the region of Khalkidiki, in the northern part of Greece and in a well-known tourist site on the peninsula of Sithonia, a permit has been issued to start a fish-farming industry project which through its operation will ruin not only the landscape but the environment as well.

There has also been some forest destruction in the area of Nikiti village because of works undertaken by the local authorities.

Some denunciations in this respect have been deposited with the relevant Greek authorities by the inhabitants of the region.

The Commission is asked what measures it intends to take so as to put an end to the destruction of the environment in one of Europe's finest tourist areas.

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

(19 October 1992)

A project for the siting of a fish-farming unit such as that planned in the Khalkidiki region of Greece is covered by Annex II to Directive 85/337/EEC if it is for salmon breeding, this being the only type of fish-farming covered by the Directive.

If this is the case, it must be the subject of an impact assessment if it is likely to have significant effects on the environment.

The Commission has funded two fish-farming projects in the Khalkidiki region for two units for the growing-out of

bass and sea bream. One is at Agios Nikolaos (Sithonia) and the other at Mamari (Stratoniki). When the decision to fund the two projects was taken, all necessary permits, in particular those concerning the environment, had been granted.

Before it contacts the Greek authorities, the Commission would therefore like the Honourable Member to let it have more detailed information about the nature and the exact site of the project concerned.

WRITTEN QUESTION No 1192/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(15 May 1992)

(93/C 16/21)

Subject: Environmental protection of the Amvrakikos Gulf

Despite the three environmental protection conventions (Ramsar, Berne and Bonn), the Community's pledges and the innumerable decisions of the Greek Government, the Amvrakikos Gulf is dying. Pollution has reached a critical point. Recently, fish farmers on the northern shore of the gulf found thousands of dead fish. Sewage, waste from olive presses and other pollutants from farms (fertilizers — pesticides) and piggeries are discharged into that area of the gulf. What action does the Commission intend to take to protect the environment of the Amvrakikos Gulf?

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

(23 September 1992)

The Amvrakikos Gulf has been designated by the Greek authorities as a special protection area which falls within the scope of Directive 79/409/EEC on the conservation of wild birds (¹).

In 1990 the Greek authorities adopted laws intended to protect that area. Since these contained provisions that clashed with the Directive the Commission took the necessary action against Greece.

Moreover, the European Parliament has in recent years addressed several questions and complaints to the Commission concerning the destruction of the Amvrakikos Gulf by fishery activities.

After examining the facts underlying the complaints and the answers given by the Greek authorities the Commission introduced an infringement procedure in accordance with Article 169 of the Treaty concerning the improper implementation in Greece of Directive 79/409/EEC and more particularly Articles 3 and 4 thereof.

However, the Commission has been informed that the Greek Council of State has repealed the laws that conflicted with the provisions of Directive 79/409/EEC.

It will examine the matter in the light of that information and will insist upon the proper effective implementation of the Directive in Greece.

(¹) OJ No L 103, 25. 4. 1979.

WRITTEN QUESTION No 1232/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(21 May 1992)

(93/C 16/22)

Subject: Athens—Delphi road through Arachova

The Arachova local council recently decided to widen the central road through the town, which is also a section of the main Athens—Delphi road, a project which threatens to ruin its picturesque and traditional character. Regional planning studies carried out for the area in 1972—74, 1979—80 and 1983 propose the construction of a by-pass to the south of Arachova, and special measures to protect the traditional character of the town. Given that:

1. there are objections from various bodies and experts against the project (e.g. the Directorate for Tourist Development of the Greek Tourist Authority (EOT), the General Directorate for Cultural Development at the Ministry of Culture, the School of Architects of the National Metsovio Polytechnic of Athens (EMP)) and a petition from the residents of Arachova pointing out that it is senseless to persist with the widening scheme when there is an alternative solution,
2. widening the road through the town entails the demolition of the traditional buildings along the road in contravention of the 1922 UNESCO convention on the protection of the cultural and natural environment and the European convention on the protection of Europe's architectural heritage,
3. there has been no study of the traffic problem and no account has been taken of the alternative solutions put forward in the past,

how does the Commission intend to use its powers to prevent the traditional character of the town being ruined and to promote alternative solutions?

WRITTEN QUESTION No 1299/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(5 June 1992)

(93/C 16/23)

Subject: Protection of listed buildings in Arachova

In spite of expert opinion to the contrary, the local authorities in Arachova have decided to go ahead and widen the Athens—Delphi road and pull down some of the traditional buildings in the historic town. The local authority's scheme will destroy 37 listed buildings and two traditional squares. Given the historic nature of Arachova, will the Commission intervene to prevent the Athens—Delphi road being widened by pulling down listed buildings in the town?

Joint answer to Written Questions Nos 1232/92 and 1299/92

given by Mr Van Miert
on behalf of the Commission

(25 September 1992)

The Commission is not aware of a plan to widen the Athens—Delphi road.

This type of project is covered by Annex II to Directive 85/337/EEC, which requires an appropriate environmental assessment to be carried out in advance if the environmental impact of the project in question is considered significant. The construction of bypasses around towns for traffic, environmental and cultural heritage reasons is encouraged by the Commission and has been adopted as one of its priorities in the development of trans-European road networks.

The Commission will request more detailed information on this matter from the Greek authorities.

WRITTEN QUESTION No 1239/92

by Mr Gary Titley (S)

to the Commission of the European Communities

(21 May 1992)

(93/C 16/24)

Subject: Definition of workers' representatives and de-recognition of trade unions

Would the Commission give its view on the authority of an employer to decide that workers' representatives, as defined for example in Directive 75/129/EEC (¹) are no longer to be consulted by virtue of a unilateral decisions by the employer that he has withdrawn the practice of consultation.

1. Would the Commission not agree that commercial bodies who operate a practice of dealing with workers' representatives cannot absolve themselves from these obligations?
2. Would the Commission not also agree that in the case of employment law in the United Kingdom the inclusion of references to 'recognizing' trade unions is in effect an unfair situation which permits an employer to 'derecognize' trade unions and thus stop the practice of consulting with workers representatives?
3. Would the Commission not agree that where a group of workers in a commercial enterprise have democratically elected workers representatives then it is not within the authority of an employer to terminate his responsibility on consultation under Directive 89/391/EEC⁽¹⁾ on health and safety by refusing to deal with them in cases when it was past practice to do so?

⁽¹⁾ OJ No L 48, 22. 2. 1975, p. 29.

⁽²⁾ OJ No L 183, 29. 6. 1989, p. 1.

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

(11 September 1992)

The Commission would refer the Honourable Member to the Eighth Annual Report to the European Parliament on monitoring of the application of Community law — 1990⁽¹⁾, which cites an infringement procedure against the United Kingdom on non-conformity of British law with Directive 75/129/EEC as regards the specific problem referred to in his question. The same procedure has been initiated in respect of Directive 77/187/EEC (transfers of undertakings)⁽²⁾.

The Commission can therefore reply affirmatively to the first two questions put by the Honourable Member, and this is the reason for the infringement procedures.

On the other hand, the time allowed for implementation of Directive 89/391/EEC (health and safety framework Directive) has not yet run out. The Commission does not feel that it is appropriate to issue an opinion on the application of this Directive in the United Kingdom before it has been notified of the national implementing measures.

⁽¹⁾ COM(91) 321 final; OJ No C 338, 31. 12. 1991, p. 32.

⁽²⁾ OJ No L 61, 5. 3. 1977.

WRITTEN QUESTION No 1282/92

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(4 June 1992)

(93/C 16/25)

Subject: 'Refunds' for exports to the Vatican City

In the answer given by President Delors to my Written Question No 2107/91⁽¹⁾, it is stated that 'the customs convention between Italy and Vatican City and the provisions adopted for its implementation stipulate that Community agricultural products exported to the Vatican City, and to institutions and offices of the Holy See outside that State Vatican City if they are intended for consumption at those institutions and offices, qualify for the refunds under Community rules on exports of agricultural products to third countries. A form issued by the Governatorato dello Stato della Città del Vaticano is used to certify that the products in question are intended for consumption'.

I should like to know the names of the institutions and offices referred to, the number of persons officially or permanently resident there, and the total territorial and extra-territorial population of the Vatican in 1988, 1989 and 1990. Is the information given on the form checked, or is it automatically assumed to be accurate?

Does the certification consist simply of a letter or is it a detailed form? To whom is the document returned?

⁽¹⁾ OJ No C 78, 30. 3. 1992, p. 33.

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

(4 September 1992)

The list of institutions and offices of the Holy See referred to in the answer to Written Question No 2107/91 will be sent direct to the Honourable Member and Parliament's Secretariat.

The Commission has no information about the total population — territorial or extraterritorial — of Vatican City in 1988, 1989 and 1990, since this is not a statistic provided by the Statistical Office of the European Communities. However, the Commission will contact the Statistical Institute in Rome and will send direct to the Honourable Member whatever information it receives on this subject.

The release for home use of Community agricultural products qualifying for export refunds is certified by the submission of a detailed form issued by the 'Governatorato dello Stato della Città del Vaticano' to the 'porto fluviale' section of the Rome customs office. The

certificate thus issued, i.e. by an official body, is regarded as an official document.

WRITTEN QUESTION No 1298/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(4 June 1992)

(93/C 16/26)

Subject: Turtles on island of Kos

A large number of turtles live on the Greek island of Kos. The local conservation group has pointed out that the species caretta-caretta, the marine green turtle (*chelonia mydas*) and the leather-back species lay their eggs there. Bearing in mind that recently more than 50 turtles were found on beaches on the island dead or injured, what measures will the Commission take to prevent the extinction of the turtles living on Kos?

Answer given by Mr Van Miert
on behalf of the Commission

(24 September 1992)

According to the Commission's information, only a small number of *Caretta caretta* lay their eggs on the island of Kos.

The other two species are present on the island only by chance.

According to the study 'Determination of nesting habits of *Caretta caretta* in Greece', a copy of which will be sent to the Honourable Member and to the Secretariat-General of the European Parliament, the island of Kos would not appear to be a priority area.

Since the Commission prefers to concentrate its efforts on the most important areas, it does not for the moment have any programmes or projects concerning the island of Kos.

WRITTEN QUESTION No 1347/92

by Mr Sérgio Ribeiro (CG)

to the Commission of the European Communities

(5 June 1992)

(93/C 16/27)

Subject: Threatened bankruptcy of the Irmãos Stephens factory and training institute (Marinha Grande — Portugal)

The Irmãos Stephens factory and training institute in Marinha Grande (Portugal) is threatened with

bankruptcy, and over 400 jobs are thus at risk. This company possesses a relatively young, highly skilled workforce; it is essential to protect the interests of the students, lecturers, technicians, researchers and designers who have jointly built up its reputation. The company is also well-equipped in technological terms to compete successfully on the international market. A plan for the economic and financial recovery of the company exists, and it is a matter of public knowledge that under the Thermie programme approximately Esc 500 000 000 could be reinvested in the enterprise.

Is the Commission aware of this situation, and can it state whether the Portuguese Government has submitted any project aimed at making a financial contribution to the viability of this company under the Thermie programme?

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

(20 October 1992)

Invitations to submit projects for financial support under the Thermie Programme are published in the *Official Journal of the European Communities*, in accordance with Article 8.1 of the Thermie regulation⁽¹⁾. Projects must meet the conditions set out in the regulation, in particular those in Article 6.1.

There is no invitation to submit Thermie projects which is currently open. Any project which may be received from FEIS in response to a future invitation will be assessed in accordance with the normal administrative procedures.

⁽¹⁾ Council Regulation (EEC) No 2008/90 of 29 June 1990 — OJ No L 185, 17. 7. 1990.

WRITTEN QUESTION No 1405/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/28)

Subject: Regional policy in Greece

Article 198 of the new European Treaty of Maastricht is a great step forward. It sets up a Committee of the Regions with substantial powers to make recommendations on regional matters to the Council of Ministers. Greece is the only country that will be represented by appointed delegates while the lack of an integrated regional

(autonomous and elected) structure will deprive it of Community structural and Social Fund programmes and resources. Will the Commission take steps with a view to decentralization in Greece?

**Answer given by Mr Millan
on behalf of the Commission**
(23 September 1992)

Article 198a of the Treaty on European Union stipulates that the Committee of the Regions must be made up of representatives of regional and local bodies and that its membership be appointed by the Council acting unanimously on proposals from the respective Member States.

The Commission would have liked a Committee of the Regions made up of elected members. However, the Member States have very different institutional structures which are exclusively within their purview. For this reason, the final text of Article 198a calls on the Member States to propose representatives of regional and local bodies appointed in accordance with their own national law.

WRITTEN QUESTION No 1409/92

by Mr Herman Verbeek (V)
to the Commission of the European Communities
(16 June 1992)
(93/C 16/29)

Subject: Illegal trafficking in medicines and growth promoters

According to a report in *De Boerderij* of 24 March 1992, 12% of veterinary medicines in the Netherlands are thought to be purchased illegally (that is, without the knowledge of a veterinary surgeon); in Germany this proportion is said to be in the region of 22%, in Ireland 40% and in Italy 70%. Furthermore, in 1990 more than Hfl 1 million is thought to have been spent in Europe on banned growth promoters manufactured in Argentina, Bulgaria and other countries.

1. Do the above figures agree with information available to the Commission?
2. What solutions does the Commission propose to halt the black market in antibiotics and growth promoters, in particular?
3. Does the Commission agree that the proposal to legalize the use of growth promoters in the livestock industry must be emphatically rejected?

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

1. The Commission has no official data confirming or denying the figures published in *De Boerderij* concerning the illegal sale of veterinary medicines.

2. The national authorities, not the Commission, are responsible for policing the distribution network (imports, manufacturing, sales) of pharmaceutical raw materials and veterinary medicines. In the case of antibiotics, Council Directive 86/469/EEC⁽¹⁾ provides that 0,1% of slaughtered animals must be subject to analysis to detect residues in meat (certain Member States test a larger percentage, for their own reasons). Where results are positive, provision is made for an investigation to be carried out on the farm of origin to ascertain the reasons for the presence of residues (illegal use or use which does not comply with the regulations). In the case of growth promoters, Member States carry out a consistent number of analyses which uncover, via the investigation at the farm origin, of networks illegally selling these substances.

3. The Commission does not intend to reconsider Council Directive 81/602/EEC⁽²⁾ concerning the prohibition in livestock of certain substances having a hormonal or thyrostatic action.

In addition, the Commission is currently exploring available ways of achieving better control over the legal use in veterinary medicine of medicines based on beta-agonists. It is also planning to amend Directive 86/469/EEC concerning the examination of animals and fresh meat for the presence of residues, with a view to strengthening measures to control the black market in legal and illegal substances, particularly beta-agonists, thereby hopefully enabling the Member States to be more effective in this area.

⁽¹⁾ OJ No L 275, 26. 9. 1986.

⁽²⁾ OJ No L 222, 7. 8. 1981.

WRITTEN QUESTION No 1422/92

by Mr Sérgio Ribeiro (CG)
to the Commission of the European Communities
(16 June 1992)
(93/C 16/30)

Subject: Application of VAT to cultural goods

Given that of the 12 Member States, Portugal, Ireland, Great Britain and Italy apply a zero rate of VAT to

literary and artistic works; given that, under Article 28 (2) of Council Directive 77/388/EEC ⁽¹⁾ Portugal is not obliged to alter these arrangements until 1997 after a transitional period allowing time to introduce compensatory measures; having regard to the resolution adopted by the International Confederation of Associations of Authors and Composers which calls for the lowest rate (zero) to be applied to books as part of an effective policy to promote cultural goods; whereas these goods should be treated differently in the interests of culture; will the Commission say how it interprets the fact that the Portuguese Government in the 1992 state budget Act provides for VAT to be levied on cultural goods, and notably books, and justifies this decision with reference to its commitment to fiscal harmonization undertaken in the EC?

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

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

(8 September 1992)

Under the terms of the agreement reached by the Ecofin Council of Ministers in June 1991, Member States which, on 1 January 1991, applied zero rates of VAT in accordance with Community law will be permitted to retain such zero rates on a transitional basis beyond 1992. An agreement has been reached in the Council of 24 June 1991, confirmed on 27 July 1992, which makes legal provision both for this continuation of certain zero rates and for the optional application of a reduced rate of VAT (5% or more) to certain items of cultural interest, including books. It follows that the recent decision to abolish all VAT zero rates applied in Portugal is entirely a matter for the Portuguese authorities.

WRITTEN QUESTION No 1478/92

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/31)

Subject: Health and safety at work for women

Will the Commission undertake a review of the reproductive hazards at work in all the Member States?

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

(8 September 1992)

The Commission does not feel that there is at present a need to proceed with a general review of occupational hazards to reproductive functions as a specific issue.

The Commission is well aware of the need to protect workers against such hazards and has taken a number of steps to address the problem.

Thus, the Commission has proposed a series of directives on occupational safety and health which deal, directly or indirectly, with risks to reproductive functions. Several directives are particularly relevant in this context, namely Council Directive 89/391/EEC ⁽¹⁾ (the 'framework' directive), Council Directive 90/269/EEC ⁽²⁾, Council Directive 90/270/EEC ⁽³⁾, Council Directive 90/394/EEC ⁽⁴⁾ and Council Directive 90/679/EEC ⁽⁵⁾.

Moreover, within the framework of Council Directive 80/1107/EEC ⁽⁶⁾ as amended by Council Directive 88/642/EEC ⁽⁷⁾ which contains measures for the protection of workers from the risks related to exposure to chemical, physical and biological agents at work, the Commission is pursuing its activities on the establishment of indicative limit values at Community level, which reflect expert evaluations based on scientific data, including data on reproductive toxicity.

The Honourable Member will also appreciate that the Council Directive concerning measures to encourage improvements in the safety and health of pregnant workers, women workers who have recently given birth and women who are breastfeeding, once it is adopted will provide a comprehensive system of protection against risks to reproductive functions of a large group of female workers.

Furthermore, a separate body of Community legislation exists relating to the classification, packaging and labelling of dangerous chemicals which allows *inter alia* the identification of chemicals with effects on the reproductive capacity of individuals.

Finally, the Commission has prepared scientific evidence on the reproductive toxicity of 30 chemicals and intends to publish the monographs prepared in collaboration with an ad hoc working group of experts.

⁽¹⁾ OJ No L 183, 29. 6. 1989.

⁽²⁾ OJ No L 156, 21. 6. 1990.

⁽³⁾ OJ No L 196, 26. 7. 1990.

⁽⁴⁾ OJ No L 374, 31. 12. 1990.

⁽⁵⁾ OJ No L 327, 3. 12. 1980.

⁽⁶⁾ OJ No L 356, 24. 12. 1988.

WRITTEN QUESTION No 1486/92
by Mr José Lafuente López (PPE)
to the Commission of the European Communities
 (16 June 1992)
 (93/C 16/32)

Subject: EC regulation of time-sharing

There has been a recent upsurge in the practice of acquiring tourist accommodation shared by a number of owners, a system whereby the buyer acquires the right to use the property for part of the year, sharing it with other buyers so that the property is in use throughout the year.

Owing to its newness, this form of property ownership has met with a legal vacuum in many EC Member States, including Spain, one of the regions where the practice has been most widespread.

As this legal vacuum has led to irregularities of all kinds, some of them damaging to *bona fide* buyers, does the Commission not consider that it should promote EC regulation of time-sharing, so as to bridge the existing legal gap and protect the rights of *bona fide* buyers?

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

On 20 May 1992 the Commission adopted a proposal for a Directive concerning the protection of purchasers in contracts relating to the utilization of immovable property on a timeshare basis.

The protection envisaged by the proposal is based on three fundamental elements:

- (a) a pre-contractual element concerning general information for the consumer: under the terms of the proposal, the vendor is required to make available to any potential purchaser, in writing, full and detailed information on the product and service covered by the contract; such information must, moreover, be provided in a language with which the consumer is familiar;
- (b) a contractual element, with the proposal stipulating that the contract must contain, at least, the items of information supplied by the vendor prior to signing the contract;
- (c) a post-contractual element, enabling the purchaser to give fuller thought to the obligations arising from the contract and the value of the rights acquired. The

proposal gives the purchaser the right to withdraw from the transaction within a period of 14 days, extended to 28 days in cases where the timeshare right is exercised in a country other than the one in which the purchaser resides. The said period takes effect from the date of signature of the contract.

WRITTEN QUESTION No 1508/92
by Sir James Scott-Hopkins (PPE)
to the Commission of the European Communities
 (16 June 1992)
 (93/C 16/33)

Subject: Health care for travellers

What proposals does the Commission have for the negotiation of medical care facilities for EC nationals away from home, travelling outside the borders of the EC?

Answer given by Mrs Papandreou
on behalf of the Commission
 (14 September 1992)

The coordination of Member States' social security schemes covers employed and self-employed persons who are EC nationals resident in an EC Member State, and members of their families.

Regulation (EEC) No 1408/71 provides for medical treatment for such persons whether resident or staying temporarily (on holiday, for example) in a Member State other than that in which they are insured for social security purposes, i.e. 'the competent State'.

The principal provisions relevant to a temporary stay outside the competent State, are that a person may receive medical treatment if his state of health is such that he needs immediate treatment or if he is authorized to go to another Member State for treatment.

Subject to ratification of the agreement creating a European Economic Area which was signed on the 2 May 1992, from the date of coming into force of the agreement in 1993 similar provisions will apply in relation to medical treatment in the EFTA countries.

In addition, Member States have concluded conventions with non-EC States which contain provisions relating to medical treatment as well as to other social security matters.

There is also a European multilateral agreement ⁽¹⁾ which makes provision for urgent medical care required during a temporary stay in the territory of one of the Contracting Parties. The Convention has been ratified by Germany, Hungary, Sweden, Finland, Norway, Italy, the Netherlands and the Soviet Union (as it was then known).

Particular problems have arisen, however, in relation to Monaco, Andorra and San Marino, which many people mistakenly believe to be covered by the EC coordination provisions, and possible solutions at Community level have been discussed in the Administrative Commission on Social Security for Migrant Workers. It is proposed that negotiations be undertaken on behalf of the Community and Member States with the aim of concluding an agreement which would enable EC nationals covered by Regulation (EEC) No 1408/71 to receive urgently needed medical treatment during a temporary stay in those countries.

⁽¹⁾ Geneva, 17 October 1980. European Agreement concerning the Provision of Medical Care to Persons during Temporary Residence (International Labour Organization and Council of Europe).

WRITTEN QUESTION No 1538/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/34)

Subject: Pollution at the beach Aghio Isidoro on Lesbos

One of the most beautiful beaches on the island of Lesbos — the beach of Aghio Isidoro near Plomari — is threatened by pollution and this obviously poses a threat to the health of the inhabitants and the tourists who swim there. In particular, sewage from the municipalities of Plagia and Trigona is tipped into a stream and finds its way into the sea without any form of treatment. As the local newspaper *Aioleia Nea* reports, the situation is critical. Does the Commission intend to draw the attention of the Greek authorities to the need to set up a biological purification plant in this region?

WRITTEN QUESTION No 1539/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/35)

Subject: Protection of the Bay of Kalloni

The marine environment in the Bay of Kalloni on the island of Lesbos is facing a serious pollution problem:

unless immediate and coordinated action is taken the situation is set to deteriorate. Such are the findings of a report by the National Maritime Research Centre drawn up after researchers from the Institute had investigated the Bay of Kalloni on 5 and 6 March at the request of the Municipality of Polixnito. The report says that environmental pollution is caused by eutrophication, an increase in the nutritional components in the water, resulting in an excessive growth of marine plants. The main source of these components (nitrogen and phosphorous) in the Bay of Kalloni is the agriculture fertilizer residues which reach the sea in large quantities through streams situated at the north end of the Bay. Large quantities of nitrogen and phosphorous also come from effluents from olive oil and other industrial plants; another cause of eutrophication is urban sewage. Does the Commission intend to take any measures to protect the Bay of Kalloni?

Joint answer to Written Questions Nos 1538/92 and 1539/92

given by Mr Van Miert
on behalf of the Commission

(24 September 1992)

The Commission recently proposed and the Council adopted Directive 91/271/EEC concerning urban waste water treatment ⁽¹⁾ and Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources ⁽²⁾.

The implementation of those two directives by the Greek authorities should significantly improve the protection of the marine environment, and in particular that of the Gulf of Kalonis and the beach at Agios Isidoros on the Island of Lesbos.

Moreover the most recent information in the possession of the Commission (1991) shows that the quality of the seawater of the said beach is in line with Directive 76/60/EEC concerning the quality of bathing water ⁽³⁾.

⁽¹⁾ OJ No L 135, 30. 5. 1991.

⁽²⁾ OJ No L 375, 31. 12. 1991.

⁽³⁾ OJ No L 31, 5. 2. 1976.

WRITTEN QUESTION No 1585/92

by Mrs Brigitte Ernst de la Graete (V)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/36)

Subject: Flood Action Plan in Bangladesh

Together with the World Bank, the Asian Development Bank and the UNDP, the European Community is involved in a water resources management programme in

Bangladesh: the Flood Action Plan (FAP). The Plan has not been ratified by the Bangladeshi parliament, and so far the projects carried out in this area have proved ineffective.

Why is the Commission taking part in this programme, and what sums of money are involved?

Was Commission participation dependent on an impact assessment? If so, what are the effects on the environment and the two million people likely to be affected by the FAP?

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

(29 September 1992)

1. The Bangladesh 'Flood Action Plan' comprises 26 different projects, supported by approximately 15 donors, including the Commission and five Member States (Germany, France, Netherlands, Denmark, UK).

Following the disastrous floods of 1987 and 1988, the Government of Bangladesh undertook a comprehensive review of flood policy. A number of studies were carried out and, in June 1989, the Government requested the World Bank to develop and coordinate a five-year Flood Action Plan (1990—95), drawing on these studies, as the first of several stages in the Government's long-term flood control programme. This was endorsed at the G7 Summit held in Paris in July, 1989.

The Flood Action Plan was prepared by the World Bank in close cooperation with the Government of Bangladesh. It was formally endorsed at a meeting of Government of Bangladesh and donor representatives in London, which the World Bank chaired, in December, 1989.

The Action Plan aims at the identification, planning, design and construction of high-priority projects which are not only technically and economically, but also environmentally and socially feasible. The Plan follows a staged approach which will focus in the first years on:

- measures to control flooding and improve drainage in areas bordering the main rivers, their tributaries and distributaries;
- regional studies of flood control and drainage, together with supporting activities, to provide inputs into the planning and design of the main components of this and subsequent Action Plans.

The Action Plan is coordinated by the Government of Bangladesh and the World Bank.

The Action Plan is undertaken in parallel with agricultural and other rural development programmes

and a programme of non-structural measures, including flood warning and flood preparedness.

2. The Commission (co)-finances three components of the Flood Action Plan as follows:

- (a) The Cyclone Protection Study (ECU 2,2 million): designed to minimize damage from cyclones over an area of 1,4 million ha, the study produces the plan for the rehabilitation and construction of coastal embankments and hydraulic structures, operation and maintenance and feeder road construction.

The study was extended last year in order to include experience and damage assessment caused by the April 1991 cyclone. It has among others permitted the launching of a priority works programme for embankment (re)construction during 1992—1994 (equally supported by the Commission) prior to the launching of the main coastal embankment construction project (which the Commission also intends to support together with the World Bank).

- (b) The North Central Regional Study (ECU 1,87 million cofinanced with France). The objectives of the study, one of the five regional water development planning studies included in the Flood Action Plan, are:

- to prepare a water development plan for the North Central Region with emphasis on the flood control, drainage and irrigation measures needed to achieve a sustained development of the regional economy;
- to undertake pre-feasibility studies of the main projects identified in the regional plan for implementation during the Action Plan period (1990—1995);
- to undertake a feasibility study of the 'Jamalpur Priority Project'.

- (c) The River Surveys Project (ECU 12,6 million), a project through which European know how and technology is provided to assist the Government of Bangladesh in undertaking systematic river surveys to collect reliable hydrological and morphological data needed for the planning of Action Plan projects and pilot projects, including flood forecasting and modelling. In addition the project will provide specialized on-the-job training to Bangladesh professionals in the fields of river survey and studies.

A detailed justification for supporting the above three projects was included in the 'Financing Proposals' prepared for and reviewed and endorsed by the EC Committee of Member States representatives (the so-called ALA Committee). A copy of the 'justification'-subchapters for each of the projects is being sent directly to the Honourable Member and to the Secretariat General of Parliament.

3. All project and supporting activities undertaken as part of the Flood Action Plan (FAP) must follow the 'Guidelines for project assessment' developed by the Flood Plan Coordination Organization (FPCO) with the assistance of the FAP-Panel of Experts. As can be seen from the table of contents (see Annex) the guidelines provide for a comprehensive assessment of costs and benefits including for sensitivity and multicriteria analyses. Detailed guidelines are included to assess both social and environmental impacts (Chapter V).

4. The Bangladesh Flood Action Plan was initiated in 1988-89 after the last major floods, i.e. prior to the country's transition to democracy (1991). The new democratically elected government has adopted the Plan and has included the Plan in its core investment programme for the years to come. This is not surprising when the Plan is regarded not as something separate but as a logical extension of water resource development programmes which have been ongoing for decades. The FAP is expected to fill in a number of gaps in the current understanding of the impact of water development projects and develop new project proposals that would avoid the pitfalls of previous approaches. Experience has demonstrated that the current approach of choosing water development projects on an isolated basis often suffers from a number of problems with potentially serious adverse implications for the economic viability and environmental impact of the project. Each of the major geographic regions of Bangladesh exhibits a number of important characteristics that must be considered in designing an appropriate water management regime for that locality.

Approaches to flood control and drainage that rely too narrowly on one preferred solution (such as major river embankments, progressive construction of polders, or 'flood proofing' to live with floods) risk overlooking a range of possible options and sequencing of investments that can provide maximum benefit in terms of flood protection and increased economic activities. Thus the FAP will provide an opportunity for improving the planning of water resource development programmes that overcomes many of the limitations of past approaches and increases the potential benefits in terms of long-term development. Looked at in this way, it is not surprising that the Flood Action Plan has been adopted as a core investment activity by the democratic government.

WRITTEN QUESTION No 1588/92

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(16 June 1992)

(93/C 16/37)

Subject: Stride programme

The documentation on Community initiatives shows the following grants to Belgium in 1991 under the Stride programme:

- ECU 2,722 million for Wallonia (No 911010001)
- ECU 0,722 million for Turnhout (No 911010002)
- ECU 1,443 million for Limburg (No 911010003).

These initiatives come under the European Regional Development Fund.

Please indicate for each project:

1. the precise purpose for which the aid is granted;
2. the local or regional authorities' own contribution.

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

(28 September 1992)

1. Actions cofinanced by ERDF

Stride Wallonie

The total ERDF contribution to the Walloon Stride-programme amounts to ECU 1,714 million (prices 1991). The programme covers the period 31 January 1991 to 31 December 1993.

The concrete Walloon Stride actions concern:

- animation (development of technological development nodes in SMEs to cooperate with research centres),
- services (technological information about techniques and equipments, research about technological opportunities for SMEs to acquire new technologies and to establish industrial collaborations and innovation capacity audits in SMEs).

Stride Limburg

The total ERDF contribution to the Limburg Stride-programme amounts to ECU 1,291 million (prices 1991). The programme covers the period 4 February 1991 to 31 December 1993.

The concrete Limburg Stride actions concern:

- Instituut voor materiaalonderzoek,
- Interface Wetenschappen park,
- Opleidingsproject coatings,
- Bijkomende initiatieven.

Stride Turnhout

The total ERDF contribution to the Turnhout Stride-programme amounts to ECU 0,722 million (prices

1991). The programme covers the period 4 February 1991 to 31 December 1993.

The concrete Turnhout Stride actions concern:

- Innotek,
- Projecten technologieplatform.

2. Financial contribution by authorities involved

Stride Wallonie

- Total envelope: ECU 4,435 million
- ERDF: ECU 1,714 million (38,65 %)
- ESF: ECU 0,453 million (10,21 %)
- Région wallonne: ECU 2,268 million (51,14 %).

Stride Limburg

- Total envelope: ECU 6,651 million
- ERDF: ECU 1,291 million (19,41 %)
- ESF: ECU 0,152 million (2,29 %)
- Centrale overheid: ECU 1,315 million (19,77 %)
- Lokale overheid: ECU 0,162 million (2,44 %)
- Partikulieren: ECU 3,731 million (56,09 %).

Stride Turnhout

- Total envelope: ECU 1,554 million
- ERDF: ECU 0,722 million (46,46 %)
- Centrale overheid: ECU 0,722 million (46,46 %)
- Partikulieren: ECU 0,110 million (7,08 %).

WRITTEN QUESTION No 1595/92
by Mr Jaak Vandemeulebroucke (ARC)
to the Commission of the European Communities
(24 June 1992)
(93/C 16/38)

Subject: Structural policy for Belgium

For the period 1989–1993 a total of ECU 32,5 million was earmarked for Objective 5b regions in Belgium as part of the Community structural policy.

The amount is broken down as follows:

- ERDF: ECU 11,3 million
- ESF: ECU 9,7 million
- EAGGF: ECU 11,5 million

For the period 1989 to 1 May 1992, what amounts were paid from each of these funds to the following areas:

- Hageland,
- Marche en Famenne,
- Dinant,
- Bastogne?

WRITTEN QUESTION No 1596/92
by Mr Jaak Vandemeulebroucke (ARC)
to the Commission of the European Communities
(24 June 1992)
(93/C 16/39)

Subject: Structural funds for the Netherlands

What amounts have been invested from the structural funds from 1989 to 1 May 1992 for Dutch Friesland, which is an Objective 5b region?

Joint answer to Written Questions Nos 1595/92 and 1596/92
given by Mr Mac Sharry
on behalf of the Commission
(30 September 1992)

The financial contributions under the Community support frameworks for rural areas in Hageland and Wallonia (Belgium) and the province of Friesland (Netherlands), adopted on 6 June 1990, are spread over the period from 1989 to 1993.

The following table shows how the finances to be provided by each of the Funds for 1989 to 1993 have been allocated to the Objective 5(b) areas in question.

It is not possible to show a breakdown with regard to the areas Marche en Famenne, Dinant and Bastogne.

Belgium
(Expressed at constant 1989 prices)

(ecu million)

	Community assistance			
	Total	EAGGF	ERDF	ESF
1. Hageland				
1989	1			1
1990	0,20	0,20		
1991	1,94	0,46	0,85	0,63
1992	4,00	1,42	1,47	1,11
1993	4,41	1,08	1,91	1,42
Subtotal	11,55	3,16	4,23	4,16

	Community assistance			
	Total	EAGGF	ERDF	ESF
2. Wallonia				
1989	3,00	1,00		2,00
1990	1,40	0,58	0,54	0,28
1991	4,59	2,48	1,41	0,70
1992	6,28	2,58	2,47	1,23
1993	5,68	1,74	2,64	1,30
Subtotal	20,95	8,38	7,06	5,51
Grand total	32,5	11,54	11,29	9,67

N.B. A further breakdown of the assistance granted to the Objective 5(b) area Wallonia to show Marche en Famenne, Dinant and Bastogne is not possible.

Netherlands (Friesland)
(Expressed at constant 1989 prices)

(ecu million)

	Community assistance			
	Total	EAGGF	ERDF	ESF
Friesland				
1989	4,4		3,4	1,0
1990	5,4	0,5	4,7	0,2
1991	10,4	3,1	5,9	1,4
1992	13,8	4,3	7,5	2,0
1993	10,0	4,6	3,4	2,0
Total	44,0	12,5	24,9	6,6

WRITTEN QUESTION No 1619/92

by Mr Pol Marck (PPE)

to the Commission of the European Communities

(24 June 1992)

(93/C 16/40)

Subject: Imports of meat into the United Kingdom

It is reported that the British Government is taking measures concerning 'red meat'.

1. Is it true that the British Government is to increase state subsidies for the 'Buy British' programme in order to favour British meat?
2. Is it true that labels are being designed by Whitbread Restaurants to promote Australian meat?

3. Is it true that the British Government is formulating a quality policy designed to favour national 'red meat' production?

What view does the Commission take of this?

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

(16 September 1992)

1. Advertising campaigns which encourage consumers to buy national products for no other reason than their national origin is an infringement of Article 30 of the Treaty.

As regards the activities of the Meat and Livestock Commission in the United Kingdom in this regard, during an examination of the aid by the Commission the British authorities confirmed that the framework for national aids for the advertizing of agricultural products and certain products not listed in Annex II to the EEC Treaty ⁽¹⁾ is being observed, as are the Community rules on the free circulation of goods and Article 30 of the Treaty in particular.

2. Private firms are free to promote any product they choose. The Commission would not call this right into question in any way.

3. Any Member State that wishes can institute a quality policy in respect of a national product. Measures of this kind must obviously comply with Community rules in this regard, for example the rules on State aids. The 'red meat' measure applied in the United Kingdom by the Meat and Livestock Commission was examined by the Commission which decided to raise no objection to it.

⁽¹⁾ OJ No C 302, 12. 11. 1987.

WRITTEN QUESTION No 1633/92

by Mr Panayotis Roumeliotis (S)

to the Commission of the European Communities

(24 June 1992)

(93/C 16/41)

Subject: The problems of those returning to Greece from the former Soviet Union

Recent research by a Greek university has shown that around half of those returning to Greece from the former Soviet Union are continuing to experience severe adjustment problems such as unemployment, language problems, the recognition of qualifications, the transfer of insurance rights, etc.

The research has shown that implementation of Greece's 'returnee' programme and the Community's contribution to date do not appear to have had much effect in dealing with these problems.

What steps does the Commission intend to take to tackle this situation?

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

(17 September 1992)

The Commission is not aware of the findings of a survey carried out by a Greek university on the problems of Greeks returning from the former Soviet Union, though it is well known that they are encountering serious reintegration problems.

On 19 December 1991, the Commission approved aid amounting to ECU 30 million for a programme put forward by the Greek authorities under the Community's Horizon initiative to promote the social and occupation integration of returnees as part of a broader endeavour on the part of the Greek Government. It is still too early to assess the contribution that these measures can make to solving a problem whose seriousness should not be underestimated.

WRITTEN QUESTION No 1698/92

by Mr Detlev Samland (S)

to the Commission of the European Communities

(1 July 1992)

(93/C 16/42)

Subject: Language requirements relating to Invitation to Tender No 91/C/262/05

In reply to my Written Question No 93/92 (¹), the Commission seeks to disarm criticism of discrimination against German as a working language in the tendering procedure by stating that no objection was made at the relevant information meeting.

Is the Commission aware that the information meeting was not held until 31 October 1991, six days after expiry of the deadline for tenders, and does the Commission agree that there may have been potential applicants who did not participate in the tendering procedure.

The Commission also notes that applicants submitted tenders in official languages other than French and English. Can the Commission say how many applications were submitted in other official languages and can it correct the irregular invitation to tender, as previously requested?

(¹) OJ No C 269, 19. 10. 1992.

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

(23 September 1992)

In its answer to Written Question No 93/92, the Commission acknowledged that a technical error had been made at point (c) (languages). The working languages for the Commission's interdepartmental working party will be English, French and German. Interpretation into other Community languages will be provided if necessary.

It is not true that the information meeting was organized six days after the expiry of the deadline for tenders. The meeting was organized for 31 October 1991, i.e. 12 days after the deadline for submission of requests for information (18 October 1991). The closing date for the submission of tenders was 25 November 1991.

Potential tenderers who had had the opportunity to read the call for tenders in the nine Community languages and the tender specifications in their own language could have attended the information meeting. They then still had 25 days to finalize a tender.

To illustrate this point, it should be pointed out that:

- 168 requests for information were received from firms or associations in the 12 Member States;
- 44 requests to attend the information meeting from 12 Member States were registered;
- 40 firms or associations from the 12 Member States attended the information meeting;
- 15 tenders were received before 25 November 1991.

Among the tenders submitted by firms or associations from the majority of the Member States, three were written partly or completely in French, 10 in English, one in Italian and one in German. These figures show the considerable interest which this call for tenders aroused.

The procedure followed was perfectly lawful and the Commission sees no reason to correct the call for tenders.

WRITTEN QUESTION No 1700/92

by Mr Diego de los Santos López (ARC)

to the Commission of the European Communities

(1 July 1992)

(93/C 16/43)

Subject: Solid urban waste processing plant in Utrera (Seville)

The disposal of solid waste is one of the greatest problems in industrial countries. It is related to justified concern for

a high quality of life, in which health and the environment doubtless play a major part. Municipal authorities are faced with the problem of disposing of and eliminating waste and the respective merits of the various solutions currently available are a constant subject of debate.

The local authorities of Utrera, Seville, have decided to set up an urban waste processing plant which is, in fact, a rubbish dump for Utrera and the surrounding municipalities. It is situated 3 700 metres from Utrera, a fact which could in itself constitute a serious infringement of Article 4 of the Council Directive of 18 March 1991 amending Directive 75/442/EEC on waste ⁽¹⁾.

To what extent has the Spanish government complied with the provisions of Community legislation on waste disposal, in particular Directive 75/442/EEC and the amendments thereto?

What aids, if any, is the Community granting, and under what conditions to waste processing plants in Andalusia?

What is preventing the entry into force of the Community directive on liability for damage caused by waste disposal?

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 39.

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

The obligations contained in Directive 75/442/EEC on waste have been transposed into Spanish law by 'Law 42/1975' and 'Real Decreto legislativo 1163/1986'.

The implementation of some of these obligations is however incomplete. Article 12 of the Directive requires Member States to send a report on its practical application to the Commission every three years. Spain has not communicated any of these reports and consequently the Commission opened proceedings against Spain on the basis of Article 169 of the EEC Treaty. On the other hand, the Commission has received several complaints regarding the incorrect application of the obligations of the Directives, mainly of Article 4. Those complaints refer to unsafe practices for the disposal of municipal waste in several places such as El Mazo in Santander, Burguillos del Cerro in Badajoz, La Coma in Lérida, and Las Caenas and Villares de la Reina in Salamanca. The Commission is presently investigating these complaints.

With regard to the conformity of the installation at Utrera, the Commission is unable to judge whether the

distance of 3 700 metres between the boundaries of the waste treatment plant and Utrera may constitute an infringement of Article 4 of Council Directive 75/442/EEC, as amended by Council Directive 91/156/EEC ⁽¹⁾.

The amended proposal for a Council Directive on civil liability for damage caused by waste has not yet been adopted by the Council. Therefore the Directive has not yet come into force.

Under the structural Funds, waste treatment is eligible for Community funding if the authorities in the Member States concerned put forward this type of action as part of operational programmes or major projects. The granting of funds is subject to compliance with Community law.

⁽¹⁾ OJ No L 78, 26. 3. 1991.

WRITTEN QUESTION No 1703/92

by Mr Edward Kellett-Bowman (PPE)

to the Commission of the European Communities

(1 July 1992)

(93/C 16/44)

Subject: EC aid to Afghanistan

Could the Commission state:

1. what aid we have sent to Afghanistan since the end of the recent civil war, and
2. what are the Commission's plans for long-term aid for that country?

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

(24 September 1992)

1. Since the installation of an interim government in Kabul, Community assistance to Afghanistan has consisted of:

- emergency aid of ECU 500 000, to be used by the International Committee of the Red Cross in Kabul;
- a decision to allocate 12 000 tonnes of wheat to Kabul (following an appeal launched by the UN Coordinator for Afghanistan for emergency food assistance);
- a commitment amounting to ECU 500 000, for the Organization for Mine Awareness (OMA), an NGO working under the umbrella of the UN Coordination Office for Afghanistan (UNOCA);

- a contract of ECU 1 484 000 for the continuation of a vaccination programme carried out by the NGO AVICEN.

2. In addition to the above, before President Najibullah's resignation, the following decisions have been taken:

- so as to be able to provide food for the candidates for repatriation, the Commission agreed to divert 10 000 tonnes of wheat, from the 50 000 tonnes managed by the World Food Programme and foreseen for the Afghan refugees in Pakistan;
- a grant of 800 tonnes of wheat was given to the NGO German Agro Action (GAA), with a view to compensating the food aid deficit among target groups in need in Kabul.

3. At present, a number of complementary actions are being examined, including in particular:

- increased transfers of food aid in favour of the returnees, within the framework of the UNHCR/WFP operations aimed at supporting repatriation;
- emergency demining programmes, including in the Herat province, close to Iran (where there are approximately 2 million Afghan refugees), and around Kabul, in the fertile Shomali valley. Combination of these programmes with contiguous rural development projects is being investigated;
- official contacts between the Commission and the Afghan authorities, combined with an EC programming mission, should a minimum of political stability be demonstrated (in fact, there is no evidence so far, that the civil war has 'ended').

4. Subject to discussions with the Government, and to more detailed preparation, the current plans for long-term EC aid may include:

- participation in the reconstruction of the Afghan economy, particularly in agriculture, and in the rehabilitation of the basic infrastructure;
- the transfer and continuation within Afghanistan of some of the EC-sponsored vocational training and education programmes which previously focused on the refugees in Pakistan;
- a sustained contribution to the reorganization of the public health system;
- possibly specific assistance for better public administration planning and coordination (including the health sector).

In addition, both the nutritional and sanitation conditions of the population should be very closely monitored, given the likelihood of temporary shortages in the country for some time to come.

WRITTEN QUESTION No 1762/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(2 July 1992)

(93/C 16/45)

Subject: The mortality rate in Greece

The average lifespan in Europe increased between 1980 and 1988 by 1,7 years and is attributed to improved health. According to WHO estimates, during these nine years in Europe cardiac disease fell by 57 %, incidences of cancer by 2 %, respiratory illnesses by 12 % and automobile accidents by 11 %. Given that in Greece the mortality rate has increased rather than fallen, does the Commission intend to point out to the Greek Government the need to take direct measures to improve the state of health of the nation and increase the amount of money spent on health education?

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

(17 September 1992)

In Greece, as well as in some other Member States (e.g. Denmark and Spain), an increase in the registration of deaths from circulatory diseases, cancer and motor vehicle traffic accidents has been observed over the last 10 years (*). Nevertheless, mortality rates in Greece with respect to the above causes remain below the mean estimated mortality rates for the same causes of the global EC population in 1988.

The rising trend in deaths from lung cancer in the EC population has also been noticed in Greece: + 30 % from 1980 to 1988. Deaths from other respiratory diseases, however, have decreased by more than 60 % since 1980 (*).

As the Honourable Member indicates, life expectancy in the European Community has increased considerably in the last decade. This is also the case for Greece. Based on WHO statistics, Eurostat calculated that for the period 1985-1988 life expectancy beyond the age of 40 for men was 35,6 years and for women 39,6 years in Greece. WHO statistics also show that from 1964 to 1988 in Greece the age-standardized death rate per 100 000 declined by about 19 % for men and 28 % for women.

In the framework of its Europe against Cancer Programme (*) and Health Education in Schools activities (**) the Commission has developed a number of activities aimed at improving health education and information at the Community level.

The need to increase national budgetary allocations for health information for Greek citizens is, however, a matter for the Greek national authorities.

(¹) Eurostat, Demographic Statistics, 1991, p. 148.

(²) Portrait Social de l'Europe, Eurostat, Luxembourg, Office des Publications Officielles des Communautés Européennes, 1991.

(³) Report from the Commission to the Council, the European Member and the Economic and Social Committee on the execution of the Europe against Cancer programme in 1991, SEC (92) 817 final of 5. 5. 1992.

(⁴) Communication from the Commission to the Council on the implementation of the Council resolution of 23 November 1988 concerning health education in schools, SEC(92) 476 final of 11. 5. 1992.

WRITTEN QUESTION No 1773/92

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(2 July 1992)

(93/C 16/46)

Subject: Erasmus grants for the 1991/92 academic year

How many Erasmus grants have been awarded for the 1991/92 academic year?

Can the Commission give a breakdown by nationality of students receiving such grants?

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

(14 September 1992)

Responsibility for distributing the funds intended for student mobility grants under the Erasmus programme lies with the National Grant Administration Agencies set up by all the Member States, which forward the available funds and the guidelines for their distribution to the establishments concerned. Details concerning the number of students who received mobility grants and the number of students who took part in interuniversity cooperation programmes without grants in the 1991/92 academic year will be sent to the Commission after the close of the academic year (October—November 1992).

The following table provides a breakdown between the Member States of the total number of 63 425 students eligible to take part in programmes approved by the Commission for the 1991/92 academic year. Both students who are nationals of a Member State and those who are nationals of non-member countries but permanently resident in a Member State qualify for mobility grants.

Mobility of Erasmus students for the 1991/92 academic year

Belgium	3 973
Denmark	1 626
Germany	9 843
Greece	1 798
Spain	7 282
France	12 751
Ireland	1 744
Italy	5 658
Luxembourg	(¹)
Netherlands	4 791
Portugal	1 850
United Kingdom	12 109
Total	63 425

(¹) Owing to its incomplete higher education system, Luxembourg has a special arrangement with the Commission as regards the distribution of mobility grants. The number of Luxembourg students who received Erasmus grants in 1990/91 was 111.

WRITTEN QUESTION No 1794/92

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(6 July 1992)

(93/C 16/47)

Subject: Impact of greenhouse effect

Does the Commission propose to make a detailed survey of the European coastline vulnerable to predicted sea level rises by 2030 based on the best and worst scenarios; if so, how soon can we expect to see the results of such a study, and if it does not plan to carry out this survey, why not?

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

(19 October 1992)

In 1990, Environmental Resources Limited (ERL) and the Climatic Research Unit (CRU) at the University of East Anglia were commissioned by the Commission of the European Communities to develop and implement a decision framework for the evaluation of strategies to respond to global warming resulting from man-made emissions of greenhouse gases.

The products of the study, which was completed in June 1992, consist of two separate but complementary tools for investigating the issue from a scientific viewpoint and in

terms of the economic costs, benefits and risks of different actions.

The scientific part (entitled ESCAPE model) is based on the linkages between economic activity, emissions, atmospheric concentrations, global warming, sea-level rise, regional climate change and physical impacts in the EC.

Global warming will cause sea-levels to rise, due partly to thermal expansions of the oceans and partly to the melting of glaciers and continental ice sheets. Sea-level rise is one of the main consequences of global warming which will occur with reasonable consistency around the globe, although there will be regional variations for a number of reasons (meteorological, geological and oceanographic).

The first estimates of predicted sea-levels rise have been made at global level and it has been recognized that:

- (a) there is greater uncertainty (+/- 70% more) surrounding future sea-level rise (under a specific scenario) than there is for global warming;
- (b) the sensitivity of sea-level rise to emissions growth assumptions is less than for global warming.

On the other hand, the Scientific Assessment on Climate Change made in June 1990 by the Intergovernmental Panel on Climate Change found that for the so-called 'Business-as-usual' scenario, global-mean sea level would be 8–29 cm higher than today by the year 2030, with a best-estimate of 18 cm. By the year 2070, the rise would be 21–71 cm, with a best-estimate of 44 cm.

The European University Institute in Florence (Italy) will be the depository of the models developed by ERL and CRU, and will carry out different studies on the consequences of global warming at EC level.

resolution on combating social exclusion ⁽¹⁾ calling on the Commission (paragraph 10):

- to study the measures taken by the Member States to combat social exclusion,
- to report on the measures taken by the Member States and by the Community in the spheres covered by this resolution within three years of its adoption.

What progress has been made with the action requested by the Council?

⁽¹⁾ OJ No C 277, 31. 10. 1989, p. 1.

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

(14 September 1992)

The Commission's immediate response to the resolution of 29 September 1989 on combating social exclusion immediately was to launch an analysis of the measures taken by the Member States.

To this effect, it set up an observatory of the national policies for the combating of social exclusion, consisting of 12 independent experts. The observatory's first consolidated report was published in May 1991. Publication of the second report is scheduled for September 1992.

For the purposes of the report provided for in point 10 of the resolution, the Commission has called on the Member States to comment on the national reports and the consolidated reports drawn up under the aegis of the observatory. This process of consultation is under way.

At the end of 1992, the Commission will present Parliament, the Council and the Economic and Social Committee with a document setting out political guidelines for combating social exclusion in the Community. The report provided for in the resolution will be part of it; for the rest, it will be based mainly on the work of the observatory currently being discussed with the governmental experts designated by the Member States.

WRITTEN QUESTION No 1823/92

by Mrs Martine Buron (S)

to the Commission of the European Communities

(6 July 1992)

(93/C 16/48)

Subject: Follow-up to the resolution of the Council and of the Ministers for Social Affairs meeting within the Council on combating social exclusions

On 29 September 1989 the Council and the Ministers for Social Affairs meeting within the Council adopted a

WRITTEN QUESTION No 1845/92

by Mrs Cristiana Muscardini (NI)

to the Commission of the European Communities

(23 July 1992)

(93/C 16/49)

Subject: Verbano di Novara dairy cooperative

The Casale cooperative was sold, with the endorsement of the Italian Farmers' National Federation ('Coldiretti'), to

the 'Cooperative Latte Verbano di Novara' (dairy cooperative) in order to meet financial commitments.

The proceeds were used to provide the Verbano dairy cooperative with structures which proved surplus to the requirements of the milk supplied by its members. As a result, the equipment was used to process milk from other sources to the disadvantage of other cooperatives which process only Piedmontese milk.

Will the Commission say whether the Verbano Dairy Cooperative has ever received Community funds?

Will it say whether there are any Community provisions which require dairy cooperatives to use milk exclusively supplied by their members and not purchased from non-members?

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

(30 September 1992)

The cooperative in question did receive Community aid granted under Regulation (EEC) No 355/75.

The granting of Community aid under Regulations (EEC) No 335/75 and (EEC) No 866/90 is not subject to the condition that the cooperatives in receipt of funds use exclusively milk supplied by their members.

WRITTEN QUESTION No 1849/92

by Mr Christopher Jackson (PPE)

to the Commission of the European Communities

(23 July 1992)

(93/C 16/50)

Subject: Diabetics

As the Commission is probably aware, the problems of people suffering from diabetes can be considerably alleviated by an integrated service involving health care workers and diabetes centres at hospitals.

Are there any European Community funds available to assist demonstration and other projects aimed at improving health care in this way, thereby curtailing the high morbidity and mortality rate among diabetics?

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

(14 September 1992)

In the framework of the AIM Exploratory Action (1988–1990), a feasibility study on the production of a computer-assisted chronic health care environment to support diabetes care was undertaken under the project Eurodiabeta.

Particular aspects of that project were subsequently dealt with in the framework of the project Diabcard (part of AIM 1991–1994), with a view to:

- formulating measures to lower the complication rate of diabetes mellitus,
- improving the medical treatment by standardizing clinical documentation on chronic diseases, using as an example diabetes mellitus,
- improving the communication between ambulatory and in-patient health care and thereby ameliorating the quality of care using chip card technology.

The Honourable Member may also wish to refer to the answer given by the Commission to Written Question No 1710/91 by Mr Di Rupo (⁽¹⁾).

(⁽¹⁾) OJ No C 38, 15. 2. 1992.

WRITTEN QUESTION No 1897/92

by Mr Henry McCubbin (S)

to the Commission of the European Communities

(23 July 1992)

(93/C 16/51)

Subject: Safeguarding employees' rights in the event of transfers of undertakings

Would the Commission confirm that Directive 77/187/EEC (⁽¹⁾) intends that existing pensioners within an occupation pension scheme to which they contributed prior to a transfer of ownership should retain all rights conferred via their deferred wages within that scheme?

(⁽¹⁾) OJ No L 61, 5. 3. 1977, p. 26.

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

(29 September 1992)

Article 3 (3) second paragraph of Council Directive 77/187/EEC on transfers of undertakings, businesses or parts of businesses requires Member States to adopt the

'measures necessary to protect the interest of employees and of persons no longer employed' in the transferred business in respect of rights to old-age benefits, including survivors' benefits, provided for by occupational social security schemes as referred to therein.

'Measures necessary to protect the interest of employees and of persons no longer employed . . .' include legislative measures aiming to determine the liabilities of the pension fund or funds involved, the transferor or the transferee. Article 3 (2) second paragraph cannot, however, be construed as imposing upon Member States the obligation to guarantee — by means of public funds — the full pension rights conferred by the abovementioned schemes, whenever the person or persons legally responsible fail to meet the obligations stemming therefrom.

WRITTEN QUESTION No 1902/92

by Mr James Ford (S)

to the Commission of the European Communities

(23 July 1992)

(93/C 16/52)

Subject: Dietary supplements

What are the Commission's proposals currently towards dietary supplements (vitamins and minerals), at what stage is the legislation and what implications will its adoption have for the health food industry in the UK in particular?

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

(10 September 1992)

Following the agreement reached in the adoption of the Council framework directive on Foodstuffs Intended for Particular Nutritional Use in 1989, the Commission is considering the necessity of preparing proposals to cover food supplements. The preparation of these proposals implies a careful study of the effects of high levels of nutrients in the diet by the Scientific Committee for Food. This work is not yet completed, however, it is expected that any proposals could be put forward in early 1993.

As is the normal practice, the various interested groups will be consulted on the draft proposals through the Food Advisory Committee. At this early stage, the Commission is in no position to foresee the implications of any future proposals for the health food industry in Member States.

WRITTEN QUESTION No 1914/92

by Mr Ian White (S)

to the Commission of the European Communities

(23 July 1992)

(93/C 16/53)

Subject: Animal cruelty at fiestas

With regard to the reply to Written Question No 900/91 ⁽¹⁾ from Mrs Anita Pollack, would the Commissioner be so kind as to answer the question put? Namely, what specific action has been taken to prevent the annual donkey fiesta at Villanueva de la Vera?

⁽¹⁾ OJ No C 180, 16. 7. 1992.

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

(19 October 1992)

The Commission has repeatedly indicated in the past that the annual donkey fiesta at Villanueva de la Vera and similar activities fall outside the scope of Community competence.

WRITTEN QUESTION No 1980/92

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 16/54)

Subject: Transport of plutonium by sea

In issue No 16 of 16–23 April 1992 the *South African Weekly Mail* echoes concern at the fate of millions of people and other living beings should an accident occur on a ship carrying plutonium around the Cape of Good Hope.

Will the Commission consider the following:

1. According to the *Weekly Mail*, it is estimated on the basis of computer simulations that an accident in the Bay of Tokyo releasing 50 kg of plutonium (or around 5% of the total cargo) might make it necessary to evacuate up to 40 million people. The same source states that, according to Greenpeace, a 1984 consignment of 250 kg of plutonium was considered so dangerous that a multinational escort was organized comprising vessels from France, the United Kingdom, the United States and Japan, and provision was made for helicopter surveillance. The United States Defence Department then recommended that such shipments should not be undertaken because

even the greatest possible precautions could not guarantee their safety. The United States Government would also be opposed to the routing of such transport through the Panama Canal, in view of the risk of contamination in the south east of the US;

2. Canada has rejected the possibility of transport by air, and, when questioned on the matter (cf. my Written Questions Nos 2709/87 to the Council ⁽¹⁾ and 2708/87 to the Commission ⁽²⁾), the Council stated that 'the possible implications for the Community of the various aspects of the proposed cooperation between the United States and Japan ... have been carefully scrutinized by the Council on the basis of various Commission communications'. What is the present situation?

What are the Commission's current views on the two types of transport, regardless of the route taken?

⁽¹⁾ OJ No C 229, 5. 9. 1988, p. 34.

⁽²⁾ OJ No C 114, 8. 5. 1989, p. 9.

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

(20 October 1992)

The Community and all the Member States are parties to the International Convention on the Physical Protection of Nuclear Materials ⁽¹⁾. They also comply with the levels of physical protection set out in Annex B to IAEA document INFCIRC 254, and with the recommendations on the physical protection of nuclear materials contained in IAEA document INFCIRC 225, Rev. 2. The Member States have sole responsibility for monitoring compliance with the levels of physical protection laid down for the transport of nuclear materials within the Community, and have the right to sign any specific agreements which may be proposed on the transport of such materials outside the Community.

In the case of the consignment of plutonium referred to by the Honourable Member, consideration was given to both air and sea transport. The Commission understands the current preference for sea transport on the part of the authorities concerned.

The safe transport of these materials, which revolves around maintaining the integrity of the containers, is the subject of standards laid down by the IAEA.

The IAEA sees no justification, on the basis of the information currently available, for introducing stricter standards relating to transport by sea.

Furthermore, containers designed and constructed in accordance with the standards in question can withstand accident conditions far more severe than those contemplated by the IAEA.

Finally, the ships to be used for the operation referred to by the Honourable Member are of the same type which has been used for over ten years for transporting irradiated fuels from Japan to reprocessing facilities in Europe under excellent safety conditions.

⁽¹⁾ Document of the International Atomic Energy Agency (IAEA) INFCIRC 274, Rev. 1.

WRITTEN QUESTION No 2005/92

by Mr Alex Smith (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 16/55)

Subject: Transfer of nuclear materials in UK

Will the Commission explain why it is not at liberty to disclose the details of the transfer of civil nuclear materials to unsafeguarded military use by the United Kingdom Government (reference answer to Written Question No 2513/91 ⁽¹⁾)? What is the reason for the Commission declining to renegotiate the agreement with its two co-signatories to remove confidentiality provisions?

⁽¹⁾ OJ No C 168, 4. 7. 1992.

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

(19 October 1992)

The Commission draws the attention of the Honourable Member to the provisions of Article 194 of the Euratom Treaty and Council Regulation No 3 ⁽¹⁾.

The reason for not initiating re-negotiations to remove confidentiality provisions is that the chances for success are judged too low as to warrant the spending of limited resources for that purpose.

⁽¹⁾ OJ No 17, 6. 10. 1958.

WRITTEN QUESTION No 2007/92

by Mr Alex Smith (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 16/56)

Subject: Toxic waste management

Has the Commission made any evaluation of the likely accuracy of the sum of \$ 7,5 billion per annum proposed

by the United Nations Rio Conference Secretariat required for the implementation of the proposed programme for the management of solid wastes, as set out in the amendment to paragraphs 21.45 and 21.46 of Chapter 21 of the Agenda 21 report on future strategies to achieve sustainable development? Do the various existing programmes on toxic waste management overseen by the Commission comply with the aims of Chapter 21 of Agenda 21?

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

The final version of Agenda 21, as adopted in the Plenary in Rio de Janeiro, on 14 June 1992, indicates in paragraph 21.43 that the Conference Secretariat has estimated the average total annual cost (1993–2000) of implementing the activities of the proposed programme to be about \$ 7,5 billion including about \$ 2,6 billion from the international community on grant or concessional terms. It is noted that these figures are indicative and order of magnitude estimates only and have not been reviewed by Governments. The term Governments is deemed to include the European Economic Community within its areas of competence. The Commission has not made an evaluation of the likely accuracy of the sum of \$ 7,5 billion per annum since it is only indicative and, as indicated in paragraph 21.43, actual costs and financial terms will depend upon *inter alia* the specific strategies and programmes Governments decide upon for implementation. It would be premature to undertake a detailed review of the figures proposed by the Conference Secretariat. The Commission intends to give special attention to ensuring that the commitments laid down for the different programme areas are fulfilled, the choice of the most appropriate specific actions is made and a correct evaluation of the resources to be applied is carried out.

The Community action on toxic waste management relates mainly to Chapter 20 in Agenda 21.

The Community Strategy on waste management (SEC(89) 934 final), the framework Directive on wastes (91/156/EEC), the Directive on Hazardous Wastes (91/689/EEC), the proposed Regulation on the transfrontier shipments of wastes (COM(92) 121 final), the proposed Directives on landfill (COM(92) 102 final), incineration of hazardous waste (COM(92) 9 final) and civil liability for damage caused by waste (COM(91) 219 final) are in full concordance with the overall objectives and targets in Chapter 20, which reflect the prominent role played by the Commission in the corresponding negotiations. These guidelines have been confirmed and reinforced in the Fifth Environmental Action Programme.

However, it is clear that the activities contained in the four programme areas of this Chapter will require a considerable effort by the Commission and the Member

States and reinforcement of the current strategies and resources in order to play an active and leading role in all the activities concerned.

WRITTEN QUESTION No 2028/92

**by Mr Jacques Vernier (RDE)
to the Commission of the European Communities
(1 September 1992)
(93/C 16/57)**

Subject: VAT: entry into force of the transitional taxation system on 1 January 1993

The new transitional VAT system is scheduled to enter into force in the Community on 1 January 1993. Six months before this deadline a large number of undertakings appear to be unaware of the system or incapable of taking the necessary measures to implement it (VAT number, new accounting software, staff training, restructuring, etc.) by this deadline.

In addition, it appears that the tax and customs authorities of certain Member States are also unable to ensure that the new system will be introduced on schedule.

1. What provisions are envisaged at Community and national level if VAT arrangements have not become operational throughout the Community when they are due to enter into force?
2. What measures are envisaged or being implemented at Community and national level to make it easier for undertakings, in particular SMUs, to adapt to the new arrangements?
3. Have the costs of the transitional arrangements for undertakings and national government departments been assessed?

**Answer given by Mrs Scrivener
on behalf of the Commission
(30 October 1992)**

Preparations in all Member States are now well advanced for the introduction of the new VAT regime as from 1 January 1993. The timing and modalities of implementation will vary from one Member State to another, but all are aware of the need to ensure timely introduction of the new systems. The Member States are

setting up information programmes and enquiry networks to help their traders to fulfil their new obligations, including mechanisms to make SMEs aware of the simplifications available to them. The Commission is closely monitoring these arrangements. The VAT regime as from 1 January 1993 will represent a significant net reduction of the administrative burdens and associated costs for enterprises compared with the existing frontier-related controls, the benefits of which will far outweigh any initial costs of adaptation.

WRITTEN QUESTION No 2117/92

by Mr Mauro Chiabrando (PPE)

to the Commission of the European Communities

(1 September 1992)

(93/C 16/58)

Subject: Labelling of donated blood

Council Directive 89/381/EEC ⁽¹⁾ of 14 June 1989 lays down provisions for medicinal products derived from human blood or human plasma and Article 3 thereof calls on Member States to encourage voluntary and unpaid donations of blood. However, voluntary blood donors' associations point out that the directive fails to protect anonymous unpaid voluntary blood donors.

In particular, there is a clear need to supplement Directive 89/381/EEC with the requirement that stable derived plasma from donated blood be clearly labelled so as to protect the users.

This practice should be extended to all Member States so that transfusion legislation and practice are harmonized and the risk of finding stable derived plasma on the market with blood which has been sold is reduced. Is the Commission aware of this problem and does it intend to take any steps to solve it?

⁽¹⁾ OJ No L 181, 28. 6. 1989, p. 44.

Answer given by Mr Bangemann
on behalf of the Commission

(19 October 1992)

Directive 89/381/EEC on medicinal products derived from human blood or human plasma was adopted unanimously by the Council in 1989, after Parliament had returned a favourable opinion. This Directive applies to

stable medicinal products derived from human blood and not to whole blood, plasma or blood cells.

In order to protect the health of the donor and the user the Directive makes compulsory the donor selection and control measures recommended by the Council of Europe and the World Health Organization. The Member States must apply the same requirements to blood products from non-member countries.

Directive 89/381/EEC merely states the Community's objective of self-sufficiency in blood and blood products by means of unpaid donation. The Member States are required to inform the Commission of measures taken to achieve this objective. Member States have therefore undertaken to use voluntary unpaid blood donations and to develop the production of medicinal products from these donations.

Unpaid blood donation does not *per se* provide an absolute guarantee of safety for users of blood products. The Directive takes this into account by requiring manufacturers to validate the manufacturing and purifying processes used. In addition, medicinal products are checked for quality, safety and efficaciousness before being authorized. Consequently, it would not be acceptable to label products as this would suggest different quality standards.

At its meeting on 15 May 1992, the Council of Health Ministers emphasized the importance of the Community becoming self-sufficient in blood. It restated the principle of voluntary unpaid blood donation, and considered that the risk of infection should be kept to a minimum by applying measures to guarantee the quality and safety of blood products in order to protect the health of donors and to provide maximum protection for users. It also considered that action should be taken to encourage the exchange of information and experience between Member States to promote better understanding of the problems arising from implementation of these principles.

WRITTEN QUESTION No 2843/92

by Mr Alonso Puerta (GUE)

to the Commission of the European Communities

(16 November 1992)

(93/C 16/59)

Subject: Restructuring of the iron and steel sector in Spain

On 9 October 1992 750 workers belonging to the 'Corporación de la Siderurgia Integral SA' iron and steel corporation, belonging to Ensidesa and Vizcaya Blast Furnaces, began a 500 km march to Madrid to call for the amendment of the Spanish iron and steel competitiveness

programme. As it now stands, this programme would involve 9707 direct job losses (6342 in Asturias and 3365 in the Basque Country) and a cut of one-and-a-half million tonnes in steel production. At its commencement on 9 October and its final day on 26 October the march will be accompanied by general strikes in this sector.

Given the social concern in Spain caused by restructuring on this scale:

Can the Commission state its views on the restructuring of the steel industry in Spain without delay, given the urgency of the situation?

What steps could the Commission take, together with the Spanish authorities, to facilitate a review of the Spanish iron and steel competitiveness programme, and to bring about a negotiated agreement between the trade unions,

the Corporación de la Siderurgia Integral SA and the Spanish Government?

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

(26 November 1992)

The Commission would refer the Honourable Member to the replies given to oral questions H-1031/92 and H-1030/92 respectively by Mr Colom I Naval and Mrs García Arias, during question time at Parliament's October 1992 part session ⁽¹⁾.

⁽¹⁾ Debates of the European Parliament No 3-423 (October 1992).