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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 306/91

by Sir James Scott-Hopkins (ED)

to the Commission of the European Communities

*(4 March 1991)**(93/C 101/01)**Subject:* Part-time workers' benefits

What is the Commission's estimate of the cost to industry and business within the Community of the proposal that part-time workers should receive the same social security benefits as full-time employees? Or can it give an assurance that no extra fiscal and other burdens would be imposed on employers as a result of this proposal?

Answer given by Mrs Papandreou
on behalf of the Commission

(10 December 1992)

The Commission has indicated in the explanatory memorandum of the proposal for the Council Directive on certain employment relationships that a comparison of social cover costs for full-time employees and for an important number of part-time employees reveals significant and sometimes substantial variations between the Member States, for the differences noted range from 2 to 36% of gross wages. In some Member States many employees are concerned by such contracts. The Commission proposes that employees whose average weekly working time is eight hours or more are afforded social protection under statutory and occupational social security schemes rooted in the same foundations and the same criteria as are applied *vis-à-vis* employees employed full-time for an indefinite duration, account being taken of the duration of work and/or pay.

To make an estimate of the financial consequences of this proposal for employers, would be an extremely complicated matter at Community level. In certain cases the cost will not be insignificant and the Commission can

certainly not give the type of assurance requested by the Honourable Member. If the financial consequences were insignificant, then the Commission would have had one reason less to come forward with these proposals, since one of their objectives is to avoid distortions of competition.

Even an extensive study would probably not produce a very meaningful approximate estimate of the cost as asked for, mainly because it is difficult to predict how companies will adapt to the resulting change of their cost structure. In fact one might expect that not all of them would react in a similar way, because, depending on their particular situation, they would have different options. Their possibilities would amongst others depend on the local labour market situation, profit margins, production technology used, possibilities for labour substitution etc. Their reaction will certainly also be influenced by the time lag afforded to them between the moment of adoption of a directive and the coming into force, after transposition into national law, of its provisions. In this case they will probably have several years to adapt, which will certainly help to find acceptable solutions.

WRITTEN QUESTION No 579/91

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

*(26 March 1991)**(93/C 101/02)*

Subject: The import into and subsequent export from the Community of non-Community arms and materials intended for military use under the inward processing relief arrangements

Under Regulation (EEC) No 1999/85⁽¹⁾ of 16 July 1985 on inward processing relief arrangements, non-Community products may be imported into the EEC and re-exported without a licence. As a result, where inward processing is concerned, arms from outside the

EEC can be imported into Belgium and re-exported, all without a licence.

Will the Commission say:

1. what measures are being taken to ensure effective monitoring of the import into and subsequent re-export from the Community of arms originating outside the EEC and material intended for military use, under the inward processing arrangements?
2. what proposals the Commission is putting forward in the context of the inter-governmental conferences to amend Article 223 of the EEC Treaty to tighten up Community regulations on the import, export and transit of arms, munitions and material intended specifically for military use?
3. whether the above will explicitly ban the export of arms from the EEC to over-armed developing countries, by, for instance, fixing a maximum amount to be spent on arms per head of population and/or a maximum percentage of GNP to be spent on defence?

(¹) OJ No L 188, 20. 7. 1985, p. 1.

**Answer given by Mr Delors
on behalf of the Commission**
(5 January 1993)

The Honourable Member is advised to refer to the Commission's contribution to Parliament's September 1992 debate on the report on Arms Exports and the Armaments Industry (¹).

The Lisbon European Council in June 1992 added a new item to the list of criteria for the export of arms to developing countries, namely 'compatibility with the technical and economic capacity of the recipient country'.

(¹) Debates of the European Parliament No 3-421 (September 1992).

WRITTEN QUESTION No 891/91
by Mrs Raymonde Dury (S)
to the Commission of the European Communities
(8 May 1991)
(93/C 101/03)

Subject: International control of arms sales

The Commission has announced its intention of encouraging Community controls on arms sales to help reduce armed conflict.

However, the United States does not apparently intend to introduce such voluntary restraint, thereby undermining the Community's efforts.

How serious does the Commission consider the risk to be?

What does it think of the proposal from the Canadian Prime Minister, Mr Mulroney, to hold an international summit on measures to restrict, and possibly put a complete stop to, arms sales at international level?

**Answer given by Mr Delors
on behalf of the Commission**
(23 December 1992)

The Commission would refer the Honourable Member to the reply to her question (No 897/91) (¹) to European Political Cooperation.

The Commission would point out that it has no competence in relation to arms exports, although it does participate in the work of the EPC ad hoc working party on arms export controls set up to devise a common approach by the Community and the Member States, with an eye to the 'harmonization' of national policies in line with the eight criteria defined by the Luxembourg and Lisbon European Councils.

Since the Commission is not informed of initiatives taken by non-member countries in this area, it is difficult for it to comment on the proposal referred to by the Honourable Member.

(¹) OJ No C 309, 26. 11. 1992, p. 3.

WRITTEN QUESTION No 2612/91
by Mr Rolf Linkohr (S)
to the Commission of the European Communities
(19 November 1991)
(93/C 101/04)

Subject: Do EC measures to promote research discriminate in favour of large undertakings?

According to a study by the European Economic Research Institute headed by Professor Erich Hödl ('VWD — Europa' of 16 September 1991), only 20% of measures taken at European level to promote research benefit small and medium-sized undertakings. Critics also point out that access to programmes is difficult and costly.

Can the Commission give its own interpretation of the findings of this study and say what improvements it wishes to make?

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

(4 December 1992)

The industrial competitiveness of the Community depends to a large extent on the innovative capacity of SMEs. Since the inclusion of Article 130 F which defines the strengthening of the competitiveness of European industry as the objective of the Community RTD policy, the Commission has made efforts to improve the participation of SMEs in Community research programmes.

Apart from Commission efforts to make Community programmes better known to potential applicants, the mechanisms of the 'Feasibility awards' and 'Craft' should be mentioned. Although through these measures SME participation has been stepped up considerably and has, in the more industry-oriented programmes such as Eclair, Esprit and Brite/Euram, attained around 20% as correctly indicated in Professor Hödl's article, the Commission is considering additional initiatives.

In its working document to Council and European Parliament concerning the fourth framework programme⁽¹⁾ the Commission proposes to set up a completely new financial engineering initiative designed with small businesses in mind.

The idea of the Commission is to establish a facility supported by considerable funding, as a major instrument to help PME to overcome the barriers which at present prevent them from participating in the Community R&D activities.

The text of the part of the proposal of the Commission, included in the working document mentioned above, is the following: 'Valorization fund for SMEs: the objective is to provide an incentive for SMEs to participate in Community research decreasing the financial risks incurred by them during operations (technological development, transfer and innovation) between the completion of research carried out within Community RTD programmes and the generation of return. The new facility would consist of an appropriate range of instruments, so as to be fully adapted to the situation in the different Member States, from an interest rate subsidy or grace period on bank loans extending over the period of no return and a guarantee financed out of the research budget, to more classical forms of venture capital supported by managerial and technical assistance. The Community contribution will consist of a fund, which should be designed so as to maximize the leverage on resources committed by the financial intermediaries to whom the management of the fund will be entrusted. In the design of the new facility, the synergy with other financial proposals elaborated in the framework of the Delors II package will be pursued.'

⁽¹⁾ COM(92) 406 final.

WRITTEN QUESTION No 3171/91

by Mrs Ana Miranda de Lage (S)

to the Commission of the European Communities

(24 January 1992)

(93/C 101/05)

Subject: EEC—Mercosur

The Commission is considering the possibility of negotiating an EEC—Mercosur framework agreement on commercial and financial matters, investment and cooperation.

Will it make known the outcome of these negotiations?

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

(28 January 1993)

When the Mercosur Foreign Ministers visited the Commission on 29 April 1991, they did indeed indicate that they wished to conclude a cooperation agreement with the Community.

The Commission assessed the situation, and concluded that such an agreement was not warranted at that early stage in Mercosur's development.

However, the possibility of an interinstitutional agreement between the Commission and Mercosur was also considered; negotiations were duly held, with the result that an agreement was indeed signed on 29 May 1992. The first meeting of the Joint Advisory Committee set up by the agreement was held in Rio de Janeiro on 3 July 1992.

Three areas of cooperation were established: agriculture, customs and technical standards.

The next meeting of the Joint Advisory Committee will be held in Brussels in January 1993.

WRITTEN QUESTION No 461/92

by Mr Dieter Rogalla (S)

to the Commission of the European Communities

(9 March 1992)

(93/C 101/06)

Subject: Impact of the internal market on employment

1. Is the Commission aware of the most likely effects of the development of the internal market on employment?

2. Is it true that this development will affect not only specifically border-related professions (border controls

and border formalities of all kinds) and, if so, what other specific sectors are giving cause for particular concern?

3. What systematic and methodical steps has the Commission taken to keep abreast of this development, which was predictable years in advance, in order to provide the Member States with the necessary assistance and advice in accordance with the Treaties?

4. Have coordinated assistance and restructuring programmes been drawn up for these sectors in cooperation with the Member States? If so what are they? What will the financial implications be for the Member States and the Community?

5. What Community programmes already exist and what do they cost? Given that all Member States are facing similar problems, what steps are being taken to exchange information on these problems and the measures being taken by each of the Member States?

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

(5 January 1993)

1. The establishment of the single market should have a beneficial effect on employment. But vocational retraining will be necessary in some of the less competitive industries.

2. The changes occasioned by the completion of the single market are not confined to specifically border-related activities such as those of customs agents. A whole range of occupations will be concerned by the direct and indirect effects of the frontier-free Europe. The potential losses and gains for the Member States in terms of the impact of the single market on individual industries have been studied by Commission staff and experts from the Member States. Forty or so industries and trades have been pinpointed as liable to undergo more immediate changes.

3. Numerous measures have been taken by the Commission, and the following are but a few practical examples:

- the Council and Parliament receive regularly information on the implementation of the Commission's White Paper on the completion of the single market and on legislative measures at Community and Member State level. The seventh report was sent to the Council and Parliament on 2 September 1992;
- the Commission has devised and implemented preparatory and back-up measures for the occupational retraining of customs agents, either in the form of measures eligible for the European Social Fund in the regions covered by Objectives 1, 2 and 5b or as part of the Community Interreg initiative. The Commission has also set up specific schemes outside the Structural Funds involving, in particular, the conduct of individual assessment exercises to prepare those concerned for a new job;

- the implementation of the Community Euroform initiative for the launching of transnational vocational training schemes to help workers in small firms to acquire advanced skills, especially in the technological field;

- assistance has been given from the structural Funds for measures under Community schemes such as Interreg (promotion of transfrontier cooperation), Regis (economic integration of the outermost regions) and Prisma, in the regions covered by Objective 1 (improvement of infrastructures and services), especially for small firms, in fields connected with the development of a product-quality policy to give firms in these regions better access to the single market and to public procurement;

- the consequences of the single market for workers and employers have been considered in the European social dialogue; the importance of continuing training within the firm and of the need to monitor and accompany changes in industry have been particularly emphasized.

4. Diversification programmes already exist. They have been negotiated between the Commission and the Member States, for example in the context of the Community Support Frameworks for the regions covered by Objectives 1, 2 and 5b for the development, restructuring and conversion of these regions as a way of gradually bringing about economic and social cohesion. The development of human resources and vocational retraining are central to the CSFs and the related action programmes. Finance in the region of ECU 60 million has been allocated for the period 1989 to 1993.

5. The various programmes, and in particular some of the Community schemes, have been given a transnational character with arrangements for the exchange of experience. In addition, the Commission's employment observatory publishes employment trends as well as analyses and evaluations of the various measures, including national programmes not enjoying Community support.

WRITTEN QUESTION No 638/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(23 March 1992)

(93/C 101/07)

Subject: Measures to combat erosion in Greece

Rapid erosion of the soil has already affected one-tenth of the surface area of Greece and is now threatening four-fifths of the remainder. In view of this, does the

Commission consider that immediate measures should be taken in addition to those which have already been planned, in order to combat this threat and what is its position on the view that the extensive areas at particular risk of erosion should be given Community protection to conserve the natural vegetation at any cost?

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

(4 February 1993)

The Commission considers that existing Community measures make it possible for the Community to support action taken by the Member States to prevent or combat erosion.

It can only confirm its willingness to give favourable consideration to any proposal which Member States may put forward in this connection.

In addition, the Honourable Member is referred to the Commission's answer to oral question H-73/92 put by Mr Alvarez de Paz during Question Time at the February 1992 part-session of Parliament ⁽¹⁾.

⁽¹⁾ Debates of the European Parliament, No 3-414 (February 1992).

WRITTEN QUESTION No 670/92

by Mr Paul Staes (V)

to the Commission of the European Communities

(26 March 1992)

(93/C 101/08)

Subject: Delays in payment of ESF subsidies

The 1990 ESF programme for projects covered by Objective 3 of the Structural Funds was not approved until the end of 1990. Consequently, the Member States were unable to start approving the projects submitted until the end of 1990. This also led to delays in updated applications for subsidies for 1991. Similarly, payments fell a long way behind in 1991.

This causes serious problems, particularly for private-law organizations dependent on ESF subsidies; for instance, they are unable to pay their employees. This situation, which threatens the very existence of these organizations, has potentially serious implications for the projects approved by the EC.

1. What does the Commission intend to do to improve these time-consuming and complicated procedures?
2. What does the Commission intend to do to solve the problem of delays in payment as soon as possible?
3. Has the Commission investigated whether the problem of delayed payments arises mainly at European or at Member State level (local, provincial, regional or national authorities)?
4. If not, will the Commission carry out such an investigation?

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

(5 January 1993)

Improvement of procedures

Since 1990 was the first full year of operation for the ESF since the reform, start-up problems occurred in Member States as well as in the regions. The Commission is aware of these problems in the different Member States, which have been largely resolved as the reform has progressed, and is keeping procedures under review.

An improvement in the transmission of data through the automated information system for planning, execution and final payment is under consideration.

Delays in payments

Currently there are no serious delays in payments. This means that the majority of files are now dealt with within two months (at European level).

Time-path

The decentralization of the decision-making process has, apart from the very positive effect of closer involvement at regional level, led to lengthening of application and payment procedures.

In 1991, the Commission investigated the time-lag in payments from Brussels to the final promotor. It was found that the situation varied greatly among Member States. In some Member States the ESF-intervention is pre-financed. In others the remittance to the local promotor is dependent on actual receipt of the European funds at national, provincial/regional or local level.

The Commission is currently investigating whether and how the number of intermediaries in the payment cycle can be reduced to the absolute minimum.

WRITTEN QUESTION No 781/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(6 April 1992)

(93/C 101/09)

Subject: The delta of the River Axios

The delta of the River Axios which is one of the most important wetlands in Europe and is protected, *inter alia*, by the Ramsar Convention, is being polluted by sewage from a large number of villages and towns and by industrial effluent. Given that Greece is violating Community Directive 79/409/EEC (*) *inter alia* does the Commission intend to ask the Greek Government to take measures to protect the delta of the River Axios?

(*) OJ No L 103, 25. 4. 1979, p. 1.

WRITTEN QUESTION No 1297/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(4 June 1992)

(93/C 101/12)

Subject: The ecosystem on the island of Kos

The ecosystem on the island of Kos is being steadily ruined. Poachers and people laying claim to land in protected areas are destroying the bird life with which nature has endowed the island of Hippocrates. In the wetland of Alyki on Kos, in particular, the populations of flamingoes, herons, marbled ducks, little egrets and gulls. Will the Commission say whether it intends to take action to enforce Directive 79/409/EEC on the preservation of wild birds?

WRITTEN QUESTION No 902/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(15 April 1992)

(93/C 101/10)

Subject: The Mikri Prespa Lake

In recent years, aquatic vegetation, particularly reeds, have flourished extensively in Mikri Prespa Lake, which is a lake of singular beauty. This vegetation is accelerating the aging process of the lake's ecosystem as it is decomposing in large amounts on the lake bed. The lake is also overburdened, at least at certain times of the year, with fertilizers drained off from surrounding agricultural land. What steps does the Commission intend to take to ensure that Directive 79/409/EEC is not infringed and effective protection is provided for the aquatic environment of the lake?

WRITTEN QUESTION No 1453/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(16 June 1992)

(93/C 101/13)

Subject: Protecting the delta of the river Evros

The delta of the river Evros, one of the most valuable wetlands in Europe and a paradise for wild birds and animals, is under threat. Local residents complain that the ecosystem of the delta is threatened by hunting, the hundreds of cattle that graze there, a project to straighten the river and the drying up of the Lake Drana. Does the Commission intend to ask the Greek authorities to take practical measures to protect the unique beauty of the delta of the River Evros?

WRITTEN QUESTION No 907/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(15 April 1992)

(93/C 101/11)

Subject: The aquatic environment of Nea Kiou

The aquatic environment of Nea Kiou in Argolis, the biggest such environment in the Peloponnese, is threatened by construction work. Does the Commission intend to draw to the attention of the Greek Government the need to protect the above aquatic environment?

WRITTEN QUESTION No 1461/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(16 June 1992)

(93/C 101/14)

Subject: Destruction of the ecosystem in lakeside areas near Thessaloniki

Members of the Macedonia-Thrace Hunting Federation have recently accused farmers of the lakeside villages of Volvi and Kornia (Thessaloniki) of destroying the ecosystem of the region. They accuse them in particular of setting fire to the reed beds surrounding the lakes so as to extend the area of agricultural land, thereby destroying the natural habitat of rare wild birds in wetlands which

are protected under the Ramsar Convention. Given that 300 hectares of reed beds which are the habitat of rare wild birds are being destroyed in this illegal and provocative fashion, does the Commission intend to take any measures to protect these wetlands?

WRITTEN QUESTION No 1537/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 June 1992)

(93/C 101/15)

Subject: Protection of Kolumbithra Lake in Tinos

Kolumbithra Lake in Tinos attracts a large number of water fowl, especially in winter, and is a habitat for eels, mullet and other fish. For this reason, the commune of Komi has called on the forestry department of the Cyclades to classify this lake as a protected natural habitat. Is the Commission able to call on the Greek authorities to protect this lake?

WRITTEN QUESTION No 1629/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(24 June 1992)

(93/C 101/16)

Subject: Protection of Lake Prespa (Megali Prespa)

One of the most valuable wetlands for wild birds in Europe, Lake Megali Prespa, on the border between Greece and the state of Skopje, is facing environmental disaster. This is mainly due to the fact that Skopje is taking water from the lake. Local Greek inhabitants of this region have reported that Skopje is diverting water from the lake and using it for various industries and the water line is already 4 to 5 meters below the usual level. Is the Commission aware of this situation and what steps does it intend to take to protect the wetland area of Megali Prespa?

Joint answer to Written Questions Nos 781/92, 902/92, 907/92, 1297/92, 1453/92, 1461/92, 1537/92 and 1629/92

given by Mr Van Miert
on behalf of the Commission

(23 December 1992)

With respect to Council Directive 79/409/EEC on the conservation of wild birds, which is at present the only

Community legislation applicable in the field of nature conservation, the status of the sites in question is as follows ⁽¹⁾:

- Axios-Delta: SPA; statutory protection and management plan under preparation,
- Mikri and Megali Prespa: SPA; National Park under the status of a 'Protected National Forest',
- Nea Kios: not identified as being of Community importance under the birds Directive,
- Alyki/Kos: not identified as being of Community importance under the birds Directive,
- Evros-Delta: SPA; statutory protection and management plan under preparation,
- Volvi and Langada (Koronia): SPA; statutory protection and management plan under preparation,
- Kolibithra/Tinos: not identified as being of Community importance under the birds Directive.

Generally, the Commission undertakes the appropriate steps to ensure that the Greek authorities implement the protection measures necessary on the SPA-sites. It also encourages them to protect additional SPAs.

For the abovementioned SPAs, the Commission has asked for more information on the problems raised by the Honourable Member to be provided by the Greek Biotope/Wetland Centre which has recently been established and is being subsidized with considerable Community funds for the environment.

⁽¹⁾ SPA = Special Protection Area under Article 4 of Directive 79/409/EEC.

WRITTEN QUESTION No 904/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(15 April 1992)

(93/C 101/17)

Subject: The environment in Ptolemaida

The public electricity company site in Ptolemaida has totally destroyed the environment and created problems for its inhabitants while the asbestos mine which is about to close has left open scars on the region. What measures does the Commission intend to take to ensure that these open scars are filled in?

WRITTEN QUESTION No 1397/92
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(5 June 1992)
(93/C 101/18)

Subject: Pollution of Aghios Stephanos in Patras

The residents of Aghios Stephanos in Patras are being choked by foul-smelling gases discharged by two seed oil factories. These factories operate on Patras industrial estate close to residential areas and the residents are often unable to leave their homes because of the stench. Local residents claim that the situation has become unbearable in recent days presumably because of an increase in production. What does the Commission intend to do to deal with this problem?

Joint answer to Written Questions Nos 904/92
and 1397/92
given by Mr Paleokrassas
on behalf of the Commission
(8 February 1993)

The questions raised by the Honourable Member do not raise any problem as regards the implementation of Community law.

Under the principle of subsidiarity it is for the national authorities to take any action they consider necessary.

WRITTEN QUESTION No 923/92
by Mr Paul Staes (V)
to the Commission of the European Communities
(15 April 1992)
(93/C 101/19)

Subject: TREVI: exchange of information and the fight against drugs

The TREVI meeting in June 1990 adopted the '1992 action programme' which is evaluated every six months, most recently in December 1991. Paragraph 3.1 of the programme provides for the exchange of information in the fight against drugs.

1. To what extent, how, using what procedures and under whose control is the international exchange of information carried out? Is it done on the basis of bilateral or multilateral agreements? Which ones? Is the USA involved in this through its contacts with the TREVI bureau?

2. Which police and security services are involved, and in what way, in this international exchange of information?
3. Under whose authority and control, and through which channels, is this information exchanged? In what way are the courts involved?
4. To what extent is information also passed on to the American DEA or others?

WRITTEN QUESTION No 924/92
by Mr Paul Staes (V)
to the Commission of the European Communities
(15 April 1992)
(93/C 101/20)

Subject: TREVI: monitored deliveries and the fight against drugs

The TREVI meeting in June 1990 adopted the '1992 action programme' which is evaluated every six months, most recently in December 1991. According to paragraph 3.5, Member States must adopt measures in respect of the fight against drugs to permit monitored deliveries on their territory.

1. What exactly is the agreed common definition of a 'monitored delivery'?
2. What specialist agencies carry out monitored deliveries? How? What means do they use? On whose authority is this carried out? Under what circumstances, in what way and using what procedures is agreement reached on carrying out a monitored delivery?
3. What guarantee is there that the provisions of the law are respected on the territory of the countries in question?
4. When, by which agencies and with which countries have monitored deliveries or exercises in connection with such deliveries been carried out? What exactly do they involve? How are they monitored?
5. What international and national bodies monitor these monitored deliveries? How? What means do they employ? Are the courts involved?
6. Are there specialized training courses for the police officers who have to carry out monitored deliveries? Are there any such training courses for the magistrates who are involved? Where are the courses held? Are there any such courses in the USA?

WRITTEN QUESTION No 925/92

by Mr Paul Staes (V)

to the Commission of the European Communities

(15 April 1992)

(93/C 101/21)

Subject: TREVI: police cooperation

The TREVI meeting in June 1990 adopted the '1992 action programme' which is evaluated every six months, most recently in December 1991. Paragraph 12 refers to police cooperation in border areas.

1. What forms of police cooperation have been agreed in the context of TREVI?
2. Between which countries?
3. What agencies are involved?
4. What is the nature of this cooperation?
5. How, and by whom, is cooperation monitored?

WRITTEN QUESTION No 933/92

by Mr Paul Staes (V)

to the Commission of the European Communities

(15 April 1992)

(93/C 101/22)

Subject: TREVI information system

The 1992 programme of action was adopted in June 1990 by the TREVI Group and is reviewed every six months.

1. To what extent are the plans for the TREVI information system for the storage of personal data referred to in paragraph 15 (1) being implemented?
2. What data is involved?
3. What international and national bodies control the system? How do they do so and with what resources?
4. To what extent is it possible for the USA to gain access to the system?

Joint answer to Written Questions Nos 923/92, 924/92, 925/92 and 933/92

given by Mr Delors
on behalf of the Commission

(5 January 1993)

The Commission would refer the Honourable Member to its joint answer to Written Questions Nos 926/92 to 932/92, 939/92 and 940/92⁽¹⁾, in which it stated that cooperation between Member States in the TREVI group

is a matter for intergovernmental cooperation. It is therefore for the Presidency to reply to the specific questions raised by the Honourable Member.

⁽¹⁾ OJ No C 289, 5. 11. 1992.**WRITTEN QUESTION No 984/92**

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(15 April 1992)

(93/C 101/23)

Subject: Mauritius — exemptions and fraud involving EUR 1 certificates

Is it true that the derogation requested by Mauritius in respect of EUR 1 certificates for untreated Asian textiles would give Mauritius a 25% to 35% price advantage over Community and ACP industries?

Is it true that this derogation would mean a loss of FF 30 — FF 50 million to the EC Member States?

Might this type of derogation not encourage unfair competition with EC and ACP textile manufacturers?

Might this type of derogation not undermine the advantages to the ACP textiles sector granted under the Convention of Lomé?

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

(5 January 1993)

In cases of derogation from the rules of origin a balance has to be struck between the needs of the ACP industry concerned and the interests of the Community industry in order to avoid unfair competition. This equilibrium can be obtained by limiting the derogation measure to a certain period and to a quantitative volume.

The level of import duties which, as a result of the derogation being granted, would not have to be paid on the Mauritian garments on importation into the EEC would be 14%. As to the price-effect on the Community market and any possible damage to the European industry, it should be stressed that, in accordance with Protocol No 1 to the Lomé IV Convention, derogations are only granted if they cannot cause serious injury to an

established Community industry. This ensures adequate protection against unfair competition. In this case, it is not possible to make a precise estimate of the direct effect of a reduction of this amount on the final price.

As far as other ACP interests are concerned these are protected by the procedures for submitting a derogation which require the derogation to be requested by the ACP Secretariat acting on behalf of all ACP States and not by the individual ACP State or States concerned.

WRITTEN QUESTION No 985/92

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(15 April 1992)

(93/C 101/24)

Subject: Mauritius — exemptions and fraud involving EUR 1 certificates

Is it true that a derogation in respect of EUR 1 certificates requested by Mauritius would mainly benefit one undertaking at the expense of other Mauritian undertakings, some of which are financed by the EIB?

Is it true that the undertaking concerned carried out a number of transactions which anticipated the granting of the derogation by several months?

Does the manager of the main undertaking own other undertakings found guilty of fraud involving EUR 1 certificates following a Commission investigation?

What steps does the Commission intend to take to establish whether fraud has occurred and, if appropriate, impose sanctions?

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

(5 January 1993)

The derogation requested by Mauritius and the ACP States concerns a production-process which is currently used by only one company. The final product is destined for export and for further processing by other companies in Mauritius also aiming at export. This derogation has been refused by the Community.

The Commission pursues all cases of alleged fraud with diligence by informing the Member States and inviting them to take appropriate measures to detect alleged irregularities and to undertake the collection of duties that may have been evaded. The Commission takes all possible measures to facilitate and coordinate the investigations carried out at the national level.

WRITTEN QUESTION No 1137/92

by Mr Maxime Verhagen

and Mr James Janssen van Raay (PPE)

to the Commission of the European Communities

(11 May 1992)

(93/C 101/25)

Subject: Tightening-up of external border controls

1. Does the Commission agree that real freedom of movement for persons within the Community and the consequent abolition of the Community's internal borders are only possible if external border controls are tightened up?

2. In this context can the Community say what stage has been reached in drawing up the treaty on external borders?

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

(5 January 1993)

The Commission would agree with the Honourable Member that the logical consequence of the abolition of controls at the Community's internal frontiers is the tightening of controls at its external frontiers. It was in this spirit that it worked with the Member States within the ad hoc working party on immigration on the text of the Convention on the crossing of the Community's external borders. Although the Convention is essential for the abolition of internal frontiers, it is not a formal requirement for attaining the objective clearly formulated in Article 8a of the EEC Treaty.

The Commission has been ready for signature since 1 July 1991. However, an unresolved difficulty between two Member States involving the territorial cover of the Convention has prevented this. Despite the best efforts of successive Council Presidencies and the Commission, this obstacle remains and the Convention is still awaiting signature.

WRITTEN QUESTION No 1224/92

by Mr Virginio Bettini (V)

to the Commission of the European Communities

(21 May 1992)

(93/C 101/26)

Subject: Building of a shooting range and protection of internationally significant species at Madonna del Tonnaro in Sicily (Italy)

The area of Madonna del Tonnaro in Sicily is a habitat for migrating species such as falcons and storks, which are an integral feature of Europe's fauna heritage.

In addition to falcons and storks, the area also contains species such as swallows, rollers, hoopoes, golden orioles, larks and quails.

Poaching takes place in the area, which national and international conservation associations, as well as local authorities, find hard to combat.

A shooting range is now being built there, which would be a threat to migrating species and make it even more difficult to bring poaching under control.

Italy — and, moreover, the European Community — has acceded to the Bern Convention, which includes falcons and storks as specially protected species.

Species such as falcons, storks, swallows and rollers are protected under Directive 79/409/EEC (*) on the protection of wild birds.

In view of the above:

1. Does not the Commission believe that Directive 79/409/EEC is not being observed in this instance and that infringement proceedings should therefore be instituted, as provided for in Article 169 of the EEC Treaty?
2. Does not the Commission believe that a Community inspectorate responsible *inter alia* for ensuring that Directive 79/409/EEC is properly applied should be set up?
3. Does not the Commission believe that the area referred to should become a protected area of European interest and that approaches should be made to that end to the relevant Italian national authorities?

(*) OJ No L 103, 25. 4. 1979, p. 1.

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

(4 February 1993)

The building of a shooting range in the neighbourhood of Madonna del Tonnaro may encourage poaching but does not, of itself, constitute an infringement of Directive 79/409/EEC.

In any case, the Commission has pointed out to the Italian authorities the risks which the building of this shooting

range might present, in particular for species protected under Directive 79/409/EEC.

WRITTEN QUESTION No 1244/92

by Lord O'Hagan (ED)

to the Commission of the European Communities

(21 May 1992)

(93/C 101/27)

Subject: Subsidiarity

Subsidiarity sounds wonderful in theory but may be hard to put into effect.

1. How does the Commission propose to make the idea of subsidiarity practical?
2. Which Commissioner is responsible for the implementation of subsidiarity?
3. Is subsidiarity to be judged on a technical or political basis?
4. Are federalism and subsidiarity compatible?

WRITTEN QUESTION No 1611/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(24 June 1992)

(93/C 101/28)

Subject: Transfer of powers from the Commission to the national governments

According to the statement by the Commission President, Mr Jacques Delors, (Agence Europe, No 5723, 6. 5. 1992) on the transfer of powers from the Commission to the national governments, for example with regard to the environment, this would involve, if Mr Delors' comments were reported correctly, substantial changes to the organization and administration of the Commission itself and its relations with the European Parliament. For example, the European Parliament will be unable to monitor directly and regularly (every two years) the implementation of Community environmental legislation, the scope of which will probably be further widened under the Maastricht Treaty.

1. Was the President of the Commission speaking merely on his own behalf or were his observations the result of deliberations with his fellow Commissioners?
2. Does this transfer of powers apply to other areas of Community policy apart from the environment, and, if so, which?

3. Will the European Parliament be invited to give its opinion on these matters?

**Joint answer to Written Questions Nos 1244/92
and 1611/92
given by Mr Delors
on behalf of the Commission
(5 January 1993)**

The Honourable Members are referred to the statement made by the Commission during the debate on subsidiarity at Parliament's November 1992 part session (¹).

(¹) Debates of the European Parliament No 3-424 (November 1992).

**WRITTEN QUESTION No 1251/92
by Lord O'Hagan (ED)
to the Commission of the European Communities
(4 June 1992)
(93/C 101/29)**

Subject: Rabies

There is widespread concern in the United Kingdom about the possible relaxation of British controls on rabies.

Could the Commission now make the position clear?

**WRITTEN QUESTION No 1617/92
by Mrs Anita Pollack (S)
to the Commission of the European Communities
(24 June 1992)
(93/C 101/30)**

Subject: Rabies

How does the Commission propose to keep Britain rabies-free if it persists in enforcing the lifting of quarantine controls in the UK before the continent has been freed from rabies?

**Joint answer to Written Questions Nos 1251/92
and 1617/92
given by Mr Mac Sharry
on behalf of the Commission
(23 December 1992)**

In the case of cats and dogs imported into the United Kingdom for commercial purposes, the position is that where no disease risk exists quarantine requirements will be replaced as from 1 July 1994 by strict rules designed to

ensure full protection against rabies. These will involve controls at the holding of origin, vaccination, blood tests, full and proper identification, etc. The scientific advice is that these measures will be equally as effective as those provided by quarantine.

As far as pet animals accompanying persons are concerned, the Directive concerned states that it does not affect the national rules 'although their retention may not jeopardize the abolition of veterinary checks at frontiers between Member States' (Article 1). The Council and the Commission have agreed that the arrangements must give at least the same level of protection as in the case of commercially traded animals.

In conformity with Article 8A, the entry into force of this Directive cannot affect the abolition of veterinary checks at frontiers on 1 January 1993.

The Commission will carefully consider all aspects of this matter, including the position of existing quarantine arrangements, in connection with the arrangements to apply under the single market.

**WRITTEN QUESTION No 1313/92
by Mr Gerd Müller (PPE)
to the Commission of the European Communities
(5 June 1992)
(93/C 101/31)**

Subject: A European approach to security after abolition of border controls on 1 January 1993

1. What steps is the Commission taking towards setting up a criminal investigation union from Denmark to Italy, together with legislation on police pursuit and cooperation in fighting cross-border crime?

2. What practical measures have been put into effect to improve protection at external borders?

3. What efforts are being made to harmonize laws at EC level by 31 December 1992 in the areas of criminal law and drugs law?

4. What is being done in practice to improve cooperation between authorities and the exchange of data on police investigations in the EC?

**Answer given by Mr Delors
on behalf of the Commission
(4 December 1992)**

1. The Commission has no power to make legislative proposals for the establishment of police coordination in the fight against cross-frontier crime. This work is carried

out in the context of the Trevi Group. Even when the Treaty on European Union has come into force, the second indent of Article K3 (2) provides that only the Member States will have the right of initiative in the area of 'police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime' (indent 9 of Article K.1). It is accordingly for the Presidency to provide detailed responses.

2. Protection of external frontiers will be improved as a result of the implementation of the Convention on the crossing of the Community's external borders, ready for signature since June 1991, subject to the resolution of a bilateral problem concerning the field of application. However, the immigration group, in conjunction with the Trevi Group, is already preparing implementing rules for this Convention.

3. There is no plan to propose the harmonization of drugs legislation before 31 December 1992 since this is not a prerequisite for the abolition of the control of persons at internal frontiers. The fight against drug trafficking is the subject of cooperation between the Member States. Following a German initiative, work has been carried out in readiness for setting up EUROPOL. Under decisions of the Maastricht and Lisbon European Councils, the first phase should be in place starting in January 1993 in the framework of the European Drugs Unit. Subsequently, it is proposed to extend such cooperation to other areas of organized crime.

In the negotiations for the basic regulation concerning the European Information Network on Drugs and Drug Addiction, on which there was a political agreement between the Member States at the Lisbon European Council (26-27 June 1992), it was agreed that information on national legislation and strategy to combat drug abuse would be the second priority of the Network's work programme.

With respect to fraud against the financial interests of the Community, following the Council meeting (Judicial Affairs) of 13 November 1991⁽¹⁾, a comparative law study of the legal and administrative provisions in the Member States concerning fraud against the financial interests of the Community was undertaken to discover whether homogeneous action is taken to combat fraud against Community finances throughout the Community. The Commission will evaluate the findings of the study, which should be available in the first half of 1993, and, if necessary, will formulate recommendations to the Council with a view to aligning or harmonizing national provisions relating to the elimination of fraud against Community financial interests.

4. The advisability of improving administrative cooperation through the exchange of data concerning police investigations is part of the more general problem of developing European information systems. Such work has also been undertaken in an intergovernmental

framework and only the Presidency can answer these questions.

⁽¹⁾ Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, of 13 November 1991 concerning the protection of the financial interests of the Communities (OJ No C 328, 17. 12. 1991).

WRITTEN QUESTION No 1368/92

by Lord O'Hagan (ED)

to the Commission of the European Communities

(5 June 1992)

(93/C 101/32)

Subject: Subsidiarity and the Social Action Programme

Should any individual proposals in the Social Action Programme not yet have reached the European Statue Book by the time the Treaty of Maastricht is ratified, how will the principle of subsidiarity be applied:

1. Will the original proposals be withdrawn by the Commission?
2. Will new proposals be issued?
3. Will the European Parliament or the Economic and Social Committee and the Social Partners have to be reconsulted?

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

(21 December 1992)

When the Treaty on European Union comes into force, the Commission will, on a case-by-case basis, decide whether its proposals should be adopted by all 12 Member States or whether to apply Protocol No 15 on social policy to 11 Member States only.

1. In the first case, and as it did after the entry into force of the Single European Act, the Commission will confine itself to changing the legal basis of its proposal if the amendments made by the Treaty of Maastricht to the Treaty establishing the European Community render this necessary.

If the Commission decides to have recourse to the provisions of the Agreement with 11 of the Member States, this will mean a new proposal and the withdrawal of the original one.

2. The Commission will examine the desirability of presenting a new proposal, if necessary under Article 4 of the Agreement, if asked to do so by management and labour.
3. As it did at the time of the entry into force of the Single European Act, the Commission will, if necessary, request the Council to reconsult Parliament

and the Economic and Social Committee in accordance with the requirements of the new legal basis proposed by it.

The Commission could decide to consult management and labour further. If Article 4 of the Agreement is applied, the Commission will follow the procedure provided for in the Agreement.

With regard to the principle of subsidiarity referred to by the Honourable Member, it will be taken into account in the Commission's proposals.

the Minister, on behalf of Fisheries and Oceans, commissioned a study to be conducted by the International Marine Mammals Association.

The recently published report entitled 'A Review of Stomach Contents of Harp Seals (*Phoca Groenlandica*) from the Northwest Atlantic' indicates that Atlantic cod (*Gadus morhua*) which includes the northern cod stock (NAFO division 2J3KL) is rarely eaten by harp seals. The authors, Wallace and Lavigne, found that Atlantic cod comprised about 1% of the harp seal diet based on a sample of 3 621 seal stomachs from Newfoundland and Labrador.

WRITTEN QUESTION No 1475/92

by Mrs Carmen Díez de Rivera Icaza (S)
to the Commission of the European Communities

(16 June 1992)

(93/C 101/33)

Subject: Seals in Canada

In the light of the declarations made by the Canadian Minister of Fisheries, John Crosbie, that it may be necessary to slaughter 510 000 seals to preserve cod stocks, what does the Commission intend to do to avoid such bloodshed?

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

(27 January 1993)

Immediately upon hearing of the declaration referred to by the Honourable Member, Commissioners Marín and Ripa di Meana wrote to the Canadian Minister of Fisheries and Oceans, Mr John Crosbie, about the concern it has caused in European public opinion.

It was, among other things, pointed out that

1. there was considerable uncertainty regarding estimated increases of seal numbers and that a massive cull would involve considerable risk as regards the future of seal colonies, and that
2. there was insufficient proof concerning any significant quantitative impact of seal populations on cod stocks.

During his February announcement of a reduction in Canada's 1992 Total Allowable Catch (TAC) for northern cod, Mr John Crosbie, Minister of Fisheries and Oceans, did *not* propose a seal cull *nor* did he link directly the increase in the seal population with the decline in the 2J3KL cod stock.

Calling for increased research to understand better the relationship between the seal population and cod levels,

WRITTEN QUESTION No 1490/92

by Mr Gerardo Fernández-Albor (PPE)
to the Commission of the European Communities

(16 June 1992)

(93/C 101/34)

Subject: Community aid for the Galician forestry plan

The implementation of EC agricultural and fisheries policy will force Galician farmers (in Spain) to set aside 300 000 hectares and put thousands of fishing vessels into dry dock. Moreover, the region's industry is plunged deep in crisis, with 12 000 jobs at risk.

In view of this situation, Galicia has opted to 'manufacture woodland', since it is the European region with the highest productivity in the forestry sector. The forestry plan now before the Galician Parliament, which covers a forty-year period, provides for a total investment of almost 2 billion pesetas, to be split equally between the public and the private sector; it is estimated that over 125 000 million pesetas will be invested between 1993 and 1997.

How, in the Commission's view, can the European Community contribute to this ambitious project in Galicia, which is currently before parliament? How, in its view, can it help consolidate Galicia's high productivity in the Community forestry sector, and what practical assistance can it offer to help this forestry plan — which, moreover, aims to 'produce more environment' — to achieve success?

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

(28 October 1992)

The Autonomous Community of Galicia's wish to expand and develop its forestry sector by means of a large-scale

forestry plan is in line with the interest the Commission takes in the creation and improvement of woodland and in the protection of the environment in general.

Under its action programme for forestry the Commission can certainly provide support and financial aid to several aspects of the Galician forestry plan.

This programme, moreover, has recently been reinforced by the adoption of the measures accompanying the reform of the common agricultural policy. The Commission seeks to make the afforestation of agricultural holdings more attractive and more effective and the Community is to provide part-financing of up to 75 % for Objective 1 regions, which include Galicia.

The Commission can also contribute in a more general way to Galicia's forestry plan by means of the aid provided for in Regulations (EEC) No 4256/88 and (EEC) No 1610/89 on assistance from the EAGGF under the reform of the structural Funds and under the Community support frameworks which will be drawn up in future (¹).

Galicia currently receives aid of ECU 18,84 million, i.e. 49 % of the total investment of ECU 37,89 million, for forestry measures under two operational programmes submitted for 1990—93.

(¹) OJ No L 374, 19. 12. 1988.

WRITTEN QUESTION No 1561/92

by Mr Patrick Cox (LDR)

to the Commission of the European Communities

(16 June 1992)

(93/C 101/35)

Subject: The first year of activity of the European Bank for Reconstruction and Development (EBRD)

The political and economic developments in the countries of Central and Eastern Europe have demonstrated the urgent need for investments — both from domestic and foreign sources — to develop the economies of these countries.

In particular, the development of the private sector of these countries demands the application of flexible financial instruments.

The EBRD was established in 1990 as a matter of great urgency to respond to the financial and managerial

challenge posed by the economic transformation in the countries of Central and Eastern Europe.

Would the Commission, in its capacity as representative of the EC shareholding, inform the Parliament about its assessment of the first year of activity of the EBRD?

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

(18 December 1992)

The European Bank for Reconstruction and Development was established one year ago. It held its first annual meeting last month in Budapest, on 13/14 April, when it published its first annual report. In a very short time, an institution playing an important rôle in support of Central and Eastern European countries has been established. Staff have been recruited, the Bank is borrowing on the financial markets, it has started to lend and make equity investments. During the first year of operations, 15 loans were authorized by the Board of Directors, and 5 equity operations. This totals ECU 621 million, allowing investment programmes of ECU 2,1 billion to take place. The smallest operation was a ECU 1,7 million loan in Poland, the biggest a ECU 142 million loan to Romanian Telecom. Although experience during the first year is too limited to draw conclusions, it shows that a wide variety of projects can be financed. It has also shown that the Bank can act in a complementary way with other international financial institutions as well as with commercial banks.

1991 ended with a loss of ECU 7 million for the Bank. The bank is not expected to be profitable before its callable capital has been fully paid in. The Commission considers that a high priority should be given by the Bank to its core banking activities. It cooperates closely with the Banks. In October 1991, an agreement was signed earmarking a total of ECU 40 million in 1992 on the EC Phare and CIS budgets in support of technical assistance with a potential of leaching to EBRD Investment Projects.

The Commission acknowledges the achievements of the Bank in its first year of operations. The EBRD is now a key player in our effort to give a strong support to the transition to market economies in central and eastern Europe. The EBRD brings an additional contribution and plays a catalytic rôle to foster investments in its countries of operations. Nevertheless, the economic and financial needs of the countries of operations are daunting, and for the Banks, the challenge is continuing.

WRITTEN QUESTION No 1578/92**by Mr Elmar Brok (PPE)****to the Commission of the European Communities***(16 June 1992)**(93/C 101/36)**Subject: Smoking at the workplace*

1992 has been designated the Year of Safety and Health at Work by the European Community, with priority being given to air quality at the workplace.

1. Is the Commission envisaging proposals to prohibit or limit smoking at the workplace?
2. As many places of work are situated in public buildings, will smoking be prohibited in them?
3. What legal bases can be invoked by the EC for this purpose?

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

(5 January 1993)

Every year more than 430 000 people in the EC die prematurely because of tobacco smoking. Therefore, the Commission regards smoking as one of the major avoidable causes of death in the EC.

1. Within the framework of the EC programme 'Europe against cancer', the Commission promotes a number of initiatives to fight against the dangers of tobacco and to encourage smokers to stop smoking. 1992 has been the 'European year of Safety, Hygiene and Health in the workplace'. Thus, during the 'European week against cancer' from 12 to 17 October 1992, the programme aimed to encourage employees and enterprises to promote progress in the field of smoke-free workplaces. A special leaflet on this issue was published in all Member States. Pilot projects demonstrated that health promotion at work can create voluntary agreements in enterprises to restrict smoking in the workplace. The European Bureau for Action on Smoking Prevention (BASP) published a brochure 'It's better working smoke-free' to support the work of the programme.
2. The resolution of the Council and the Ministers of Health of the Member States meeting within the Council of 18 July 1989 ⁽¹⁾ invites all Member States to ban smoking in places open to the public. On 30 October 1992, the Commission presented a report which summarizes the communications of the Member States on the state of existing provisions to protect the citizen, among them employees, against

the dangers arising from smoking. The Commission believes that there is an improved understanding of the health hazard posed by tobacco smoking in public places and in workplaces in all Member States.

3. Moreover, the Commission, when drafting the Council Directive 89/654/EEC ⁽²⁾ took into consideration the question of the ventilation of the workplaces and rest areas. This Directive concerning the minimum safety and health requirements for the workplace, adopted on 30 December 1989, provides that steps shall be taken in order that there is sufficient fresh air in enclosed workplaces. Thus, the requirements on points 6 and 16.4 of Annex I and on point 6 and 11.3 of Annex II to the Directive aim specifically at ventilation in enclosed workplaces, as well as at the protection of non-smokers against discomfort caused by tobacco smoke.

On the other hand, within the framework of its action plan, the Commission is considering to propose specific measures to limit or to ban smoking at the workplaces. In its proposal for a Council Directive concerning the minimum safety and health requirements on the fishing boats (first individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC ⁽³⁾), the Commission has adopted specific provisions as regards the ventilation in enclosed workplaces and the protection of non-smokers (points 6, 13.1 and 13.2 of Annex I to the Directive).

⁽¹⁾ OJ No C 189, 26. 7. 1989.

⁽²⁾ OJ No L 393, 30. 12. 1989.

⁽³⁾ OJ No L 337, 31. 12. 1991.

WRITTEN QUESTION No 1672/92**by Mr Jean-Pierre Raffin (V)****to the Commission of the European Communities***(1 July 1992)**(93/C 101/37)*

Subject: Settlement of the potential conflict between Slovakia and Hungary concerning the Gavbcikovo dam

Speaking on behalf of the European Community, the Commission Vice-President, Mr Frans Andriessen, called for work on the Gavbcikovo dam to be halted, in accordance with the wishes of the local Hungarian minority, Hungary itself and 80 mayors on both sides of the border. Is the Commission still of the same opinion?

If work on the dam proceeds as intended by Slovakia (diversion of the Danube this autumn) it is likely to damage the largest underground water reserves in Central Europe, which provide over two million people with water, together with one of Europe's major wetland areas.

In particular, it may lead to conflict with Hungary, which has not agreed to the diversion of the Danube in Slovakia. Can the Commission take any measures to prevent this potential conflict and if so, what measures?

Would the Commission be in favour of sustainable regional development being carried out by a tripartite 'Euroregion' (consisting of Czechoslovakia, Hungary and Austria)? Initiatives have already been taken in this direction (Ecological Bricks). Does the Commission intend to support such initiatives and, if so, by what means?

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

(18 December 1992)

The Commission would like to refer to the statement made by Commissioner Pandolfi in the European Parliament on 29 October 1992 at the occasion of the debate and vote on the common resolution (B3-1414, 1422, 1458 and 1490) on the Gabčíkovo-Nagymaros works.

Following the Agreement reached in London on 28 October between the CSFR and Hungary under the chairmanship of the Commission, the expert report has been discussed in a further trilateral meeting in Brussels on 27 November. All sides expressed the need to find a mutually acceptable solution in the interest of maintaining regional stability and cooperation. The CSFR and Hungary agreed to establish jointly the document for the submission of the dispute, with all its aspects, to the International Court of Justice. Pending the judgement by the Court, a temporary regime of management of the Danube water will apply.

WRITTEN QUESTION No 1675/92

by Mrs Maartje van Putten (S)

to the Commission of the European Communities

(1 July 1992)

(93/C 101/38)

Subject: Irian Jaya in Indonesia

Is the Commission aware of reports of famine in certain parts of Irian Jaya, particular in Silimo in the Kurima district?

Is the Commission prepared to provide emergency aid to the local population and to monitor both the transport and distribution of this aid?

Is the Commission aware that, when this area was hit by famine in 1984, the food aid provided by the world food programme remained in government stores?

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

(9 February 1993)

The suggestion from the European Parliament that food aid might be provided for people in Silimo, Jurima subdistrict, Irian Jaya province is much appreciated.

In the meantime, it seems that the famine, which was caused by excessive rainfall, has however been overcome by the Government of Indonesia.

The representation in Jakarta has no information about the non-distribution of earlier food aid sent for Irian Jaya.

WRITTEN QUESTION No 1690/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(1 July 1992)

(93/C 101/39)

Subject: Urban development and planning in the area covered by the approved Athens City Project — Community financing

In 1988, the municipal authorities proposed a large-scale, not to say drastic, project for the Gazochori (Kerameikos) area of Athens, involving the demolition of a large number of residential blocks and their replacement by exhibition centres. This area is situated in the historic centre of Athens which Law 1515/85 (Athens City Project) has set aside as a residential area and green belt. The replanning of this area will inevitably mean a major increase in traffic and, in general, increased pressure on a particularly fragile and damaged environment. In addition, this area is situated next to the archaeological heart of Athens and to the Elaionas area where major operations are being planned (the survey is already being completed) probably with Community funding. Since the Gazochori project will doubtless aggravate the problem of smog and pollution in Athens and no environmental impact survey has been carried out in respect of the project:

1. Is Community support being provided for projects such as the above-mentioned exhibition centres, as leaders of the local community claim?
2. Will the Commission call on the Greek authorities to comply with Community legislation and, in particular, Council Directive 85/337/EEC (1)?

(1) OJ No L 175, 5. 7. 1985, p. 40.

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

(10 February 1993)

1. There is no provision for funding for the projects mentioned by the Honourable Member in the Community support framework for Greece.

2. Urban-development projects of the kind envisaged in the Athens area of Gazohori are covered by Annex II to Directive 85/337/EEC, which means that their environmental impact must be assessed if it is likely to be significant, in particular by virtue of their nature, size or location.

Given that the Directive has not been fully incorporated into Greek law, e.g. as regards the Annex in question, the Commission will contact the Greek authorities to find out what they intend to do in this case.

WRITTEN QUESTION No 1733/92

by Mr Gijs de Vries (LDR)

to the Commission of the European Communities

(1 July 1992)

(93/C 101/40)

Subject: American anti-dumping and anti-subsidy measures

1. (a) In what instances have the American authorities imposed anti-dumping measures on EC undertakings since 1 January 1991?
- (b) At the time of answering, are any anti-dumping procedures still being applied against European undertakings?
2. (a) In what instances have the American authorities imposed anti-subsidy measures on EC undertakings since 1 January 1991?
- (b) At the time of answering, are any anti-subsidy procedures still being applied against European undertakings?

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

(10 December 1992)

1 (a)

For the following product AD-measures are taken:

- High tenacity rayon filament yarns from Germany and the Netherlands.

1 (b), 2 (a) and (b)

The following AD and CVD proceedings in the US are ongoing:

- (i) Hot rolled and bismuth carbon steel products. The US Department of Commerce imposed on 10 September 1992 provisional countervailing duties and on 21 September 1992 anti-dumping duties on imports of concerned lead and bismuth products originating in France, Germany and the UK.
- (ii) Rails:
On 9 October 1992 the Department of Commerce imposed provisional anti-dumping duties on imports of steel rails from the United Kingdom.
- (iii) — Certain hot rolled carbon steel flat products;
— Certain cold rolled carbon steel flat products;
— Certain corrosion-resistant steel flat products;
— Certain cut-to-length steel plate products;
from the UK, France, Germany, Belgium, Spain and Italy.

The ITC made preliminary affirmative injury-findings for most investigations.

WRITTEN QUESTION No 1747/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(2 July 1992)

(93/C 101/41)

Subject: Educational programmes

A number of Greek newspapers reported recently (26 May 1992) that the Greek Under Secretary of State for Economic Affairs, Mr A. Tsiplakos, told the Greek Parliament that billions of drachmas in educational programme grants were being squandered, that, unfortunately, monitoring had so far been carried out and that thousands of undertakings were misappropriating Community funds. Is the Commission aware of this statement by the Greek Under Secretary of State and if so, what action does it intend to take?

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

(1 October 1992)

The Commission is not aware of the remarks to which the Honourable Member refers.

It would point out, however, that all Community cooperation programmes in the field of education and

training (such as Comett, Erasmus, Lingua, Force, Eurotecnet, etc.) lay down strict criteria for the selection of projects which are to receive financial assistance from the Community, and require organizers to submit interim and final reports.

The accounts are also audited by Commission staff, if necessary on the spot and in cooperation with the competent national authorities.

WRITTEN QUESTION No 1771/92

by Mr Frédéric Rosmini (S)

to the Commission of the European Communities

(2 July 1992)

(93/C 101/42)

Subject: European transport networks

Under the Maastricht Treaty, the new areas of action assigned to the Community include the development of major trans-European networks in order to ensure 'the interconnection and interoperability of national networks as well as access to such networks'.

It also specifies that the Council shall decide by qualified majority and jointly with the European Parliament on guidelines to identify projects of common interest.

Does this provision mean that the various standards for new infrastructures (in particular inland waterways) will be established by Community bodies? If so, what will be the margin for manoeuvre for the Member States?

Will the Commission submit to Parliament present and future plans for infrastructure before the entry into application of the Treaty on European Union since, under the Treaty, they require a joint decision by Parliament and the Council?

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

(9 February 1993)

Article 129b of the EEC Treaty (as shall be amended by the Treaty of European Union) provides that the Community shall contribute to the establishment and development of trans-European networks only inasmuch as Community action shall help to achieve the objectives referred to in Articles 7a (establishment and functioning of the internal market) and 130a (strengthening of the economic and social cohesion) EEC Treaty.

Within the limits laid down in Article 129 b of the EEC Treaty, the second indent of paragraph 1 of Article 129c of the EEC Treaty provides that the Community shall implement any measures that may prove necessary to

ensure the interoperability of the networks, in particular in the field of technical standardization.

Under any circumstances, in accordance with the principle of subsidiarity, Community action on trans-European networks shall not go beyond what is necessary to achieve the objectives laid down in Article 129b of the EEC Treaty.

The Commission has already presented a communication on 'Transport infrastructure' ⁽¹⁾, which includes among its legislative proposals, a draft proposal for a Council Decision on the creation of a Trans-European Road Network and a proposal for a Council Decision on the creation of a European Inland Waterway Network. In addition, there is also before Parliament a communication ⁽²⁾ from the Commission on combined transport. Therein is a proposal for a Council Decision on the establishment of a combined transport network in the Community. The legal base of all these proposals is Article 75 of the EEC Treaty (with the additional base of Article 84 (2) for the combined transport proposal). The opinion of Parliament is awaited on all texts.

⁽¹⁾ COM(92) 231 final.

⁽²⁾ COM(92) 230 final.

WRITTEN QUESTION No 1826/92

by Mr Paul Staes (V)

to the Commission of the European Communities

(6 July 1992)

(93/C 101/43)

Subject: Mercury exports to Brazil

For a long time the European Community has been exporting mercury to Brazil, for use mainly in gold production, resulting in regular cases of mercury poisoning.

At the same time, the European Parliament has adopted a number of resolutions unambiguously calling for the conservation of the tropical rain forests and for the protection of indigenous peoples.

Does the Commission not consider that export of mercury from the EC to Brazil should be suspended immediately until verifiable guarantees can be provided that the mercury is no longer being used in gold production?

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

(26 November 1992)

It is indeed the case that the use of mercury in gold extraction is a major cause of river pollution. The

Commission has been looking into this question for some time and has commissioned a number of studies, under the 'Ecology in the developing countries' budget heading, among others.

Given the relatively complex nature of this issue, the Commission feels that the best approach is to seek overall solutions in consultation with the authorities concerned, rather than to impose bans or sanctions. The Amazon pilot project is a framework with the kind of comprehensive scope that can encompass problems of this nature. The Commission feels that it is in the broader context that the most satisfactory long-term solutions will be found, provided that due allowance is made for all the various aspects involved.

WRITTEN QUESTION No 1831/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 July 1992)

(93/C 101/44)

Subject: The Dama-Dama of Rhodes

The Dama-Dama deer, which is the emblem of Rhodes, is surviving without protection in the very small remaining wooded area of the island unaffected by forest fires. The Greek Society for the Protection of Animals and the Environment complains that it is still being hunted, despite the fact that it is one of the rarest species of deer, with the result that only 20 or 30 remain in the wild. Can the Commission contribute, and in what way, to setting up a centre for the protection of the Dama-Dama deer as requested by local organizations?

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

(5 February 1993)

According to information provided by the Greek Ministry of Agriculture, the number of wild deer on Rhodes has fallen in recent years; however, their current numbers are not known. The main cause of the reduction in numbers is thought to be the fire which destroyed a large part of the island's forests, the main biotope of the deer, in 1986.

The Honourable Member is also referred to the second part of the answer to Written Question No 2313/91 by Mr Mihail Papayannakis ⁽¹⁾.

⁽¹⁾ OJ No C 309, 26. 11. 1992.

WRITTEN QUESTION No 1833/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 July 1992)

(93/C 101/45)

Subject: Bears in Greece

It is still a common sight in Greece to see gypsies travelling the roads accompanied by bears in chains with which they 'amuse' the local population and visitors. Despite the fact that the Association for the Protection of Bears has condemned this practice, the authorities rarely intervene to release these unfortunate animals. If pressure is applied to the authorities to enforce the ban on the keeping and chaining-up of bears, they often reply that it is perhaps better to leave things as they stand, given that there is no centre for treating these animals in the whole of Greece. Does the Commission not consider that it should take steps to protect bears from the suffering inflicted on them by gypsies in Greece?

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

(5 February 1993)

According to the information given by the Greek authorities a considerable improvement has been noticed over the last two years concerning the reduction of threats to the brown bear from hunters, shepherds and apiarists, due to an ongoing programme for this purpose, funded both by the Greek Government and the Community.

The liberation of 11 to 15 bears currently kept by gypsies, requires the creation of a special rehabilitation centre, since these animals cannot go back to the wild. Permission for the creation of such a centre has been given recently by the Ministry of Agriculture to Yannis Boutaris (14 September 1992) who offered for this purpose a large natural area in northern Greece.

WRITTEN QUESTION No 1865/92

by Mr Ben Visser (S)

to the Commission of the European Communities

(23 July 1992)

(93/C 101/46)

Subject: Negotiations between the Community and the Gulf States

The Commission's second negotiating mandate for the conclusion of an agreement augmenting the cooperation agreement with the countries of the Gulf Cooperation Council was dated 1 October 1991. The negotiations are

not proceeding as everyone might wish. From talks with industrial circles in particular, it appears that there are still a number of problem areas.

1. What is the situation as regards the inclusion of a clause on respect for human rights and democracy?
2. If negotiations with the Gulf States are wound up with a Free Trade Agreement, is there a risk that the Community will find itself in a situation where it is strongly dependent on the Gulf Cooperation Council?
3. Is the Commission continuing to stand fully by the demand that the Gulf States bring about a customs union before a Free Trade Agreement can come into effect?
4. Is it conceivable that a large part of the Community's petrochemical industry will eventually disappear, as Mr Rhein of DG I predicted in The Hague on 24 January 1992? If so, does the Commission think that this is a desirable development?
5. Is it possible for the Commission to provide a speedy answer to these questions, in view of the continuing negotiations and discussions in the European Parliament's Committee on External Economic Relations?

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

(28 January 1993)

The Commission is pursuing negotiations with the countries of the GCC on the basis of directives approved by the Council. In January, the Commission presented revised proposals contained in the directives approved by the Council in October 1991. In the context of these directives, the Commission will negotiate in the context of general Community policy regarding agreements with third countries, and particularly in the context of the existing Cooperation Agreement, with all the GCC countries.

The Commission can assure the Honourable Member and the Parliament, that it is convinced that a Free Trade Agreement with the countries of the GCC would be in the economic and political interests of the Community. The GCC countries represent the fifth most important export market of the Community. The Community has a positive balance of trade with the GCC, which amounted to ECU 3,3 billion in 1991. The GCC countries supply more than 20% of oil production and possess more than 45% of known reserves. Nevertheless, given the adequate supplies of gas and oil in various Gulf countries and on the rest of the world market, there is no concern that the Community would become heavily dependent on the GCC countries.

As Commissioner Millan said in Parliament on 12 June 1992, Mr Rhein was completely misrepresented in press articles appearing after his participation in a seminar in the Hague in January 1991. The Commission does not consider that a Free Trade Agreement with the GCC countries would result in the disappearance of a major part of the European Community's petrochemical industry. The Community is committed, in the context of its negotiations with the GCC countries, to ensure that an Agreement does not undermine efforts to restructure the Community's oil manufacturing and petrochemical industries and to maintain a production capacity in these industries in accordance with the Community's basic interest and its security of supply.

WRITTEN QUESTION No 1911/92

by Mr Luciano Vecchi (GUE)

to the Commission of the European Communities

(23 July 1992)

(93/C 101/47)

Subject: Community programmes for central rural areas in north-central Italy

The effective implementation of the reform of the common agricultural policy will coincide almost exactly with the review in 1993 of the Structural Fund reform, which was initiated in 1988.

As a result, over the next few years, a special effort will be made to adapt rural areas of the Community through the implementation of new types of Community intervention.

In the first phase of the reform, the designation of Italian Objective 5b regions has excluded large areas, particularly those situated in the centre of northern Italy which display typical rural characteristics and suffer from specific disadvantages and were already included in Community aid programmes (IMPs) previously launched with notable success with regard to their implementation and cooperation with local, national and Community bodies.

In view of this

1. Will the Commission restore the situation by extending the arrangements to the Emilia-Romagna area of the Appenines, which has until now been excluded?
2. Have criteria been established for the selection of such areas and what type of aid programmes are envisaged?

3. What progress has been made in implementing programmes in rural areas of Italy included under Objective 5b?

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

(28 October 1992)

In adopting the Delors II package the Commission has already come down in favour of strengthening the structural policies which resulted from the 1988 reform.

As part of this intensification, the commitment to rural development should be maintained and increased, in parallel with the boost which should come from the accompanying measures provided for in the reform of the CAP.

Assistance for Objective 5(b) should therefore increase, given the negative trends which continue to weigh on the rural areas.

Over and above those areas chosen in 1989, this aid may be extended to new rural areas on the basis of the available resources and compliance with the principle of concentration but without amending the selection criteria actually in force.

As for progress on the operational programmes for the rural areas of Italy approved by the Commission between April and December 1991, these programmes are at present under way. Some programmes have fallen behind the timing laid down when their financing was being programmed and agreed upon in partnership.

WRITTEN QUESTION No 1961/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/48)

Subject: Establishment of a major centre for medical and vocational rehabilitation at Pendeli

On 20 March 1991 the Ministry of Agriculture ceded to the Ministry of Health an area of 20 hectares within the community of Pendeli (Attika), which is either woodland or subject to reforestation, for the setting up of a major centre for the medical and vocational rehabilitation of persons with special needs. Without at all calling into question the importance and social objective of this

project, I should like to raise the following points affecting inhabitants of the region:

1. This land in the community of Pendeli, the only green lung in the smog-ridden Attika basin, is subject to up to approximately 95% compulsory reforestation under Article 117 (3) of the relevant decree and is also protected by Presidential Decree 26/8/88, official government bulletin 755/D/88.
2. The land in question was handed over without a report being drawn up by the local Forestry Directorate, an opinion of the Prefectural Council or a report by the Environmental Protection Service of the Ministry of Agriculture.
3. This centre is disproportionately large, given the nature and infrastructures of a small community such as Pendeli, and the increase in traffic due to the functioning of this centre will mean a further burden for the road network of this area, which is already congested at rush hour, involving an increase of about 100%.
4. No environmental impact assessment has been drawn up (Directive 86/337/EEC) ⁽¹⁾ nor a survey of alternative solutions as required by Article 45 (3) (4) of Law No 998/79, and issues such as the increase in traffic, the increase in noise and pollution, the pollution of groundwater, etc. have not been considered.
5. Alternative solutions are available.
6. This project is to be largely financed by the Community.

In view of all this, will the Commission say whether it has been notified of this project, what action it intends to take and what representations it intends to make to the Greek Government to persuade it to transfer this vital project to a more suitable site, after, of course, notifying local inhabitants and taking into account their concerns?

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

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

(15 December 1992)

The Commission is aware of the project mentioned by the Honourable Member. It has recently received an application by the Greek authorities for structural Fund assistance to the project including a report on the environmental impact.

The Commission is proceeding with an evaluation of the application in accordance with structural Fund rules. This will include an examination of the environmental aspects. Following the evaluation and in the light of the resources available at that time and of competing priorities, the Commission will decide whether it would be appropriate to allocate structural Fund assistance to the project.

accordance with Article K.1 (9) of the Treaty on European Union, since this is not one of the areas in which the Council may decide to apply Article 100c of the Treaty establishing the EC pursuant to Article K.9 of the Treaty on European Union.

4. The question of protecting personal data will be dealt with in the agreement on Europol.

WRITTEN QUESTION No 1979/92
by Mr Herman Verbeek (V)
to the Council of the European Communities
(1 September 1992)
(93/C 101/49)

Subject: Europol

Further to answers given by the Council to previous queries concerning Europol (Written Question No 86/92) ⁽¹⁾ can the Council give further details with regard to the following:

1. How long will the first phase of building up a European Police Service last?
2. Has the possibility of extending the powers of Europol in a second phase already been discussed?
3. (a) Do long-term plans exist to replace intergovernmental cooperation in the fields of justice and home affairs by Community procedures and decision making?
(b) Do the Member States agree on this in principle?
4. When and by whom will measures be taken to protect personal data within the framework of Europol?

⁽¹⁾ OJ No C 159, 25. 6. 1992, p. 57.

Answer
(10 March 1993)

1. It is not possible to say at present how long the first phase of building up the European Police Office will last.

A project team began work in September 1992.

2. The possibility of extending the powers of Europol in a second phase has not so far been specifically discussed.

3. The long-term objective for Europol is to implement police co-operation in the context of European Union in

WRITTEN QUESTION No 2034/92
by Mr Lode Van Outrive (S)
to the Commission of the European Communities
(1 September 1992)
(93/C 101/50)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social rights for workers

What action has the Commission taken in response to the European Parliament's call for measures to increase the effectiveness of the Structural Funds (paragraph 21 of the EP resolution of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter of fundamental social rights — Doc. A3-175/90) ⁽¹⁾.

1. What new objective evaluation and feedback methods have been introduced?
2. What are the qualifications of the experts who carry out these evaluations independently of the authorities concerned? When and how are the evaluations made?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

Answer given by Mrs Papandreou
on behalf of the Commission
(5 January 1993)

1. The European Social Fund applies different evaluation methods depending on the purpose of the evaluation to be carried out.

A seven-point methodology developed by the Social Fund itself has been used for thematic assessments and continuous assessments (aid for the occupational integration of young people, to combat long-term unemployment, for women and for the disabled in the period December 1991 to September 1992) ⁽¹⁾.

A methodology has been developed for the evaluation of Community initiatives in the field of human resources

(NOW, Euroform, Horizon) to enable an overall assessment of programmes to be made.

The methodology for ex-post evaluation⁽²⁾, was discussed at a meeting held in February 1992 as an exercise in partnership between representatives of the Social Fund and representatives of Social Fund missions in the Member States.

2. In order to carry out the various evaluations, the Social Fund departments engaged independent, outside consultants who had responded to the call for expressions of interest in participating in the programme of studies and technical assistance published in *Official Journal of the European Communities* No C 134 of 1 June 1990.

During the selection procedure consultants were required to demonstrate experience of conducting evaluations and familiarity with the work of the Social Fund and labour market and employment policy.

The evaluations were carried out by 12 external consultants, one for each Member State, who were required to submit a final national report to the Social Fund. One consultant, acting as a coordinator, prepared a final synthesis based on the 12 national reports.

The evaluations were conducted at different times: ex-ante evaluation of CSFs relating to Objectives 3 and 4 in March 1991, evaluations of aid to promote the occupational integration of young people and to combat long-term unemployment in May 1991, evaluation of women's programmes in June 1991 and evaluation of programmes for the disabled in December 1991. Most were completed five or six months later.

- (¹) (a) Qualitative and quantitative description of activities under Community support frameworks (CSFs) and operational programmes (OPs) (varies according to type of activity evaluated);
- (b) description of methods of preparation, administration and evaluation of this type of activity or policy under CSFs and OPs;
- (c) assessment of relationship between activities cofinanced by the Social Fund and the overall programme of activities developed by each Member State;
- (d) assessment of the feasibility of activities, their coherence at national and Community level, their effectiveness, bearing in mind results achieved elsewhere in the Member State;
- (e) assessment of relationship between these activities and other similar activities receiving Community funding, with a view to the possibility of synergy and complementarity;
- (f) suggestions and recommendations for improving the implementation and effectiveness of CSFs and OPs in the area evaluated;
- (g) comparative analysis at Community level of CSFs and OPs as a whole in order to produce a global evaluation of Social Fund activities, with pertinent suggestions and recommendations.

(²) Article 26 of Council Regulation (EEC) No 4253/88 of 19 December 1988 provides for assessment as part of the reform of the structural Funds.

WRITTEN QUESTION No 2036/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/51)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

In its resolution A3-175/90⁽¹⁾ of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter of Fundamental Social Rights for Workers, Parliament called on the Commission to submit an action plan for employment. What initiatives has the Commission taken in response to this request? Can the Commission forward to Parliament the documents which have been drawn up?

(¹) OJ No C 260, 15. 10. 1990, p. 167.

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

(5 January 1993)

Since 1990, the Commission has pursued its activities in the field of promoting employment. In particular, it has published two more issues of the Employment in Europe report, which serves as the basis for discussion and debate on employment issues in the Standing Employment Committee and in the Council of Social Affairs Ministers.

It has further developed and restructured the activities of the Employment Observatory, which monitors employment trends and policies throughout the Community.

It has strengthened its own specific employment programmes to develop innovative methods of tackling particular employment problems — the ERGO, LEDA, and SPEC programmes — with a view to these methods being more widely adopted in the Community.

In the light of the worsening employment situation, the Commission has this year launched an employment policy debate with the Member States. This debate has developed during the second half of the year 1992, with a Communication of the Commission to the informal meeting of Social Affairs Ministers. On the basis of the conclusions of this debate, it is hoped that concrete proposals for action throughout the Community can then be developed.

Finally, the Commission presented to the Council a draft initiative on 'Employment, competitiveness and growth in the Community'. The European Council, meeting in Edinburgh on 11 and 12 December 1992, adopted a 'Declaration on promoting economic recovery in Europe' which draws on the Commission's proposal and which invites the Member States and Community institutions to

take the appropriate measures to implement the declaration, which 'will work to boost confidence, reinforce the fundamentals of economic growth and encourage the creation of new jobs'.

WRITTEN QUESTION No 2037/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/52)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

In its 'first report on the application of the Community Charter of the Fundamental Social Rights for Workers' (COM(91) 511 final) the Commission refers (page 7) to the setting up of a 'network of national employment coordinators'.

1. Which organizations (at national or, where appropriate, at regional level) will represent the Member States in this network? How exactly will it operate?
2. What information will be collected by the network? How will the information available be treated and what studies and research work will it be used for? Can the Commission forward the appropriate documents? What factors militate against the comparability of the information collected? In what way will research and educational centres have access, for research purposes, to the information?
3. What new assessment and quantification methods will be established to obtain comparable and useful information on employment and unemployment in the Community, as called for by Parliament in its resolution A3-175/90⁽¹⁾ of 13 September 1990? When will these methods be available?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

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

(5 January 1993)

1. The network of employment coordinators comprises representatives of national administrations and the Commission.
2. Each year, after consulting the social partners, the network selects two or three key topics in the field of employment and relevant to European integration. The national coordinators are responsible for preparing their

country's contribution as specified in the terms of reference laid down within the network. They are assisted in this task by consultants paid by the Commission. These contributions are combined in a report drafted by topic, which is published and distributed free of charge.

3. Two other Community networks form part of the European Employment Observatory and disseminate information on employment issues:

- Misep (Mutual Information System on Employment Policies) is a network of representatives of national administrations and the Commission. It publishes a quarterly bulletin entitled 'Policies', which contains articles on new measures taken by the Member States in the field of employment. From 1993 this bulletin will also include evaluations and comparative studies of these measures. The same network also publishes a regular report on East Germany, which deals with the employment situation in the new Länder;
- Sysdem (European System of Documentation on Employment) is a network of independent correspondents based in universities and research centres. It produces 'Trends', a bulletin containing articles about documentation on employment questions published in Member States and analyses of the employment situation in the Community.

The following publications also deal with employment issues:

- 'Employment in Europe', an annual review of the employment situation in the Community, which includes analyses of political questions. It is widely distributed: it has a circulation of 35 000 and is available in all of the Community languages;
- 'Central and Eastern Europe', a review containing studies of employment in Central and Eastern Europe. It includes up-to-date statistics and analyses of employment evaluation.

WRITTEN QUESTION No 2040/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/53)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

What information can the Commission provide on the additional costs to the various Member States, employers

and employees of the possible introduction of the directive on a-typical forms of employment and distortions of competition (COM(90) 228 final — SYN 280), with particular reference to the obligation to grant a social security entitlement to employees working more than eight hours per week? Please provide this information for each Member State.

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

(5 January 1993)

The Commission would refer the Honourable Member to its answer to Written Question No 306/91 by Sir James Scott-Hopkins⁽¹⁾.

⁽¹⁾ See page 1 of this Official Journal.

WRITTEN QUESTION No 2043/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/54)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

On 14 October 1991 the Social Affairs Council adopted a directive on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship (Directive 91/533/EEC⁽¹⁾). What percentage of employees in each of the Member States is not in possession of a written contract of employment, and to what categories do these employees belong?

What statutory or conventional instruments have the various Member States or the two sides of industry in the various Member States had to implement or amend in order to apply the provisions of this directive? What legal protection will the employees in question enjoy as a result of this new directive, and how can they enforce their right to such protection?

⁽¹⁾ OJ No L 288, 18. 10. 1991, p. 32.

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

(5 January 1993)

The Commission has no figures on the number of employees in the Member States who are not covered by a

written employment contract and cannot therefore supply the information requested by the Honourable Member.

The Member States are required to take the necessary steps to comply with Council Directive 91/553/EEC by 30 June 1993 at the latest, and to inform the Commission accordingly. Only then will the Commission be able to indicate what statutory instruments or agreements the different Member States or special partners have had to draft or amend in order to implement the Directive.

All employees covered by the Directive in question will be entitled to obtain written information from their employer on the essential features of their contract or their employment relationship. Article 8 of the Directive requires the Member States to introduce into their domestic legal system whatever measures are necessary to ensure that any worker who considers that he or she has suffered as a result of a failure to comply with the obligations arising out of the Directive can seek redress in the courts after exhausting any other remedies.

WRITTEN QUESTION No 2044/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/55)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

In its resolution A3-175/90⁽¹⁾ of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter of Fundamental Social Rights for Workers, Parliament insisted that 'trade agreements and cooperation agreements should include social clauses in which the partners undertake to abide by international treaties and conventions on working conditions and the rights of workers'. Has the Commission looked into this question, and in what way does it intend to respond to this request?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

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

(5 January 1993)

When preparing the draft proposal for a Regulation on the generalized system of preferences (GSP) for 1993, the Commission carefully considered the possibility of incorporating a social clause requiring its partners to

abide by certain international standards regarding working conditions and workers's rights.

As matters stand, the Commission has agreed that there are considerations, notably the difficulties encountered in the Uruguay Round, militating for renewal of the 1992 system. It has accordingly made a proposal to that effect.

The Commission is planning to state its views on a number of questions of principle relating to the 1994 system early in 1993 so that the other Community institutions can have time to debate them. The matter of the social clause will be among them.

WRITTEN QUESTION No 2045/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/56)

Subject: Application of the Commission's social action programme on implementation of the Community Charter of Fundamental Social Rights for Workers

Parliament has repeatedly called, for example in its resolution A3-175/90 ⁽¹⁾ of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter of Fundamental Social Rights for Workers, for a directive on the free movement of persons and the right of establishment of non-EC citizens who are legally resident in one of the Member States. How does the Commission intend to respond to this request? What reasons are there, if any, for not responding to this request?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

Answer given by Mrs Papandreou on behalf of the Commission

(5 January 1993)

The Commission is not currently planning to propose a Council Directive on freedom of movement and residence for nationals of non-member countries residing lawfully in a Member State.

The Commission's views on the subject were made clear at point 52 of its Communication to the Council and Parliament on immigration policy ⁽¹⁾.

⁽¹⁾ SEC(91) 1955 final.

WRITTEN QUESTION No 2048/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/57)

Subject: Application of the Commission's action programme on implementation of the Community Charter of Fundamental Social Rights for workers

In its first report on the application of the Community Charter of the fundamental social rights of workers (COM(91) 511) the Commission suggests that there is danger, if countermeasures are not taken, that the internal market will make certain sections of the population more vulnerable. What measures to ward off the danger will the Commission be proposing? What legal form will these measures take? How can people have this protection legally enforced?

Answer given by Mrs Papandreou on behalf of the Commission

(5 January 1993)

Deliberations are taking place within the Commission's Interdepartmental Working Party on Poverty and Exclusion, which embraces some 20 Directorates-General, with a view to intensifying Community initiatives against social exclusion and poverty.

Following the first phase of these deliberations an important seminar on 'combating exclusion and promoting integration' was organized in April 1992; it was prepared in a process of consultation with the main entities actively involved at European and national level (government representatives, NGOs, social partners etc).

The second phase has the following objectives:

- presentation by the Commission of an exploratory policy document on measures to intensify the struggle against exclusion?
- intensifying the dialogue with the entities actively concerned (especially associations and governments);
- devising new structural policy guidelines for combating exclusion (these will extend to housing, especially social housing in priority regions);
- drafting of a specific new programme as a sequel to the medium-term Community action programme for the economic and social integration of the most disadvantaged groups;
- organizing a new meeting in the spring to outline the various stages of Community action.

As regards legislative tools, the Council adopted a recommendation on 24 June 1992 ⁽¹⁾ for the recognition of the right to sufficient resources and social assistance (92/441/EEC), proposed by the Commission to implement the Charter of Fundamental Rights of Workers.

⁽¹⁾ OJ No L 245, 26. 8. 1992.

WRITTEN QUESTION No 2050/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/58)

Subject: Application of the Commission's programme on implementation of the Community Charter of Fundamental Social rights for workers

On 16 September 1991 the Commission approved an amended proposal for a directive on the establishment of a European Works Council in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees (COM(91) 345).

Can the Commission state how many employees in each Member State and how many establishments in each Member State will fall under this directive (as proposed in its amended form: undertakings with at least 1 000 employees employing at least 100 employees in at least two Member States)? What percentage does this represent of the total number of employees and establishments? Will the Commission provide a list of undertakings or concerns which will have to set up a European Work Council to comply with the directive?

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

(5 January 1993)

According to the report 'Company size and structure in the European Community' — a report for DG V of the European Commission by the Industrial Relations Research Unit, School of Industrial and Business Studies, University of Warwick, Coventry CV4 7AL, United Kingdom, June 1992 — financed by the Commission, there are a minimum of 1 000 undertakings and groups of undertakings covered by the amended proposal for a Council Directive on the establishment of European Works Councils. The number of employees involved can be estimated to be no less than 13 621 000, representing 15,06 % of the total number of employees (90,40 million).

As far as the names of the companies or groups of companies are concerned, the Member States where they

are established, their activities and employment levels, the Honourable Member is referred to the abovementioned report.

WRITTEN QUESTION No 2051/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/59)

Subject: Application of the Commission's action programme on implementation of the Community Charter of Fundamental Social rights for workers

In its resolution A3-175/90 ⁽¹⁾ of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter of fundamental and social rights for workers, the European Parliament called on the Commission to adopt measures to ensure that all disabled workers, including those employed in sheltered jobs, were fully covered by the provisions on the free movement of workers. What practical steps does the Commission intend to take to comply with this request?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

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

(5 January 1993)

The Commission remains committed to its action programme on implementation of the Community Charter of Fundamental Social Rights for Workers and, in particular, implementation of freedom of movement for workers. The measures adopted or in the process of adoption relate to all workers, including the disabled, in so far as the activities of the latter may be regarded as effective and genuine economic activities (see Case 344/87 *Bettray v Staatssecretaris van Justitie* (1989) ECR 1621). If this condition is satisfied, disabled workers enjoy all the rights associated with worker status, deriving from Article 48 of the Treaty and the provisions adopted for its implementation.

However, in view of the specific employment problems which the disabled face at work or in the search for work, the Council adopted a recommendation in 1986 on the employment of disabled people in the Community, backed up by a set of conclusions concerning the employment of disabled people in the Community, agreed on 12 June 1989.

These measures are intended to ensure equal opportunities for disadvantaged sections of the population.

Other measures aimed at promoting integration have been suggested by the Commission in a draft Council

directive on mobility and the safe transport to work for workers with reduced mobility.

The Commission's Horizon programme, aimed at the disabled, includes practical provision for vocational training, integration and transnational exchanges.

Finally, in a resolution adopted on 16 December 1991 ⁽¹⁾, the Council asked the Commission to produce a draft Community action programme by the end of 1992 on the accessibility of transport to persons with reduced mobility.

Taken together, these measures represent a step forward for the disabled, but their freedom of movement also depends on the development of national policies on solidarity, which there are no plans to harmonize at present.

The problems associated with freedom of movement will be addressed in the third action programme for disabled people (Helios), which is before Parliament at present.

⁽¹⁾ OJ No C 18, 24. 1. 1992.

WRITTEN QUESTION No 2052/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/60)

Subject: Application of the Commission's action programme on implementation of the Community Charter of Fundamental Social rights for workers

In its resolution A3-175/90 ⁽¹⁾ of 13 September 1990 on the Commission's action programme relating to the implementation of the Community Charter on fundamental social rights, the European Parliament considered that for the purposes of equal treatment:

1. a European guide should be drawn up on the value of the criteria to be used when classifying jobs;
2. it should be recommended that Member States review job classifications and/or increase the statutory minimum wage;
3. statistics should be published concerning wage differences between men and women together with the ensuing recommendations to the Member States for achieving equal treatment of men and women.

What action has the Commission taken on these points? Will the Commission forward the necessary documents which have been drawn up to comply with Parliament's request?

⁽¹⁾ OJ No C 260, 15. 10. 1990, p. 167.

Answer given by Mrs Papandreou on behalf of the Commission

(5 January 1993)

1. The Third Community Action Programme for equal opportunities for women and men (1991—95) ⁽¹⁾, promises a Commission memorandum defining the concept and the scope of equal pay for work of equal value, and provides guidance on the criteria to be used for evaluating and classifying jobs.

An expert in the field of equal pay and job evaluation was asked by the Commission to carry out a preliminary study on the matter. This study is now under way, and the Commission plans to adopt the memorandum in the course of 1993.

2. In its action programme on implementation of the Community Charter of the Fundamental Social Rights of Workers, the Commission stated its intention to adopt an opinion on fair pay.

Its draft opinion on an equitable wage ⁽²⁾ was sent to the Economic and Social Committee for an opinion and to Parliament for information.

The ESC has delivered its opinion and an amended version of the Commission opinion is now being prepared, prior to final adoption by the Commission.

In its opinion, the Commission reiterates that Community law prohibits wage discrimination on grounds of sex but points out that certain groups of workers, women in particular, often concentrated in low-paid jobs, are in fact victims of indirect discrimination. The Commission advocates a reassessment of attitudes towards traditionally low-paid groups. A variety of approaches must be used to fight discrimination; equal opportunities must be promoted through legislation, the tax system, administrative measures, consensus-seeking and collective bargaining.

There are a number of measures the Member States could take to put the principle into practice. These are spelt out in greater detail in the Commission opinion.

3. The Commission has decided to include in Eurostat's statistical programme for 1993—97 a section on a study into wage structures, which should enable the disparities between women's and men's wages to be analysed in greater depth.

Hitherto, general analyses of wage disparities have been based on the annual Eurostat publication, 'Earnings — Industry and Services'; the basic source for the comparative analyses on women's and men's wages in the most recent Commission report on employment (1992) and for similar analyses dealt with in the forthcoming publication, 'Women in figures'.

These analyses clearly show that there are quite definite disparities between wage levels. Leaving aside cases of unequal pay for equal work, structural factors linked to specifically female employment patterns (age, seniority, qualifications, etc.) contribute significantly to these disparities.

(¹) COM(90) 449 final.

(²) SEC(91) 2116 final.

WRITTEN QUESTION No 2094/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(1 September 1992)
(93/C 101/61)

Subject: Working conditions of metal workers

According to the metal industry fund in Greece only one in three metal workers reaches retirement age, one in three is crippled and pensioned off with a disability pension and one in three dies before reaching retirement age. Despite this, only certain types of work in the metal industry are recognized as heavy and unhealthy and even these will not be categorized as such under new arrangements. A tradesman for example may be considered as doing a heavy and unhealthy job but his assistant doing the same work, under the same conditions, is not. Will the Commission call for the same rights for all workers in the metal industry and for a study into their working conditions?

**Answer given by Mrs Papandreou
on behalf of the Commission**
(18 December 1992)

The Commission does not believe that simply conferring equal rights of classification as 'workers in heavy and unhealthy types of work' to all those actually involved in these types of work would result in the improvement of the bad accident statistics quoted by the Honourable Member.

The Commission takes the view that only by introducing appropriate preventative measures and by managing

safety at the workplace competently, will the health and safety conditions of all metal workers, irrespective of rank and speciality, improve. It is for this reason that a comprehensive set of pertinent legislative provisions has been proposed by the Commission, most of which have already been adopted in relevant Council Directives setting out the minimum requirements for safety and health for all the workers of the Community.

These Directives, scheduled for gradual implementation from 1 January 1993, aim at establishing the same level of safety and health protection in all the industrial sectors and for all professional activities.

WRITTEN QUESTION No 2105/92
by Mr Pierre Bernard-Reymond (PPE)
to the Commission of the European Communities
(1 September 1992)
(93/C 101/62)

Subject: Use of benzidine on the market for clothing imported from Asia and the Middle East

Eighty percent of imported stocks of leather and textiles are dyed with dyestuffs containing benzidine.

Can the Commission give a precise assessment of the risk of cancer as a result of the presence of benzidine in certain dyes used in imported leather clothing?

Can it indicate the level at which the user begins to be at risk?

How does the Commission propose to check these imports and, where there is a genuine danger, penalize producers using benzidine, who, in so doing, are putting the lives of their workers at risk?

**Answer given by Mrs Papandreou
on behalf of the Commission**
(17 December 1992)

The use of benzidine is regulated as follows:

Labelling and classification: carcinogenic R 45 22 — S 53 44.

Toxic: may cause cancer; harmful if swallowed; avoid exposure — obtain special instructions before use; if you feel unwell, seek medical advice (show the label where possible).

Community legislation on the classification, packaging and labelling of dangerous substances (67/548/EEC) (¹).

Restriction on marketing to 0,1% concentration in substances and preparations marketed: Directive 89/677/EEC (eighth amendment to Directive 76/769/EEC) ⁽¹⁾. As this Directive has been incorporated into national law, the Member States are responsible for monitoring the marketing and use of such products regardless of whether the substances are produced in the Community or imported from elsewhere.

The protection of workers is covered by Directive 88/364/EEC ⁽²⁾ on the banning of certain specified agents and/or certain work activities. This Directive applies if leather articles have to be treated or processed before being marketed in the Community.

Under Directive 92/59/EEC on general product safety ⁽³⁾, adopted by the Council on 29 June 1992, producers are obliged to place only safe products on the market and distributors are required to act with due care in order to ensure compliance with the general safety requirement. The Member States are also required to establish appropriate monitoring authorities, and to incorporate the Directive into national law by 29 June 1994.

Under the auspices of the Commission a group of experts provided scientific evidence of the carcinogenicity of benzidine which was published in 'The toxicology of chemicals — Series One — Volume III — Summary reviews of the scientific evidence', EUR 13765 EN 1991, p. 101.

The International Agency for Research on Cancer (IARC) evaluated benzidine as a human carcinogen causing bladder cancers. 'Evaluation of the carcinogenic risk of chemicals to humans', Volume 29 (1983) and Supplement 7 (1987).

⁽¹⁾ OJ No L 196, 16. 8. 1967.

⁽²⁾ OJ No L 262, 27. 9. 1976.

⁽³⁾ OJ No L 179, 9. 7. 1988.

⁽⁴⁾ OJ No L 288, 11. 8. 1992.

WRITTEN QUESTION No 2134/92

by Mr Wilfried Telkämper (V)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/63)

Subject: Risks of cancer due to the chlorination of bathing waters

1. What are the latest scientific findings with regard to the risk of cancer due to the chlorination of bathing waters?

2. How far is it possible, using the very latest technology, to reduce the chlorination of bathing waters to a minimum?

3. What alternatives are there to chlorination and how are they assessed in terms of their effects on health?

4. What plans are there to amend Directive 76/160/EEC ⁽⁴⁾ on the quality of bathing water to ensure the protection of bathers and swimming pool employees, for example, by upgrading water processing plants to conform to the latest technology?

5. What measures are proposed, in connection with safety at the workplace, to regulate toxic substances in the air, for example, haloforms or dibromacetonitrile, which occur in swimming pools?

6. Have any swimming pool employees in the Member States applied to have cancer recognized as an occupational disease?

⁽⁴⁾ OJ No L 31, 5. 2. 1976, p. 1.

Answer given by Mrs Papandreou on behalf of the Commission

(5 January 1993)

1. The International Agency for Research on Cancer (IARC), recently published a Monograph on the 'Evaluation of carcinogenic risks to humans: chlorinated drinking-water, chlorination by-products and some other halogenated compounds' ⁽¹⁾. It was concluded that there was inadequate evidence for the carcinogenicity of chlorinated drinking-water in humans and in experimental animals.

Any concern for the carcinogenic effects of contact to chlorinated water would seem to be based upon the possibility of adverse responses to halogenated compounds which are known or suspected to be carcinogenic to experimental animals and are not based upon direct observations of carcinogenic effects in human populations. This theoretical possibility of an adverse effect must be compared with the substantial and irrefutable benefits of disinfection of water supplies by chlorination.

2 and 3. New disinfection processes are at present being developed. These processes however have yet to be evaluated properly for their ability to maintain microbiological safety in the absence of any properties which might increase adverse responses, when compared with chlorination processes.

4. Directive 76/160/EEC on the quality of bathing water expressly excludes swimming pools from its scope.

Furthermore, the Commission does not intend to include swimming pools in the definition of bathing areas in this Directive. From an environmental point of view, swimming pools cannot be compared with sea or inland bathing areas (lakes, rivers). In particular, the problems of

deterioration of 'open-environment' bathing areas (discharges, pollution from various sources) are totally different to those for 'closed' areas such as swimming pools.

Chlorination of bathing water essentially concerns swimming pools. In certain cases chlorine-disinfected effluents are discharged near a bathing area. However, since dilution is much higher in these open areas, the chlorine concentration defined in Directive 76/160/EEC is not comparable to that of a swimming pool and therefore the risk to the health of bathers cannot be measured in the same terms.

It should be noted that the discharge of effluents in bathing areas and their chlorination are not systematic practice.

5. Workers in swimming pool establishments are covered by general rules in accordance with Directive 89/391/EEC⁽¹⁾ on the introduction of measures to encourage improvements in the safety and health of workers at work. These rules apply to all workplaces and activities including services and leisure. Furthermore any established limit values for exposure at the workplace should not be exceeded in accordance with the provisions of Directive 80/1107/EEC⁽²⁾ on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work, as amended by Directive 88/642/EEC⁽³⁾.

6. The Commission is not aware of requests in the Member States by personnel of swimming pools for recognition of occupational cancer.

(¹) Vol. 52, IARC Monographs.

(²) OJ No L 183, 29. 6. 1989.

(³) OJ No L 327, 3. 12. 1980.

(⁴) OJ No L 356, 24. 12. 1988.

WRITTEN QUESTION No 2143/92

by Lord Inglewood (PPE)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/64)

Subject: Criteria for Objective 2 status

Bearing in mind the economic problems faced by the UK seaside resorts, especially in the north-west of England, would it not be appropriate to include 'tourism' within the definition of 'industry' for the purposes of Objective 2 status under the European Structural Fund's regulations?

WRITTEN QUESTION No 2144/92

by Lord Inglewood (PPE)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/65)

Subject: Criteria for Objective 2 status

Bearing in mind that physical isolation is one of the main causes of the problems which lead to designation under Objective 2 of the Structural Funds, would it not be sensible to permit ERDF money to be spent outside the Objective 2 Area on transport links between the area and the main infrastructure network of the country in question?

Joint answer to Written Questions Nos 2143/92 and 2144/92

given by Mr Millan

on behalf of the Commission

(14 December 1992)

The Commission's ideas for assistance to Objective 2 areas are set out in its document COM(92) 2000 and amplified in COM(92) 84, both of which have been the subject of Reports from the European Parliament.

The Commission will present appropriate amendments to the Structural Fund Regulations in due course and there will then be the opportunity for the Parliament to consider if it wishes the changes advocated by the Honourable Member.

WRITTEN QUESTION No 2224/92

by Mrs Marie Jepsen (PPE)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/66)

Subject: Failure to comply with the Community's directive on the protection of birds

In its answer of 6 July to an earlier question with regard to failure to comply with Directive 79/409/EEC⁽¹⁾, the Commission states that it is prepared to take the necessary steps under Article 169 of the Treaty.

Has the Commission already delivered an opinion pursuant to Article 169 on those Member States, that have hitherto failed to comply with Directive 79/409/EEC, and if so, what period has it laid down in the opinion for the states concerned duly to comply with the above directive?

(¹) OJ No L 103, 25. 4. 1979, p. 1.

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

(27 January 1993)

For several years, the Commission has been running infringement procedures under Article 169 of the EEC Treaty in respect of Member States it believes are in contravention of Directive 79/409/EEC. Further information can be obtained in Annex C of the ninth annual report to the European Parliament on Commission monitoring of the application of Community law — 1991 (1).

Article 18 of the Directive provides for the adoption of national compliance measures within two years of the Directive's notification (6 April 1979), and the Commission has no power under Article 169 to extend this deadline. At each stage of an infringement procedure, the Commission allows the Member State a period (generally two months) within which to respond to the Commission's arguments, but this period should not be seen as an extension of the compliance deadline.

(1) OJ No C 250, 28. 9. 1992.

WRITTEN QUESTION No 2227/92

by Mr Florus Wijsenbeck (LDR)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/67)

Subject: Freezer vehicle routes through the Netherlands

Can the Commission give details with regard to the above, in particular:

- (a) standard liability clause,
- (b) fuel levies and internal border arrangements,
- (c) measures to prevent theft in Italy,
- (d) simpler and centralized reporting procedure for theft within the Community,
- (e) greater tolerance with regard to vehicle dimensions,
- (f) availability of power points in vehicle parks?

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

(28 January 1993)

The Commission has examined the document to which the Honourable Member referred and can make the

following comments as regards the items which are mentioned:

- (a) Liability aspects in transport are regulated in international conventions, and the international road haulage organization (IRU) may discuss in that framework a standard contract.
- (b) As from 1 January 1993 the fuel for engines and refrigerating units will no longer be subject to special levies.
- (c) The theft of lorries in Italy is a matter of public order and clearly falls under the competence of the national government. Professional organizations and also authorities provide drivers with guidelines for prevention of this kind of criminal act.
- (d) Further cooperation in general prevention of criminality is envisaged (e.g. Europol). In such a framework a more central registration will also be considered.
- (e) The maximum dimensions for width and length of vehicles are the result of long discussions and reflect the restrictions as imposed by infrastructure and road safety aspects. It will therefore not be possible to allow longer refrigerated vehicles.
- (f) The electric equipment at parking places is a matter for local authorities. Professional haulier organizations may play a role in encouraging and guiding these authorities in this field.

WRITTEN QUESTION No 2271/92

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(1 September 1992)

(93/C 101/68)

Subject: Complaint by American bishops concerning EC monitors in former Yugoslavia

In mid-July a delegation of American bishops visited the crisis areas in Croatia and Bosnia. According to a report in the daily newspaper *Trouw* on 22 July 1992 the leader of this delegation, Bishop McCarrick, complained to the leader of the EC mission, Mr McDonald, about the misleading information given to this delegation by the EC monitors.

1. Is there any truth in the report that the EC monitors denied during talks with the American bishops that thousands of refugees were living in difficult

conditions on the Croatian-Bosnian border near Bosanski Brod?

2. If there is, what is the reason for this lie?
3. Is there any truth in the accusation made by these refugees, according to Bishop McCarrick, against the EC monitors that the latter had shown no interest in their difficult situation?
4. If not, what explanation does the Commission have for this report?
5. Does the Commission ensure that the EC mission in former Yugoslavia disseminates reliable information and takes the refugees' complaints seriously, and how does the Commission intend to do this in the present situation?

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

(5 January 1993)

It is true that a delegation of American bishops met the deputy head of the ECMM (European Community Monitoring Mission) in Belgrade. They were given an exhaustive briefing.

It is not true, however, that ECMM monitors denied that millions of refugees were living in appalling conditions near Bosanski Brod. They have always shown dedication and compassion in their efforts to help refugees and displaced persons in former Yugoslavia in general, and in Bosnia-Herzegovina in particular.

Indeed the ECMM, which includes a number of Commission officials, was the first to alert the UNHCR (UN High Commissioner for Refugees) to the massive exodus from Bosnia-Herzegovina in July 1992. It actively helped to organize temporary accommodation for refugees in a football stadium pending a more appropriate solution.

All Community monitors have shown genuine commitment and concern in their dealings with refugees and displaced persons, acting spontaneously with humanity and courage to help alleviate the plight of the victims of events in what was Yugoslavia.

The Commission is unable to explain the report in *Trouw*.

WRITTEN QUESTION No 2289/92

by Mr Bartho Pronk (PPE)

to the Commission of the European Communities

(8 September 1992)

(93/C 101/69)

Subject: European DES Study

What action has the Commission taken or what action does it intend to take with regard to the recommendations in the 1991 European DES Study?

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

(5 January 1993)

The European study on the health effects of diethylstilbestrol (DES) provided a valuable insight into the extent of DES use and associated awareness of health professionals in the European Community.

The Commission has given consideration to the recommendations contained in the resulting report and is of the opinion that information campaigns on DES should be integrated in the relevant information campaigns on carcinogens and a special emphasis should be given to the information of health professionals.

However, the setting up of an ad hoc European Office to create yet another coordination centre for a particular carcinogen is not considered to be appropriate.

WRITTEN QUESTION No 2292/92

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(8 September 1992)

(93/C 101/70)

Subject: Iraq — Euratom

Has the United Nations Special Commission in Iraq (UNSCOM), investigating the extent of the Iraqi militarization of its nuclear programme, made any enquiries of the Commission concerning the Euratom safeguards for supply agencies following discovery of Euratom paperwork in the files of the Iraqi Atomic Energy Commission and other Iraqi industrial and military establishments under investigation?

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

(14 December 1992)

The Commission is not aware of enquiries by UNSCOM to the Commission concerning safeguards or supply.

- Portugal: for non-communication of reports is at the stage of 169 letter
- Italy: for non-communication of reports is at the stage of 169 letter; and a procedure for non-communication of the competent installations for eliminating waste is at the stage of seizing the Court;
- Spain: for non-communication of reports is at the stage of 169 letter; another procedure for non-conformity of the legislation with the Directive is at the stage of seizing the Court;
- Belgium: for non-communication of reports is at the stage of reasoned opinion.

WRITTEN QUESTION No 2297/92

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(8 September 1992)

(93/C 101/71)

Subject: Transfrontier shipment of hazardous waste

Further to the reply of 27 September 1991 to my Written Question No 1546/91 ⁽¹⁾, will the Commission:

1. list those Member States that have implemented Council Directive 84/631/EEC ⁽²⁾ on the supervision and control within the European Community of the transfrontier shipment of hazardous waste;
2. set out when it started legal proceedings against the states that breached the implementation requirements of the directive, giving dates and progress in prosecuting respectively for each state; and
3. make a further statement on its failure to produce every two years for the Parliament, Council and Economic and Social Committee a report on implementation of the directive in accordance with its Article 13, indicating when its requirement upon the Commission will be met?

⁽¹⁾ OJ No C 20, 27. 1. 1992, p. 20.

⁽²⁾ OJ No L 326, 13. 12. 1984, p. 31.

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

(19 January 1993)

1. All 12 Member States.
2. Procedures pending against the following Member States:
 - Greece: for non-communication of reports is at the stage of a complementary 169 letter;

3. As stated in the reply to the Honourable Member's Written Question No 1546/91, the Commission has already started legal action against those Member States which have not yet complied with their reporting obligations. Those actions are not yet settled. The Commission will only be able to deliver the summary report on the implementation of amended Council Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste when all Member States have reported to the Commission.

WRITTEN QUESTION No 2488/92

by Mrs Cristiana Muscardini (NI)

to the Council of the European Communities

(12 October 1992)

(93/C 101/72)

Subject: Industrial crisis in Liguria

In view of the serious industrial crisis in Liguria which has already led to the closure of some 5 000 companies over the 10 years 1981—1991; given the drop in employment which has resulted in the loss of 44 000 jobs; and given that Genoese industry has already obtained recognition by the Community as a crisis area:

Does the Council intend to commission a proper inquiry to pinpoint the reasons behind the employment and industrial crisis which has hit Liguria and ascertain whether certain companies which have reduced their workforce have in the past received Community aid of any sort?

Does the Council intend to begin procedures to recognize the provinces of Savona and La Spezia as crisis areas?

Answer*(10 March 1993)*

1. The holding of inquiries to evaluate the state of industrial employment in the regions of the Member States and the monitoring of the application of Community aid measures are both responsibilities of the Commission. The Honourable Member might usefully put her question to that Institution.

2. Pursuant to Article 9 of Regulation (EEC) No 2052/88 of 24 June 1988 ⁽¹⁾, on the tasks of the Structural Funds, it is for the Commission to establish the list of declining industrial areas which will be eligible for the appropriate aid granted from these Funds.

⁽¹⁾ OJ No L 185, 17. 7. 1988.

WRITTEN QUESTION No 2547/92**by Mrs Maartje van Putten (S)****to the Council of the European Communities***(27 October 1992)**(93/C 101/73)*

Subject: International trafficking in children

1. Is the Council aware of the Interpol symposium on offences against children and young people which was held in Lyons from 7 to 9 April 1992, at which representatives of Brazil's federal police raised the issue of international trafficking in children and serious concern was expressed about the fact that large numbers of children who have been kidnapped or have disappeared fall into the hands of organized gangs? Of particular interest was the concern expressed by the federal police that there was large-scale international trafficking in organs from Brazilian children.

2. Is the Council aware that during the above symposium the existence of international child trafficking networks was discussed, and connections with France, Italy and the United States were referred to?

3. Is the Council aware that, as was also stated by the federal police, trafficking in children occurs under cover of international adoption? One of the main circumstances facilitating this trafficking is that some 500 000 girls aged around 13 are active as prostitutes in Brazil, as a result of which enormous numbers of babies are born who can fall victim to illegal adoption.

4. Is the Council willing to ask the EC Member States to instruct their police forces and judicial departments to investigate international trafficking in women and children?

Answer*(10 March 1993)*

Since the Community has no competence in referring this specific matter to the police of the respective Member States, it is not able to ask Member States to intervene in the manner suggested by the Honourable Parliamentarian.

WRITTEN QUESTION No 2560/92**by Mr Pierre Lataillade (RDE)****to the Council of the European Communities***(27 October 1992)**(93/C 101/74)*

Subject: Ratification by the Member States of the Convention on the Rights of the Child adopted by the United Nations and in force since 2 September 1990

As at 18 June 1992, 139 countries had ratified the Convention on the Rights of the Child in force since 2 September 1990 while 38 countries had neither signed nor ratified it.

29 countries including four Member States (Greece, Ireland, Luxembourg and the Netherlands) have signed the Convention but have not yet ratified it.

In its resolution of July 1990 (B3-1436/90), December 1991 (A3-314/91) and July 1992 (A3-0172/92) the European Parliament called on the Member States to set an example and ratify the Convention.

Does the Council not consider that such a situation is regrettable and may prejudice its credibility for the purposes of EPC intervention and any given country to ensure that human rights and the rights of the child are respected?

Will the Council enter this item on the agenda of one of its forthcoming meetings?

Answer*(10 March 1993)*

The Convention on the Rights of the Child was adopted by the United Nations General Assembly on 20 November 1989 and declared upon for signature. According to the Council's information, most of the Member States, including Ireland and Greece, have

already ratified this Convention. Ratification is under way in the Netherlands and Luxembourg. There have so far been no initiatives asking for the question of ratification of this Convention, which falls solely within the competence of the Member States, to be discussed in the framework of political cooperation.

WRITTEN QUESTION No 2595/92

by Mr Mauro Chiabrandi (PPE)

to the Council of the European Communities

(27 October 1992)

(93/C 101/75)

Subject: Headquarters of the European Training Foundation for Central and Eastern Europe

I understand that, at the Lisbon Council meeting, the city of Turin was put forward as a possible home for the European Training Foundation for Central and Eastern Europe.

I would like to ask whether this information is correct and to point to the obvious advantages which the city has to offer such a body. For instance, Turin is already home to the ILO (International Labour Office), it forms part of northern Italy's industrial and high technology 'triangle', has a prestigious past and was once the capital of Italy, and has well-developed infrastructure and communications links.

Whatever the case, I would ask to be kept informed of developments in the procedure leading up to the final decision.

Answer

(10 March 1993)

Under Article 19 thereof, Council Regulation (EEC) No 1360/90 of 7 May 1990 establishing an European Training Foundation (*) is to enter into force on the day following that on which the competent authorities have decided on the seat of the Foundation.

The seat will be decided on at a forthcoming European Council meeting in accordance with the Decision taken in Edinburgh on 12 December 1992 by common agreement between the Representatives of the Governments of the Member States on the location of the seats of the institutions and of certain bodies and departments of the European Communities.

(*) OJ No L 131, 23. 5. 1990, p. 1.

WRITTEN QUESTION No 2707/92

by Mr Marco Taradash and Mrs Djida Tazdait (V)

to the Council of the European Communities

(29 October 1992)

(93/C 101/76)

Subject: Community's home affairs policy and individual freedoms

Even before ratification of the Maastricht Treaty, the EC Member States have begun to set up institutions such as Europol, the European Information System, etc.

1. Does the Council agree that the 'coordination groups' which have begun work in Brussels and/or Strasbourg are not covered by the Treaties establishing the Community?
2. Under which budget line is the work of the coordination groups being funded?
3. Does the Council agree that, as a result of cooperation between the EC security forces, people in the Community, in particular refugees and immigrants, are not protected from any violation of their individual freedoms?

Answer

(10 March 1993)

1. It is true that the European Community Member States are working in the framework of intergovernmental cooperation in particular to increase police cooperation and to set up a European Information System (EIS).

Progress to date is not yet such that any conclusions can be drawn.

This cooperation is not new and is carried out in the same way and in the same fora as previously without anticipating the ratification of the Maastricht Treaty.

2. Work on setting up Europol takes place in an ad hoc TREVI Group. A preparatory group has also started working with the aim of preparing for the launch at the beginning of 1993 of the first phase of Europol, the drugs unit (EDU). At its Edinburgh meeting the European Council looked forward to the early establishment of the Europol Drugs Unit.

Work on setting up the European Information System takes place in the Coordinators's Group on Free Movement of Persons. That Group was set up by the Rhodes European Council in 1988 and meets principally in Brussels. The General Secretariat of the Council provides support, mainly of a technical nature, for

meetings held. This work is not financed from any specific budget heading.

The Maastricht European Council called on the coordinators to examine what the structure of the European Information System should be and to ensure that the legal and technical measures (including those relating to the protection of personal privacy) necessary for its implementation were adopted.

The draft Conventions on the right of asylum and the crossing of frontiers, contain provisions along these lines.

WRITTEN QUESTION No 2712/92
by Mr Enrique Barón Crespo (S)
to the Council of the European Communities
(29 October 1992)
(93/C 101/77)

Subject: Relations with the CIS

In view of the outcome of the Lisbon Conference and the G-7 Summit in Munich, and given the obvious implications for stability and security in Europe, can the Council say:

1. what position it intends to take at the next conference on western aid in Tokyo in October 1992 with regard to the nature of aid to these countries and the arrangements for managing such aid?
2. what strategies it intends to adopt in the medium term to encourage economic growth and western investment and the removal of obstacles to trade between the republics of the CIS, given that this would certainly contribute towards peace and help check the rise of nationalist movements which could lead to conflict?

Answer
(10 March 1993)

1. The Tokyo Conference (29–30 October 1992) reviewed the assistance provided to date in support of the democratic process and the transition to market economies in the New Independent States (NIS) of the former Soviet Union. The Conference also assessed the economic situation of the NIS and confirmed the realignment of coordination of the international assistance effort.

At Tokyo, the Community reported on the extensive humanitarian and technical assistance initiatives which it has already undertaken and on its on-going plans. These plans will focus primarily on technical assistance, which is seen by the Community and its partners as the key to developing NIS self-reliance and to reviving the economies of these States. The Community remains the single most significant donor of technical assistance.

The Community technical assistance programme, which is implemented under the acronym 'TACIS', is aimed primarily at supporting the complex economic reforms in the States of the former Soviet Union and their transition to a market economy in sectors and areas which play a key role in the process of economic and democratic reform. Sums totalling some ECU 400 million and ECU 450 million were entered in the Community budget as grants for this purpose in 1991 and 1992 respectively. With a view to supporting the process of transformation of policy in the NIS, the aid provided through TACIS is helping, among other things, to train management personnel in the corporate sector, devise economic policy programmes, create framework conditions of economic legislation and build up a financial services sector.

In addition, the Community provides, in the form of grants and loans, substantial amounts of humanitarian assistance, which is crucially important in improving basic humanitarian conditions and, therefore, in facilitating the reform process. In this latter regard, the Community will continue to monitor the food supply situation this winter.

With regard to the cooperation of assistance to the NIS, the Community and its partners had agreed at the Lisbon Conference that the Working Groups established at the Washington Conference in January 1992 to deal with assistance in five priority areas (food aid, medical assistance, housing, energy and technical assistance) should be replaced at Tokyo by Consultative Groups, to be convened by the World Bank, focusing on the individual requirements of each of the twelve Republics. The formation of these Groups, whose membership is to be made up of major donors and relevant international organizations, was duly confirmed at Tokyo. As humanitarian assistance does not fall within the competence of the Consultative Groups, it was agreed that any future coordination of such assistance will take place on an ad hoc basis between donors and international organizations.

2. The support of the Community and other donors will accelerate the economic growth of the NIS and encourage an increase in private investment by Western enterprises. The Partnership and Cooperation Agreements which the Community has decided to negotiate will create a new climate for economic relations between the Parties and in particular for the development of trade and investment which are essential to economic restructuring and technological modernization.

The Council has repeatedly emphasized the fundamental importance of cooperation between the NIS themselves, alongside the need to maintain their rights and obligations as independent States in accordance with the UN Charter. The Community is most anxious that economic links between the NIS, which are logical in terms of the international division of labour, should be preserved, and to this end has already allocated assistance to projects involving regional cooperation between them. The Council intends to specify this objective — together with others such as the integration of the NIS into the world economy — in the future Partnership and Cooperation Agreements.

In all aspects of its relations with the New Independent States, the Community's primary concern is the promotion of the political and economic stabilization of these states and of their transition to a market economy. It is on progress in these areas that investor confidence will ultimately depend.

WRITTEN QUESTION No 2794/92

by Mr Freddy Blak (S)

to the Council of the European Communities

(16 November 1992)

(93/C 101/78)

Subject: Measures to combat AIDS

AIDS is the scourge of our time and, unless a concerted effort is made to combat the disease, it will spread like wildfire throughout Europe as elsewhere.

What steps are being planned by the Council to combat this disease in the EC and what financial resources have been earmarked for this purpose?

Are there plans for AIDS-prevention projects as part of the aid to Eastern Europe, e.g. information campaigns and supplies of condoms?

Answer

(10 March 1993)

1. On 4 June 1991, acting on a Commission proposal the Council and the Ministers for Health of the Member States, meeting within the Council, adopted a plan of action in the framework of the 1991 to 1993 'Europe against Aids' programme⁽¹⁾ — to which the Honourable Member is referred — the aim of which is to promote cooperation and the coordination of national activities, as well as their assessment at Community level, and the stimulation of Community activities. An initial report on the implementation of this programme is due to be presented by the Commission shortly. It will also be submitted to the European Parliament.

2. With regard to the countries of Central and Eastern Europe and of the former USSR, over and above the emergency aid to meet the immediate priority needs of those countries in terms of medicines and medical supplies, the Community is contributing in the context of the PHARE and TACIS programmes to the implementation of support programmes for the restructuring of the health systems of those countries. In this framework the Community is providing support in particular for preventive medicine and the creation of health information systems.

In this context, if the partner countries consider it desirable, it will be for the Commission to take appropriate steps on the question of AIDS prevention.

⁽¹⁾ Decision 91/317/EEC — OJ No L 175, 4. 7. 1991, p. 26.

WRITTEN QUESTION No 2970/92

by Mr Sotiris Kostopoulos (NI)

to the Council of the European Communities

(24 November 1992)

(93/C 101/79)

Subject: Asylum for foreigners in Germany

Following the recent spate of race riots, the German Government has decided to amend its constitutional provisions on the right of asylum for foreigners in an attempt, so it maintains, to curb the wave of refugees entering Germany. In fact, immigrants amount to 8% of the total population of Germany, already exceeding six million people. Of these, however, 20% have been living in Germany for over 20 years and 60% for over 10 years. Does the Council consider that the German Government is acting responsibly in giving way under the pressure of racist violence and choosing this moment to amend the constitutional right of asylum for foreigners? Would it not be preferable to resolve the question of asylum for foreign refugees by joint action at Community level?

Answer

(10 March 1993)

It does not fall within the competence of the Council to comment on the policies on asylum adopted by an individual Member State.

The Council recalls that the Treaty on European Union foresees that asylum policy should become a matter of

common interest and, in a separate statement annexed to the Treaty, it is agreed that the Council will consider as a matter of priority questions concerning Member States's asylum policies with the aim of adopting common action to harmonize aspects of them.

WRITTEN QUESTION No 2978/92
by Mr Sérgio Ribeiro (CG)
to the Council of the European Communities
(30 November 1992)
(93/C 101/80)

Subject: GATT and the Multifibre Arrangement

Various reports from widely differing sources on the GATT negotiations all appear to indicate that everything boils down to a complex dispute between the United States and the European Community, mainly — or solely — with regard to agriculture.

In view of the fact that the Multifibre Arrangement was extended only until the end of this year and given the possible implications of the non-continuation of this agreement on countries and areas dependent on the textile sector which do not yet have the necessary means for essential restructuring and reconversion, can the Council say what stage has been reached by GATT negotiations on the textile industry and will it envisage extending the MFA if these negotiations are not completed by the end of the year?

Answer
(12 March 1993)

The Honourable Member is asked to refer to the reply given by the Council on 20 January 1993 to his question No H-1230.

WRITTEN QUESTION No 3313/92
by Mr James Moorhouse (PPE)
to the Council of the European Communities
(6 January 1993)
(93/C 101/81)

Subject: Nationality of officials

Will the Council publish tables to show, for the most recent date for which figures are available, the number

and percentage, by nationality, of staff employed by the Council and the economic and social committee, for each category and step, divided between temporary and permanent officials?

Answer
(10 March 1993)

In reply to his question the Honourable Member will find annexed details of the personnel of the General Secretariat of the Council as per 1 December 1992.

The table shows by nationality the number of staff employed by the General Secretariat of the Council in each category and grade. An overall percentage has been calculated for each nationality.

It should be noted that at the moment the General Secretariat of the Council employs only officials.

A second annex gives a breakdown by nationality of staff working at the General Secretariat of the Economic and Social Committee as per 31 December 1992.

WRITTEN QUESTION No 3476/92
by Mr Jacques Tauran (DR)
to the Council of the European Communities
(28 January 1993)
(93/C 101/82)

Subject: The horse race at Pardubice in Bohemia

Every year the Grand Pardubice Steeplechase takes place 100 km east of Prague. 6 900 metres long, the race comprises 31 extremely difficult jumps, at least one of which seems designed to kill.

This deadly race is nothing short of slaughter. In 1990, at least 10 horses were killed or had to be finished off after suffering agony. The men who take part in the race are not spared either: one French jockey was in a coma for three days. The death of men and horses seems to be staged quite deliberately.

In view of this appalling spectacle, should a request not be addressed to the Czech authorities, who tolerate it, calling for an outright ban on this event, which is a stain on the sport of horse racing?

Should it fail to do so, what sanctions could be imposed now that the Czech Republic is knocking on the Community's door?

Answer

(10 March 1993)

The Question put by the Honourable Member does not fall within the Council's sphere of responsibility.

WRITTEN QUESTION No 3484/92

by Mrs Christine Oddy and Mr Michael Elliott (S)

to the Council of the European Communities

(28 January 1993)

(93/C 101/83)

Subject: General Affairs Council — Anti-racism

Can the Council confirm that it is now practice to have a standing item on racial issues at the General Affairs Council, as had been promised by the Portuguese Presidency?

If the answer is in the affirmative, what was discussed at the last General Council?

If the answer is in the negative, when will the General Affairs Council implement the Portuguese Presidency's promise?

WRITTEN QUESTION No 58/93

by Mrs Mireille Elmalan, Mr Sérgio Ribeiro
and Mr Vassilis Ephremidis (CG)

to the Council of the European Communities

(8 February 1993)

(93/C 101/84)

Subject: Need to step up the struggle against racism and xenophobia in the Community

Racist attacks on foreigners by extreme right-wing groups are an everyday occurrence in Germany, both East and West: Jewish cemeteries have been desecrated, refugees' hostels set alight and immigrants beaten up and even killed. This increase in racism and violence is also taking place in other Member States where xenophobic feelings are being fanned by a number of political parties and politicians, notably for electoral reasons.

Is the Council aware of this situation and the threat it poses to democracy? Is it determined to push for energetic action by the Community authorities and the Governments of the Member States to combat racism, xenophobia and violence involving measures both to combat this phenomenon and to ensure that foreigners are better protected and their living conditions improved?

Joint answer

to Written Questions Nos 3484/92 and 58/93

(12 March 1993)

The Council has on many occasions expressed its commitment to human rights and to the values of humanism, freedom and tolerance. It has firmly condemned any discrimination of any kind whatsoever and any expression of racism and xenophobia.

For example, the Edinburgh European Council recently 'underlined that there must be no room for racism and xenophobia in today's Europe, and reiterated its determination to oppose such attitudes with renewed vigour'.

Finally, the Honourable Members are referred to two recent Council replies: to Question H-1216/92 put by Mrs Green (Question Time on 16 December 1992) and to Question O-172/92 (debate on racism in plenary session on 28 October 1992).

WRITTEN QUESTION No 43/93

by Mr Pierre Ceyrac (DR)

to the Council of the European Communities

(8 February 1993)

(93/C 101/85)

Subject: Safety at nuclear power stations in the countries of Central and Eastern Europe

The Chernobyl disaster led to a substantial number of deaths, polluted the environment of 30 million people and caused irreparable ecological damage in the Ukraine. Several Community countries have been affected by the disaster; radioactivity levels are still abnormally high in certain regions of Germany and France.

Given the existence in Central and Eastern Europe of 16 nuclear power stations where safety is as dubious as at Chernobyl, what measures does the Council consider must be taken to ensure the well-being of the inhabitants of the Member States?

Answer
(12 March 1993)

The Honourable Member should refer to the Council's reply to Written Question No 2713/92 put by Mr Robles Piquer (*).

(* OJ No C 58, 1. 3. 1993, p. 35.

WRITTEN QUESTION No 66/93
by Mr Mauro Chiabrando, Mr Bryan Cassidy (PPE)
and Mr Tullio Regge (GUE)
to the Council of the European Communities
(9 February 1993)
(93/C 101/86)

Subject: Free movement of goods in the EEC

Officials at the international customs post at Modane, before the Fréjus tunnel, recently stopped an Italian citizen driving through in a French registered car he had legitimately hired from 'Europcar'.

The Italian customs officers pointed out that the driver was 'normally resident in Italy and therefore not able to drive a foreign registered vehicle in his own country'.

The customs office therefore charged him with illegally importing goods, seized the car and made provision for confiscation and a fine of between Lit 7 and 34 million.

This incident is extremely anachronistic at a time when new liberalization measures are being taken every day.

Is the action taken by the Italian customs correct, and if so what are the chances of such pointless and outdated barriers being removed once and for all?

Answer
(12 March 1993)

1. Apart from VAT, the national legislation of the Member States provide for other taxes on motor vehicles (such as road tax, registration fees, etc.) which have not been harmonized at Community level.

2. The restrictions on the use by a resident of a Member State of a vehicle registered in another Member State are explained by the existence of national taxes on motor vehicles.

As regards VAT, such restrictions disappeared on 1 January 1993 with the abolition of fiscal frontiers.

As regards the other taxes, however, the restrictions persist in the absence of Community harmonization.

WRITTEN QUESTIONS TO WHICH NO ANSWER HAS BEEN GIVEN (*)

(93/C 101/87)

This list is published pursuant to Rule 62 (3) of the Rules of Procedure of the European Parliament, which states: 'Questions to which no answer has been given within one month by the Commission, or within two months by the Council of the Foreign Ministers, shall be recorded, pending an answer, in the Official Journal of the European Communities.'

No 3149/92 by Mr François Guillaume (RDE) to the Council (6. 1. 1993)

Subject: Reimbursement of an enrolment fee ('minerval') to foreign students who have studied in Belgium

No 3150/92 by Mr Alexandros Alavanos (CG) to the Council (6. 1. 1993)

Subject: Commission's term of office and the Maastricht Treaty

No 3164/92 by Mrs Eva-Maria Quistorp (V) to European Political Cooperation (6. 1. 1993)

Subject: EC observers in the former Yugoslavia

No 3165/92 by Mrs Eva-Maria Quistorp (V) to European Political Cooperation (6. 1. 1993)

Subject: Human rights violations in Bosnia-Herzegovina

No 3194/92 by Mr Sotiris Kostopoulos (NI) to the Council (6. 1. 1993)

Subject: Simplification of Community VAT legislation

No 3195/92 by Mr Sotiris Kostopoulos (NI) to European Political Cooperation (6. 1. 1993)

Subject: Violations of human rights in Uganda

No 3196/92 by Mr Sotiris Kostopoulos (NI) to European Political Cooperation (6. 1. 1993)

Subject: Teaching of the Greek language in schools in Northern Epirus

No 3210/92 by Martine Buron and Gérard Fuchs (S) to the Council (6. 1. 1993)

Subject: Difficulties facing French and European paper-making industry

No 3211/92 by Lelio Lagorio and Maria Magnani Noya (S) to European Political Cooperation (6. 1. 1993)

Subject: Frontier between Italy and the former Yugoslavia. Revision of the Treaty of Osimo

No 3232/92 by Mrs Ursula Braun-Moser (PPE) to the Council (6. 1. 1993)

Subject: Obstructions to tour guides contrary to the Court of Justice ruling

No 3269/92 by Mr Luigi Vertemati (S) to the Council (6. 1. 1993)

Subject: Nazi violence in Germany

No 3279/92 by Mrs Anita Pollack (S) to the Council (6. 1. 1993)

Subject: Ad Hoc Group on Immigration

No 3280/92 by Mr Alex Smith (S) to European Political Cooperation (6. 1. 1993)

Subject: Political cooperation with Cuba

No 3310/92 by Mr Dimitrios Nianias (RDE) to European Political Cooperation (6. 1. 1993)

Subject: The Republic of Skopje

No 3321/92 by Mrs Concepció Ferrer (PPE) to the Council (6. 1. 1993)

Subject: Preparation of history textbooks

No 31/93 by Mr Sotiris Kostopoulos (NI) to the Commission (8. 2. 1993)

Subject: Lists showing the costs of banking services

No 32/93 by Mr Sotiris Kostopoulos (NI) to the Commission (8. 2. 1993)

Subject: Additional funds for Greece

No 33/93 by Mr Sotiris Kostopoulos (NI) to the Commission (8. 2. 1993)

Subject: Exclusion of EOMMEX from the Regional Enterprise Programmes

No 34/93 by Mr Sotiris Kostopoulos (NI) to the Commission (8. 2. 1993)

Subject: Failure by Greece to implement the ENVIREG programme

No 37/93 by Maria Cassanmagnago Cerretti, Maxime Verhagen, Margaret Daly (PPE) and Michael McGowan (S) to the Commission (8. 2. 1993)

Subject: Situation in Somalia

No 40/93 by Florus Wijzenbeek and Rui Amaral (LDR) to the Commission (8. 2. 1993)

Subject: Exemptions granted by the Commission in the area of maritime transport

No 42/93 by Mr José Valverde López (PPE) to the Commission (8. 2. 1993)

Subject: Information policy of the Community institutions

No 44/93 by Luigi Colajanni (GUE) and Maria Aglietta (V) to the Commission (8. 2. 1993)

Subject: Infringement proceedings against the United Kingdom: failure to take further action

No 45/93 by Mrs Maria Aglietta (V) to the Commission (8. 2. 1993)

Subject: Infringement proceedings against the United Kingdom: failure to take further action

(*) The answers will be published as soon as they are received from the institution concerned. The full text of these questions appeared in the Bulletin of the European Parliament No 31/C-92 to No 4/C-93.

No 46/93 by Luigi Colajanni (GUE) and Maria Aglietta (V) to the Commission (8. 2. 1993)

Subject: Infringement proceedings against the United Kingdom: failure to take further action

No 47/93 by Mr Michael Welsh (PPE) to the Commission (8. 2. 1993)

Subject: Action on agriculture and the environment

No 48/93 by Mr Patrick Lalor (RDE) to the Commission (8. 2. 1993)

Subject: European Community embassies in third countries

No 51/93 by Paul Lannoye, Marie Isler Béguin, Birgit Cramon Daiber, Virginio Bettini, Nel van Dijk and Jean-Pierre Raffin (V) to the Commission (8. 2. 1993)

Subject: Waste shipments: discrepancies in legislation

No 56/93 by Mr Jean-Claude Martinez (DR) to the Commission (8. 2. 1993)

Subject: The CAP reform

No 59/93 by Mr Luigi Moretti (ARC) to the Commission (8. 2. 1993)

Subject: Public procurement
