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Information and Notices

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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 2916/91

by Sir James Scott-Hopkins (ED)

to the Commission of the European Communities

(9 December 1991)

(93/C 185/01)

Subject: Food aid to the Soviet Union and intervention stocks

What effect does the Commission anticipate food aid to the Soviet Union will have on intervention stocks of

1. cereals,
2. beef,
3. pigmeat,
4. sheepmeat and
5. dairy products

over the next 12 months?

Answer given by Mr Steichen
on behalf of the Commission

(18 March 1993)

Food aid to the Soviet Union and the republics emergent therefrom is made up of: ECU 250 million and ECU 200 million in donations, a credit guarantee on ECU 500 million for Russia and a loan of ECU 1 250 million for the republics emergent upon the dissolution of the Soviet Union.

Under the programme of ECU 250 million set up by Regulation (EEC) No 598/91 following the meeting of the European Council in Rome in December 1990, the Community approved delivery of the following products through certain non-governmental organizations to various destinations in the former Soviet Union:

- 50 850 tonnes of milk powder;
- 14 157 tonnes of preserved beef;
- 5 200 tonnes of preserved pigmeat;
- 9 500 tonnes of baby food;
- 2 500 tonnes of pasta;
- 8 000 tonnes of frozen beef;
- 3 000 tonnes of tomato concentrate.

The 8 000 tonnes of frozen beef come from intervention stocks; 13 157 tonnes of preserved beef (out of a total quantity of 14 157 tonnes) are processed from intervention stocks.

In the case of the ECU 200 million food-aid programme set up by Regulation (EEC) No 330/92 following the meeting of the European Council in Maastricht in December 1991 and intended for the cities of Moscow, St Petersburg, Saratov and Nizhny Novgorod, the Community approved the supply of the following products through intervention agencies in the Member States:

- 55 200 tonnes of frozen beef;
- 34 000 tonnes of milk powder;
- 37 500 tonnes of butter;
- 7 000 tonnes of white sugar;
- 4 500 tonnes of baby food;
- 17 500 tonnes of vegetable oil.

The entire quantity of frozen beef, milk powder and butter comes from intervention stocks.

With regard to the credit guarantee of ECU 500 million for Russia provided for by Council Regulation (EEC) No 599/91, the products and quantities involved are:

| | |
|--------------------|----------------|
| Cereals: | |
| barley | 735 000 tonnes |
| common wheat | 745 000 tonnes |
| durum wheat | 50 000 tonnes |
| beef | 75 000 tonnes |
| Vegetable oils: | |
| olive oil | 4 000 tonnes |
| sunflower oil | 106 300 tonnes |
| rapeseed oil | 40 000 tonnes |
| Rice | 15 000 tonnes |
| Soya: | |
| soya proteins | 5 500 tonnes |
| concentrated soya | 5 000 tonnes |
| Packaging material | ECU 9 million |

The Russian authorities were free to procure supplies on the Community markets and (with a ceiling of 25 %) on the markets of central and eastern Europe and of the Baltic republics. In the case of purchases made in the Community, only the beef (75 000 tonnes) came from intervention stocks. In the case of other countries, purchases of cereals, milk powder and sunflower oil, representing approximately ECU 65 million, were made in Poland, the former Czechoslovakia, Hungary and Romania.

The precise origin and quantities of the products which will be the subject of transactions within the framework of the ECU 1 250 million loan to the republics emergent from the former Soviet Union under Council Decision 91/658/EEC of 16 December 1991 have not yet been determined. The loans enable the republics to purchase agricultural and food products and medical supplies of Community origin as well as from the countries of central and eastern Europe and the Baltic countries. The republics emergent from the former Soviet Union are free to procure supplies on the markets of the Community and the latter countries. The overall proportion of the loans earmarked for the purchase of non-Community imports is 50 %, subject to the export capacity of the countries of central and Eastern Europe and of the Baltic countries.

Even if the Commission cannot indicate yet the quantities of products which could come from intervention stocks within the framework of this latter operation, it is clear that the export to the new republics of large quantities of agricultural products subject to Community intervention cannot but have a positive effect on the level of the stocks in question.

WRITTEN QUESTION No 4/92
by Mr Enrique Sapena Granell (S)
to the Commission of the European Communities
(4 February 1992)
(93/C 185/02)

Subject: Patenting of living matter produced by biotechnology

Patents have recently been issued for living matter produced by genetic engineering, a very recent example being a mouse, the first mammal produced by this method. In addition, it is reported that human genes have been patented.

What view does the Commission take of this biotechnological development, from which it would appear that there is nothing to prevent the patenting of living matter including human tissue?

Has the Commission carried out any studies of the major (social, economic, ethical and political) implications of such techniques?

Although no limits are laid down by American legislation, does not the Commission consider that the European Communities should, at least in certain cases, where human tissue is involved, impose legal restrictions on patenting?

Answer given by Mr Vanni d'Archirafi
on behalf of the Commission

(2 April 1993)

The questions raised by the Honourable Member were considered in some depth in Parliament in the debate (first reading) on the proposal for a Council Directive on the legal protection of biotechnological inventions ⁽¹⁾, which led to a resolution passed on 29 October 1992.

Parliament called for a series of amendments concerning the ethical dimension of biotechnological inventions; the Commission accepted a number of these.

Following Parliament's opinion on the initial proposal, the Commission presented an amended proposal, on 16 December, in which it took up the question of the ethical limits to the patentability of biotechnological inventions.

The new proposal provides that the human body or parts of the human body *per se* are to be unpatentable (Article 2 (3) (a)), as are processes for modifying the genetic identity of animals which are likely to inflict suffering or physical handicaps on them without any benefit to man or animal (Article 2 (3) (c)).

The fact that a part of the human body would not be patentable *per se* means that a human gene whose function is unknown not be patentable, which is in line with the strict application of patent law, as the mere sequencing of a gene would constitute 'discovery' rather than 'invention'.

But a human gene used for obtaining a product beneficial to man, such as a pharmaceutical product, could perfectly well be patented if the patent also covered the production process for the medicine.

An example might be a European patent for the production of alpha interferon of human origin in a host microorganism.

In order to assess the likely consequences of advances in biotechnology the Commission has asked a group of consultants of ethics in biotechnology to report to it on the ethical aspects of Community activities in the sphere of biotechnology and their potential impact on society and the individual.

(¹) OJ No C 10, 13. 1. 1989.

As a result of the 1991 call for proposal, six Esprit basic research projects in this field have been selected and are currently being supported, involving 53 participants from universities, research institutes and industry.

These projects are involved in research relevant to the future development of the so-called third and fourth generation of quantum well devices which will exploit the new electrical and optical properties brought about by the quantum confinement.

In addition to the above projects, a network of excellence in the field of mesoscopic systems has been launched. It comprises 30 participants from all over the Community. The main emphasis of the network is to establish links with industry and to coordinate research and training.

The projects described above build on the results of five basic research actions which were funded between 1989 and 1991. They addressed various aspects of quantum well technology, encompassing deposition, patterning, etching, device modelling and device testing of advanced devices with dimensions smaller than 100 nanometers.

The Brite-Euram programme does not cover quantum-well technology nor is the Joint Research Centre active in this field.

WRITTEN QUESTION No 42/92

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(4 February 1992)

(93/C 185/03)

Subject: Quantum well technology

What work on quantum well technology has been done by

1. the Joint Research Centre,
2. universities or other research institutes under the Brite or Esprit programmes?

Answer given by Mr Ruberti
on behalf of the Commission

(29 March 1993)

Research work on quantum well technology is carried out within Esprit basic research, in particular within those projects related to 'Nanoelectronics', i.e. the study of quantum effects in compound semiconductors and the devices in which they arise.

WRITTEN QUESTION No 113/92

by Mr Siegbert Alber (PPE)

to the Commission of the European Communities

(7 February 1992)

(93/C 185/04)

Subject: Scuba fishing (harpooning and similar activities)

Scuba fishing is still practised in some European and non-European countries. Even well-known institutions such as the CMAS (Confédération Mondiale des Activités Subaquatiques) hold continental and world championships in scuba fishing. Such activities destroy marine biotopes and seriously reduce stocks of many localized species of large fish.

1. Is the Commission aware of these activities?
2. How does the Commission assess the effects of sporting activities of this kind on the marine environment and stocks of certain species of fish?
3. In which Community Member States is scuba fishing already prohibited by law?
4. Given that national legislation obviously differs is the Commission planning regulations at Community level?

WRITTEN QUESTION No 1424/92
by Mr Willi Görlach (S)
to the Commission of the European Communities
(16 June 1992)
(93/C 185/05)

Subject: Underwater fishing, harpooning and spear-fishing

Underwater fishing is still practised in a number of European and non-European countries. Even well-known institutions such as the CMAS (Confédération Mondiale des Activités Subaquatiques) hold international, continental and world championships in underwater fishing. These activities destroy marine biotopes and decimate large fish in their natural environment.

1. Is the Commission aware of these activities?
2. How does it evaluate the effects of these sporting activities and competitions on the marine environment and on stocks of certain species of fish?
3. In which Community Member States is underwater fishing already prohibited?
4. What specific measures has the Commission undertaken and/or does it intend to undertake in future to settle this problem in an environmentally acceptable manner?

Joint answer to Written Questions Nos 113/92 and 1424/92
given by Mr Paleokrassas
on behalf of the Commission
(10 February 1993)

The management of scuba fishing is currently a matter for the authorities of the Member States.

WRITTEN QUESTION No 223/92
by Mr James Ford (S)
to the Commission of the European Communities
(13 February 1992)
(93/C 185/06)

Subject: Environmental impact of floodlighting

Has the Commission given special consideration to the environmental threat of indiscriminate floodlighting? The growing trend is for larger, higher, brighter 'security'

lighting and to illuminate leisure areas, in particular, and the Commission's views on this are sought.

Answer given by Mr Paleokrassas
on behalf of the Commission
(19 April 1993)

Floodlighting is not covered by Directive 85/337/EEC ⁽¹⁾ nor has it been raised as a problem in discussions with Member States.

The Commission is not aware of any specific action undertaken by Member States regarding security lighting.

⁽¹⁾ OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 401/92
by Mr Alexandros Alavanos (CG)
to the Commission of the European Communities
(27 February 1992)
(93/C 185/07)

Subject: Emergency measures to protect the Gulfs of Eleusis, Salonika and Agi Theodori

Work carried out by Greenpeace in the spring of 1991 in the gulfs of Eleusis, Salonika and Agi Theodori reveal that the environmental situation there is much worse than was believed, in some respects worse than Rotterdam.

Thus, compared with the Dutch port, the concentrations of hydrocarbons in the water are six times greater in the Gulf of Eleusis, twice as great in the Gulf of Salonika and two-and-a-half times as great in the Gulf of Agi Theodori. The concentrations of lead are also higher. The concentration of nickel, which varies between 24 and 66 ppm in Rotterdam, is between 43,3 and 135 ppm in the Gulf of Eleusis, between 51,1 and 213 ppm in the Gulf of Salonika and between 30 and 654 ppm in the Gulf of Agi Theodori. Finally, it has emerged that the waters of Agi Theodori contain large quantities of chromium and concentrations of other toxic metals such as cadmium, copper, zinc and silver.

This pollution is mainly due to the loading and unloading of liquid fuels because of the presence of major oil companies (Petrola, Motor Oil, the Aspropirgos refineries), and also the not inconsiderable effects of urban and industrial waste.

1. What measures does the Commission intend to take to ensure that the necessary studies and action are taken to protect the marine environment in these areas?
2. What measures does the Commission intend to take to ensure the proper application of legislation to prevent pollution, particularly since this is mainly due to the establishment of oil industries and the mooring of oil tankers?

**Answer given by Mr Paleokrassas
on behalf of the Commission**
(10 March 1993)

The Honourable Member is referring mainly to pollution caused by industrial activity, and in particular by the oil industry. The question also refers to abnormal levels of cadmium in the Gulf of Agi Theodori.

Among the various Community provisions currently in force, Directive 76/464/EEC on the discharge of dangerous substances into the aquatic environment ⁽¹⁾ and Directive 83/513/EEC on limit values and quality objectives for cadmium discharges ⁽²⁾ certainly apply in this case.

It falls to the competent authorities of the Member States to take measures to eliminate pollution caused by List I substances, such as cadmium, and to reduce pollution caused by List II substances, including substances linked to the abovementioned oil activities. Any discharge of substances in List I (Article 3) or List II (Article 7 (2)) requires prior authorization by those authorities.

Discharge authorizations must meet the conditions laid down in Directive 83/513/EEC for cadmium and those laid down in the national programmes for the reduction of List II substances (Articles 7 (1) and (3)).

The Commission has already instituted infringement proceedings against Greece for failing to draw up reduction programmes including quality objectives for water, within the meaning given in Article 7 (1), (2), (3) and (5).

With regarding to the presence of cadmium in the Gulf of Agi Theodori, the Commission will seek information on the situation and will inform the Honourable Member as soon as possible of the outcome of its investigations and any action it intends to take.

⁽¹⁾ OJ No L 129, 18. 5. 1976.

⁽²⁾ OJ No L 291, 24. 10. 1983.

WRITTEN QUESTION No 540/92
by Mrs Martine Lehideux (DR)
to the Commission of the European Communities
(16 March 1992)
(93/C 185/08)

Subject: Aid to the people of Iraq

In view of the fact that the Kurds are not the only people in Iraq suffering as a result of the Gulf war, and in particular since there is widespread indifference to the fact that a million Iraqi children are suffering from malnutrition, thousands have already died of starvation and tens of thousands more are facing the same fate, the continued imposition of a blockade risks amounting to nothing more or less than an act of genocide against Iraq's children.

Does not the Commission consider it essential that the Member States of the EC lift the blockade immediately and send convoys of medicines and food in order to save tens of thousands of innocent lives?

Answer given by Mr Marín
on behalf of the Commission
(5 May 1993)

The Commission would refer the Honourable Member to its answer to his Written Question No 1555/92 ⁽¹⁾.

⁽¹⁾ OJ No C 317, 3. 12. 1992.

WRITTEN QUESTION No 1190/92
by Mr Kenneth Stewart (S)
to the Commission of the European Communities
(15 May 1992)
(93/C 185/09)

Subject: Danger of hydrofluoric acid from scrap vehicles

Is the Commission aware that fluoric acid is created in car looms and synthetic rubber steering columns and that this acid destroys bone and absorbs calcium, that many scrap cars and vehicles stored for spare parts could become a danger to the public, that the Royal Automobile Club issued a circular in 1989 highlighting the danger and that a fitter lost a finger due to a leak?

In view of the potential risk to the public, will the Commission investigate this problem, and if it is aware of

the anomaly, what action does it intend taking to ensure that a safer material is used by the motor industry in the future?

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

(2 April 1993)

The attention of the Commission was drawn, at the time it occurred in 1989, to an accident that happened to a mechanic during the dismantling of a burnt-out car body. The mechanic had to have finger amputated following chemical burns resulting from contact with hydrofluoric acid formed by the partial decomposition of a polymer used for a mechanical part.

The information available on this accident seemed to indicate that the combination of circumstances which led up to it were exceptional and that the risk of its being repeated would dwindle as a result of the preventive measures taken by the repairers associations and at the design stage. The Commission has not been informed of any similar incident since.

Council Directive 89/391/EEC ⁽¹⁾ on the introduction of measures to encourage improvement in the safety and health of workers at work and the provisions of Directive 80/1107/EEC ⁽²⁾ on chemical, physical, and biological agents set out the global strategy for the protection of workers at the workplace and require that employers fully assess the health risks and take appropriate measures on the basis of the general principles of avoiding risks and replacing dangerous substances by non-dangerous or less dangerous and observe that established limit values for exposure at the workplace should not be exceeded.

⁽¹⁾ OJ No L 183, 29. 6. 1989.

⁽²⁾ OJ No L 327, 3. 12. 1980.

WRITTEN QUESTION No 1311/92

by Mr Panayotis Roumeliotis (S)
to the Commission of the European Communities
(5 June 1992)
(93/C 185/10)

Subject: Wave of refugees owing to developments in the Balkans

At the recent annual economic meeting of NATO in Brussels, demographic experts predicted that owing to the

continuing troubles in the Balkans there would be an exodus of up to 1,2 million refugees. They also predicted that Greece would very likely receive a further 100 000 refugees from Albania and southern Yugoslavia by the end of 1992.

Will the Commission say whether it is aware of these predictions and, if so, what measures it intends to take to deal with this situation?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission**

(13 April 1993)

Although it is a matter over which the Member States have exclusive jurisdiction, the Commission is following with grave concern the problem of the influx of refugees into the Community. It wishes to emphasize the considerable efforts on the part of the Community in order to deal with the situation and, in particular, the importance of the aid deployed throughout the Balkans, in accordance with the recommendations by the Office of the United Nations High Commissioner for Refugees, in order to enable displaced persons and refugees to remain as close as possible to their home region so as to facilitate their return when circumstances permit.

As regards refugees of Greek origin, the Commission has already granted ECU 36,2 million under the Community's Horizon initiative. Measures relating to refugees may also be financed under the 1989—93 Community support framework (CSF) for Greece.

In addition, in the context of financing the Structural Funds for the period 1994—99, the Commission is taking measures to ensure that particular attention is paid to the problem of social exclusion.

WRITTEN QUESTION No 1529/92

by Mr Panayotis Roumeliotis (S)
to the Commission of the European Communities
(16 June 1992)
(93/C 185/11)

Subject: Problems in the hotel industry on the island of Rhodes

According to recent statements by the Union of Hotel Owners in Rhodes, a large number of hotels in the area are facing serious problems as a result of the effects of last year's Gulf war on Greek tourism. In particular, their temporary loss of liquidity, in combination with high interest rates, has made it impossible for them to meet their commitments, leading to their closure and having an obvious impact on employment and the economy in the area and in Greece in general.

Can the Commission state what steps it intends to take to deal with this problem?

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

As the Commission has indicated several times, it is aware of the effect of the Gulf War on the economy in general and on the tourist industry in particular.

It takes the view that measures to counter the adverse economic situation, particularly in the tourist industry, are primarily the responsibility of the national authorities. Certain Member States have indeed adopted measures on short-time working and extended the deadlines terms for tax and social security payments for the industry.

Within the framework of the Perifra programme, the Commission has contributed to the financing in Greece of activities aimed at contending with the potentially harmful repercussions on the economy, including the tourist industry, of the Gulf War.

On 30 July 1992 it also approved an action programme to assist tourism under the Community support framework. A total of ECU 71 million from the ERDF and the ESF will be granted towards the financing of a series of measures to secure the long-term viability of the tourist industry in Greece.

In addition, the Council adopted on 4 June 1992 an action plan to assist tourism which enters into force on 1 January 1993 and provides for medium and long-term measures to make the industry more competitive. At present, the Commission does not have any other particular initiatives in mind.

WRITTEN QUESTION No 1872/92

by Mr Madron Seligman (PPE)
to the Commission of the European Communities
(23 July 1992)
(93/C 185/12)

Subject: Illegal slaughter of turtle doves

I understand that tens of thousands of turtle doves are being shot in the Médoc area of France every year in the spring in defiance of EC and French law.

Even if it may be legal to shoot these gentle birds in the autumn, it is particularly reprehensible to kill them in the breeding season.

Representatives of the Royal Society for the Protection of Birds allege that the French authorities have promised to enforce the law but in practice appear to turn a blind eye.

Is the Commission aware of what is going on? If so, what action does it propose to take?

WRITTEN QUESTION No 2056/92
by Mr Edward Kellett-Bowman (PPE)
to the Commission of the European Communities
(1 September 1992)
(93/C 185/13)

Subject: Hunting of turtle doves during migration to Central and Northern Europe

Recent reports suggest that French hunters are shooting turtle doves in the Médoc area of the Gironde during their migration flight to Central and Northern Europe, which is in contravention of Council Directive 79/409/EEC ⁽¹⁾ on the conservation of wild birds.

Could the Commission please advise me what action it is taking to investigate these reports to ascertain whether French hunters are contravening EC law?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

**Joint answer to Written Questions Nos 1872/92
and 2056/92**
given by Mr Paleokrassas
on behalf of the Commission
(16 March 1993)

The continuing illegal practice of shooting turtle doves in the spring in south-western France has led the Commission to initiate an infringement procedure against France. This procedure is still under way and the Commission recently questioned the French Minister for the Environment on development during the 1992 hunting season. In the light of the reply received from the French authorities the Commission will decide whether to continue the procedure.

WRITTEN QUESTION No 2078/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(1 September 1992)
(93/C 185/14)

Subject: Damage caused by hailstorms in Chalkidiki

Chalkidiki was recently swept by heavy hailstorms causing substantial damage to agricultural crops. Hailstones as large as hazelnuts fell for over one hour over central and southern Chalkidiki damaging grapes, watermelons, peaches and other fruit and vegetables in the region of Polygiros, Nea Kallikratia and the villages of Lakkoma, Aghios Pavlos, Mesimeri, etc. Does the Commission intend to help Chalkidiki farmers whose crops have been damaged by hail? How does it intend to help them deal with this difficult situation?

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

The Commission fully understands the difficulties faced by Chalkidiki farmers following the heavy hailstorms that swept the region. It would like to point out, however, that compensation for crops damaged by hailstorms should be claimed under farm insurances. The Community has no instruments of intervention or financial means to deal with this kind of situation.

WRITTEN QUESTION No 2239/92
by Mrs Dorothee Piermont (ARC)
to the Commission of the European Communities
(1 September 1992)
(93/C 185/15)

Subject: Torricelli amendment stepping up the US embargo on Cuba

Bill No 4168/1992 tabled by the US Senator Torricelli is intended to step up US sanctions against countries and firms (including European subsidiaries of US firms) which trade with Cuba. It also imposes a six-month embargo, prohibiting merchant vessels from Cuba from entering US ports.

What view does the Commission take of:

- the above proposal in the light of international law and GATT provisions
- the US claim to extra-territorial authority,
- the implications of this proposal for bilateral trade between the USA and the EC?

Answer given by Sir Leon Brittan
on behalf of the Commission
(26 March 1993)

The Torricelli proposals referred to by the Honourable Member were included in the Cuban Democracy Act of 23 October 1992 which prohibits all trade with Cuba except licenced transactions concerning humanitarian actions and food aid operations.

The opposition of the EC to the Cuban Democracy Act (CDA) was made clear in a final demarche to the Department of State on 7 October 1992 urging the President to veto the CDA, à propos various legislative initiatives, such as the Mack Amendment, Torricelli Bill, Graham Bill, etc.

Unfortunately as the Honourable Member has noted, the CDA contains controversial provisions, which have an extraterritorial reach and will affect EC commercial interests:

- the prohibition of trade with Cuba is imposed upon US-owned or controlled firms in third countries, and as a result this will impair the EC/Cuba trade and might even lead to a secondary embargo imposed on EC exports to the US (such a threat was made clear by the US Agriculture Department in relation to Cuban sugar);
- the prohibition of entry into US ports of any vessels taking part in shipping activities with Cuba, which will obviously restrict the EC freedom of navigation.

The US themselves oppose extraterritorial reach of foreign laws and trade embargoes. A specific provision of the Export Administration Act of 1969, the so-called 'Foreign Antiboycott Provision' is a blocking state which prohibits US companies to comply with foreign boycotts.

The enactment of the CDA has provoked a series of actions:

- (a) in the United Nations, the General Assembly adopted a resolution condemning the US embargo and is now considering to request an advisory opinion of the

International Court of Justice on the conformity with international law of the CDA;

- (b) on 12 October 1992 the United Kingdom enacted a blocking order to prohibit its companies, to comply with the Cuban Democracy Act;
- (c) Canada has also adopted a similar blocking statute;
- (d) the Spokesman of the Commission immediately expressed officially the disappointment and concerns of the EC as regard the CDA.

For the time being, the Commission is examining, together with the Member States the legal implications of the CDA and the various options for action.

The Commission has also taken note of the various resolutions adopted by the European Parliament in relation with the Cuban Democracy Act.

WRITTEN QUESTION No 2308/92

by Mr Diego de los Santos López (ARC)
to the Commission of the European Communities
(8 September 1992)
(93/C 185/16)

Subject: Purification plant at Alhaurin de la Torre (Málaga)

A water purification plant built recently in the municipality of Alhaurin de la Torre was cofinanced by the Community.

Although it is of modern design the plant discharges treated water in excess of the permitted limits. It also poses a serious pollution problem because of its malfunction, as its waste water is discharged into a nearby river bed and an irrigation channel.

Purification is not being completed properly, as local residents complain of unpleasant smells and farmers refuse to use the water for irrigation.

Can the Commission investigate whether this purification plant was built in accordance with the original plan, which was the subject of Community funding?

Does the Commission have evidence that the plant was in working order when it began operation? Which organization issued the required reports on its fitness for service?

In view of the continuing complaints from residents and farmers, does the Commission propose to consider amplifying Community law in this area, bearing in mind its financial involvement in the construction process?

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

(15 April 1993)

On 17 October 1988 the Commission approved a project involving the joint financing of a water reclamation works at Alhaurin de la Torre (Malaga). The contribution amounted to ECU 668 222 out of a total investment of ECU 1,3 million.

The details of the project reached to Commission on 18 January 1988 and were duly examined in the proper manner.

The Commission is anxious to stress that, under the terms of the partnership, it is the prerogative of the national, regional or local authorities concerned to lay down the technical criteria governing the performance of the jointly-financed activities. It is therefore for the Member States to check that, where appropriate, those authorities implement the relevant Community regulations. The Commission itself needs to ensure that any such activities meet the aim of the lasting development of the region and have the most beneficial regional impact in terms of both the level of development of the regions concerned and the protection of the environment.

In the instance referred to by the Honourable Member the obligations concerning the treatment of urban waste water laid down by Directive 91/271/EEC ⁽¹⁾ will only need to be met from 31 December 1998 at the earliest. This Directive provides for an implementation timetable which depends upon the characteristics of the effluents and recipient waters, and will extend up to 31 December 2005.

⁽¹⁾ OJ No L 135, 30. 5. 1991.

WRITTEN QUESTION No 2375/92

by Mr Gijis de Vries (LDR)
to the Commission of the European Communities
(23 September 1992)
(93/C 185/17)

Subject: EC trade policy and bilateral US-Japanese agreements

The United States has concluded several bilateral agreements with Japan, notably

- (a) a semiconductor agreement,
- (b) a public works agreement,
- (c) satellite and communications agreements, and
- (d) a car and car components agreement.

1. Is it the Commission's opinion that each of these agreements is compatible with the obligations of the US

and Japan under GATT? If not, has the Commission filed a complaint with the GATT?

2. Could any of these agreements give rise to a decision by the Commission to use its power under the New Commercial Policy Instrument (Regulation (EEC) No 2641/84) ⁽¹⁾?

⁽¹⁾ OJ No L 252, 20. 9. 1984, p. 1.

**Answer given by Sir Leon Brittan
on behalf of the Commission
(18 March 1993)**

The Commission is concerned by the recent trend towards bilateral arrangements between the United States and Japan. It is convinced that contracts should be awarded for purely commercial reasons. The Commission has taken every occasion to insist on this with the Japanese authorities.

Compatibility with GATT provisions

However, strictly speaking, the arrangements mentioned do not show enough elements for a clear incompatibility with present GATT provisions. The 1980 US/Japan bilateral agreement on NTT procurement, the 1981 US/Japan agreement for non-R&D satellites as well as the public works agreement have been concluded in areas that are not covered by the current GATT Code on Government Procurement: so far, neither the telecommunication sector nor services are subject to Code disciplines.

Furthermore, there are no explicit provisions in the present 1991 US/Japan Semiconductor Agreement which could form the basis of a formal complaint under GATT. Generally speaking, undertakings between industries are at this stage outside the scope of the GATT, which addresses only trade relations between governments. Accordingly, when the Community challenged the 1986 Semiconductor Agreement, it was successful only in so far as the GATT panel ruled that the monitoring of prices and costs by the Japanese government constituted illegal export restrictions that violated Article XI:1 of the General Agreement. Discrimination in market access could not be upheld, because evidence of active involvement by the Japanese government was lacking.

Finally, the discriminatory aspects of the car and car components agreement are contained in the mutual pledges made by car manufacturers on both sides. The guarantees given by the Japanese government in this agreement are formally labelled in an apparent by non-discriminatory fashion. Again, a successful action under GATT depends on

clear evidence as to the active involvement of Japanese authorities.

Action under the new commercial policy instrument

As stipulated in Regulation (EEC) No 2641/87, action under the New Instrument can be contemplated only if illicit commercial practices by a foreign government are proven to create a prejudice to a Community production. Moreover, proof of prejudice is subject to the same preliminary inquiry as in the case of dumping or subsidies.

Present Community action

Despite the missing legal basis and taking account as explained in point 1 of the crucial importance of assessing the actual behaviour of the Japanese authorities on the background of the GATT, the Commission is presently monitoring very closely the effects of the above mentioned agreements. In this task, it is of course extremely attentive to elements that might prove active involvement of the Japanese authorities. Furthermore, several representations have already been made to the Japanese authorities on this subject. As a result:

- Japan has offered to submit NTT to the GATT Code on Government Procurement
- Japan has informed the Commission by means of a non-paper from its Ministry of Post and Telecommunications that satellite procurement procedures are applied on a non-discriminatory basis to all nations.

Impact of the Uruguay Round

In addition, it should be noted that the legal situation would be deeply changed by a successful conclusion of the Uruguay Round Trade Negotiations.

In the negotiations on Government Procurement, the Community is pressing for coverage by the Code of the so far 'excluded sectors': telecommunications, energy, water and transport as well as for the extension of Code disciplines to the provisions of services.

WRITTEN QUESTION No 2399/92

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(6 October 1992)

(93/C 185/18)

Subject: Spillage of pollutants from ships in the bay of Málaga

Political parties and environmental organizations have complained about the continuing uncontrolled dumping of

waste from ships in the bay of Málaga. These spillages are caused by ballast adjustment of oil tankers and dumping of lubricants and other oils.

As the Spanish Government is evidently unable to implement Community legislation, could the Commission draw up a report on this situation?

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

(2 April 1993)

Although the Commission is extremely concerned about any pollution of the sea, including that caused by the dumping of waste oils by ships close to shore, it is for the Member States of the Community to respect and enforce their obligations under international conventions.

In this specific case, the convention involved is Marpol 73/78 (International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978), to which Spain is a party but not the Community.

As regards the dumping of lubricants and waste oils in particular, the facts that the Honourable Member has brought to the Commission's attention indicate a possible infringement of Directive 75/439/EEC of 16 June 1975 ⁽¹⁾ on the disposal of waste oils, which requires Member States to take the necessary measures to prohibit discharges of waste oils into their territorial waters.

However, in so far as this provision of Community law applies only to the discharge of waste oils into territorial sea water, the Commission would be grateful to the Honourable Member for further details, such as the exact location of such discharges, the quantities involved and the dates on which they took place, to enable it to complete the proper investigations.

⁽¹⁾ OJ No L 194, 25. 7. 1975.

WRITTEN QUESTION No 2511/92

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

(12 October 1992)

(93/C 185/19)

Subject: Hazards posed by chlorinated water

A study published in the American public health journal (1 July 1992), suggests that chlorinated water may increase

the risk of contracting cancer. This study mentions that of the 47 000 cases of cancer of the bladder occurring each year in the USA, 4 200 may be due to chlorinated water as well as 6 500 out of 44 000 cases of intestinal cancer. The researchers point out that it would be premature to call for a ban on chlorine in water but state that the findings of the study are very interesting and that the matter needs further research. Does the Commission intend to ask for a scientific research into this matter with a view to protecting the health of Community citizens?

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

(16 April 1993)

The Commission is aware that certain by-products formed during the disinfection of drinking water with chlorine can be injurious to human health. These by-products arise from reactions between chlorine and organic matter present in raw water. Technical means exist to remove organic matter from water and also to remove chlorinated by-products. It is for Member States to use these procedures where necessary.

In December 1990 the Commission asked a consortium of research institutes to establish a priority list of such substances, having regard to their toxicity and occurrence in drinking water. The toxicological evidence relating to these compounds was reviewed by the consortium and used to suggest maximum acceptable concentrations in relation to the protection of human health. The results of the study have been made available to the Member States, and will assist them in setting values in accordance with Article 7 of Directive 80/778/EEC ⁽¹⁾.

The Commission was represented at the meeting of International Agency for Research of Cancer (IARC-WHO) on chlorinated drinking water, chlorination by products ⁽²⁾. It was concluded by the experts that there is inadequate evidence for the carcinogenicity of chlorinated drinking water in humans and experimental animals.

Overall evaluation: chlorinated drinking water is not classifiable as to its carcinogenicity to humans (group 3).

The Commission would remind the Honourable Member that the World Health Organization has recently revised its guidelines for drinking water quality, and has included guidelines for certain individual disinfection by-products. The Commission is at present examining the significance of these guideline values in relation to the Community standards for drinking water quality.

The Commission has taken care to remain informed of current work.

⁽¹⁾ OJ No L 229, 30. 8. 1980.

⁽²⁾ IARC Monographs on the evaluation of carcinogenic risks to humans, Vol. 52 — 1991.

WRITTEN QUESTION No 2551/92
by Mr Victor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(27 October 1992)
(93/C 185/20)

Subject: The Year of St James

The celebration of the Year of St James in 1993 could provide a good opportunity for the Community to demonstrate its willingness to preserve the European cultural heritage by helping to protect and disseminate it and to strengthen the awareness that Europeans share a common cultural heritage and values which transcend the diversities, as the Commission itself expressed it.

Could the Commission not, collaborate with the Council of Europe in drawing up an action programme or in making contributions to existing projects in this field?

Answer given by Mr Pinheiro
on behalf of the Commission
(16 February 1993)

Any statement of cultural policy must set ambitious objectives such as those the Honourable Member calls for in his question, even if it is recognized that the ambition expressed cannot be achieved with the funds available.

Moreover, the realization of these objectives is not the exclusive responsibility of the Commission. It is also, and primarily, the responsibility of the Member States as well as all international organizations already working in the field of European cultural cooperation.

The Commission, which is already cooperating with the Council of Europe in various areas, has stated that it wishes to step up this cooperation and give it a higher profile, on the one hand, and, on the other, to define new fields of activity within which the work of the two organizations could be complementary.

Within the limits of the funds currently available and without waiting for Maastricht to be ratified, the Commission is already contributing to the realization of the

objectives referred to by the Honourable Member by supporting three programmes, published in the Official Journal and described in detail in the annex to Commission communication COM(92) 149 final:

- a pilot scheme for the preservation of the Community's architectural heritage (Annex A);
- a pilot scheme to provide financial aid for translation of contemporary literary works; and
- the 'Kaleidoscope' programme (cultural events, encouragement of creative activity and cultural cooperation networks).

WRITTEN QUESTION No 2576/92
by Mr Jean-Pierre Raffin (V)
to the Commission of the European Communities
(27 October 1992)
(93/C 185/21)

Subject: Commissioner Bangemann and the growth of the bird population

During the Question Time dealing with oral questions with debate (Rule 60 of the Rules of Procedure) on the evening of 16 September 1992, Commissioner Bangemann spoke in response to Question No 81 by Mr Maher (H-0748/92) ⁽¹⁾.

He stated that the increase in the magpie (*Pica pica*) population due to the ban on hunting the species would lead to a significant drop in songbird populations. What research is this allegation based on?

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

Answer given by Mr Paleokrassas
on behalf of the Commission
(15 April 1993)

Ellenberg (1989) and Birkhead (1991) list and summarize the scientific studies dealing with the increase in the magpie (*Pica pica*) population and the predatory activities resulting therefrom. These studies show what the local impact of the magpie can be on the song-bird population, given certain anthropical conditions. The results of these studies will be sent to the Honourable Member and the Parliament Secretariat.

WRITTEN QUESTION No 2646/92**by Mr Yves Verwaerde (LDR)****to the Commission of the European Communities***(27 October 1992)**(93/C 185/22)*

Subject: Financing of property acquisition by the Commission

According to certain reports, the Commission has decided to finance the acquisition of property for its services in various Member States and third countries. For this purpose it will draw on reserves constituted under the ECSC Treaty, consisting mainly of the annual levies paid by coal and steel producers.

Can the Commission confirm this and, if it is true, give the reasons for this method of financing?

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

(19 March 1993)

The Commission has indeed recently acquired buildings for the use of its services in various countries.

It is also correct to say that, in certain cases and under strict conditions, it resorts to the guarantee fund of the ECSC to finance these acquisitions.

The Commission's decision of 11 June 1992 on the framework in which the ECSC can continue to make real estate investments lays down the following rules for recourse to this type of financing:

- any property investment of the ECSC must guarantee a return equivalent to what it would have obtained by investing its funds on the market;
- the ECSC may assist in the financing of real estate acquisitions by the Commission up to a maximum commitment of ECU 50 million;
- the ECSC may assist in financing buildings only if the acquisition is for the EEC, which in its turn may resort to this form of financing only in so far as it is more advantageous than another source;
- the EEC is to repay the capital advanced by the ECSC, with interest on the remaining balance due. Property rights in the building will be transferred from the ECSC to the EEC upon total repayment of the capital advanced.

The justification for this policy is the accelerating rise in rents and therefore the financial savings available to the Commission by owning the buildings required for its delegations, other offices and staff assigned to these. In addition, this type of operation satisfies the need for increased diversification of the investment portfolio of the ECSC.

WRITTEN QUESTION No 2656/92**by Mr Jaak Vandemeulebroucke (ARC)****to the Commission of the European Communities***(27 October 1992)**(93/C 185/23)*

Subject: Organization of meetings of workers' organizations in the Community — utilization of appropriations entered against Item B3-4002

A commitment appropriation of ECU 5 million was entered against Item B3-4002 of the budget for the 1992 financial year to finance expenditure relating to information and training with a view to the completion of the internal market and the integration of workers, organized in particular by the European Trade Union College and the European Workers Centre.

Can the Commission say how these appropriations were utilized, indicating the projects and organizations receiving the funding?

Can the Commission also give information concerning the statute, operation, seat and constitution of the Management Board of both the European Trade Union College and the European Workers Centre?

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

(5 April 1993)

The Community provided financing totalling ECU 4 803 111 in response to 30 applications. In granting the subsidies, the Commission took as a basis the agreement between Miss Papandreou and the workers' organizations.

The following sums were accordingly granted for annual programmes:

- 20 % (ECU 1 000 000) for the European Workers' Centre,

- 24 % (ECU 1 198 356) for the European Trade Union College,
- 50 % for the trade union committees,
- 6 % for national measures.

in partnership with the local and regional authorities and in particular with the support of the Structural Funds.

⁽¹⁾ OJ No L 175, 5. 7. 1985.

⁽²⁾ OJ No C 59, 6. 3. 1992.

WRITTEN QUESTION No 2779/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(16 November 1992)
(93/C 185/24)

Subject: Protection of island regions that are popular tourist destinations

Given that tourism is an important factor in the local economy of many Greek islands and islands belonging to other Mediterranean Member States and that the development of tourism is jeopardized by industrial activity and unauthorized building projects, does the Commission intend to work together with the local authorities to take special measures to protect areas of great tourist interest, giving priority to those of particular cultural or environmental value?

Answer given by Mr Paleokrassas
on behalf of the Commission
(15 April 1993)

The problems involved in the expansion of tourism, including the provision of infrastructure, must be considered as part of national planning and national regional development.

Nevertheless, the Member States are required to implement existing Community law and in particular Council Directive 85/337/EEC of 27 June 1985 ⁽¹⁾ on the assessment of the impact of certain public and private projects on the environment.

It should be stressed that, in its resolution 92/C 59/01 of 29 February 1992 on the future Community policy on the European coastal area ⁽²⁾, the Council invited the Commission to put forward a Community strategy for the integrated management of the coastal area, which will provide a framework for its conservation and long-term use.

The Commission is aware of the value and richness of the cultural heritage of the island regions and in particular those of Southern Europe as a factor in the expansion of tourism. As part of this it has carried out a certain number of activities enabling benefit to be drawn from their advantages

WRITTEN QUESTION No 2781/92
by Mr Alexandros Alavanos (CG)
to the Commission of the European Communities
(16 November 1992)
(93/C 185/25)

Subject: Compensation for damage caused by the fire on Rhodes

In the last week of September a serious fire broke out in Rhodes killing a volunteer fires-fighter and destroying over 5 000 hectares of forest and farmland, together with livestock and homes. In 1987, about 20 000 hectares of forest were destroyed by another fire. There is now an immediate danger of drought, further damage from flooding following the winter rains and adverse effects on the tourist industry. In view of this:

What steps will the Commission take to compensate the fire victims?

What measures will it take to include measures to restore the environment in the Community Support Framework?

What similar measures can be taken as part of the programme for the Aegean Islands?

Answer given by Mr Steichen
on behalf of the Commission
(9 March 1993)

The Commission is particularly concerned about the serious problem of forest fires which, each year, lay waste more than 500 000 ha in the south of Europe, and about their impact on the safety of these countries' populations, on forestry resources and on agriculture. The island of Rhodes suffered heavily from this problem in September 1992 as the Honourable Member pointed out.

Community financial assistance in dealing with the damage caused by the fires on Rhodes could, firstly, be included in regional development programmes. A forestry operational programme for Greece was approved by the Commission at the beginning of November 1992 providing for reafforestation and the prevention of forest fires, with the Community contributing ECU 31 million from the EAGGF.

Furthermore, following the last amendment to the Greek national programme for agricultural structures, a provision of ECU 23 million was made for repairing the damage caused to agricultural holdings by these disasters. In both cases, it would be up to the Greek authorities to adjust their priorities to meet the needs expressed.

With regard to the Commission's proposals for the Aegean islands, these do not apply specifically to forestry. However, the Commission, in its report on this matter ⁽¹⁾, particularly emphasizes the need for steps to be taken to achieve rational management of water resources.

Prevention measures could also benefit from a Community aid for specific protection measures against forest fires which was adopted by the Council in July 1992 (Regulation (EEC) No 2158/92) ⁽²⁾.

Community assistance to disaster victims is of a humanitarian nature. Its symbolic character and its essential purpose of helping individuals, puts this particular type of assistance in a different category from any measures of a compensatory type and/or measures concerned with economic and production structures.

⁽¹⁾ COM(92) 569 final.

⁽²⁾ OJ No L 217, 31. 11. 1992.

WRITTEN QUESTION No 2789/92

by Mr Freddy Blak (S)

to the Commission of the European Communities

(16 November 1992)

(93/C 185/26)

Subject: State aid to shipyards in the former GDR

Under Council Directive 92/68/EEC ⁽¹⁾ the German Government is required to provide evidence, in the form of annual reports by independent chartered accountants, that aid payments are made to yards in the former GDR only.

Even if payments are made to only one part of a group it requires little imagination to see that funds can be transferred to other parts. This can either be done openly or through any number of covert procedures. Is the Commission able to investigate whether aid is secretly transferred (for example by means of cross-invoicing) and is

it able to ensure that work invoiced by shipyards in Mecklenbourg are not carried out by the shipyards which own them?

Since it is also very unclear who is behind a purchaser, is the Commission able to investigate whether a shipping company purchasing vessels in the former GDR is really the owner?

It would be more satisfactory if the Commission itself could select the form of documentation needed. Could Articles 11 and 12 of the Seventh Directive, and possibly inspections at the shipyards, be used to obtain all the necessary information, so that the Commission is not limited to simply reading a report drawn up by an accountant after the event?

How will the Commission ensure that the aid that can now be granted to shipyards in the former GDR is not transferred to other shipyards which have purchased them?

⁽¹⁾ OJ No L 219, 4. 8. 1992, p. 54.

Answer given by Mr Van Miert
on behalf of the Commission

(25 March 1993)

Council Directive 92/68/EEC of 20 July 1992 states in the new Article 10 (a) 2 (d) that 'the German Government provides evidence to the Commission, in the form of annual reports by an independent chartered accountant, that aid payments are strictly limited to the activities of yards situated in the former German Democratic Republic'.

This does not mean that the Commission will not use all other means at its disposition, including the monitoring procedure formulated in Articles 11 and 12 of the seventh Directive 90/684/EEC ⁽¹⁾, to make sure that no such spill-over will occur.

The Commission maintains that a properly prepared chartered accountant report is an essential instrument for its monitoring task for the above purpose. The report must contain not only an examination of the ex-GDR yards as separate profit centres but must also contain a detailed analysis of the aid received and the allocation of the aid to the investment and shipbuilding activities carried out in the period concerned.

⁽¹⁾ OJ No L 380, 31. 12. 1990.

WRITTEN QUESTION No 2791/92
by Mr Freddy Blak (S)
to the Commission of the European Communities
(16 November 1992)
(93/C 185/27)

Subject: State aid to shipyards in the former GDR

Subsidies will enable obsolete and indebted shipyards to compete for shipbuilding contracts. It is undesirable for aid to be given over and above that which is necessary to enable shipyards to survive restructuring. Any further aid will not benefit the former East German shipyards but will simply be used to depress prices, thereby damaging the world market.

The maximum subsidy is calculated on the basis of specific restructuring projects and the level of debt and is not the same for each shipyard. Can the Commission therefore confirm that the subsidies are adjusted to this situation so that the maximum subsidy is not automatically paid to all shipyards?

How will the Commission limit aid to shipyards in the former GDR to the necessary minimum?

How will the Commission establish the amount of aid for the individual shipyards? What maximum amount has been set for individual shipyards?

Answer given by Mr Van Miert
on behalf of the Commission
(31 March 1993)

Council Directive 92/68/EEC of 20 July 1992 ⁽¹⁾ amends Council Directive 90/684/EEC ⁽²⁾ on Aid to Shipbuilding in order to allow the yards in the former GDR the possibility to restructure and become competitive. The higher 36 % operating aid ceiling for these yards has indeed to be understood as a maximum, meaning that the aid per yard will be based on the restructuring needs of the yard in question. Those restructuring needs were established in the open bidding process that took place during the privatization of three yards and were assessed during the Commission's investigations. Firm indications of the maximum level of aid involved per yard have been given in the Commission's 'Proposal for a Council Directive providing for changes to the Seventh Council Directive' ⁽³⁾. The actual aid level will be established for each yard by the Commission before releasing any aid and will be limited to

the minimum necessary to cover the inefficiency gap of each yard during the restructuring period.

- ⁽¹⁾ OJ No L 219, 4. 8. 1992.
⁽²⁾ OJ No L 380, 31. 12. 1990.
⁽³⁾ SEC(92) 991 final.

WRITTEN QUESTION No 2826/92
by Mr Hugh McMahon (S)
to the Commission of the European Communities
(16 November 1992)
(93/C 185/28)

Subject: EC directive on recognition of higher education diplomas

What arrangements are available to Community applicants seeking the benefits of Directive 89/48/EEC ⁽¹⁾ in France in view of the expiry of the period for implementation? In particular, as no general system for recognition is yet operational, will France accept that it must make provision for individual examinations for such applicants in the interim?

- ⁽¹⁾ OJ No L 19, 24. 1. 1989, p. 16.

Answer given by Mr Bangemann
on behalf of the Commission
(5 April 1993)

Directive 89/48/EEC took effect on 4 January 1991. Its transposition into national law is a complex task for the Member States because of the originality of the method used for recognizing diplomas and the wide variety of professions involved. Pursuant to Article 189 of the EEC Treaty, this instrument is binding as to the result to be achieved but leaves to the national authorities the choice of form and method. Some Member States have chosen to transpose it by means of a single instrument that will cover all the professions concerned and will be supplemented by numerous individual measures dealing with one or more professions. Others, including France, have opted for a different method: they are transposing the Directive profession by profession, adopting individual instruments for each profession.

France has taken most of the measures needed to transpose the Directive, and the final transposition procedures are under way. Where these measures have not yet been taken for an individual profession, the competent administrative authorities must, pursuant to Articles 48 and 52 of the EEC Treaty and in accordance with the decisions of the Court in

Heylens ⁽¹⁾ and Vlassopoulou ⁽²⁾, at the very least consider requests for recognition, compare the qualifications which they require with those held by the applicant, and give a ruling supported by a reasoned decision which may be challenged in the courts under national law.

⁽¹⁾ Case 226/86 Unectef/Heylens, 15. 10. 1987 [1987] ECR 4097.

⁽²⁾ Case C-340/89 Vlassopoulou, 7. 5. 1991 [1991] ECR I-2357.

WRITTEN QUESTION No 2828/92

by Mr Elmar Brok (PPE)

to the Commission of the European Communities

(16 November 1992)

(93/C 185/29)

Subject: Council directive on measuring systems for liquids other than water

1. Does the Commission intend to amend Council Directive 77/313/EEC ⁽¹⁾ to cover temperature-compensated measurement and billing of energy sources in the heating market (natural gas and light heating oil)?

2. If not, would the Commission consider national German provisions to be illegal in the context of the internal market?

⁽¹⁾ OJ No L 105, 28. 4. 1977, p. 18.

Answer given by Mr Bangemann
on behalf of the Commission

(30 March 1993)

Member States may request, for the purpose of invoicing, the reduction of measured values of liquid or gas volumes to values at a reference temperature by the application of temperature conversion, as long as the measures taken do not prohibit or restrict the use of the EC measuring instruments for liquid or gas flow, covered by the relevant harmonization directives.

Due to progress in technology, volume measuring instruments capable of temperature compensation are gradually becoming available. It needs to be established yet whether the accuracy of their measurement results is acceptable for use for legal metrological purposes.

The harmonization directives in force for liquid and gas flow measuring instruments do not yet cover this technology. The Commission is, however, carrying out a programme of new

Community legislation for legal metrology. This future legislation, which will be made according to the new approach to technical harmonization and standardization, will cover all technologies available.

WRITTEN QUESTION No 2850/92

by Mr Alex Smith (S)

to the Commission of the European Communities

(16 November 1992)

(93/C 185/30)

Subject: Decommissioning of nuclear power plants

What plans has the Commission to issue directives pursuant to the 1986 Single European Act, on the decommissioning of nuclear power plants and other nuclear facilities?

Answer given by Mr Paleokrassas
on behalf of the Commission

(16 April 1993)

The Single European Act has given the Community specific powers to act in the field of environmental protection (Articles 130 R, S and T of the EEC Treaty). However, the Commission does not intend, at the moment, to make any proposal for a specific directive on the decommissioning of nuclear plants.

The identification of guiding principles relating to:

- the design and operation of nuclear installation with a view to simplifying their subsequent decommissioning;
- the decommissioning operations with a view to making occupational exposures as low as reasonably achievable;
- the technical elements of a Community policy in this field

is one of the main subjects of the Community's current R&D Programme on Decommissioning of Nuclear Installations adopted by Council Decision 89/236/Euratom of 14 March 1989 ⁽¹⁾.

Under the European Treaty, the Commission has powers to act in the field of health protection against ionizing radiation (Articles 30—39). The group of experts in the field of health protection, mentioned in Article 31 of the Treaty, has issued recommendations concerning radiological protection criteria for the recycling of materials from the dismantling of nuclear installations (1988, doc. XI-3134/88 EN). The

Commission has no plans to issue Directives on this subject under the Euratom Treaty.

(¹) OJ No L 98, 11. 4. 1989.

ratified by the Netherlands, Denmark, Luxembourg, the United Kingdom, France and Portugal.

(¹) Debates of the European Parliament, No 3-392 (October 1990).

WRITTEN QUESTION No 2888/92

by Mr James Ford (S)

to the Commission of the European Communities

(23 November 1992)

(93/C 185/31)

Subject: Compensation for victims of violent crime

Will the Commission give a resumé of the current situation, particularly in Spain, in relation to assistance for victims of violent crime. In view of the recommendations of the Newman report in 1989, what progress, if any, has been made to put into practice the resolutions referred to therein?

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

(2 April 1993)

The Commission has already had occasion to express its opinion with respect to compensation for victims of violent crime. The Honourable Member is referred to its reply to oral question H-578/90 by Mr Stewart (¹) where the Commission explained that since its competence did not extend to this field it could not take the legislative initiative requested by Parliament in its resolution on compensation for victims of violent crime.

Only one of the infringement proceedings initiated by the Commission against those Member States where legislation on the subject is discriminatory *vis-à-vis* nationals of other Member States is still in progress. In addition to Germany and France, Belgium and Luxembourg have amended their legislation to eliminate discriminatory provisions. Since Portugal adopted a compensation mechanism for victims of violent crime in 1991, Greece remains the only Member State not to have enacted legislation in this field. Spanish and Italian legislation applies only to victims of acts of terrorism.

The European Convention on the compensation of victims of violent crimes of 24 November 1983 has so far been

WRITTEN QUESTION No 2910/92

by Mr Alexandros Alavanos (CG)

to the Commission of the European Communities

(23 November 1992)

(93/C 185/32)

Subject: Aircraft accidents and the Seveso Directive

In the light of the recent plane crash in Amsterdam and also similar, less serious incidents that have taken place in the region of the Eleusina military airport on the Thriasian Plain in which aircraft have crashed in a populated area containing many industrial plants covered by the Seveso Directive (82/501/EEC) (¹), and given that apart from the danger of a plane crashing in such an area there is also the additional danger that aircraft may have to empty their fuel tanks if they get into difficulties, does the Commission:

Consider that the existing directives are sufficient to prevent, and deal with the consequences of large-scale accidents that may be caused by incidents involving aircraft?

What action does it intend to take to ensure that the directives concerned with major accidents hazards cover factors such as aircraft accidents?

(¹) OJ No L 230, 5. 8. 1992, p. 1.

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

(15 March 1993)

Council Directive 82/501/EEC concerning the major-accident hazards of certain industrial activities aims to take account of the threat posed by aircraft accidents, even though it does not contain specific provisions on this matter.

The Directive states that operators of the activities in question shall identify existing major-accident hazards and adopt the appropriate safety measures. This contains an implicit reference to the threat posed by plane crashes in particular, which has to be assessed by manufacturers. In those cases where, because of the geographical location of installations, the possibility of such an accident happening

cannot be deemed negligible, the manufacturer must also analyse the situation which would be created by a plane crash, so that internal and external emergency plans for dealing with a potential major accident on his premises specify the action to be taken to limit the consequences of the accident.

It would appear difficult to go beyond these provisions, which aim to take account of the threat posed by an aircraft accident, in the context of a Directive concerning the major-accident hazards of certain industrial activities.

particular, with the quotas allocated. The EAGGF contribution is approximately DRA 2,3 billion (ECU 11 million).

Under the operational programmes submitted by Greece, eleven investment projects have already been approved to benefit from EAGGF aid totalling DRA 1,4 billion (ECU 6,2 million), in support of a total investment of DRA 3,6 billion (ECU 15,8 million).

It should be noted that the choice of projects eligible for EAGGF aid is determined primarily by the Member State.

(¹) OJ No L 31, 7. 2. 1992.

WRITTEN QUESTION No 2948/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(24 November 1992)

(93/C 185/33)

Subject: Investment in Greek cheese-making undertakings

Cheese production in Greece is stagnating owing to the state of production plants and the difficult conditions obtaining in the primary sector, which push up production costs. Does the Commission intend rapidly to support the modernization of Greek plants in this sector and the establishment of new ones to replace antiquated plants? Does it consider that investment in Greek cheese-producing undertakings in connection with Community Regulation (EEC) No 866/90 (¹) has been satisfactory so far?

(¹) OJ No L 91, 6. 4. 1990, p. 1.

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

(4 March 1993)

In the context of Regulation (EEC) No 866/90 and of the Community Support Framework for the processing and marketing of agricultural products which was approved by Commission Decision 80/92/EEC (¹), Greece has applied for Community aid to investment in the agri-foodstuffs sector in the form of operational programmes covering, among other things, cheese-making.

In this sector, the Community Support Framework provides for the modernization of cheese-making, the relocation of cheese-making plants for environmental reasons and the merging of old cheese-making plants to create new ones. The cheese-makers' capacity to rationalize or modernize must be compatible with the quantities of milk available and, in

WRITTEN QUESTION No 2960/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(24 November 1992)

(93/C 185/34)

Subject: Agriculture in mountainous and island regions

In mountainous and island regions of Greece, as well as in many other Community regions, agriculture is an important factor in the local economy but it is gradually shrinking owing to adverse production and marketing conditions for the agricultural products concerned. In view of this will the Commission propose an increase in subsidies for infrastructures in agricultural regions facing difficulties and increased aid for traditional products and methods and, in addition, the rapid development of alternative forms of employment (agritourism, small-scale processing, etc.)?

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

(17 February 1993)

The Commission pays very close attention to the problems concerning less-favoured areas in the Community. Since the adoption of Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas, as amended by Regulation (EEC) No 797/85 (¹), compensatory allowances have contributed significantly to

stabilizing farming and keeping the population in those areas. Incentives to investments in agricultural holdings located in such areas have always, moreover, been higher than for other areas in the Community.

As regards Greece more particularly, mountain, hill, less-favoured and island areas have reaped considerable benefit from the structural policies. In this connection the series of measures exclusively targeting such areas should be quoted:

- Regulation (EEC) No 1975/82⁽²⁾, applying to mountain, hill and less-favoured areas in 22 departments of mainland Greece and the Peloponnese, covers a series of agricultural measures intended to provide support for production and social infrastructures (rural electricity supply and road networks, drinking water supply, irrigation and cultural training centres), agriculture (stockfarming) and forestry (afforestation, improvements, protection, forest road network, etc.). The programme to implement that Regulation has made it possible to mobilize total public funds part-financed by the EAGGF Guidance Section amounting to the considerable sum of ECU 413 million over a seven-year period (1983—89).
- The three major geographical IMPs for Greece, covering the whole of the mainland and the Ionian islands, the Peloponnese and some islands in the Aegean Sea (Euboea, Sporades, Thassos and Samothrace) and the IMP for Crete devote considerable resources to mountain, hill, less-favoured and island areas.

Those IMPs each include a subprogramme intended exclusively for such regions, covering a total of ECU 372 million of public expenditure part-financed by the Community for the period 1986—92. The range of measures granted support under such subprogrammes is very extensive: setting aside those covered by Regulation (EEC) No 1975/82, measures relate to expansion of locally generated potential, such as the use of renewable sources of energy for horticulture, production conversion and adding value to local products, greater support for stock-farming, tourism (farm tourism, campsites, etc.), fishing, development of human resources, support for craft trades and SMEs, etc. In addition, each time the IMPs have been amended, the appropriations for areas in the hinterland and the islands have been stepped up systematically.

As regards the other two IMPs, it should be pointed out that measures to support rural and agricultural development under the IMP for the Aegean Sea, with total public funds part-financed by the Community amounting to ECU 57 million, are by definition intended for the islands, whereas part of the ECU 25 million set aside for such measures under the IMP for Attiki is

intended for the islands of Argosaronicos, Cythera and Anticythera.

- Under the Community Leader initiative for Greece, a total investment part-financed by the Community amounting to ECU 104 million has been approved (including ECU 70 million of public funds) to support rural development measures relating to human resources, SMEs and craft trades, farm tourism, agriculture, small infrastructures, technical assistance and the operation of local Leader groups. It should be pointed out that one criterion used for the choice of recipient areas was the fact of belonging to mountain, hill, less-favoured or island areas. It has been estimated that more than 80 % of the resources will be channelled to such areas.

The foregoing clearly shows what the Commission is currently doing for the exclusive or principal benefit of the areas concerned. Overall Community aid for such areas certainly appears much greater when account is taken of the fact that other measures or programmes (e.g. the various operational programmes, whether they are implemented at national or regional level) which do not have a clearly territorial base (in particular the various sector-wide programmes and Community initiatives), also benefit mountain, hill, less-favoured or island areas sometimes more and sometimes less directly. The Commission's policy towards rural areas in difficulty will definitely be pursued and even stepped up.

In this connection, as regards Greece specifically, the Commission is currently preparing proposals for specific measures for the islands in the Aegean Sea.

⁽¹⁾ OJ No L 93, 30. 3. 1985.

⁽²⁾ OJ No L 214, 22. 7. 1982.

WRITTEN QUESTION No 2961/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(24 November 1992)

(93/C 185/35)

Subject: Development of organic farming

In view of the need for the very rapid development of organic farming (farming without using chemical fertilizers) in the Community, what immediate measures does the Commission intend to take to this end? In order to support the shift towards organic products, does it intend to submit a proposal banning assertions to the effect that traditional agricultural products taste better?

**Answer given by Mr Steichen
on behalf of the Commission**
(15 March 1993)

Council Regulation (EEC) No 2078/92 ⁽¹⁾ on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside, provides for an aid regime in favour of producers taking on the engagement to introduce or maintain organic methods.

Council Regulation (EEC) No 2092/91 ⁽²⁾ on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs has already established a framework of Community rules on labelling, production and inspection for products claimed as being obtained according to organic production methods. The Regulation has the effect that indications in the labelling referring to organic production methods are only authorized as far as the production standards and inspection arrangements provided for in the Regulation are satisfied. This Regulation aims to ensure that the purchaser of organic agricultural products or foodstuffs is correctly informed on the organic production method under which these products were obtained. The Regulation leaves, however, to the consumer to judge the organoleptic quality of organic agricultural products or foodstuffs in comparison with such products conventionally produced.

⁽¹⁾ OJ No L 215, 30. 7. 1992.

⁽²⁾ OJ No L 198, 22. 7. 1991.

WRITTEN QUESTION No 2969/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(24 November 1992)
(93/C 185/36)

Subject: Marketing of Greek cereals subject to Community intervention

250 000 tonnes of Greek durum wheat from this year's harvest have so far been subject to intervention. A further 610 000 tonnes of cereals (mostly durum wheat) from last year's harvest are still in intervention storage. This means that there are at present 860 000 tonnes in intervention storage in Greece. Of the volume of cereals subject to intervention of last year, only 20 000 tonnes have so far been marketed. Can the Commission say whether significant amounts of the wheat currently in storage in Greece will be marketed in the immediate future?

**Answer given by Mr Steichen
on behalf of the Commission**
(4 March 1993)

Under Regulation (EEC) No 1309/92 ⁽¹⁾, the Commission has put 100 000 tonnes of durum wheat held by the Greek intervention agency on sale for export. So far it has not been possible to obtain offers for this durum wheat.

Since Greek durum wheat production during the 1992/93 marketing year far exceeds consumption, sales on the internal market are not currently envisaged.

⁽¹⁾ OJ No L 139, 22. 5. 1992.

WRITTEN QUESTION No 2982/92

by Mr José Valverde López (PPE)
to the Commission of the European Communities
(30 November 1992)
(93/C 185/37)

Subject: Mutual recognition of qualifications in architecture

Can the Commission state in what areas its position is at variance with the national implementing action taken by Spain with respect to Directives 85/384/EEC ⁽¹⁾, 85/614/EEC ⁽²⁾ and 86/17/EEC ⁽³⁾ and Article 59 of the EEC Treaty on the matter of mutual recognition of qualifications in architecture, and to what extent the repercussions of the situation may be evaluated?

⁽¹⁾ OJ No L 223, 21. 8. 1985, p. 15.

⁽²⁾ OJ No L 376, 31. 12. 1985, p. 1.

⁽³⁾ OJ No L 27, 1. 2. 1986, p. 71.

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission**
(19 April 1993)

The Spanish implementing legislation for the 'architects' Directives (Royal Decree 1081/1989) restricts the activities of architects holding diplomas from other Member States which are recognized in Spain to those activities carried on in the home Member State, whereas the activities should be identical to those of the host country under Articles 2 and 10 of Directive 85/384/EEC on the mutual recognition of diplomas, certificates and other formal qualifications in architecture, as amended by Directives 85/614/EEC and 86/17/EEC.

Another provision of the Spanish legislation which limits the maximum period during which services can be provided to six months restricts the freedom to provide services in Spain for architects established in the other Member States. This restriction infringes Article 59 of the EEC Treaty and Article 22 of the Directive.

Consequently, in accordance with the procedure laid down by Article 169 of the EEC Treaty, the Commission has delivered a reasoned opinion to Spain concerning the incorrect transposition of Directive 85/384/EEC.

WRITTEN QUESTION No 2999/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(30 November 1992)

(93/C 185/38)

Subject: Results and follow-up to the seminar on the detection of forged documents, for officials from the 12 Member States responsible for controls at the external borders

From 31 August to 11 September 1992 a seminar on the detection of forged documents was organized in Eindhoven by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department for Member State officials responsible for controls at external borders. The Commission provided funding for this seminar.

What were its results and what is the follow-up?

WRITTEN QUESTION No 3000/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(30 November 1992)

(93/C 185/39)

Subject: Operational aspects of external border control at the seminar on the detection of forged documents, for officials from the 12 Member States responsible for controls at external borders

From 31 August to 11 September 1992 a seminar on the detection of forged documents was organized in Eindhoven by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department (CRI) for officials from the EC Member States responsible for controls at external borders. The Commission provided funding for this seminar.

Presumably the seminar clearly defined where such officials 'responsible for controls at external borders' are deployed, in other the definitive 'external border'. How was the term 'external border' interpreted at the seminar?

How was allowance made for the different territorial aspects of the Schengen countries and the Twelve? In other words, how is the ambiguous definition of the 'external border' of the Schengen countries and an EC Member State outside the Schengen group applied in practice?

WRITTEN QUESTION No 3001/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(30 November 1992)

(93/C 185/40)

Subject: Responsibility for Commission funding for the organization of a seminar on the detection of forged documents, for officials from the 12 Member States responsible for controls at the external borders

From 31 August to 11 September 1992 a seminar on the detection of forged documents was organized in Eindhoven by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department (CRI) for officials from the EC Member States responsible for controls at the external borders. The Commission provided funding for the seminar.

What was the Commission's justification for funding an intergovernmental initiative on a matter falling within an area of competence claimed by the Member States as their own?

What other similar initiatives, studies or activities have been funded by the Commission and what amounts were involved?

WRITTEN QUESTION No 3002/92

by Mr Lode Van Outrive (S)

to the Commission of the European Communities

(30 November 1992)

(93/C 185/41)

Subject: Commission cooperation and the organization of a seminar on the detection of forged documents, for officials from the 12 Member States responsible for controls at external borders

From 31 August to 11 September 1992 the seminar on the detection of forged documents was organized in Eindhoven

by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department (CRI) for Member State officials responsible for controls at external borders. The Commission provided funding for this seminar.

What was the level of funding provided and from which budgetary heading were the appropriations taken? Has the Commission given this initiative any other support?

WRITTEN QUESTION No 3003/92

by Mr Lode Van Outrive (S)
to the Commission of the European Communities
(30 November 1992)
(93/C 185/42)

Subject: Information concerning the seminar on the detection of forged documents, for officials from the 12 Member States responsible for controls at external borders

From 31 August to 11 September 1992 a seminar on the detection of forged documents was organized in Eindhoven by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department (CRI) for officials from the EC Member States responsible for controls at external borders. The Commission supported this initiative.

Can the Commission forward the documents used at the seminar for training purposes?

WRITTEN QUESTION No 3004/92

by Mr Lode Van Outrive (S)
to the Commission of the European Communities
(30 November 1992)
(93/C 185/43)

Subject: Seminar on the detection of forged documents, for officials from the 12 EC Member States responsible for controls at external borders

On 31 August to 11 September 1992 a seminar on the detection of forged documents was organized in Eindhoven (NL) by the Belgian Gendarmerie and the Netherlands Criminal Investigation Department (CRI) for officials from the EC Member States responsible for controls at external borders. The Commission gave its support to this initiative.

To which national administrations or services did the participants belong and what posts do they hold?

Joint answer to Written Questions Nos 2999/92 to 3004/92

given by Mr Vanni d'Archirafi
on behalf of the Commission

(5 April 1993)

The Commission would point out that the European seminar on the detection of forged documents held partly in Brussels and partly in Eindhoven from 31 August to 11 September 1992 was organized in the context of work being undertaken at intergovernmental level by immigration ministers. For this reason, some of the questions put by the Honourable Member should be addressed to the Presidency.

With respect to results and follow-up (Question No 2999/92), the Commission took note of an initial assessment of the Seminar at a meeting of the *ad hoc* Group on Immigration (Subgroup on Forged Documents). The assessment was extremely positive, and a further assessment will be made in a few months' time of how the training received has helped the relevant departments.

The Commission does not possess the information requested by the Honourable Member on the content of the seminar (No 3000/92), the documents used at the seminar (No 3003/92) or the participants (No 3004/92). It is suggested that these questions be addressed to the Presidency direct.

At the very first meeting of the Coordinators Group (free movement of persons), the Commission signalled its willingness to make a financial contribution towards training programmes which could lead to the abolition of frontier controls. Although the seminar was an intergovernmental initiative, as the Honourable Member has quite rightly pointed out, the Commission considered it important to provide financial assistance since the initiative was liable to help with the establishment of the frontier-free area. To date, no other similar initiatives have received Commission funding (Question No 3001/92).

The Dutch organizer of the seminar was allocated ECU 50 000 under heading B5-300 ('Completing the internal market') of the general budget of the European Communities, enabling him to defray some of the expenses incurred in organizing the seminar. The Commission made no further contribution except to provide external assistance in the form of interpreters for the second week of the seminar and a meeting room in Brussels for half a day. It also gave an introduction at the beginning of the seminar to highlight the link between the task of policing external

frontiers and the Community's goal of creating an area without internal-frontier controls (Question No 3002/92).

WRITTEN QUESTION No 3020/92

by Mr José Lafuente López (PPE)
to the Commission of the European Communities

(30 November 1992)

(93/C 185/44)

Subject: Legal action against wilful propagation of the AIDS virus

The repeated incidence of cases of wilful propagation of AIDS by people infected with the virus has revealed the legal loophole arising from the lack of legislation designed to deal with this type of problem in many Community countries.

The need to fill this legal vacuum raises the possibility that a homogenous solution could be found at Community level to tackle this problem. For various reasons people infected with the above syndrome combine their condition as sick people with delinquent behaviour, knowingly infecting others with the virus, with inevitably fatal consequences for their victims.

Does the Commission consider it has a duty to put forward the necessary Community legislative proposal for a homogenous solution replacing the current legal vacuum with regard to the wilful propagation of AIDS by sick people affected by the virus?

Answer given by Mr Flynn
on behalf of the Commission

(17 February 1993)

The issue of people infected with HIV, the virus that leads to AIDS, deliberately spreading the virus to other people is a most serious one, which has been given prominence by some recent cases. However, the introduction of laws with the intention of preventing infected people passing on HIV is a matter for Member States.

The fact that such laws have not been introduced by Member States reflects the widespread view throughout the Community that they would be very difficult to apply in practice, and that it would be more effective to try to prevent transmission of the virus by means of information, education and counselling than by legal coercion.

WRITTEN QUESTION No 3031/92

by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities

(14 December 1992)

(93/C 185/45)

Subject: Freedom of establishment for lawyers in the European Community

Further to the answer given by Mr Martin Bangemann on behalf of the Commission to Written Question No 1608/92 ⁽¹⁾ on freedom of establishment for lawyers within the Community, does the Commission not consider that the National Association of Doctors of Laws (France) should not be consulted as an expert body on measures for the introduction of an 'establishment' directive specifically for lawyers?

⁽¹⁾ OJ No C 309, 26. 11. 1992, p. 54.

Answer given by Mr Vanni d'Archirafi
on behalf of the Commission

(2 April 1993)

In its answer to Written Question No 1608/92 the Commission pointed out that it was monitoring the work being done by the CCBE (Council of the Bars and Law Societies of the European Community) with a view to preparing the way for a specific 'establishment' directive for lawyers. However, it is not for the Commission to intervene in the composition of the French delegation to the CCBE.

There has been a new development: on 23 October 1992 in Lisbon, the CCBE reached a consensus on a draft 'establishment' directive for lawyers which would facilitate *inter alia* the pursuit of their activities under the professional title obtained in the Member State of origin.

The Commission has decided, as part of its work programme for 1993, to present a proposal for a directive. It will do so on its own responsibility and will undertake all appropriate consultations.

WRITTEN QUESTION No 3032/92

by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities

(14 December 1992)

(93/C 185/46)

Subject: General arrangements for the recognition of higher education qualifications — French Doctor of Laws

How will the Commission classify the French Doctor of Laws degree within the general system of recognition of higher education diplomas in the Community?

**Answer given by Mr Vanni d' Archirafi
on behalf of the Commission**

(5 April 1993)

Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration ⁽¹⁾ concerns only the recognition of diplomas for professional purposes.

The French Doctor of Laws degree falls within the scope of the Directive insofar as, either on its own or in combination with other diplomas, it affords access to a regulated profession within the meaning of the Directive.

⁽¹⁾ OJ No L 19, 24. 1. 1989, p. 16.

WRITTEN QUESTION No 3038/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/47)

Subject: Setting of upper limits for hydrocarbon residues

Given that soil pollution by chemical substances constitutes a permanent threat to public health and the quality of surface water, does the Commission intend to submit a proposal for a regulation laying down upper limits for hydrocarbon residues discharged into the soil in Member States in respect of specific uses?

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

(15 April 1993)

The Commission has no plans to submit proposals on this subject at present.

WRITTEN QUESTION No 3042/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/48)

Subject: Ecological scandal in Attica

Every day some 500 tonnes of industrial waste are dumped at sea and off the coast of Attica and in various regions inland but the Greek authorities have so far failed to take any real measures to avert this direct threat to public health and the environment. The president of the association of fertilizer tanker drivers, Mr Angelos Gatsis, revealed this scandal in an interview he gave recently to the newspaper *Apoyevatini* (20 October 1992) in which he said that since May 1990 he has repeatedly informed the Ministry of the Environment, Regional Planning and Public Works of the systematic pollution of the sea and regions of Attica by industrial waste dumped by unscrupulous drivers. Despite this the State authorities have so far done nothing to put an end to this ecological scandal. Does the Commission intend to look into this matter?

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

(19 April 1993)

The Commission has no detailed information on the situation described by the Honourable Member which concerns the application of Directives 75/442/EEC ⁽¹⁾ on waste and 78/319/EEC ⁽²⁾ on toxic and hazardous wastes and a possible risk for the ground water and surface water in the area. The Commission will therefore address a request for information to the Greek authorities.

⁽¹⁾ OJ No L 194, 25. 7. 1975.

⁽²⁾ OJ No L 84, 31. 3. 1978.

WRITTEN QUESTION No 3047/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/49)

Subject: Incomes of Greek farmers

Given that prices for almost all agricultural products in Greece are lower compared with last year, while the cost of

production has almost doubled and that Greek farmers will lose a total of over Dr 250 billion, according to their trade union representatives, does the Commission intend to propose measures to compensate for this loss of income?

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

(17 March 1993)

Initial estimates, albeit provisional, of trends in farmers' incomes in Greece show a fall of 5,3 % in real terms compared with 1991.

However, the adverse trend in 1992 should be viewed against a farm income increase of 27 % in real terms (net farm income per annual work unit) in 1991.

Farm incomes in Greece have, in fact, increased appreciably over the last few years. The average income in 1984—86 had, by 1992, risen by nearly 26 %.

Cyclical fluctuations in income are a normal occurrence in agriculture. The Commission therefore feels that special measures to restore the level of farmers' incomes are not warranted at this stage.

WRITTEN QUESTION No 3050/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/50)

Subject: Extermination of a prehistoric fish in Lamia

The Greek authorities have condemned a rare biotope in Lamia to a slow death. The Ecological Movement of Lamia and the nature/anti-hunting initiative in the Community of Aghia Paraskevi allege that this biotope which is the home of a prehistoric species of fish unique in the world, *Pungitius Hellenicus*, is being filled in with rubble. Furthermore, the Greek Ministry of Agriculture's land development service has decided to go ahead with the drilling of two bore holes in

this area which will mean that the biotope will dry out and this prehistoric fish become extinct. Does the Commission intend to take measures to protect *Pungitius Hellenicus*?

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

(16 April 1993)

The sub-species *Pungitius pungitius hellenicus* is not on any of the lists of species annexed to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, which enters into force in June 1994 ⁽¹⁾. Its protection is therefore a matter for the national authorities.

However, the Commission would point out that an integrated development programme, to be financed under the LIFE financial instrument for the environment (Regulation (EEC) No 1973/92) ⁽¹⁾ exists for the Sperchios river basin, which encompasses the Lamia area.

⁽¹⁾ OJ No L 206, 22. 7. 1992.

WRITTEN QUESTION No 3052/92

by Mr Herman Verbeek (V)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/51)

Subject: EC support for the granulation of meat surpluses

1. Is it true, as reported in the *Nieuwsblad van het Noorden* of 24 October 1992, that the Commission has received requests from the Netherlands for financial support for a new process to convert EC meat surpluses into dry granules which can be exported in the context of food aid programmes?

2. Is the Commission considering helping the firm Torengo B. V. to develop this process further? If so, what sum will be involved?

3. What criteria will determine whether the production and sale of dried meat granules are eligible for EC support?

4. Does the Commission agree that the 'granulation' of meat will prove an expensive, energy-intensive, non-structural and ultimately counterproductive means of using up the European meat surpluses and combating hunger in the world?

**Answer given by Mr Steichen
on behalf of the Commission**
(19 March 1993)

1. The Commission is aware of schemes to process meat into 'dry products'. It has no knowledge of subsidy applications.

2 to 4. Drying is also carried out in other Member States and also of products other than beef. At present the use that can be made of these products is restricted and it is not clear that the process is suitable for food aid, which is often consumed under difficult circumstances.

The Commission is accordingly unable to claim that the process offers a solution of great moment to the problems of excess meat production and hunger in the world.

WRITTEN QUESTION No 3054/92

by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(14 December 1992)
(93/C 185/52)

Subject: National financial aids in the fisheries and aquaculture sector

On 17 June 1992 the *Official Journal of the European Communities* published a new Commission communication entitled 'Guidelines for the examination of State aids in the fisheries and aquaculture sector'.

Will the Commission say what is new in this communication by comparison with the previous one, published in 1988?

**Answer given by Mr Paleokrassas
on behalf of the Commission**
(9 March 1993)

The new guidelines constitute an adaptation of existing provisions to new Community legislation on fishing and aquaculture that has come into force since 1988, when the previous guidelines were published.

Firstly, Council Regulation (EEC) No 4028/86 ⁽¹⁾ on Community measures to improve and adapt structures in the fisheries and aquaculture sector was amended by Council Regulation (EEC) No 3944/90 ⁽²⁾, which came into force on 1 January 1991, which, in particular, introduced

joint fisheries enterprises. Secondly, the adoption of Council Regulation (EEC) No 4042/89 ⁽³⁾ on the improvement of the conditions under which fishery and aquaculture products are processed and marketed affected the aid usually granted by the Member States in these areas.

Also taking into account these two legislative innovations, a clause was inserted authorizing Member States to increase the rate of aids in cases where Community appropriations are insufficient to allow part-financing of investment projects which otherwise comply with the conditions of structural legislation.

Two new forms of aid which are absent from the 1988 guidelines were introduced into the present revised version. These are, firstly, 'aid for improving stock conservation and management' and, secondly 'aid to workers in the . . . sector . . . (as) part of socio-economic back-up measures designed to deal with difficulties linked to the adjustment or reduction of capacity'.

It seemed necessary also to take into account the evolution of the Court's policy on State aid, and in particular its judgment of 14 February 1990 in Case C-301/87 concerning the State aid granted by France to the Boussac group. A provision reminding Member States of procedures deriving from this judgment was therefore included in Chapter 3 of the guidelines (procedural matters).

Finally, because of an increasing tendency in recent years to fail to submit to the Commission reports on the application of aids granted, a provision reminding Member States that these reports are one of the conditions under which aid schemes are authorized was introduced.

⁽¹⁾ OJ No L 376, 31. 12. 1986.

⁽²⁾ OJ No L 380, 31. 12. 1990.

⁽³⁾ OJ No L 388, 30. 12. 1989.

WRITTEN QUESTION No 3059/92

by Mr David Morris (S)
to the Commission of the European Communities
(14 December 1992)
(93/C 185/53)

Subject: Action further to Commission statement to the ACP-EEC Joint Assembly in Amsterdam 1991, concerning illegal fishing in ACP waters

At the ACP-EEC Joint Assembly in Amsterdam in September 1991 in response to a question on illegal fishing

by Spanish vessels in Namibian waters, Vice-President Marin announced that 'the Commission intends to end the granting of fishing licences and structural aid to Community fishing vessels for which clear evidence is received of illegal fishing activities in third country waters'.

At the beginning of August 1992 a further Spanish fishing vessel — 'Xeitosino' — was arrested while allegedly fishing illegally in Namibian waters.

On 24 June 1992 at the Fisheries Subcommittee of the European Parliament following a serious confrontation between a Namibian Fisheries Patrol Vessel and a Spanish trawler, the *Hermanos Garrido*, the Namibian Permanent Secretary for Fisheries and Marine Resources made a heartfelt appeal to the institutions of the European Community to use their influence to 'put an end to illegal fishing before the confrontation escalates to such a level that loss of life occurs'.

Against this background, can the Commission inform the Joint Assembly as to what action has been taken against the 'Hermanos Garrido' and other Community vessels involved in illegal fishing, with regard to the withdrawal of fishing licences and structural aid?

**Answer given by Mr Paleokrassas
on behalf of the Commission
(10 March 1993)**

All Community vessels carrying out fishing activities within the framework of a fisheries agreement with a third country, and in particular with ACP countries, are bound by very specific provisions in the agreement to comply with all the binding clauses of the agreement and of its technical and financial annexes and, with regard to matters not covered by the agreement itself, to respect the national law of the third country concerned. It is the third country which has the jurisdiction and the responsibility to check that the rules are being obeyed and that any penalties are applied to offending shipowners. The flag Member State may penalize the shipowner in accordance with its own rules; thus the Spanish authorities imposed a hefty fine on the owner of the *Hermanos Garrido*.

Within the framework of the fisheries agreements the Commission has backed up the Member States by informing shipowners whose vessels operate in ACP waters that it will no longer deal with licence applications unless all obligations arising from the agreement have been complied with. Moreover, if a Community vessel is boarded by the inspection authorities of a third country the Commission's intervention will not extend beyond what is laid down in the agreement itself regarding this type of situation (e.g. communication of the boarding report).

Namibia has not concluded a fisheries agreement with the Community, which means that Community vessels which fish in Namibian waters must comply with the relevant Namibian regulations.

None of the vessels caught fishing illegally in Namibian waters had been granted a licence under a fisheries agreement.

As for the structural aid for the *Xeitosino* applied for within the framework of a joint enterprise, the Commission is examining the matter.

WRITTEN QUESTION No 3094/92

by Mr Henry McCubbin (S)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/54)

Subject: Non border administrative checks beyond 1992

Accepting that there will be no controls at internal frontiers, just as there are no checks on goods and individuals at borders between regions with a national market (Answer given by Mr Bangemann on 30 July 1991 to Written Question No 1299/91 by Mr White ⁽¹⁾), would the Commission please inform me if they have studied the multiplicity of checks on individual movement within the Member States subsequent to crossing a border? Further, if they have, could they furnish Parliament with a list of checks and registrations required in each of the Member States, i.e. are the requirements the same in each Member State with regard to registration for residence both with regard to information required and the time limits involved? Is a work permit required and what are the qualifying factors in issuing this permit?

⁽¹⁾ OJ No C 259, 4. 10. 1991, p. 45.

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission**

(2 April 1993)

In connection with the abolition of checks on individuals at internal frontiers and the accompanying measures to be taken, the Commission has not looked into the checks on non-nationals within Member States or the formalities and controls connected with the issue of residence and work permits.

As regards Community nationals and members of their family, secondary Community legislation relating to the free movement of persons contains provisions that deal, in particular, with the documents to be presented in order to

obtain a residence permit (a work permit is not required) and allows Member States to require that those benefiting from free movement report their presence on the territory of the host Member State (in the case of persons in paid employment, see Articles 4 and 8 (2) of Council Directive 68/360/EEC ⁽¹⁾).

As regards registration requirements on arrival, the Honourable Member is referred to the supplementary answer to Written Question No 951/84 by Mr Patterson ⁽²⁾.

It should also be mentioned that the Convention implementing the Schengen Agreement (Article 22) requires third-country nationals who have entered the territory of a Member State to declare themselves to the competent authorities.

⁽¹⁾ OJ No L 257, 19. 10. 1968.

⁽²⁾ OJ No C 263, 10. 10. 1988.

WRITTEN QUESTION No 3109/92

by Mr Georgios Romeos (S)

to the Commission of the European Communities

(14 December 1992)

(93/C 185/55)

Subject: Adverse effects of illegal farm subsidies on producers

Commission officials have recently been investigating cases in Greece in which Community subsidies for farm produce have been obtained illegally.

Fraudulent figures have inflated the maximum guaranteed quantity for many products and, as a consequence, producers' co-responsibility has increased. In view of this, what will the Commission do to protect the farmers affected and their incomes?

Answer given by Mr Steichen
on behalf of the Commission

(22 March 1993)

The Commission has not yet completed its investigations in Greece regarding suspected fraudulent operations in certain agricultural sectors.

Once the results of these investigations are known, the Commission will study possible amendments to the regulations in force in order to ensure more satisfactory protection of farmers' incomes under the aid scheme.

WRITTEN QUESTION No 3135/92

by Mr Florus Wijsenbeck (LDR)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/56)

Subject: Nature conservation policy in the city of Amsterdam

In its answer to oral question H-0871/91 ⁽¹⁾, the Commission refers to a study on the regulation of the fox population on the territory of the city of Amsterdam by the Institute of Zoology of Amsterdam University.

Can the Commission say whether this study has now been completed?

If so, can the Commission say whether it has now adopted a position on this matter?

If so, can the Commission say what its position is as soon as possible?

⁽¹⁾ Debates of the European Parliament No 3-409 (October 1991).

Answer given by Mr Paleokrassas
on behalf of the Commission

(15 April 1993)

The results of the studies on the predatory activities of the fox and the fluctuations in bird species in the sand-dunes region of the Netherlands have been sent to the Commission and will be passed on the Honourable Member and the Parliament Secretariat.

The Commission considers that in the light of these results no special action need be taken at the moment.

WRITTEN QUESTION No 3137/92

by Mr Alexandros Alavanos (CG)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/57)

Subject: Need to speed up the procedures for completing Elefsina Hospital

It is clear from a letter dated 8 October 1992 from DG XVI at the Commission that the Greek Government is

contractually liable to pay compensation for the interruption or rescheduling of the construction of Elefsina Hospital (Attika IMP). This development is rightly causing anxiety over the progress of this project, which is essential to the Thriassian Plain with its 60 000 inhabitants, working population of 23 000 and 30 million vehicles passing through a year, and where industrial accidents are on the increase, while they are decreasing in the country as a whole.

Similarly, in the recent review of the IMP the Monitoring Committee, instead of approving the completion and equipment of the hospital, preferred to give the go ahead for other expenditure of less obvious value, such as for the multipurpose centre at Pendeli (letters from DG XVI of 5 August 1992 and 25 September 1992).

1. What action will the Commission take to ensure that the completion of Elefsina Hospital is speeded up, so that, *inter alia*, the Greek Government is not obliged to pay compensation?
2. What action will it take to rationalize the appropriations for health and welfare in the Attika IMP?

**Answer given by Mr Millan
on behalf of the Commission
(15 March 1993)**

It is not appropriate for the Commission to comment on the details of official correspondence which appears to have come into the possession of the Honourable Member without its knowledge.

The Commission can assure the Honourable Member of its desire to see the Elefsina hospital project completed as soon as possible. It was for this reason that the second revision of the Attika integrated Mediterranean Programme provided all the funds requested by the Greek authorities to complete the investment. Subsequently it transpired that these funds were not in fact adequate and that penalty costs had been incurred by the authorities concerned. The Commission remains of the view that these penalty costs are a matter for the Greek authorities.

The Commission does not consider irrational the use of funds for health and welfare in the Attika IMP, which in effect reflects the priorities jointly agreed with the Member State.

**WRITTEN QUESTION No 3142/92
by Mr Antoni Gutiérrez Díaz (GUE)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/58)**

Subject: Aigües Tortes National Park (Catalonia, Spain)

On 13 December 1990, the Commission replied to my Written Question No 2331/90 ⁽¹⁾ on the decision of the Catalan Regional Government to reduce Aigües Tortes National Park by nearly 6 000 hectares. In its reply, the Commission stated that it had asked 'for further information on the facts put forward'.

Has the Commission obtained any fresh information on the matter in the meantime?

Moreover, does not the Commission consider that the recent Directive 92/43/EEC ⁽²⁾ on the conservation of natural habitats and of wild fauna and flora should help to ensure better protection for this nature area which, since it is classified as a special protection area, will have to be included in the Natura 2000 network pursuant to the 'habitats' Directive?

⁽¹⁾ OJ No C 63, 11. 3. 1991, p. 60.

⁽²⁾ OJ No L 206, 27. 7. 1992, p. 7.

**Answer given by Mr Paleokrassas
on behalf of the Commission
(15 April 1993)**

The Commission approached the Spanish authorities on 6 November 1990 in order to request information on the changes to the boundaries and to the surface area of the peripheral protection area within the Aigües Tortes National Park.

The Spanish reply — by letter of 13 February 1991 — confirmed that the peripheral protection area within the National Park had indeed been altered.

Nevertheless, this alteration, which only affects the special protection area for birds known as 'Aigües Tortes y Lago San Mauricio' (designated by the Spanish authorities in pursuance of Article 4 of Directive 79/409/EEC ⁽¹⁾ on the conservation of wild birds) took practical form in a total gain of 3 000 hectares of peripheral protection area.

This being the case it has not been possible to identify any infringement of Community law. The Commission has therefore decided to close this dossier.

The Commission would without doubt be pleased to see the Aigües Tortes National Park designated, at the appropriate

time, in pursuance of Article 3 (2) of Directive 92/43/EEC. However, in view of the deadlines provided for in Article 4 for the implementation of this Directive, it would at the moment be premature to adopt a final stance in this regard.

(¹) OJ No L 103, 25. 4. 1970.

WRITTEN QUESTION No 3146/92

by Mr Max Simeoni (ARC)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/59)

Subject: Plans for an Atlantic Centre for Renewable Energy Sources in Brittany

Plans for an Atlantic Centre for Renewable Energy Sources are currently under consideration in Brittany. It would take over from the Windmill Study and Experimentation Centre which operated at Trébeurden (Côtes d'Armor) from 1984 to 1989.

Does such a project qualify for Community financial aid towards its launch, particularly if it is located in an Objective 5b area (central Brittany) or an Objective 2 area (Trégor-Goëlo)? If so, what are the conditions that must be fulfilled?

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

(5 March 1993)

A measure to encourage increased use of wood for energy purposes was included in the integrated development operation for central Brittany (1987—92) and allocated FF 1,16 million in ERDF appropriations.

The 'Morgane' development programme for rural areas of central Brittany (1989—93) also includes a measure to encourage the use of wood as a source of energy. As currently drafted, the 'Morgane' programme contains no provision for the financing of projects concerning the development of other sources of energy. It would be for the regional authorities to adapt the programme, if necessary, before it expires in December 1993.

The current (1992—93) Objective 2 programme for Brittany contains three priorities, the development of firms, improving the area's attractiveness and training.

Projects under all these programmes are considered and selected by regional technical committees and, where appropriate, approved by the Monitoring Committee, on which all the partners (national government, local authorities and the Commission) are represented.

The project to which the Honourable Member refers could be submitted to the regional prefecture (SGAR), as manager of the programme, which would consider whether it could be included in one of the priorities for the region.

WRITTEN QUESTION No 3159/92

by Mr Pierre Bernard-Reymond (PPE)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/60)

Subject: Situation in the Department of Vaucluse, following flood damage in the Ouvè valley

I would draw the Commission's attention to the highly critical situation in the department of Vaucluse and the very serious difficulties faced by the local authorities and people affected by the recent flooding of the Ouvèze.

I propose that the Vaucluse region be included amongst those currently benefiting under the integrated Mediterranean Programmes (IMP) so that the Department can be allocated the funds required to make good the damage in both economic and human terms.

Can the Commission state exactly what funds it intends to contribute to the region's reconstruction programme, in collaboration with the French state, the Provence-Alpes — Côtes d'Azur Regional Council and the Vaucluse General Council?

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

(2 March 1993)

The Commission is aware of the situation in the department of Vaucluse created by the recent flooding of the Ouvèze. The Community has given a practical demonstration of its concern by providing emergency aid.

The department has received Community funds through the integrated Mediterranean programme since 1986. In conjunction with the national government and regional

authorities, the Commission is considering whether resources could be made available through a reallocation of funds under this programme.

Establishments which do not figure on this list must fully comply with the requirements of Directive 92/46/EEC as transposed into national law by 1 January 1994.

(¹) OJ No L 268, 14. 9. 1992.

WRITTEN QUESTION No 3168/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/61)

Subject: Health rules for milk

The Community's milk producers do not at the present time comply strictly with the provisions of Community legislation on the health rules applicable to the production and placing on the market of milk and milk-based products (Directive 92/47/EEC) (¹). Will the Commission act immediately to ensure that milk producers implement the provisions on health rules?

(¹) OJ No L 268, 14. 9. 1992, p. 3.

**Answer given by Mr Steichen
on behalf of the Commission**
(8 March 1993)

Establishments that treat or process milk and milk products which are not currently able to comply with all the health rules on the production and marketing of milk and milk-based products may be granted temporary exemption by the competent national authorities. Such a derogation may not extend beyond 31 December 1997. The list of establishments benefiting from a derogation must be approved by the Standing Veterinary Committee and published by the Commission. The products of these establishments must not be put on the intra-Community market but must be reserved for the national market.

From 1 January 1998 all the establishments in question will have to comply with the health requirements laid down in Directive 92/46/EEC (¹) which introduced health rules for the production and marketing of raw milk, heat-treated milk and milk-based products. The inspections provided for in Article 17 of this Directive will enable Commission experts to check that Community legislation is being complied with, but since the deadline for transposing Directives 92/46/EEC and 92/47/EEC is 1 January 1994, the Commission does not envisage any immediate action to monitor their implementation by Member States.

The list of establishments benefiting from an exemption must be submitted to the Commission before 1 July 1993.

WRITTEN QUESTION No 3171/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/62)

Subject: Forest of the Pandokrator Monastery on Mount Athos

A rare forest on the Athos peninsula near to the Pandokrator Monastery, which may be unique in the Mediterranean region, is threatened with destruction, and international environmental organizations are mobilizing to save it. The forest consists of oak trees, pine trees and rare shrubs among others, and the monastery authorities, citing economic problems, are reportedly negotiating to lease it for Dr 30 000 000 to a private company which would fell it for profit. According to the same source, the matter was even discussed by Prince Philip, the husband of Queen Elizabeth of England, during his visit to Mount Athos.

The Duke of Edinburgh tried to persuade the monks not to lease the forest for timber-felling, but the monks pointed to the monastery's financial difficulties. Will the Commission act to protect the forest of the Pandokrator Monastery on Mount Athos?

**Answer given by Mr Paleokrassas
on behalf of the Commission**
(16 April 1993)

Under current Community legislation, Greece is not obliged to protect the site in question. Therefore, the Commission could only act through incentives, in particular financial support, aiming at the protection of this forest. Such an intervention would need to be officially requested by Greece, and would have to respect the regulation and rules to be applied.

The Commission informs the Honourable Member that it has granted, under Council Regulations (EEC) No 2242/87 (¹) on action by the Community related to the environment and (EEC) No 3907/91 (²) on action by the Community related to nature conservation, ECU 1 138 million to a project concerning the reforestation and ecological management of wooded areas of another site at

Mount Athos. It is expected that this project will have a strong positive influence on conservation and protection matters elsewhere in the Mount Athos area.

⁽¹⁾ OJ No L 207, 29. 7. 1987.

⁽²⁾ OJ No L 370, 31. 12. 1991.

WRITTEN QUESTION No 3177/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/63)

Subject: Farmers' incomes in Achaia

In some areas in Greece, farmers are left with huge quantities of produce on their hands. In Achaia 700 tonnes of potatoes kept in cold storage by the local union of farmers' cooperatives have sprouted and another 3 000 tonnes have rotted under the trees where farmers stacked them to protect them from the sun. In the same region 80 % of the grape crop remains unharvested, last year's oil is still unsold, and there is no market for raisins. What does the Commission intend to do to safeguard the incomes of the 150 000 farmers in Achaia who, according to their union leaders, are in despair?

Answer given by Mr Steichen
on behalf of the Commission

(17 March 1993)

The common agricultural policy comprises several instruments designed to help producers cope with difficulties in disposing of their produce and to ensure them an adequate income. The nature of these instruments depends on the products involved and the type of difficulty encountered (structural or cyclical).

There are a large number of aid measures covering the products the Honourable Member mentions, including private storage aid and intervention for olive oil, withdrawal of table grapes, distillation of table wines, aid for grubbing up vineyards and for private storage, and intervention and grubbing-up for dried grapes. The Commission has also forwarded to the Council a proposal for a market organization for potatoes.

There are, in addition, under the common agricultural policy many structural measures designed to help producers improve the production and marketing of their products,

increase their competitiveness and, in so doing, generate a higher income and resolve specific structural problems which could arise in certain regions of the Community.

WRITTEN QUESTION No 3179/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/64)

Subject: Relocation and modernization of the slaughterhouses at Patras

The slaughterhouses at Patras were built in 1910 outside the town centre but they are now situated in the town itself and this is causing a major problem. A few years ago there were plans to move the slaughterhouses to Prevedo and the project — total cost Drs 2,5 billion — was incorporated into Community programmes. However, the government appears reluctant to go ahead with the project. Does the Commission plan to take any action on this matter?

Answer given by Mr Steichen
on behalf of the Commission

(18 March 1993)

In 1989, in order to facilitate the implementation of the Patras slaughterhouses relocation and modernization project, the Commission, in response to a request by the beneficiary, agreed for the first time to defer the deadline for implementation of the work to the end of 1990.

A first instalment of the Community assistance totalling DRA 100 million for the purchase of equipment was paid to the beneficiary in 1990.

After receiving a second request from the beneficiary in 1991, and given the importance of the project for the region, the Commission made an exception to its usual policy and agreed, in a letter to the Member State concerned and the beneficiary, to again defer the deadline for completion to 31 December 1992.

The fact that construction work on the slaughterhouse has still not commenced is due exclusively to a disagreement between the Member State and the beneficiary. It is therefore up to them to find a solution so that work on the project can continue.

WRITTEN QUESTION No 3182/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/65)

Subject: Pollution of the River Alfios at Pirgos Ilia

The environment in the town of Pirgos Ilia is heavily polluted. Household and industrial waste is channelled into ditches and discharged untreated into the River Alfios and then into the sea. Pollution in the River Alfios is at a critical level and the system of channels, which is more than 12 kilometres long, collects sewage from everywhere else in the area between Pirgos and the Alfios. Will the Commission take action to organize waste management and disposal in the area and prevent pollution of the River Alfios?

Answer given by Mr Paleokrassas
on behalf of the Commission
(28 April 1993)

The Commission will examine the allegations made by the Honourable Member, in particular within the framework of Directive 75/442/EEC ⁽¹⁾, as amended by Directive 91/156/EEC ⁽²⁾, and will take all necessary initiatives to ensure compliance by the Member States.

⁽¹⁾ OJ No L 194, 25. 7. 1975.

⁽²⁾ OJ No L 78, 26. 3. 1991.

WRITTEN QUESTION No 3184/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/66)

Subject: Management of funds for the regional operational programmes

According to the responsible Greek Minister, the EEC recently excluded EOMMEX from acting as consultants to

small and medium-sized firms. Referring to the fact that the management of the funds for the Community's regional operational programmes has been entrusted to a private body, the Deputy Minister for Economic Affairs, Mr Tsiplakos, claimed that this was in response to a request by the Community. Mr Tsiplakos stated that the EEC had requested that a large private organization draw up the programmes and studies involved. This private body (which is none other than the Federation of Greek Industrialists and Exporters) would receive a sum of Drs 6 billion from the Community for a period of one year. Can the Commission confirm that the Community excluded EOMMEX from the abovementioned programmes? How does the Commission justify this decision?

Answer given by Mr Millan
on behalf of the Commission
(16 March 1993)

The Honourable Member will be aware that significant resources (nearly ECU 150 million) had initially been allocated to EOMMEX in the context of the IMPs. However, the absorption of funds by EOMMEX to promote SME development was relatively low, at approximately 45 % by mid-1992, and consequently the initial allocations were reduced to ECU 100 million. While further reallocations may prove necessary, it is evident that EOMMEX still has significant resources at its disposal to end 1993.

In order to overcome the various shortcomings in SME promotion experienced in the IMPs, the regional programmes under the CSF adopt an approach by which SME promotion is linked to the market conditions in the regions concerned and is implemented by agencies/organizations with sound business plans. Any new such agencies can attract structural fund support through a gestation period, but would ultimately become self-supporting.

This, however, does not mean that EOMMEX is excluded from competing with the alternative structure to provide SME development services in conformity with specifications set out by the Greek authorities and the Commission. This may mean that EOMMEX needs to adapt its structures but can quite clearly be considered as a candidate for managing Community funds from the regional programmes earmarked for SME promotion.

WRITTEN QUESTION No 3191/92**by Mr Sotiris Kostopoulos (NI)****to the Commission of the European Communities***(6 January 1993)**(93/C 185/67)**Subject: Arrangement for Greek livestock farmers' debts*

In view of the fact that the Greek authorities improved the arrangements for settling the debts of cattle farmers and goat and sheep farmers will the Commission propose that the same arrangements be extended to other branches of Greek stock farming?

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

(29 March 1993)

The Commission does not have the necessary information to take a stance on possible aid granted by Greece to cover the debts of its stockfarmers. The Greek authorities have been asked to provide appropriate details in accordance with Article 93 (3) of the Treaty. The Commission will give its opinion on the basis of the information supplied and in the light of the competition rules of the Treaty.

Under Article 93 of the Treaty, the Commission examines new or existing aid schemes in Member States. If these schemes prove to be incompatible with the common market within the meaning of Article 92 of the Treaty, the Commission then requests that the Member States concerned abolish or alter them. Nonetheless Articles 92 to 94 of the Treaty do not give the Commission the right to advocate that Member States implement aid schemes.

- whether any of these committees have local/regionally elected politicians serving on them?
- the guidelines covering situations whereby members of these committees represent (work for) industries which are potentially the recipients of ERDF funding?

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

(16 March 1993)

Under Article 25 (3) of Regulation (EEC) No 4253/88 ⁽¹⁾ laying down provisions for implementing Regulation (EEC) No 2052/88 ⁽²⁾, monitoring committees consist of representatives of the Commission, the EIB and the Member State, which as appropriate designates representatives from the responsible local, regional, national or other authorities.

The actual composition of committees varies according to the degree of regionalization of the Member State's administrative structure and the geographical scope of the operation concerned (national, regional or subregional).

Monitoring committees set their own operating rules and procedures to suit their actual composition. There is no general rule covering membership by representatives from undertakings that are potential recipients of aid from the Funds but the representatives of the public authorities are always obliged to ensure that allocation of aid is free of bias.

⁽¹⁾ OJ No L 374, 31. 12. 1988.

⁽²⁾ OJ No L 185, 15. 7. 1988.

WRITTEN QUESTION No 3197/92**by Mr Peter Crampton (S)****to the Commission of the European Communities***(6 January 1993)**(93/C 185/68)*

Subject: Monitoring of European Structural Funds (ERDF)

Can the Commission tell me:

- how membership of the local/regional ERDF monitoring committees is decided?

WRITTEN QUESTION No 3224/92**by Mr Isidoro Sánchez García (ARC)****to the Commission of the European Communities***(6 January 1993)**(93/C 185/69)*

Subject: Humanitarian aid to the people of Cuba

For what reasons has the Commission refused humanitarian aid to the Cuban people, currently experiencing severe material problems, as this could constitute a violation of human rights?

**Answer given by Mr Marín
on behalf of the Commission**
(30 March 1993)

Cuba has never stopped receiving the Community humanitarian and emergency aid for which, in accordance with existing procedures, it is eligible.

For a number of years now, the Community has been the main donor of dairy products to schemes in Cuba implemented by the World Food Programme (WFP). Since 1984, over ECU 40 million has gone on food aid to Cuba. In addition, the hardship facing the population has led to a Community commitment to send extra food aid by the end of the year through the NGO, Diakonisches Werk EKD.

The Commission has also approved emergency medical humanitarian aid of ECU 250 000 under budget heading B7-5000. This will help make good a shortage of a number of basic medicines, which much of the population has had to go without and will be implemented by Médecins du Monde (France).

WRITTEN QUESTION No 3231/92
by Mrs Ursula Braun-Moser (PPE)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/70)

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

The long-standing obstructions to tour guides abroad were supposed to come to a definitive end with the judgment handed down by the Court of Justice in early 1992, which unequivocally established that freedom in the provision of services exists within the European Community.

It is incomprehensible why study visits, whose success depends on the explanations provided by a particular leader, are being obstructed. Qualified tour guides, according to the judgment in question, should be able to provide their services to their travel groups abroad at any time, except where closed buildings are involved.

Unfortunately this is still not the case; there have been further instances in Italy (Venice on 17 May and Pisa on 11 September) of tour-guides being fined and having to put up with unpleasant reprisals, advance warning of which had even been given by mail (see my earlier questions).

How can the Commission prevent non-implementation of the European Community's freedom to provide services and persuade Italy, which to a great extent ignores the judgment, to change its attitude?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission**
(2 April 1993)

The judgment of the European Court of 21 February 1991 in case C-180/89 has clarified certain questions as to the exercise of the profession of tourist guide in Italy. To ensure that the provisions of the judgement are widely known the Italian authorities have issued an Administrative Circular ⁽¹⁾ and have promised that more concrete measures will follow.

The Commission has stressed the need for such action to be speedy and is following the situation closely.

The Commission cannot comment on individual cases resulting in convictions and fines as it does not possess details of them. In such proceedings it is primarily for the individuals, together with their legal advisors, to avail themselves of all means at their disposal for defending themselves against unjustified accusations and to ensure that where necessary the appropriate provisions of Community law are invoked and taken fully into account by the judicial authority in question.

⁽¹⁾ OJ No C 62, 18. 11. 1991.

WRITTEN QUESTION No 3237/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/71)

Subject: Restriction of Community oilseed production

The USA is seeking to reduce European oilseed production to 9 million tonnes from its present 12 million tonnes. Should this restriction come into force under the GATT agreement, will the Commission say whether it will undermine the reform of the common agricultural policy and to what extent?

**Answer given by Mr Steichen
on behalf of the Commission**
(17 March 1993)

The understanding arrived at with the United States does not involve a quantitative limit on harvested production.

This understanding is consistent with the reform of the CAP adopted earlier in 1992.

The European Parliament has been informed of the main elements of the understanding during the Plenary session of December 1992 ⁽¹⁾.

⁽¹⁾ Debates of the European Parliament No 425 (December 1992).

WRITTEN QUESTION No 3238/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/72)

Subject: Adoption of measures on behalf of Greek dried grapes

In view of the problems involved in finding market outlets for currants and sultanas, will the Commission submit a proposal for a regulation adopting measures to improve the quality and the promotion of Greek dried grapes?

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

(8 March 1993)

The Commission has been closely following the evolution of the European dried grape market and in particular the position of Greek dried grapes (currants and sultanas) on this market.

The situation on the dried grape market gives no cause for alarm. Nearly the entire 1992/93 sultana harvest and most of the sultana stock from the marketing year 1991/92 have already been marketed. Sales of currants are a little slower but not worryingly so since Greece is the sole supplier of this market.

However, in the Commission's opinion, Greek products should be still further adapted to the quality requirements of the Community market, which would improve their position on this market and increase consumption. It is therefore preparing a proposal, shortly to be submitted to the Council, for a regulation to enable measures to be taken to improve the quality and the promotion of Greek dried grapes.

WRITTEN QUESTION No 3239/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/73)

Subject: New law on Greek farming cooperative organizations

According to sources among cooperative farmers, the Greek Government will shortly be tabling a new bill in the Greek parliament on agricultural cooperative organizations. The sources say that the Greek authorities, in a bid to make cooperatives 'more efficient', intend to restrict their activity and even interfere with their system of electing representatives. Will the Commission ask the Greek Government to ensure that the new bill fully respects the ideological principles of the cooperative movement and the wishes of the main cooperative organization, PASEGES and the other Greek farming cooperative bodies?

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

(12 March 1993)

The Commission is not aware that a bill providing for new cooperative legislation will shortly be introduced before the Greek Parliament.

The Commission is however aware that certain problems have confronted the operation of agricultural cooperatives in Greece in recent years. The Commission would in principle see no reason for opposing the updating of the legislation governing these organizations. Although in certain product sectors Community agricultural legislation lays down provisions which have to be respected by producers' organizations if they are to benefit from certain provisions of those regulations, Community Law lays down no obligatory form for cooperative organizations.

The Commission does not therefore feel that the type of intervention envisaged by the Honourable Member would be appropriate. The Commission has however requested the Greek authorities to communicate details to it of any legislative proposals they have in this domain.

WRITTEN QUESTION No 3242/92
by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/74)

Subject: Setting-up of a general rehabilitation centre in the region of Pendeli

Further to my Written Question No 1108/92 ⁽¹⁾ concerning a general rehabilitation centre and the Community's reply (by Mr Millan), will the Commission say whether the Greek authorities have submitted to it a proposal for the whole project to be taken over directly by the EEC independently. Will the Commission also say whether the Member States' programmes for services, and medical and other care for people with special needs fall within the Community's sphere of competence?

⁽¹⁾ OJ No C 345, 30. 12. 1992, p. 13.

Answer given by Mr Millan
on behalf of the Commission
(22 March 1993)

The Greek authorities have indeed submitted a proposal for structural Fund financing of the rehabilitation centre in question which the Commission is in the course of assessing. This assessment will be made having due regard to the appropriate Community competence relating to the provisions of health care facilities.

WRITTEN QUESTION No 3263/92
by Mr Jaak Vandemeulebroucke (ARC)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/75)

Subject: Structural policy concerning Belgium

Commissioner MacSharry's reply to my Written Question No 1595/92 ⁽¹⁾ provided a breakdown per fund and region.

On which projects were these funds spent and who manages these projects?

What was the total budget for the individual projects?

⁽¹⁾ OJ No C 16, 21. 1. 1993, p. 22.

Answer given by Mr Steichen
on behalf of the Commission
(29 March 1993)

The programmes financed by the Structural Funds consist of measures the content and financing plan of which were established by mutual consent between the Commission and the responsible national or regional authorities. The Commission exercises its monitoring and assessment rights at the level of measures and programmes.

Each measure may bring financing to a large number of individual operations or projects. In order to decentralize decision making and bring as close as possible to the beneficiaries, thus simplifying administrative procedures, the Commission has entrusted the authorities responsible for executing the programmes with responsibility for issuing instructions and administering the projects which come within the framework of the measures agreed. The projects are not submitted to the Commission which is therefore not informed of the financing allocated to each individual operation nor of its beneficiary.

The Commission suggests that the Honourable Member applies to the authorities responsible for executing the programmes to obtain the information he is looking for. In Belgium, this would be, depending on the measures concerned, the national ministers or the regional executives.

WRITTEN QUESTION No 3276/92
by Mr James Elles (PPE)
to the Commission of the European Communities
(6 January 1993)
(93/C 185/76)

Subject: Protection areas for wild birds

Given that the British Government now faces action by the European Court of Justice over its failure to create enough special protection areas for wild birds under EC Directive (79/409/EEC) ⁽¹⁾, will the Commission explain the logic of funding the Acheloos scheme in Southern Greece which will drain the Missolonghi wetlands (an area designated a Special Protection Area under the same EC directive) and threaten the existence of many birds, including two endangered species?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

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

(30 March 1993)

The Commission reiterates the statements made on several previous occasions. It has not yet received an application from the Greek authorities for those parts of the Acheloos project earmarked for assistance in the Community Support Framework for Greece. When such an application is received it will be assessed thoroughly from all angles including that of the environment.

Commission officials, accompanied by experts, visited the area on 10 July 1992 to verify the Greek authorities' contention that the diversion project would have no adverse effects on the delta. Following that visit the opinion of the Commission was that subject to further verifications and the fulfilment of certain conditions, there was no reason to conclude that the diversion project would directly or indirectly in adverse effects on the protected area.

These verifications and conditions relate essentially to the presumption that the geology of the area does not allow significant underground water transfers from the river to the protected area, the definition of appropriate minimum flows throughout the year, as well as to the measures guaranteeing their maintenance.

WRITTEN QUESTION No 3277/92

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/77)

Subject: Recognition of qualifications — health workers

The directives on recognition of qualifications for nurses do not appear to recognize any category similar to Health Visitors, who in the UK are often the most highly qualified of nursing personnel. Why is this and how is this problem being addressed?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission**

(2 April 1993)

Directives 77/452/EEC and 77/453/EEC ⁽¹⁾, as amended ⁽²⁾, cover only nurses responsible for general care, that is to say,

in the UK, State Registered Nurses or Registered General Nurses. All other nursing professionals who are not covered by similar specific Directives are covered by the general Directives 89/48/EEC ⁽³⁾ and 92/51/EEC ⁽⁴⁾.

⁽¹⁾ OJ No L 176, 15. 7. 1977.

⁽²⁾ OJ No L 385, 31. 12. 1981 and OJ No L 341, 23. 11. 1989.

⁽³⁾ OJ No L 19, 24. 1. 1989.

⁽⁴⁾ OJ No L 209, 24. 7. 1992.

WRITTEN QUESTION No 3282/92

by Mr Peter Crampton (S)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/78)

Subject: Aujeszky's disease

As from 1 January 1993, pigs from other EC countries will be able to enter the UK with veterinary certification to prove they are free from Aujeszky's disease only at the herd from which they came, not as hitherto, the area. This is causing concern among UK pig-producers, as they do not wish to see the reintroduction of this disease into the UK. They believe that Britain must have the right to veterinary inspection and, if necessary, to quarantine imported pigs.

Would the Commission agree that such inspections should be allowed, as a precautionary measure against the risk of Aujeszky's disease?

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

(10 March 1993)

Commission Decision 93/24/EEC of 11 December 1992 ⁽¹⁾ set down the movement conditions necessary for pigs entering areas in the Community free of Aujeszky's disease. These detailed conditions provide considerable health guarantees for pigs for slaughter, breeding, and production entering these areas which currently comprise Great Britain and Denmark. The decision does not apply to Northern Ireland which is not regarded as being free.

The Honourable Member's comments do not in fact reflect the final decision that was taken. Not only is veterinary certification of freedom in the herd of origin necessary but isolation and testing of the animals, the extent depending on age and use, is also required. The only exception to these testing requirements is for production pigs coming from a herd that is part of an official monitoring programme. These

animals may move without a test, but area freedom of 2 km radius is then required.

Systematic checking of animals of Community origin at border posts is not acceptable since 1 January 1993. The legislation to replace this has already been agreed. Non-discriminatory spot checks at the destination will, of course, be permissible and the ANIMO computer information system will provide veterinary services with details of all movements from other Member States.

(¹) OJ No L 16, 25. 1. 1993.

Following the adoption on 23 December 1991 of Council Directive 91/692/EEC (²) standardizing and rationalizing reports on the implementation of certain Directives relating to the environment, Member States are now required to send regular reports to the Commission on their implementation of the drinking water Directive. However, the first report to be made will cover the period 1993 to 1995 and therefore will not be available to the Commission until 1996.

The Commission is actively involved in efforts to improve Portugal's water supplies. ECU 177,5 million from the ERDF has been committed to water supply and waste water treatment projects approved under the various Regional Operational Programmes in Portugal.

(¹) OJ No L 229, 30. 8. 1980.

(²) OJ No L 377, 31. 12. 1991.

WRITTEN QUESTION No 3283/92

by Mrs Maria Santos (S)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/79)

Subject: Quality of mains water in Portugal

A study recently drawn up by the Portuguese Union of Paramedical Technicians, based on a national inquiry by urban, rural and joint councils, reveals that almost half the Portuguese population is drinking water of dubious or poor quality and that about one-third of the population is not supplied with mains water.

Is the Commission aware of this serious situation?

What urgent and medium-term measures will it take to help substantially reduce and eliminate this serious problem?

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

(26 March 1993)

The Commission has not received a copy of the report referred to by the Honourable Member, and so can make no comment upon its contents.

If the Honourable Member has specific details of instances in which the Directive on the quality of water intended for human consumption (¹) is not being respected she should provide details to the Commission which will, where appropriate, act under the powers available to it.

WRITTEN QUESTION No 3289/92

by Mr José Torres Couto (S)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/80)

Subject: Food supplies for the most deprived persons in the European Community

Under Commission Decision 92/534/EEC (¹) of 17 November 1992 adopting the 1993 plan allocating to the Member States resources to be charged to the 1993 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community, the Community allocated to Portugal, the maximum sum of ECU 10 440 000 for distribution of the following quantities of produce:

- 1 500 tonnes of common wheat,
- 1 700 tonnes of durum wheat,
- 1 000 tonnes of rice,
- 1 200 tonnes of butter,
- 2 500 tonnes of beef,
- 700 tonnes of olive oil,
- 600 tonnes of milk powder.

What steps are being taken to monitor the implementation of this appropriation, which has been used since 1990?

What specialized bodies in Portugal does the Commission consult about eligibility and the sectors of the population considered to be in greatest need?

(¹) OJ No L 341, 24. 11. 1992, p. 8.

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

(9 March 1993)

In accordance with Article 4 of Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community ⁽¹⁾, expenditure arising from such operations is financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. As a consequence, checks on such expenditure fall under the provisions applicable to the EAGGF.

Commission Decision 92/534/EEC of 17 November 1992 setting out the 1993 plan was adopted pursuant to Commission Regulation (EEC) No 3149/92 of 29 October 1992 ⁽²⁾, as last amended by Regulation (EEC) No 3550/92 ⁽³⁾. Articles 9 and 10 of Regulation (EEC) No 3149/92 lay down various measures to be taken by the Member States (in particular to ensure that accounts and supporting documents are kept and a report is presented on verification measures applied) in order to permit the checks considered necessary to be conducted.

The Member States are also required to present annual reports to the Commission on the implementation of the measure.

Pursuant to Article 2 of Regulation (EEC) No 3730/87, the organizations responsible for distributing the products to the most deprived persons are to be designated by the Member State concerned. In Portugal, the distribution of available resources and the administration of the measure are the responsibility of the Departamento para os assuntos europeus e relações externas of the Ministério do Emprego e da Segurança Social.

⁽¹⁾ OJ No L 352, 15. 12. 1987.

⁽²⁾ OJ No L 313, 30. 10. 1992.

⁽³⁾ OJ No L 361, 10. 12. 1992.

WRITTEN QUESTION No 3293/92

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(6 January 1993)

(93/C 185/81)

Subject: China chooses American chips

At a time when the United States appears to be stepping up its technological war with Japan (by signing new major agreements between groups of companies and the Defence Department) the announcement yesterday of possible large-scale purchases by China of American equipment to produce chips acquires particular significance. With these purchases, which could amount to \$2 billion in the next two

or three years, China is setting out to become a leader in the semiconductor sector, making itself independent of Japan in this key technology (see *China Seeks Chips Made in USA*, *International Herald Tribune*, 19 November 1992).

Does the Commission consider that Europe's lack of competitiveness in this sector is preventing it from participating in trade on this scale? Can it say what openings Europe may have as a result of arrangements made recently between some of its most advanced firms and competitors in the United States and Japan? Finally, what steps does the Commission intend to take to encourage appropriate European participation in the present rapid process of technological development in China?

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

(31 March 1993)

The reported decision by China to acquire US semiconductor equipment for the development of its own semiconductor industry is consistent with the Commission's information about China's plans and intentions regarding the development of high technology industry.

The European based semiconductor equipment industry is relatively small, and would not be the most favourable supplier to the Chinese market. As a matter of fact, most semiconductor investments in Europe are based on imported fabrication equipment, notably from Japan and the United States. However, the Commission is aware of a number of initiatives of European semiconductor manufacturers to transfer their technology and know-how to China to support starting up of local manufacturing facilities.

The Commission can confirm that several European electronics and computing companies have entered into agreements with US and Japanese companies with respect to part of their business. It is the Commission's view that this is a normal consequence of international competition and that these cooperations will have a strengthening effect on the semiconductor situation in Europe.

Regarding the agreements between the United States and Japan regarding access to the Japanese semiconductor market, the Commission has taken all possible steps to ensure that these agreements would be implemented in a non-discriminatory manner. Negotiations to this effect are continuing and a communication to the Council is being prepared.

The Commission has long standing relations with China in the area of technological development, especially in the areas of telecommunications and information technology.

This cooperation is based on the EC-China cooperation agreement and is financed from the international technological cooperation budget (B6-8200). The Commission has identified these areas of cooperation in agreement with the Chinese authorities in such a way as to encourage appropriate European participation in the present rapid process of technological development in China.

WRITTEN QUESTION No 3330/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/82)

Subject: Implementation by Greece of the EEC regulation instituting a Community aid scheme for early retirement from farming

In view of the fact that the Greek authorities do not apply Regulation (EEC) No 2079/92 ⁽¹⁾ on early retirement for farmers, what action will the Commission take to ensure that the above-mentioned regulation is implemented?

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 91.

Answer given by Mr Steichen
on behalf of the Commission
(3 March 1993)

Council Regulation (EEC) No 2079/92 of 30 June 1992 instituting a Community aid scheme for early retirement from farming stipulates that the Member States can introduce a Community aid scheme for early retirement. In accordance with the will of the Council of the European Community, each Member State is therefore free to implement this Regulation or not to do so.

In this context, the Commission uses the means which are at its disposal to make the Member States aware of the advantages of this scheme and to comply with their requests for information to facilitate and accelerate its application.

Greece and other Member States currently apply early retirement measures under operational programmes approved under Objectives 1 or 5 (b) of the reform of the Structural Funds and which expire only at the end of 1993.

Moreover, since Regulation (EEC) No 2079/92 does not set any deadline for the presentation of programmes, the

question of its application in Greece can be gone into at any time, depending on how urgent the Greek authorities consider it to be.

WRITTEN QUESTION No 3362/92

by Mr Christopher Jackson (PPE)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/83)

Subject: Conditions under which animals are housed

Will the Commission state whether or not it intends to produce draft proposals laying down guidelines relating to the condition in which animals are kept in lairages, kennels and other commercial establishments?

Answer given by Mr Steichen
on behalf of the Commission
(12 March 1993)

The Commission has made a proposal for a Council Regulation on the protection of animals at the time of slaughter or killing (COM(91) 136 final) ⁽¹⁾, as amended by COM(92) 460 final ⁽²⁾, which contains requirements on the conditions in which animals are kept in slaughterhouse lairages.

The Commission is presently examining the possibilities of the Community's joining the Convention of the Council of Europe for the Protection of Animals during International Transport.

The Commission has no plans at present to make proposals relating to the conditions in which animals are kept in kennels.

⁽¹⁾ OJ No C 314, 5. 12. 1991.

⁽²⁾ OJ No C 328, 12. 12. 1992.

WRITTEN QUESTION No 3377/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/84)

Subject: Protection of edible olives

Given that there is no common organization of the market in edible olives, how does the Commission intend to protect this product?

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

(22 March 1993)

During 1990 and 1991 table olives were the subject of two reports to the Council by the Commission, analysing the situation of this market and highlighting the main problems in this sector.

In the light of these reports, the Council, after consulting Parliament, adopted Regulation (EEC) No 1332/92 ⁽¹⁾ introducing specific measures for table olives.

These measures consist firstly of setting up programmes to promote the consumption of this product and, secondly, enable producers' organizations and associations thereof to constitute working capital with the objective of stabilizing supply and ensuring in particular the financing of storage required for the measured release to the market of the product.

Commission Regulation (EEC) No 3601/92 ⁽²⁾ was adopted to lay down detailed rules for the application of the above specified measures.

It should be pointed out that before these measures were introduced table olives were and continue to be, among the products that benefit from Community structural aid. This structural aid has assisted in particular the irrigation, packaging and even the presentation of this product.

In addition to already existing measures to assist table olives, Community quality standards are being drawn up by the relevant Commission department. These quality standards will make it possible to standardize and improve the quality of the product offered on the market, which will ensure an enhancement of the product's value.

⁽¹⁾ OJ No L 145, 27. 5. 1992.

⁽²⁾ OJ No L 366, 15. 12. 1992.

WRITTEN QUESTION No 3380/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/85)

Subject: Measures accompanying the CAP reform package for Greece

The CAP reform package is to be accompanied by an environment programme and reforestation programme for agricultural land. The environmental dimension of the CAP is a new departure but a step in the right direction. The problem as far as Greece and certain other Member States

are concerned is not so much the amount of resources available but the inability to organize the essential programmes. As this is a matter of crucial importance, can the Commission help the national authorities to organize such programmes and in what way?

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

(31 March 1993)

The common agricultural policy's accompanying measures, particularly the agri-environmental measures and those relating to afforestation, presuppose the establishment of action programmes.

The Commission is fully aware of the extent of the preparatory work involved, which has to be completed within one year as laid down in Article 7 of Council Regulation (EEC) No 2078/92 of 30 June 1992 ⁽¹⁾. It is therefore willing to examine the preliminary drafts of programmes and, if need be, to discuss them at bilateral meetings in order to help the bodies concerned to prepare a final draft.

In any event, Member States have the opportunity to amend or extend programmes which have already been launched in an effort to consolidate the initial action taken.

⁽¹⁾ OJ No L 215, 30. 7. 1992.

WRITTEN QUESTION No 3387/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/86)

Subject: Support system for producers of arable crops

With regard to Regulation (EEC) No 1765/92 ⁽¹⁾ establishing a support system for producers of certain arable crops in the context of the reform of the common agricultural policy, will the Commission say whether Greece and the other Member States of the Community have submitted their regionalization plans within the specified period? Are these plans based on appropriate and objective criteria and do they tally with existing Eurostat data?

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

**Answer given by Mr Steichen
on behalf of the Commission**
(10 March 1993)

The Member States have drawn up their regionalization plan on the basis of the criteria set out in Article 3 of Regulation (EEC) No 1765/92 (objective and appropriate criteria that allow for specific regional characteristics).

The interpretation of the criteria referred to above varies from one Member State to another and in some cases the Commission, under its remit to examine the plans, has called into question a Member State's interpretation (e.g. in the cases of France and Portugal) and these Member States have been asked to revise their plans.

The Commission also examines the reference yields and the areas referred to in the regionalization plans to ensure that they are compatible with Eurostat statistics. In particular, the Commission plans to define in a regulation the areas to which the plans are applicable.

WRITTEN QUESTION No 3392/92

by Mr Lode Van Outrive (S)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/87)

Subject: Use of recycled paper by the Commission

In a recommendation by the European Council of Ministers of 3 December 1981 (81/972/EEC ⁽¹⁾), public bodies and national administrations are called upon to change to using recycled paper, in order to set an example.

What action has the Commission taken on this recommendation? What plans does the Commission have to convert to using recycled paper, in accordance with the recommendation?

Can the Commission say how much paper per year is used by Commission services? How much waste paper per year is taken away by Commission services and where does this waste paper go?

⁽¹⁾ OJ No L 355, 10. 12. 1981, p. 56.

**Answer given by Mr Van Miert
on behalf of the Commission**
(10 March 1993)

Since 1989 the Commission has used recycled paper for internal documents (this type of paper has been stocked since 1976). In addition, one factor taken into account in the

selection of equipment (photocopiers, offset printers, computer printers, inserting machines and sorting machines) is its ability to operate with recycled paper. This criterion is applied for the purchase of new equipment and for the replacement of existing machines when budgetary resources are available or technological progress dictates.

The Green Paper on the ecological aspects of the Commission's activities (1990) provides for an increase in the use of recycled paper from 11 % in 1990 to 30 % in 1993, and for the adoption of stricter measures regarding the requirement to use environmentally friendly paper.

In 1991 the Commission used some 3 680 tonnes of paper and paper products (paper for printing, photocopying, computer print-outs, packaging, envelopes, cardboard boxes, fax paper, note books, etc.).

Waste paper amounts to about 5 000 tonnes. Some of this paper is recycled by the firms cleaning the Commission premises.

The Commission is looking for partners on the market who will remove and dispose of the remaining waste paper in an environmentally friendly way.

It is, however, dependent on existing recycling arrangements and the budgetary resources allocated.

WRITTEN QUESTION No 3402/92

by Mr Jean-Pierre Raffarin (LDR)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/88)

Subject: Protection of hedgerows in the agricultural environment

Compensatory payments to farmers under the CAP accompanying measures are calculated on the basis of the area of land under cultivation and not on the area of land officially registered.

This distinction is important when the question of hedgerows arises; some owners may be tempted to pull them up so that all the land suitable for cultivation can be taken into account. This runs counter to the objectives of the development of sound farming practice and the protection of the environment.

What steps could the Commission take to ensure that such a process does not come about while at the same time obviously ensuring that farmers receive the compensatory payments to which they are entitled?

Answer given by Mr Steichen
on behalf of the Commission
(10 March 1993)

The direct compensatory payments to producers provided for in the schemes set up under the CAP are calculated per hectare on the basis of land cultivated for plant production and land cultivated for fodder in animal production.

Regulation (EEC) No 508/92 of 27 November 1992 established an integrated administration and control system for certain Community aid schemes ('the integrated system') ⁽¹⁾, which applies to these schemes, provides for the creation of an alphanumeric system for the identification of agricultural parcels, establishing on the basis of land registry maps and documents, other cartographic references or of aerial photographs or satellite pictures.

Under Article 6 (7) of Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated system ⁽²⁾, agricultural parcel areas are to be determined taking particular account of the local situation. The total area of a parcel may be taken into account provided that it is fully utilized according to the customary standards of the Member State or region concerned.

This last provision was intended precisely to allow hedgerows or other small pieces of uncultivated land such as the margins of fields to be considered part of the total area of the parcel.

⁽¹⁾ OJ No L 355, 5. 12. 1992.

⁽²⁾ OJ No L 391, 23. 12. 1992.

WRITTEN QUESTION No 3410/92

by Mr Alex Smith (S)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/89)

Subject: Meetings with the Japanese Government on energy and environmental issues

What meetings of the Commissioner were held with the Japanese Government departments and agencies over the past six months on bilateral environmental and energy issues; what matters were discussed; what criteria were used in deciding the matters to be discussed; what decisions were taken at each respective meeting; and what attempts were made to publicize the outcome of each meeting?

Answer given by Sir Leon Brittan
on behalf of the Commission
(25 March 1993)

Although there has been, *stricto sensu*, no meeting between the Commissioners specifically in charge of environment and energy and the corresponding Japanese government departments and agencies in the second half of 1992, both environmental and energy issues have nevertheless been substantially tackled in various other fora during this period.

At the occasion of the last EC/Japan Summit held in London on 4 July 1992, both the Commission and the UK Presidency raised the issues of environment and energy as important and promising fields of bilateral cooperation.

As far as environmental issues are concerned, EC-Japan high level consultations on environment (at the level of Directors-General) took place in Brussels on 3—4 December 1992. The items on the agenda were as follows:

- Tropical forests,
- Global climate change
- Developments in environmental policy
- Industry and the environment
- Use of economic instruments — CO₂ tax
- Waste
- UNCED analysis and follow-up
- Environment and trade
- Future environment meetings

The agenda was decided by mutual agreement prior to the meeting, and as a function of the availability of relevant officials from each side.

The meeting was not specifically decision-orientated, being rather an exchange of views on the topics listed above. However, it was decided:

- to establish working groups on waste and chemicals;
- that cooperation on nuclear safety would be broadened and developed;
- that high-level discussions would become an annual event;
- to cooperate in international fora, through exchanging information prior to meetings;
- to hold meetings on greenhouse gases and acid rain precursors.

A press release was issued both before and after the meeting.

Regarding energy, the Director-General concerned had an informal meeting in Tokyo in October 1992 with the

Director-General of the Agency of Natural Resources and Energy from MITI.

The agenda was decided by mutual agreement on the basis of a Commission initiative; the following issues were discussed:

- Energy policy developments;
- Energy/environment;
- International/bilateral energy issues;
- Technology/cooperation.

These are standard energy issues that are of interest to industrialized economies.

Both the Commission and MITI found this informal dialogue on energy issues useful and agreed to hold further discussions. Given the informal nature of these consultations, the meeting was not publicized.

The IAEA rules constitute minimum directives for the drawing-up, or updating, of the International Transport Conventions and of the National Law of the Member States of the IAEA. All of the Member States of the community adhere to those directives.

The Commission is involved in the activities of the international Sagstram Expert Group (Standing Advisory Group on the Safe Transport of Radioactive Materials) within the IAEA, which draws up the abovementioned regulations.

The IAEA regulations are subjected to a permanent review and updating process at regular intervals in order to take account of progress made in both knowledge and technology. A working party is responsible for monitoring their transport, especially where large quantities of radioactive materials are concerned.

At Community level the Commission, assisted by its special standing working party on the transport of radioactive materials, consisting of representatives of the executive and of national experts, ensures the implementation by the Member States of the IAEA regulations and that this implementation takes place in a homogeneous manner that is compatible with the single market.

WRITTEN QUESTION No 3412/92

by Mr Alex Smith (S)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/90)

Subject: Transport of plutonium by air

What is the current policy of the Commission on the air transport of plutonium into, within, or from the European Community?

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

(27 April 1993)

It is current practice in the European Community to carry radioactive materials by air. This covers the entire range of radioactive substances, including plutonium used for medical, industrial and energy purposes.

The same principles as those applying to ground and sea transport apply to these operations.

The main safety requirement is that the integrity of the packaging be maintained in the event of a transport accident, regardless of the transport mode selected.

These principles were developed within the IAEA and constitute the basis for the 'Regulations for the safe transport of radioactive materials'.

WRITTEN QUESTION No 3414/92

by Mr Sotiris Kostopoulos (NI)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/91)

Subject: Marine pollution caused by plutonium from the wreck of a submarine

Russian scientists have predicted a major disaster on the Norwegian coastline as a result of continuous pollution by plutonium from a Soviet nuclear submarine which sank off the Norwegian coast in 1989. The scientists have also expressed fears that the plutonium may enter the food chain, whereby causing cancer and other diseases to humans. Is the Commission aware of this? What steps will it take to protect the citizens of Europe? Will it cooperate with the Russian authorities in order to prevent further pollution of the marine environment in the area concerned?

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

(15 April 1993)

Further to the reply to oral question H-1222/91 ⁽¹⁾, the latest information available to the Commission indicates that very low levels of contamination by radioactive caesium (but not plutonium) have been detected in the water and sediment close to the wreck of the Soviet submarine which

lies in Norwegian waters at a depth of some 1 700 metres. The levels measured do not present any direct or indirect hazard to man.

The Norwegian and Russian authorities are currently considering what action, if any, might be necessary to avoid any future risk arising from contamination escaping from the wreck. The Commission will continue to monitor the situation.

⁽¹⁾ Debates of the European Parliament, No 425 (December 1992)

WRITTEN QUESTION No 3420/92

by Mr Andrea Raggio (GUE)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/92)

Subject: Implementation in Sardinia of the directives on the production and marketing of fresh meat

The implementation of Council Directives 91/498/EEC ⁽¹⁾ and 91/497/EEC ⁽²⁾ in Sardinia entails major restructuring of the entire meat production sector and particularly the lamb production sector, which is of vital importance for the island. Such restructuring requires a systematic approach and a major effort to introduce structures which are suitable and meet Community requirements.

Have the Sardinian regional authorities and the Italian ministry responsible requested a temporary waiver of the relevant rules in order to plan the necessary measures sufficiently well in advance or is the Commission willing to ascertain the feasibility of granting such a waiver?

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 105.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 69.

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

(31 March 1993)

The Italian authorities, in application of Directive 91/498/EEC on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat, have

submitted to the Commission a list of establishments for which it is proposed to grant a derogation. This list includes two slaughterhouses in Sardinia.

The Commission has taken contact with the competent Italian authorities in order to avoid problems for the producers.

WRITTEN QUESTION No 3438/92

by Mr Peter Crampton (S)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/93)

Subject: Cost to growers of plant health legislation

Can the Commission tell me what charges for the inspection and classification requirements for this legislation are made in each Member State?

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

(9 March 1993)

The Commission has no information on the charges for the inspection and classification of plants and plant products that may exist in the Member States.

It should be noted that the Member States are at present in the process of adapting their national rules and re-organizing their plant health controls and the related structures to the objectives of the internal market. As this process is not accomplished, the overall costs of administering the new regime and the charges therefore cannot yet be fully known in all Member States.

WRITTEN QUESTION No 3450/92

by Mr John McCartin (PPE)

to the Commission of the European Communities

(25 January 1993)

(93/C 185/94)

Subject: Definition of 'official veterinarian'

Can the Commission provide a list of the qualifications and any other requirements necessary in each of the Member States in order for the title 'official veterinarian' to be granted?

Is the Commission aware of any instance in other Community countries where the equivalent of the Irish diploma leading to the qualification of 'poultry instructor/ress' is sufficient for a person to be deemed able to act as an 'official veterinarian'?

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

(9 March 1993)

An 'official veterinarian' is a veterinarian designated by the competent central authority of a Member State to carry out the official tasks laid down in EC Veterinary Legislation. He must have the qualifications of a veterinarian according to Council Directives 78/1026/EEC ⁽¹⁾ and 78/1027/EEC ⁽¹⁾.

The Commission has not a list of other additional qualifications necessary in the Member States for a veterinarian to be appointed as an official veterinarian.

The Commission is not aware of the fact that persons with qualifications different than those laid down in Directives 78/1026/EEC and 78/1027/EEC act as official veterinarians.

However, persons fulfilling the conditions laid down in Annex III to Directive 71/118/EEC ⁽²⁾ or to Directive 64/433/EEC ⁽³⁾ can act as auxiliaries to an official veterinarian, helping him in practical tasks during the inspection procedures.

⁽¹⁾ OJ No L 362, 23. 12. 1978.

⁽²⁾ OJ No L 55, 8. 3. 1971.

⁽³⁾ OJ No 121, 29. 6. 1964.

WRITTEN QUESTION No 3458/92
by Mr Víctor Manuel Arbeloa Muru (S)
to the Council of the European Communities
(25 January 1993)
(93/C 185/95)

Subject: Coordination between European organizations

What steps will the Council take in response to the report by Mr Michel Fluckiger to the Parliamentary Assembly of the Council of Europe, which calls on European organizations to coordinate their work more effectively in order to avoid duplication, wasted resources, possible disputes over areas of competence and legal uncertainty?

Answer
(28 May 1993)

Article 230 of the Treaty of Rome (EEC) provides that the Community shall establish all appropriate forms of co-operation with the Council of Europe.

The Maastricht Treaty has retained this Article as it stands.

Specific references to co-operation with the Council of Europe have been included in Articles G.126 and G.128 of the new Treaty, concerning education and culture respectively, while Articles F and K.2 of that Treaty declare that the Union will respect the European Convention for the Protection of Human Rights and Fundamental Freedoms concluded under the auspices of the Council of Europe and administered by that organization.

There are regular contacts between officials in the above areas and in those of the environment, heritage, youth, the audiovisual sector and legal matters. These contacts facilitate mutual consultation and information.

Periodic meetings have also been held between the Troika of the European Committee to Combat Drugs (CELAD) and the Pompidou Group set up under the Council of Europe.

Lastly, since 1989 quadripartite meetings have been held between the Presidents of the Council and the Commission on the one hand and the Chairman of the Committee of Ministers and the Secretary-General of the Council of Europe on the other. These meetings provide an opportunity for reviewing current events and for exchanges of views on matters of common interest.

WRITTEN QUESTION No 3462/92
by Mr Marc Reyman (PPE)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/96)

Subject: Recognition by France of European qualifications in dentistry

Unlike other Member States, the United Kingdom for example, France refuses to recognize dentistry qualifications awarded by universities in other Member States.

What steps will the Commission take in order to ensure compliance with its directives in this area?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission
(2 April 1993)**

The Commission is not aware of any infringements committed by France against Directive 78/686/EEC concerning the mutual recognition of diplomas in dentistry or Directive 78/687/EEC concerning and the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners ⁽¹⁾. The Commission has received no complaint and has no information on this matter.

⁽¹⁾ OJ No L 233, 24. 8. 1978.

**WRITTEN QUESTION No 3469/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/97)**

Subject: Consolidation of the profits made by companies of Member States in other EEC countries

Against the background of European integration, does the Commission plan to consider setting up common rules permitting the consolidation of the profits made by EC companies in other Community countries?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission
(2 April 1993)**

Under seventh Council Directive 83/349/EEC of 13 June 1983 on consolidated accounts ⁽¹⁾, parent companies which control one or more subsidiaries must draw up and publish consolidated accounts showing the assets, financial position and results of the firms included in the consolidation, as though they constituted a single company. All Member States have transposed the Directive into national law.

Pursuant to Article 6 of the Directive, however, Member States may exempt small groups from the requirement to draw up consolidated accounts. All of them have exercised this option.

⁽¹⁾ OJ No L 193, 18. 7. 1983.

**WRITTEN QUESTION No 3470/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(25 January 1993)
(93/C 185/98)**

Subject: Freedom of establishment for lawyers in the Community

A draft Directive on freedom of establishment for lawyers was submitted for approval to the plenary sitting of the Council of Bars of the European Community (CBCE) held in Lisbon on 23 October 1992.

Is it correct that this draft, which has been criticized in various quarters, contains a number of legally specious provisions, on the organization and operation of mixed jurisdiction on disciplinary matters (breach of the principle of equality, the lack of a higher level of jurisdiction, and so on)?

**Answer given by Mr Vanni d'Archirafi
on behalf of the Commission
(2 April 1993)**

In December 1992 the Council of the Bars and Law Societies of the European Community transmitted the draft text which it has prepared on freedom of establishment for lawyers.

The Commission is currently examining the draft.

The Commission would point out, however, that it alone may present proposals for directives to the Council, and that it thus reserves the right to take over all or part of the draft prepared by the CCBE.

**WRITTEN QUESTION No 3473/92
by Mr Bartho Pronk (PPE)
to the Commission of the European Communities
(28 January 1993)
(93/C 185/99)**

Subject: Access to telephone information and alarm services

1. Is the Commission aware that the telephone information and alarm services in the Netherlands, such as national directory inquiries (06-8008) and the national emergency number (06-11), are unobtainable from the other Member States?

2. Is the Commission aware whether similar services in other Member States are also unobtainable from other Member States than the one in question?

3. What appropriate action does the Commission propose to take to make the above telephone services available from other Member States?

**Answer given by Mr Bangemann
on behalf of the Commission**
(30 March 1993)

Currently, most countries follow CCITT (the International Telegraph and Telephone Consultative Committee) recommendations on the handling of international directory enquiries, which are geared towards directing callers to directory enquiry services in the originating country. For example, CCITT Recommendation E115 states:

'Technical arrangements should, as far as practicable, prevent access by a subscriber of one country to an operator of the telephone information service of another country. Administrations should not communicate access numbers of telephone information services in foreign countries to their subscribers.'

The draft Directive on the application of open network provision (ONP) to voice telephony⁽¹⁾ currently under discussion within the Parliament and Council, contains specific requirements to re-orient this situation in line with EC policy. Article 8 calls for national regulatory authorities to facilitate the provision of certain advanced features, including access by users to directory enquiry services in other Member States. ETSI has already been mandated by the Commission to develop technical standards for this.

According to the telecommunication 'services Directive' (90/388/EEC)⁽²⁾, information services which can be accessed over public telecommunications networks, including directory enquiries (both national and international), are considered value-added services and could be provided by any competitive service provider.

The draft Directive on the application of open network provision (ONP) to voice telephony supports the competitive provision of directory enquiry services. Article 15 sets out that telecommunications organizations should make available directory information on request to others, potentially including directory enquiry service providers.

In regard to the numbering of Europe-wide information (and other) services, the Council resolution of 19 November 1992 on promotion of Europe-wide cooperation on numbering of telecommunications services⁽³⁾ expressly calls for the introduction of Europe-wide telephone numbers (numbers which can be dialled in exactly the same way from anywhere in Europe). Such numbers would assist the introduction of pan-European directory enquiry services. The work on numbering is currently in progress, as

called for in the resolution, within the ECTRA regulatory committee of the CEPT (European Conference of Posts and Telecommunications).

Considering the question of telephone access to emergency services, the Council Decision of 29 July 1991 on introduction of a single emergency call number (91/396/EEC)⁽⁴⁾ will allow, certainly from 1997 onwards, emergency services at any location throughout the EEA to be reached by dialling the same number — 112. Generally, emergency services local to the caller will be the most appropriate to deal with the situation, and therefore direct contact with emergency services in another Member State would not be appropriate.

⁽¹⁾ COM(92) 247.

⁽²⁾ OJ No L 192, 24. 7. 1990.

⁽³⁾ OJ No C 318, 19. 11. 1992.

⁽⁴⁾ OJ No L 217, 6. 8. 1991.

WRITTEN QUESTION No 3491/92

by Mr Sotiris Kostopoulos (NI)
to the Commission of the European Communities
(28 January 1993)
(93/C 185/100)

Subject: Application of the new tax to real estate owned by cooperatives in Greece

In view of the fact that the across-the-board application of the new tax on real estate in Greece unfairly penalizes the productive infrastructures of cooperative organizations (refrigerators, warehouses, slaughterhouses, etc.) and agricultural infrastructures in general, does the Commission intend to recommend to the Greek authorities that the Ministry of Finance should meet its obligation to issue an explanatory circular dealing with all these matters in an equitable manner?

**Answer given by Mrs Scrivener
on behalf of the Commission**
(31 March 1993)

The tax on immovable property in question does not fall within the category of taxes which are harmonized at Community level. For this reason, and in application of the principle of subsidiarity, the Commission does not consider it appropriate to take the action proposed by the Honourable Member.

WRITTEN QUESTION No 3498/92**by Mr Sotiris Kostopoulos (NI)****to the Commission of the European Communities***(28 January 1993)**(93/C 185/101)**Subject: Refugees' shantytown in Patras*

At Omonia in the centre of Patras the shacks built by refugees following the expulsion of the Greeks from Asia Minor in 1922 are an affront to civilization and are reminiscent of a more primitive era. Large families are still living in homes of 15 and 30 m². When flooding occurs the situation in this refugees' shantytown becomes desperate. Can the Commission take measures in collaboration with the Greek authorities to improve the unfavourable conditions under which some citizens of Patras are currently living?

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

(2 April 1993)

Although the Commission is aware of the problems to which the Honourable Member refers and is willing to examine any requests from the Greek authorities in those areas which fall within the scope of the Community's Structural Funds, it would point out that it has no specific powers in the housing field.

WRITTEN QUESTION No 18/93**by Mr Sotiris Kostopoulos (NI)****to the Commission of the European Communities***(3 February 1993)**(93/C 185/102)**Subject: Environmental issues in Pyrgos (Corinthia)*

The Greek Agricultural Association ('Dimitra') in Pyrgos (Corinthia) complains of environmental pollution by the Vekka pork meat plant and the destruction of 70 % of local agricultural production as a result of effluent from its plant. Will the Commission investigate this matter and call on the Greek authorities to implement the relevant Community environmental protection directives?

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

(26 April 1993)

In accordance with Council Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC on waste ⁽¹⁾, and in particular Article 4 thereof, waste must be disposed of:

- without risk to water, air, soil and plants and animals;
- without causing a nuisance through noise or odours;
- without adversely affecting the countryside or places of special interest.

Member States must also take the necessary measures to prohibit the abandonment, dumping or uncontrolled disposal of waste.

In the Commission's opinion it falls to the Greek authorities to enforce the application of the abovementioned provisions.

⁽¹⁾ OJ No L 78, 26. 3. 1991.

WRITTEN QUESTION No 20/93**by Mr Sotiris Kostopoulos (NI)****to the Commission of the European Communities***(3 February 1993)**(93/C 185/103)**Subject: Unfair competition for Greek confectioners*

Following the sharp fall in turnover as a result of reduced consumer purchasing power, Greek confectioners are now having to face the additional burden of the 5 % tax on retail sales of 'packages' of confectionary and dairy products purchased for domestic consumption. Since this tax is not imposed on the same products (confectionary, milk, etc.) sold by supermarkets, bakeries, etc., will the Commission call on the Greek authorities to ensure that the tax burden is fairly spread over all businesses and to end the present unfair competition based on Article 26 (6) of Law 1828/89?

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

(13 April 1993)

The charging of a local tax on confectionary products, the rate of which varies according to the premises where they are sold, does not constitute an infringement of Community tax law.

In particular, the tax cannot be classed as a turnover tax, which would be prohibited under Article 33 of sixth VAT Directive 77/388/EEC of 17 May 1977 ⁽¹⁾, since it does not satisfy the criteria established by the Court of Justice of the European Communities for taxes that can be regarded as a turnover tax.

At present the Commission has no plans to present a proposal which would spread tax burdens equally among all trades.

⁽¹⁾ OJ No L 145, 13. 6. 1977.

WRITTEN QUESTION No 41/93

by Mr Paulos Sarlis (PPE)

to the Commission of the European Communities

(8 February 1993)

(93/C 185/104)

Subject: Losses suffered by Greek exporters

Because of the increase in the cost of transport, the exporters of Northern Greece have suffered damage in relation to Greek products, especially fresh fruit and vegetables, exported to other countries of the EEC.

The civil war in the countries of the former Yugoslavia has denied all road and rail access from Greece to the European Community through those countries.

What measures has the Commission already taken or will it take in order to aid the Greek exporters and in particular, is the Commission going to subsidize the freight of combined sea transport through Italy or of road or rail transport through Bulgaria?

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

(9 March 1993)

On 25 February 1992, the Council adopted Regulation (EEC) No 525/92 on temporary compensation for the

consequences of the situation in Yugoslavia on the transport of some fresh fruit and vegetables from Greece ⁽¹⁾. This Regulation provides for financial compensation for consignments of fresh fruit and vegetables made in 1991 by refrigerated lorry or wagon from Greece to other Member States other than Italy. This measure was followed up by Council Regulation (EEC) No 3438/92 of 23 November 1992 on consignments in 1992 and 1993 ⁽²⁾.

⁽¹⁾ OJ No L 58, 3. 3. 1992.

⁽²⁾ OJ No L 350, 1. 12. 1992.

WRITTEN QUESTION No 109/93

by Eisso Woltjer and Mathilde van den Brink (S)

to the Commission of the European Communities

(10 February 1993)

(93/C 185/105)

Subject: Basic ingredients for amphetamines from Latvia

Chemical drugs are being produced and distributed in increasing quantities. The seizure in Germany of large stocks of basic ingredients for the production of amphetamines has brought to light the fact that Latvia is one of the sources of these substances.

1. Can the Commission confirm that Latvia is an exporter of basic ingredients for the production of amphetamines?
2. If Latvia is proven to be an exporter of those substances, what steps will the Commission envisage to put an end to such exports?
3. If the Latvian authorities are not prepared to cooperate in halting the production of such substances, is the Commission prepared to consider sanctions in the context of the trade and cooperation agreement which has been concluded?

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

(2 April 1993)

The Commission has received general information on the development of illegal amphetamine trafficking in Central and Eastern European countries. There is suspicion of clandestine amphetamine laboratories and/or diversion of

chemical substances for amphetamine production in their territories. The Commission cannot confirm that Latvia is an exporter of such substances. However, there are signs of growing interest in drug trafficking and organized crime in Latvia, and Riga in particular could become a prime point of transit for drugs flowing into Western Europe and especially the Nordic countries.

EC precursor Regulation (EEC) No 3677/90 ⁽¹⁾ and amendments (EEC) No 900/92 ⁽²⁾ which covers trade aspects between the Community and third countries, lays down measures to discourage the diversion of certain chemical substances to the illicit manufacturing of narcotic drugs and psychotropic substances. The Regulation recently came into effect, and will become an important instrument for preventing the diversion of chemicals from legitimate commerce to illicit drug manufacture.

Within this context, the Commission has also been active in assisting other countries to monitor precursors trade.

Within the regional Phare programme for the fight against drugs, the Commission is offering legal assistance for the introduction of suitable standards for the prevention of the diversion of precursor chemicals used for the purpose of illicit manufacture of narcotic drugs and psychotropic substances, equivalent to those adopted by the Community and recommended by relevant international bodies, in particular the Chemical Action Task Force (CAFT).

This Phare project applies so far to Poland, Hungary, the Czech and Slovak Republics, Romania and Bulgaria, and will, in a second stage, be extended to the Baltic States as soon as budgetary appropriations are available. Latvia has already expressed a strong interest in being considered in the framework of an extended programme.

The Commission is not of the opinion that any special sanctions need to be applied at this stage arising from the export of substances from Latvia. The trade and cooperation agreement which recently entered into force with Latvia does not include a specific chapter on drugs, although cooperation in the trade of chemical substances could be envisaged under the general provisions of the agreement. The Commission will certainly continue to monitor the situation carefully, and take any appropriate steps in consultation with the Latvian authorities.

⁽¹⁾ OJ No L 357, 20. 12. 1990.

⁽²⁾ OJ No L 96, 10. 4. 1992.

WRITTEN QUESTION No 110/93

by Lord O'Hagan (PPE)

to the Commission of the European Communities

(10 February 1993)

(93/C 185/106)

Subject: Patron Saint of the European Community

1. Has the Commission considered that it would be appropriate for the European Community to have its own patron saint?
2. Would not a most appropriate candidate be St Boniface who was born in Devon in the United Kingdom?

Answer given by Mr Delors
on behalf of the Commission

(14 April 1993)

The Honourable Member's question does not come within the Commission's jurisdiction.

WRITTEN QUESTION No 119/93

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(10 February 1993)

(93/C 185/107)

Subject: Environmental Education Programme
(Unesco-Pnuma)

Thirteen of the 17 Spanish Autonomous Communities and the Spanish Government's Institute for Nature Conservation (ICONA) are cooperating in the distribution of the Unesco-Pnuma International Education Programme.

This is an initiative launched by the Basque Government (Department of the Economy, Planning and the Environment), which has undertaken and paid for the translation into Spanish of all the titles in the Unesco-Pnuma series on environmental education. Responsibility for publication is being shared by the regional governments in question and Icona.

Does the Commission know about this initiative and can it give an assessment of the usefulness of this joint attempt to defend environmental values? Has it received any request for cooperation from any of those taking part in the programme? If so, what help could it give?

**Answer given by Mr Paleokrassas
on behalf of the Commission
(19 April 1993)**

The Commission is aware of the International Education Programme launched in 1975 under the aegis of Unesco and the United Nations Environment Programme.

The programme, in which most of the Member States take part, is a worldwide initiative, one in which the Community as such was not called upon to participate.

In view of the priority guidelines set out for the Community in the resolution of 24 May 1988 on environmental education ⁽¹⁾, and given the very scant resources available to the Community in this field, there are no plans for a direct contribution from the Commission in the present circumstances.

⁽¹⁾ OJ No C 177, 6. 7. 1988.

**WRITTEN QUESTION No 153/93
by Mr Alexandros Alavanos (CG)
to the Commission of the European Communities
(17 February 1993)
(93/C 185/108)**

Subject: Public health hazards in Greece

Under the terms of a decision taken by the Greek Trade Ministry, from 25 March 1992 food may be freely sold after the expiry of the sell-by date. Packaging may refer to the sell-by day, month or year: in first case the product may be sold up to seven days, in the second case up to one month in the third case up to three months after the expiry of the date in question.

Does the Commission consider that this Greek Government decision is compatible with Community law, particularly in view of the fact that, following the dismantling of customs controls, food whose sell-by date has expired may be imported to Greece under the terms of this decision. How does it intend to intervene to protect public health and free competition from a failure to respect sell-by dates? Do the 12 Member States have uniform rules governing this matter, and if not, what differences exist between them?

**Answer given by Mr Bangemann
on behalf of the Commission
(20 April 1993)**

Article 3 (1), point 4, of Directive 79/112/EEC on the labelling of foodstuffs ⁽¹⁾ makes it compulsory to indicate the date of minimum durability or, in the case of foodstuffs which are highly perishable from the microbiological point of view, the final date of consumption on the labelling of foodstuffs.

Articles 9 and 9a regulate how the indication is to be given.

The Directive does not specify that foodstuffs have to be withdrawn from sale after the date of minimum durability or the final date of consumption.

This information is primarily intended for the consumer, who is then able, when he purchases a product, or at the latest when he consumes it, to verify its freshness.

The indication also enables merchants to manage their stocks of goods. They are responsible for withdrawing products after the date of minimum durability.

The health problem arises only in the case of foodstuffs which are considered to be highly perishable from the microbiological point of view. Some Member States have adopted provisions regarding the withdrawal from sale of such foodstuffs once the final date of consumption has passed. These provisions do not form part of Community legislation, which is silent on the subject.

⁽¹⁾ OJ No L 33, 8. 2. 1979.

**WRITTEN QUESTION No 154/93
by Mr Alexandros Alavanos (CG)
to the Commission of the European Communities
(17 February 1993)
(93/C 185/109)**

Subject: Measures to protect the Skyros pony

On the island of Skyros there exists a very ancient and rare small-bodies equine breed known as the Skyros pony. There are only very few of these ponies left today and they are facing extinction owing to a lack of resources to fund essential conservation measures. The municipality of Skyros and the University of Thessaloniki, which have shown an interest in maintaining the purity of this breed, are unable to raise the necessary funds.

What measures does the Commission intend to take to have the Skyros pony listed as an endangered species in Europe so

that it is protected? Which Community programme could accommodate effective measures to protect this rare breed of pony?

**Answer given by Mr Paleokrassas
on behalf of the Commission**
(15 April 1993)

Regulation (EEC) No 2078/92 ⁽¹⁾ makes it possible for Member States to grant aid to breeders of local animal species threatened with extinction.

A Community inventory of threatened equine species is due to be completed in 1993. In view of the information available on the Skyros pony, this species must be included.

Even before this inventory is published, the Greek authorities could include the Skyros pony in the list of threatened species for which they wish to grant aid to breeders under Regulation (EEC) No 2078/92. Confinancing by the EAGGF would be some 75 % up to a maximum of ECU 100 per animal of over six months.

It should be pointed out that the Skyros pony is already covered by the compensatory allowance provided for under Regulation (EEC) No 2328/91 ⁽²⁾ for less-favoured areas.

In addition, the Greek authorities could include any actions to safeguard this threatened species in their regional development programmes financed by the structural Funds.

⁽¹⁾ OJ No L 215, 30. 7. 1992.

⁽²⁾ OJ No L 218, 6. 8. 1991.

WRITTEN QUESTION No 165/93
by Mr José Valverde López (PPE)
to European Political Cooperation
(17 February 1993)
(93/C 185/110)

Subject: Convention establishing Europol

The Lisbon European Council called on the competent authorities to apply the working programme on asylum and immigration agreed at Maastricht and to prepare the Convention necessary for the establishment of Europol.

What is the current state of progress? What is the position of each government?

Answer ⁽¹⁾
(28 May 1993)

1. As regards implementation of the work programme on asylum and immigration, the Presidency has forwarded to the European Parliament the texts adopted by the Ministers responsible for Immigration at their meeting on 30 November and 1 December 1992.

2. With regard to the creation of Europol and the drawing up of the Convention necessary for its establishment, the Honourable Member is asked to refer to the reply given by the Council to Written Question No 207/93 put by Mr Kostopoulos.

⁽¹⁾ This reply has been given by the Council of the European Communities, within whose province the question came.

WRITTEN QUESTION No 177/93
by Mr Virginio Bettini (V)
to the Commission of the European Communities
(17 February 1993)
(93/C 185/111)

Subject: Financing by the Italian Government for the construction of a Fiat plant in Melfi (Italy)

In view of the fact that the Italian Government is paying a subsidy of Lit 3100 billion to the Fiat Group for the construction of a new plant in Melfi, that the automobile market is already saturated and that the funding involves closing production plant in the north of Italy, entailing thousands of job losses for which the government will be required to pay social security benefits (short-time allowances), together with the recent report on unemployment in the Community:

1. Does the Commission not consider this to be an infringement of Community competition rules?
2. Will the Commission provide any additional information it may have concerning this matter?

Answer given by Mr Van Miert
on behalf of the Commission
(1 April 1993)

1. The Commission cannot see any violation of Community rules on competition in the matter raised by the

Honourable Member. On the contrary, Fiat's second Mezzogiorno plan foresees that, given the capacity reductions in northern Italy, the total Fiat car capacity in 1996 will certainly not exceed its 1990 level by more than 70 000 units. This is equivalent to only 3 % of the Group's EC car capacity in 1990. Furthermore, the aid intensity approved by the Commission is not significantly above the net cost penalties incurred by the company through the selection of a less developed area for its new car and engine plants. Therefore, the regional aid approved by the Commission will not lead to any adverse effects on the sector as a whole.

2. The Commission does not have any information over and above that which is laid out in the Commission's letter dated 31 December 1992 by which the Article 93 (2) EEC procedure was closed on the case of reference. This letter has been published in *Official Journal of the European Communities* ⁽¹⁾.

⁽¹⁾ OJ No C 37, 11. 2. 1993.

WRITTEN QUESTION No 225/93
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(18 February 1993)
(93/C 185/112)

Subject: Bicycle dumping by Taiwan and China

What steps is the Commission taking to place a ceiling on imports of complete bicycles from Generalised Scheme of Preference countries, such as China and Taiwan? These imports amounted to 40 % of the entire European bicycle market in 1991 and they pose a very serious threat to the future of the European bicycle manufacturing industry.

Answer given by Mr Marín
on behalf of the Commission
(13 April 1993)

Since the conclusions of the Uruguay Round have been postponed and its results cannot begin to be implemented until the beginning of next year at the very earliest, the Commission has preferred to defer the entry into force of the new ten-year scheme of generalized tariff preferences until 1 January next year. It therefore proposed a further extension of the existing scheme (Regulation (EEC) No 3917/92 of 21 December 1992) ⁽¹⁾.

Imports of bicycles from China and other countries eligible for the GSP (of which Taiwan is not one) will therefore remain subject to Article 8 of Council Regulation (EEC) No 3831/90 ⁽²⁾, which contains the safeguard clause invoked last year in respect of bicycles originating in China, Thailand and Indonesia.

The criteria underpinning the new ten-year scheme of Community tariff preferences will take due account of the economic situation in all sectors of European industry.

⁽¹⁾ OJ No L 396, 31. 12. 1992.

⁽²⁾ OJ No L 370, 31. 12. 1990.

WRITTEN QUESTION No 226/93
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(18 February 1993)
(93/C 185/113)

Subject: Bonn agreement on North Sea pollution

Under the Bonn Agreement of 1983 each North Sea coastal state undertakes to report any pollution incidents to any other state which could be affected. Does this also apply to radioactive discharges and is the Commission aware of any notification of such pollution?

Answer given by Mr Paleokrassas
on behalf of the Commission
(15 April 1993)

Under the 1983 Agreement for Cooperation in dealing with pollution of the North Sea by oil and other harmful substances (Bonn Agreement) the contracting Parties undertake to report incidents where the presence or the prospective presence of oil or other harmful substances, polluting or threatening to pollute the sea within the North Sea area, present a grave and imminent danger to the coast and/or related interests of one or more Contracting Parties.

In this context, radioactive substances are considered as harmful substances and will be reported according to the rules laid down.

The reporting system, Polrep, as established under the said agreement was accordingly used by the Belgian authorities on the occasion of the incident in 1984 with the cargo ship Mont Louis carrying a number of uranium hexafluoride containers.

WRITTEN QUESTION No 306/93**by Mr Virginio Bettini (V)****to the Commission of the European Communities***(1 March 1993)**(93/C 185/114)**Subject:* Trespassing in national parks in Europe

500 stockfarmers from Almonte recently trespassed into the Donana National Park (Spain), taking vehicles and 150 head of cattle and horses into the area of 'Las Marismillas', one of the areas of greatest ecological importance in the Park. There are conflicting estimates of the damage caused by this incident.

In December 1992, several dozen deer were poisoned in the Stelvio National Park (Italy) by poachers who had been prevented from carrying out actual poaching activities in the Park.

In the Abruzzo National Park (Italy), poachers were caught trying to trap protected species of wildlife and a rare Marsican brown bear was shot and killed in the Park. Moreover, the park authorities have reported many cases of deer poaching.

Can the Commission state whether it intends to:

1. draw up a uniform policy on safeguarding national parks and areas of environmental importance by adopting a directive which imposes a total ban on hunting in such areas?
2. define areas of special environmental importance as 'an inalienable European heritage'?

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

(15 April 1993)

Since the adoption of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ⁽¹⁾, which complements the provisions already in force through Council Directive 79/409/EEC on the conservation of wild birds ⁽²⁾, the Community has a full legislation with respect to protected areas and natural heritage.

Both Directives oblige the Member States to designate areas which are specially protected and to avoid the deterioration of habitats and the significant disturbance of species in these areas. These areas are already partly classified under Directive 79/409/EEC, and the designation under Directive 92/43/EEC will take place during the coming years. Thus

will be constituted the coherent European ecological network 'Natura 2000' which also will define the non alienable European heritage.

In addition, both Directives set strict rules on hunting including the prohibition of the hunting of protected species. The extent to which the hunting of other species and certain forms of land use may be allowed in the protected areas depends on the case by case rules enforced by the Member States in order to fulfil the general requirements laid down in the abovementioned Directives.

⁽¹⁾ OJ No L 206, 22. 7. 1992.

⁽²⁾ OJ No L 103, 25. 4. 1979.

WRITTEN QUESTION No 384/93**by Mrs Ursula Schleicher (PPE)****to the Commission of the European Communities***(3 March 1993)**(93/C 185/115)**Subject:* The Commission's decision on the water directive questionnaires

In accordance with Decision 92/446/EEC ⁽¹⁾, the Member States' reports on the implementation of certain Community directives on water protection are subject to specific requirements. With regard to the directive on titanium dioxide waste (78/176/EEC) ⁽²⁾, in the amended version adopted by the Council in January 1993, these requirements are totally inadequate.

In what way does the Commission propose to adjust reporting obligations to cover the key indications of the reduction of titanium dioxide waste (marine emissions)?

⁽¹⁾ OJ No L 247, 27. 8. 1992, p. 10.

⁽²⁾ OJ No L 54, 25. 2. 1978, p. 19.

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

(26 April 1993)

The Commission is aware of the problem raised by the Honourable Member regarding the questionnaire (1993—1995) attached to Commission Decision 92/446/EEC of 27 July 1992 and addressed to the Member States, concerning Council Directive 78/176/EEC (the TiO₂ Directive), and the new provisions of Council Directive 92/112/EEC of 15 December 1992 ⁽¹⁾.

When this Decision was adopted, Directive 92/112/EEC was the subject of a common position adopted by the

Council on 18 June 1992. Consequently, the exact provisions of the Directive could not be taken into account in the questionnaire.

There is no reason why the questionnaire adopted by the Decision should not be amended, whenever appropriate, in accordance with the procedure laid down in Article 6 of Council Directive 91/692/EEC standardizing and rationalizing reports on the implementation of certain Directives relating to the environment ⁽²⁾. Where appropriate, such amendment would take place before 30 June 1995, so that it can be sent to the Member States six months before the start of the next report period (1 January 1996 to 31 December 1998), in accordance with Article 4 of the said Directive.

Finally, it should be noted that the Member States are nevertheless obliged to comply with this Directive before 15 June 1993. Consequently, the answers given by the Member States to the current questionnaire must reflect the transposition and implementation of Directive 92/112/EEC. The disposal of TiO₂ waste at sea — banned by Directive 92/112/EEC with effect from 15 June 1993 — can therefore not be authorized after that date and the questions in the questionnaire which relate to this practice will, in principle, become redundant.

⁽¹⁾ OJ No L 409, 31. 12. 1992.

⁽²⁾ OJ No L 377, 31. 12. 1991.

WRITTEN QUESTION No 386/93

by Mr Paul Staes (V)

to the Commission of the European Communities

(3 March 1993)

(93/C 185/116)

Subject: The Zwin Nature Reserve and the 1979 Directive on the conservation of wild birds

In its answer to my Written Question No 603/92 ⁽¹⁾, the Commission states that it will seek 'detailed information . . . and will take the necessary steps to ensure the proper application of Community laws on the environment'.

1. What information has the Commission received since then?
2. What conclusion does the Commission draw from this information?
3. What action has the Commission taken?

⁽¹⁾ OJ No C 317, 3. 12. 1992, p. 21.

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

(16 April 1993)

The Commission has not yet received a reply to its request for information from the Belgian authorities.

WRITTEN QUESTION No 387/93

by Mr Paul Staes (V)

to the Commission of the European Communities

(5 March 1993)

(93/C 185/117)

Subject: Policy vacuum in Belgium as regards the implementation of environment directives

In its answer to my Written Question No 385/91 ⁽¹⁾, the Commissioner informs me that the Commission 'will be investigating whether any such infringement (of Community law) has in fact occurred'.

1. What information has the Commission acquired since then?
2. What conclusions does the Commission draw?
3. What action does the Commission intend to take?

⁽¹⁾ OJ No C 195, 25. 7. 1991, p. 34.

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

(19 April 1993)

The Commission has come to the conclusion that Belgium is not in infringement of Community law in the case referred to in Written Question No 385/91.

WRITTEN QUESTION No 479/93

by Mr Bryan Cassidy (PPE)

to the Commission of the European Communities

(12 March 1993)

(93/C 185/118)

Subject: European Commission grades by nationality

Could the Commission provide a table giving the breakdown by grade and nationality of those working within the Commission as at 1 January 1993?

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

(4 May 1993)

The Commission is sending the tables showing the requested information directly to the Honourable Member and Parliament's Secretariat.

WRITTEN QUESTION No 507/93

by Mrs Brigitte Ernst de la Graete (V)
to the Commission of the European Communities
(29 March 1993)
(93/C 185/119)

Subject: Demonstration and technical assistance projects in the field of environmental protection

On 11 September 1992 the Commission decided to co-finance 42 demonstration and technical assistance projects in the field of environmental protection.

Can the Commission give a brief explanation of the objectives of each of these projects and reveal the identity of the project managers?

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

(22 April 1993)

The 42 demonstration and technical assistance projects in the field of environmental protection adopted by the Commission on 11 September 1992 will be published in the *Official Journal of the European Communities* shortly, as will the 23 projects adopted on 9 November 1992, the 26 projects adopted on 2 December 1992 and the four projects adopted on 22 December 1992.

WRITTEN QUESTION No 520/93

by Mr Sotiris Kostopoulos (NI)
to European Political Cooperation
(29 March 1993)
(93/C 185/120)

Subject: Infringement of international law by the Torricelli bill

Given that the Torricelli bill recently passed by the US Congress violates international law, what action does European Political Cooperation intend to take to persuade the USA to repeal this law? Does it intend to emphasize that, should the USA refuse to repeal Law No HR5006 concerning trade with third countries, the EC will adopt a

directive which ensures that companies based in the EC are not subject to measures which extend the jurisdiction of third countries and which protects them from such pressures? Will the EC examine and initiate legal proceedings against the international ramifications of this law?

Answer ⁽¹⁾

(24 May 1993)

The Council would refer the Honourable Member to the reply given on 18 November 1992 to Question H-1065/92 put by Mrs Piermont.

⁽¹⁾ This reply has been given by the the Council of the European Communities, within whose province the question came.

WRITTEN QUESTION No 608/93

by Mrs Christine Crawley (S)
to the Council of the European Communities
(1 April 1993)
(93/C 185/121)

Subject: Children in divorced or separated families

With increased European mobility, there is greater incidence of children of parents who are divorced or separated living with one parent while the other parent lives in another Member State. When there is no longer good communication between the parents there are major obstacles standing in the way of both parents having proper access to the child (or children) even when access procedures are formally agreed in court.

What steps could the Council take to alleviate the situation? Could steps be taken to ensure that court access agreements in Member States are enforced in Member States other than just those in which they are laid down? What other actions can the Council take to ease the situation for this group of children?

Answer

(1 June 1993)

Right of access by divorced parents is part of family law. This area falls within the legislation of the Member States.

The same applies to the measures mentioned by the Honourable Member to ensure that court decisions are enforced within the Member States.

WRITTEN QUESTION No 681/93

by Mr Yves Verwaerde (LDR)

to the Council of the European Communities

(6 April 1993)

(93/C 185/122)

Subject: VAT on objets d'art, antiques and collectors' items

When are negotiations on a reduced rate of VAT on objets d'art, antiques and collectors' items likely to lead to the introduction of a common system?

What is the nature of the specific tax system being considered for imports and exports of objets d'art?

What special arrangements will apply in the case of the United Kingdom, assuming that such arrangements are still under consideration?

Answer

(24 May 1993)

Regular discussions on the proposal for a Directive concerning the VAT arrangements for used goods, objets d'art, antiques and collectors' items are being held in the Council, with the aim of reaching a final decision in June.

WRITTEN QUESTION No 694/93

by Christopher Jackson, Amédée Turner, Lord Bethell (PPE), Dieter Rogalla and Lode Van Outrive (S)

to the Council of the European Communities

(7 April 1993)

(93/C 185/123)

Subject: Overruling invitations by MEPs to Europol

1. Is the Council aware that officials in the Trevi Working Group decided that their governments should not

agree to Europol personnel attending meetings at the European Parliament, and that contact between any Europol official and the European Parliament or any part of it should require approval by the Member State of which the official is a citizen?

2. Is it aware that, because of this, the separate arrangements made by the Intergroup on Frontiers and by the European Parliament's Committee on Civil Liberties and Internal Affairs to meet Europol were cancelled without consultation at short notice?

3. Is it aware that senior Europol personnel were ready and willing to attend both these meetings in order to improve understanding of Europol by democratically elected members?

4. Is it aware of numerous precedents set by serving officers, police officers, officials from non-parliamentary institutions and Ministers and officials from all Member States who regularly meet with parliamentary bodies, intergroups and groups of MEPs?

5. Having regard to these precedents, and as the police are keen on such contacts, does it believe that contacts between MEPs and Europol are so potentially damaging as to be forbidden?

6. What plans has it for facilitating exchanges of information between institutions such as Interpol and the European Parliament?

Answer

(28 May 1993)

Since the Community has at present no competence either in respect of the work undertaken by Trevi or by Europol, both of which are intergovernmentally organized, the Council cannot comment in detail on the difficulties which are listed in the question. It is understood, however, that any contacts which may take place with the European Parliament in the field of Europol, should be organized under the auspices of the Presidency in office and that arrangements have recently been put in hand for a visit by a delegation from the European Parliament to Europol.

WRITTEN QUESTION No 921/93**by Mr Paul Staes (V)****to the Council of the European Communities***(27 April 1993)**(93/C 185/124)*

Subject: Construction of the new Council building in Brussels

I am grateful for the reply to my Written Question No 3127/92 ⁽¹⁾ concerning construction of the new Council building in rue de la Loi. However, parts 3 and 4 of the question were not answered. I am therefore resubmitting them with a request that they be answered as soon as possible.

1. Can the Council confirm that extruded polystyrene was used as insulating material? Is the Council aware that this type of insulating material is harmful to the environment?
2. What ecological criteria were used in selecting this insulating material?

⁽¹⁾ OJ No C 81, 22. 3. 1993.

Answer*(1 June 1993)*

Further to the reply given to Written Question No 3127/92, the Honourable Member is reminded that the Belgian State is acting as contracting authority for the construction of the new Council building. The building materials therefore comply with the relevant Belgian rules.

Extruded polystyrene is permitted under those rules; in addition, the product chosen is manufactured in accordance with the Montreal Protocol and the Copenhagen Convention, i.e. free of CFCs.

For the insulating materials, as for the other building materials, the Council asked the contracting authority to specify products causing the least possible harm to the environment.

WRITTEN QUESTION No 979/93**by Mr Ernest Glinne (S)****to the Council of the European Communities***(29 April 1993)**(93/C 185/125)*

Subject: Irresponsible deregulation of the world financial system

In November the International Federation of Commercial, Clerical, Professional and Technical Employees (FIET) sent the Commission a letter which said: 'The volume of short-term capital which passes through the exchange markets every day far exceeds the industrialized world's monetary reserves. The constant search for improved yields has now reached a point where it is sapping the effort made in the real economy by governments, employers and workers to meet real needs by producing goods and services . . . As a result of the events of recent weeks the European Commission should urgently carry out an examination into the operation of the international capital markets in the light of the transition to monetary union . . . Accordingly, it is essential to look critically at the effects of the free movement of capital, to see how this freedom of movement is distorting economic policy and to determine what reforms would make it possible to maximize the advantages if capital movements while at the same time minimizing the costs and the opportunities for speculation'.

As the Commission has announced its intention of carrying out a study into the problem, could it give a progress report and indicate the conclusions — whether provisional or otherwise — of the work which it has begun? And what is the Council's attitude towards this question?

Answer*(24 May 1993)*

The Finance Ministers will continue their discussions on the recent monetary upheavals at their meeting on 21 and 22 May 1993, with Commission participation and on the basis of reports to be submitted by the Monetary Committee and the Committee of Governors of the Central Banks.