

English edition

## Information and Notices

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| <u>Notice No</u> | Contents  | Page |
|------------------|---|------|
|                  | <i>I Information</i>  |      |
|                  | <b>European Parliament</b>  |      |
|                  | <i>Written Questions with answer</i>  |      |
| 94/C 336/01      | E-2509/91 by Michèle Alliot-Marie to the Commission<br>Subject: Community agreements with the eastern European countries, the USSR, Yugoslavia and Albania and Community aid to these countries ..... | 1    |
| 94/C 336/02      | E-2187/91 by Mauro Chiabrando, Franco Borgo and Giuseppe Mottola to the Commission<br>Subject: Gluten feed .....  | 2    |
| 94/C 336/03      | E-2608/91 by Simone Martin to the Commission<br>Subject: Corn gluten feed .....   | 2    |
|                  | Joint answer to Written Questions E-2187/91 and E-2608/91 .....   | 3    |
| 94/C 336/04      | E-2836/91 by Ian White to the Commission<br>Subject: Habitat damage and official complaints .....   | 3    |
| 94/C 336/05      | E-1266/92 by Ursula Braun-Moser to the Commission<br>Subject: Equality for the German language .....  | 3    |
| 94/C 336/06      | E-3105/92 by Virginio Bettini and Gianfranco Amendola to the Commission<br>Subject: Bird-catching at Pontida (BG) in Lombardy (Italy) (Supplementary answer) .....                                    | 4    |
| 94/C 336/07      | E-637/93 by Cristiana Muscardini to the Commission<br>Subject: Slaughter of domestic animals (dogs and cats) .....  | 4    |
| 94/C 336/08      | E-686/93 by Virginio Bettini to the Commission<br>Subject: Dogs intended for slaughter .....  | 4    |
|                  | Joint answer to Written Questions E-637/93 and E-686/93 .....   | 5    |

| <u>Notice No</u> | Contents (continued)  | Page |
|------------------|---|------|
| 94/C 336/09      | E-796/93 by Ursula Braun-Moser to the Commission<br>Subject: Distortion of competition in passenger transport resulting from the 'place of departure' criterion contained in the Sixth VAT Directive .....                | 5    |
| 94/C 336/10      | E-826/93 by Sir James Scott Hopkins to the Commission<br>Subject: Increasing freight by rail .....  | 5    |
| 94/C 336/11      | E-996/93 by Mihail Papayannakis to the Commission<br>Subject: Special interests of aboriginal peoples .....   | 6    |
| 94/C 336/12      | E-1216/93 by Leen van der Waal to the Commission<br>Subject: Swine vesicular disease .....  | 6    |
| 94/C 336/13      | E-1227/93 by Lord O'Hagan to the Commission<br>Subject: Pollution of water and beaches .....  | 7    |
| 94/C 336/14      | E-1501/93 by Rogério Brito to the Commission<br>Subject: The right of organization and the principles of representation, association and transparency in the Portuguese agricultural sector .....                         | 7    |
| 94/C 336/15      | E-1607/93 by Bryan Cassidy to the Commission<br>Subject: Supplement 'C' and 'S' to the <i>Official Journal of the European Communities</i> .....  | 8    |
| 94/C 336/16      | E-1706/93 by Jaak Vandemeulebroucke to the Commission<br>Subject: Use of languages .....  | 8    |
| 94/C 336/17      | E-1798/93 by Anita Pollack to the Commission<br>Subject: Europass for pensioners .....  | 9    |
| 94/C 336/18      | E-1886/93 by Sotiris Kostopoulos to the Commission<br>Subject: Special vehicle taxes maintaining fiscal disparity on the European car market .....  | 9    |
| 94/C 336/19      | E-1904/93 by Sotiris Kostopoulos to the Commission<br>Subject: Energy problem of the Greek islands .....  | 10   |
| 94/C 336/20      | E-2036/93 by Carlos Perreau de Pinninck Domenech to the Commission<br>Subject: Community tenders published in the <i>Official Journal of the European Communities</i> .....   | 10   |
| 94/C 336/21      | E-2156/93 by Mark Killilea to the Commission<br>Subject: International Year of the Family .....   | 10   |
| 94/C 336/22      | E-2163/93 by Christine Oddy to the Commission<br>Subject: Rehabilitation of ex-offenders .....  | 11   |
| 94/C 336/23      | E-2164/93 by Christine Oddy to the Commission<br>Subject: Rehabilitation and employment of ex-offenders .....   | 11   |
| 94/C 336/24      | E-2207/93 by Gianfranco Amendola, Jean-Pierre Raffin and Paul Staes to the Commission<br>Subject: Implementation by the Commission of the policy of transparency in its relations with Parliament's representatives ..... | 11   |
| 94/C 336/25      | E-2234/93 by Anita Pollack to the Commission<br>Subject: Anabolic steroids in beef .....  | 12   |

| <u>Notice No</u> | Contents (continued)  | Page |
|------------------|---|------|
| 94/C 336/26      | E-2271/93 by Filippos Pierros to the Commission<br>Subject: Human rights in Albania .....   | 12   |
| 94/C 336/27      | E-2305/93 by Carmen Díez de Rivera Icaza to the Commission<br>Subject: Appropriations allocated to Greece under the European Regional Development Fund (ERDF) and environmental programmes .....                          | 13   |
| 94/C 336/28      | E-2565/93 by Klaus Riskær Pedersen to the Commission<br>Subject: Financial institutions' solvency ratios .....  | 13   |
| 94/C 336/29      | E-2678/93 by Sotiris Kostopoulos to the Commission<br>Subject: Checking the consistency of current legislation, policies and Community programmes   | 14   |
| 94/C 336/30      | E-2724/93 by Glyn Ford to the Commission<br>Subject: Role of medical secretaries .....  | 15   |
| 94/C 336/31      | E-2775/93 by Patrick Cooney to the Commission<br>Subject: Damage to Wexford Quays .....   | 15   |
| 94/C 336/32      | E-2784/93 by Anita Pollack to the Commission<br>Subject: Air pollution: Nitrogen dioxide .....  | 15   |
| 94/C 336/33      | E-2785/93 by Anita Pollack to the Commission<br>Subject: Limit values for nitrogen dioxide .....  | 15   |
|                  | Joint answer to Written Questions E-2784/93 and E-2785/93 .....   | 16   |
| 94/C 336/34      | E-2894/93 by José Valverde López to the Commission<br>Subject: Evaluation of the operational research programme in Spain .....  | 16   |
| 94/C 336/35      | E-2922/93 by François Guillaume to the Commission<br>Subject: Scope of the monopoly granted to undertakers in certain Member States .....   | 16   |
| 94/C 336/36      | E-2935/93 by Víctor Arbeloa Muru to the Commission<br>Subject: Local authorities and the subsidiarity principle .....   | 17   |
| 94/C 336/37      | E-2939/93 by Víctor Arbeloa Muru to the Commission<br>Subject: The benefits of subsidiarity .....   | 17   |
|                  | Joint answer to Written Questions E-2935/93 and E-2939/93 .....   | 17   |
| 94/C 336/38      | E-2975/93 by Panayotis Roumeliotis to the Commission<br>Subject: Problems with markets for Greek peaches .....  | 18   |
| 94/C 336/39      | E-3002/93 by Raphaël Chanterie, José Valverde López, Karl-Heinz Florenz, Caroline Jackson, Ursula Schleicher, Mary Banotti and Ria Oomen-Ruijten to the Commission<br>Subject: Fifth Environmental Action Programme ..... | 18   |
| 94/C 336/40      | E-3020/93 by Luigi Vertemati to the Commission<br>Subject: Holidays and consumer protection .....   | 19   |

(Continued overleaf)

| <u>Notice No</u> | Contents (continued)   | Page |
|------------------|--|------|
| 94/C 336/41      | E-3055/93 by Ernest Glinne to the Commission<br>Subject: Measures taken by the Zurich multinational insurance company .....                      | 19   |
| 94/C 336/42      | E-3064/93 by Honor Funk and Reimer Böge to the Commission<br>Subject: Audit of beneficiaries of export refunds .....                             | 20   |
| 94/C 336/43      | E-3262/93 by José Valverde López to the Commission<br>Subject: Evaluation reports conducted on CSFs for Spain .....                              | 21   |
| 94/C 336/44      | E-3385/93 by Mary Banotti to the Commission<br>Subject: Structural Funds .....   | 22   |
| 94/C 336/45      | E-3433/93 by Fernando Suárez González to the Commission<br>Subject: Cooperation with Central America .....                                       | 22   |
| 94/C 336/46      | E-3436/93 by Fernando Suárez González to the Commission<br>Subject: Cooperation with Central America .....                                       | 23   |
|                  | Joint answer to Written Questions E-3433/93 and E-3436/93 .....  | 23   |
| 94/C 336/47      | E-3478/93 by Christine Oddy to the Commission<br>Subject: European patent .....  | 23   |
| 94/C 336/48      | E-3535/93 by Alexandros Alavanos to the Commission<br>Subject: Water pollution as a result of the uncontrolled disposal of sewage .....          | 24   |
| 94/C 336/49      | E-3585/93 by Hemmo Muntingh to the Commission<br>Subject: Protection of birds of prey in the Dadia Forest, Greece .....                          | 25   |
| 94/C 336/50      | E-3590/93 by Sotiris Kostopoulos to the Commission<br>Subject: Quality and quantity of drinking water .....                                      | 26   |
| 94/C 336/51      | E-3615/93 by Christopher Jackson to the Commission<br>Subject: 'Simplified Procedures' used by customs authorities of Member States .....        | 26   |
| 94/C 336/52      | E-3632/93 by Sotiris Kostopoulos to the Commission<br>Subject: Qualifications for voting in the European elections .....                         | 27   |
| 94/C 336/53      | E-3679/93 by Sotiris Kostopoulos to the Commission<br>Subject: Areas of ecological importance .....  | 27   |
| 94/C 336/54      | E-3754/93 by Cristiana Muscardini and Jas Gawronski to the Commission<br>Subject: A Community observatory of industrial regions in decline ..... | 27   |
| 94/C 336/55      | E-3832/93 by Jas Gawronski to the Commission<br>Subject: Protecting the Olympus massif in Greece .....   | 28   |
| 94/C 336/56      | E-3833/93 by Raymond Chesa to the Commission<br>Subject: Moroccan tomato exports to the European Community .....                                 | 28   |
| 94/C 336/57      | E-3835/93 by Filippos Pierros to the Commission<br>Subject: Role of Greek companies in Tacis contracts .....                                     | 29   |

| <u>Notice No</u> | Contents (continued)   | Page |
|------------------|--|------|
| 94/C 336/58      | E-3855/93 by Henry McCubbin to the Commission<br>Subject: Charges for access to ECHO and TED .....   | 30   |
| 94/C 336/59      | E-3904/93 by Sotiris Kostopoulos to the Commission<br>Subject: Support for Europe's cinematographic heritage .....   | 30   |
| 94/C 336/60      | E-3982/93 by Sotiris Kostopoulos to the Commission<br>Subject: Establishment of a computer network for exchanges of personal data relating to insurance,<br>etc. ....                | 31   |
| 94/C 336/61      | E-3996/93 by Sotiris Kostopoulos to the Commission<br>Subject: Plight of crocus growers in Kozani .....  | 32   |
| 94/C 336/62      | E-4046/93 by José Vázquez Fouz to the Commission<br>Subject: Artificial reefs .....  | 32   |
| 94/C 336/63      | E-4070/93 by Sir James Scott-Hopkins to the Commission<br>Subject: Blade-stopping time .....   | 33   |
| 94/C 336/64      | E-73/94 by Sotiris Kostopoulos to the Commission<br>Subject: Disposal of the large quantities of tobacco from Greece's 1993 tobacco crop .....                                       | 33   |
| 94/C 336/65      | E-115/94 by Ria Oomen-Ruijten, Raphaël Chanterie, Doris Pack, Viviane Reding and<br>Jan Sonneveld to the Commission<br>Subject: European assistance to flood victims .....           | 33   |
| 94/C 336/66      | E-132/94 by Sotiris Kostopoulos to the Commission<br>Subject: Quantity of alcohol produced in the Community used to produce fuel .....   | 34   |
| 94/C 336/67      | E-149/94 by Neil Blaney to the Commission<br>Subject: Consolidated text of the Maastricht and Rome Treaties .....  | 35   |
| 94/C 336/68      | E-200/94 by Sotiris Kostopoulos to the Commission<br>Subject: Progress as regards compensation for Greece owing to the continuing conflict in the former<br>Yugoslavia .....         | 35   |
| 94/C 336/69      | E-232/94 by Carmen Díez de Rivera Icaza to the Commission<br>Subject: Corine and the European Environment Agency .....   | 36   |
| 94/C 336/70      | E-238/94 by Raymonde Dury to the Commission<br>Subject: Human rights violations in Libya .....   | 36   |
| 94/C 336/71      | E-282/94 by Sir James Scott-Hopkins to the Commission<br>Subject: What is meant by 'the millenium'? .....  | 36   |
| 94/C 336/72      | E-312/94 by Sotiris Kostopoulos to the Commission<br>Subject: Further support for the research sector .....  | 37   |
| 94/C 336/73      | E-343/94 by Gerardo Fernández-Albor to the Commission<br>Subject: Possible Community action against the effects of discharging toxic waste into the rias of<br>Galicia (Spain) ..... | 37   |
| 94/C 336/74      | E-349/94 by Anita Pollack to the Commission<br>Subject: Social needs of the elderly .....  | 38   |
| 94/C 336/75      | E-464/94 by Tullio Regge and Rinaldo Bontempi to the Commission<br>Subject: Employment threats facing disabled citizens in Italy .....   | 38   |

(Continued overleaf)

| <u>Notice No</u> | Contents (continued)   | Page |
|------------------|--|------|
| 94/C 336/76      | E-482/94 by Ernest Glinne to the Commission<br>Subject: Portable telephones and health risks .....   | 39   |
| 94/C 336/77      | E-518/94 by Sotiris Kostopoulos to the Commission<br>Subject: The creation of structures for upgrading the image of itinerant traders .....  | 39   |
| 94/C 336/78      | E-525/94 by Sotiris Kostopoulos to the Commission<br>Subject: Drawing up a Directive for stamping out poliomyelitis .....  | 39   |
| 94/C 336/79      | E-568/94 by Sotiris Kostopoulos to the Commission<br>Subject: Rights of pensioners' associations in Gibraltar .....  | 40   |
| 94/C 336/80      | E-595/94 by Bouke Beumer to the Commission<br>Subject: Reliability of inflation figures .....  | 40   |
| 94/C 336/81      | E-655/94 by Gerardo Fernández-Albor to the Commission<br>Subject: Community programme to reduce the effects of Alzheimer's disease .....   | 41   |
| 94/C 336/82      | E-672/94 by Sir James Scott-Hopkins to the Commission<br>Subject: Women and economic and social policy .....   | 42   |
| 94/C 336/83      | E-703/94 by Marianne Thyssen to the Commission<br>Subject: Non-use of Dutch in Eures course .....  | 42   |
| 94/C 336/84      | E-740/94 by Rolf Linkohr to the Commission<br>Subject: Disapproving remarks by Commissioner Matutes concerning the CO <sub>2</sub> tax .....   | 43   |
| 94/C 336/85      | E-783/94 by Henry McCubbin to the Commission<br>Subject: Occupational pension rights of migrant workers .....  | 43   |
| 94/C 336/86      | E-815/94 by Sotiris Kostopoulos to the Commission<br>Subject: Setting up a Community mechanism for channelling funds to the unemployed as an act of solidarity .....                                 | 44   |
| 94/C 336/87      | E-842/94 by Sir Jack Stewart-Clark to the Commission<br>Subject: Future actions for older people — Second EU programme for older people .....  | 45   |
| 94/C 336/88      | E-858/94 by Terence Wynn to the Commission<br>Subject: Food shortages in Eritrea and Ethiopia .....  | 45   |
| 94/C 336/89      | E-893/94 by Sotiris Kostopoulos to the Commission<br>Subject: Financial irregularities which have occurred in vocational training seminars organized in Attica for Greeks from Northern Epirus ..... | 46   |
| 94/C 336/90      | E-899/94 by Jean-Pierre Raffin to the Commission<br>Subject: European Franchise Federation .....   | 46   |
| 94/C 336/91      | E-1174/94 by Sotiris Kostopoulos to the Commission<br>Subject: Prisoners in the EU .....   | 46   |

## I

*(Information)*

## EUROPEAN PARLIAMENT

## WRITTEN QUESTIONS WITH ANSWER

## WRITTEN QUESTION E-2509/91

by Michèle Alliot-Marie (RDE)

to the Commission

(8 November 1991)

(94/C 336/01)

*Subject:* Community agreements with the eastern European countries, the USSR, Yugoslavia and Albania and Community aid to these countries

Can the Commission provide a synopsis in tabular form (indicating the principal sectors concerned, the amounts, the dates of entry into force and expiry etc.) of all agreements concluded or currently being negotiated between the Community and each of the central and eastern European countries, the USSR, Yugoslavia and Albania?

Can it also provide synoptic tables indicating all types of aid (emergency food aid etc.) which have been granted or are about to be granted to all these countries?

Finally, can it give an initial assessment of the BERD's work for these countries?

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

(21 February 1994)

1. The Commission regrets the delay in replying, and would refer to its 'General Report on activities of the European Communities' for the year 1991: Chapter III, section 2 'Relations with the Soviet Union and the countries of central and eastern Europe', and for the year 1992: Chapter IV, section 3 'Countries of central Europe and

Independent States of the former Soviet Union'. Reference may also be made to the 1993 General Report, recently sent to Parliament.'

2. In summary, the present situation on agreements is as follows:

— With Poland, Hungary, Czech Republic, Slovakia, Romania and Bulgaria, Europe Agreements establishing associations have been signed. Awaiting ratification by all Member States of these agreements, the trade and trade related matters which are of Community competence, have, with the exception of Bulgaria, entered into force by way of Interim Agreements. The Europe Agreements with Poland and Hungary came into force on 1 February 1994.

Europe Agreements establish political dialogue and favourable trade relations including the gradual establishment of bilateral free trade areas. They include provisions concerning practically all aspects of economic activity such as competition rules and approximation of law, as well as technical assistance, financial support and cultural cooperation.

On 16 September 1992, Parliament gave its assent to the Europe Agreements with Poland and Hungary, and on 27 October 1993 to the Europe Agreements with Romania, Bulgaria, Slovakia and with the Czech Republic.

— With Albania and the Baltic States, trade and economic cooperation agreements have been concluded. They are accompanied by declarations on political dialogue. In addition the Community grants its favourable Generalized System of Preferences (GSP) to these countries. Parliament expressed favourable opinions on each of these agreements.

— With Slovenia, a cooperation agreement, a financial protocol and a transport agreement were concluded in

1993. The non reciprocal preference cooperation agreement is accompanied by a declaration on political dialogue and provides for the option of moving towards a 'Europe agreement' establishing an association. The financial protocol (1993—1997), which is linked with the transport agreement, provides loans worth ECU 150 million from the EIB for transport infrastructure projects and grants of ECU 20 million to subsidize the EIB's loans.

— Partnership and cooperation agreements (PCA) are being negotiated with Russia, Ukraine, Belarus and Kazakhstan and initial discussions have taken place with Kirghizistan. They will provide for MFN treatment both for trade and for the establishment and operations of companies and for economic cooperation in a wide range of activities. Financial assistance through Tacis is provided for. The PCA with Russia will in addition mention that in 1998, the parties will examine the possibility of starting negotiations on establishing a free trade area.

— In addition to the trade provisions to be included in the agreements, the Community has taken a number of autonomous measures to open its market to products from Russia and from the other successor States of the former Soviet Union. As of 1 January 1993, these countries are included in the GSP.

3. The Phare and Tacis Programmes (ref. General Report 1992 ex. Chapter IV, section 3) provide for different types of financial and technical assistance for the countries mentioned by the Honourable Member. In addition the EIB may extend loans to Poland, Hungary, Czech and Slovak Republics, Romania, Bulgaria, Albania, the Baltic States.

The Commission has extended medium term loans in support of macro-economic reforms to several central European countries (ref. General Report 1992 Chapter III, section 2).

#### 4. First results of BERD activities

The BERD was set up in April 1991, since when 134 projects have been approved by its Board of Directors. These represent Bank financing of ECU 3,2 billion (as at end October 1993) for investments totalling nearly ECU 10 billion. However, only ECU 358 million has actually been disbursed for projects because of the slowness in finalizing and launching them. 44 % of projects involve private sector operations. The Bank's statutes stipulate that this should rise to no less than 60 %.

In 1991 and 1992, the Bank posted an operating loss as its out-goings were still more than its liquid assets and income

from its operations. Hopefully, the books will balance once its project and lending portfolio generates more income.

#### WRITTEN QUESTION E-2187/91

by Mauro Chiabrando (PPE), Franco Borgo (PPE) and Giuseppe Mottola (PPE)

to the Commission

(4 October 1991)

(94/C 336/02)

*Subject:* Gluten feed

Reports have appeared in the Italian press of a dispute in progress between the EEC and the US on the subject of gluten feed. The main problem is that the composition of gluten feed imported from America into the Netherlands does not always comply with Regulations in-as-much-as it contains between 10 % and 40 % other substances (maize germ cake, broken grain and various other ingredients). This practice is harmful to European maize producers and constitutes unfair competition which has an effect on production costs.

1. Will the Commission state whether these reports are true?
2. Does the Commission intend to take specific steps to clarify the matter?
3. If the reports are true, will the Commission monitor the situation and lay down standards so as to prevent the addition of substances not yielded directly from the starch extraction process?

#### WRITTEN QUESTION E-2608/91

by Simone Martin (ELDR)

to the Commission

(19 November 1991)

(94/C 336/03)

*Subject:* Corn gluten feed

Numerous consignment of American corn gluten feed have been held up in a number of European ports (after analyses revealed that they did not meet the required standards), necessitating months of negotiation to resolve the dispute.



Given the lengthy nature of the administrative procedures for resolving such disputes and the need to avoid the same situation arising again, does the Commission not think a definition of feed cakes should be adopted?

**Joint answer to Written Questions  
E-2187/91 and E-2608/91  
given by Mr Steichen  
on behalf of the Commission  
(3 August 1993)**

Corn gluten feed, which is defined as the residues of the manufacture of starch from maize, has been imported without duty into the Community since 1967 when a zero duty GATT commitment for such residues was agreed in the framework of the Kennedy Round.

Since then there have been successive clarifications in the definition of corn gluten feed.

A first clarification took place with the memorandum of 1991; and the second with the text agreed in 1992 which forms part of the Blair House Agreement. As a result, there are detailed criteria for the starch, fat and protein content in corn gluten feed. The permissible level of screenings is also laid down. Certification and monitoring procedures are foreseen to ensure that the criteria are respected.

The necessary adaptations to the EC customs rules are now under discussion.

**WRITTEN QUESTION E-2836/91  
by Ian White (PSE)  
to the Commission  
(5 December 1991)  
(94/C 336/04)**

*Subject:* Habitat damage and official complaints

According to a report in 'The Economist' (20 July 1991), it takes an average of 50 months for a case to come to the Court of Justice under Directive 79/409/EEC <sup>(1)</sup>.

1. Is the Commission able to use any kind of injunction procedure in cases where habitat damage is believed to be imminent?
2. What is the current state, in terms of conservation value, of the sites concerned in the following complaints:
  - Acheloos estuary (Mesolonghi wetland), Greece: complaints submitted November 1988 and February 1990;
  - Amvrakikos Gulf: complaint 278/89 and second complaint submitted April 1990;

- Axios Delta, Greece: complaint submitted March 1989;
- Aliakmon Estuary, Greece: complaint submitted November 1989;
- Nestoa Delta, Greece: complaint submitted February 1990?

3. In any of the above cases, did the Commission seek an injunction to prevent damage?

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

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

1. Whenever the Commission receives information or a complaint that environmental damage which may contravene Community law is about to be or is being caused, it investigates the matter within its powers under Article 169 of the EEC Treaty. For this purpose, it contacts the Member State concerned to ask for information. If it concludes that Community law has been infringed, it calls on the Member State to take the action required under Community Regulations. If, despite this request, the Member State fails to fulfil its obligations under Community law, the Commission may refer the matter to the European Court of Justice in Luxembourg to have it established that the Member State has infringed Community law.

2. The Greek authorities have declared the Acheloos Estuary (Mesolonghi wetland), the Amvrakikos Gulf, the Axios Delta and the Nestos Delta to be special protection areas under Article 4 of Directive 79/409/EEC.

According to information from these authorities, the Aliakmon Estuary is one of the areas which have top priority for being declared special protection areas as referred to in Article 4 of Directive 79/409/EEC.

3. The Commission has initiated infringement proceedings for the failure of the Greek authorities to define precisely the limits of the special protection areas concerned. The Commission is actively pursuing the matter. Unless the Court is seized with a case, the Commission has no power under the Treaty to seek an injunction in order to prevent damage.

**WRITTEN QUESTION E-1266/92  
by Ursula Braun-Moser (PPE)  
to the Commission  
(4 June 1992)  
(94/C 336/05)**

*Subject:* Equality for the German language

Contrary to Regulation 1 of 1958 <sup>(1)</sup>, pursuant to which, in implementation of Article 217 of the EEC Treaty, the

official and working languages of the institutions of the European Community are German, French, Italian and Dutch, for a number of years only French and English have been used as working languages, on cost grounds, although German is the most widely spoken regional language in Europe and German is spoken by the Member State with the largest population (now 80 million). There is therefore a language monopoly for the United Kingdom and France, which these countries are unwilling to give up, while German citizens are being flagrantly disadvantaged, however, and this hampers not only access to information in German, but also early involvement in the Community's legislative process.

What action does the Commission propose to take to comply with Regulation 1/58 and, as is laid down, use German as an official and working language of equal status, and does the Commission propose to continue to cite high translation costs, which account for only 2% of the Community budget (over 28% of which is contributed by the Federal Republic of Germany) as justification for denying Germans this right, as has been the case for years?

(<sup>1</sup>) OJ No 17, 6. 10. 1958, p. 385.

**Answer given by Mr Delors  
on behalf of the Commission**  
(23 November 1993)

The practice of the Commission as regards the use of languages was confirmed on the adoption of its new Rules of Procedure (<sup>1</sup>), which entered into force on 11 September 1993:

- documents intended for external use are submitted in the official languages of the European Communities, namely Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish;
- documents for internal Commission use only are drafted in the languages corresponding to actual requirements. In the case of documents submitted to the Members of the Commission for a Decision, a German version is always available.

(<sup>1</sup>) OJ No L 230, 11. 9. 1993.

**WRITTEN QUESTION E-3105/92**  
by Virginio Bettini and Gianfranco Amendola (V)  
to the Commission  
(14 December 1992)  
(94/C 336/06)

*Subject:* Bird-catching at Pontida (BG) in Lombardy (Italy)

Bird-catching is prohibited under Directive 79/409/EEC (<sup>1</sup>) on the conservation of wild birds.

In the province of Bergamo and Brescia instruments have been set up to capture and kill birds, contrary to the provisions of Directive 79/409/EEC.

Does the Commission not plan to initiate infringement proceedings against the Italian authorities for failure to comply with the above Directive?

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

**Supplementary answer given by Mr Paleokrassas  
on behalf of the Commission**

(22 April 1994)

The Commission has contacted the Italian authorities to remind them of the obligation to ensure that the provisions of Directive 79/409/EEC are complied with on their territory, in particular as regards hunting.

**WRITTEN QUESTION E-637/93**

by Cristiana Muscardini (NI)

to the Commission

(5 April 1993)

(94/C 336/07)

*Subject:* Slaughter of domestic animals (dogs and cats)

According to press reports, the German Government has ordered the slaughter of dogs to be suspended.

Will the Commission confirm whether dogs have in fact been slaughtered in the Federal Republic of Germany and, if so, when this practice was suspended?

What inspections does the Community carry out to monitor and prevent the slaughter of domestic animals (dogs and cats) and their use for food?

**WRITTEN QUESTION E-686/93**

by Virginio Bettini (V)

to the Commission

(6 April 1993)

(94/C 336/08)

*Subject:* Dogs intended for slaughter

An estimated 4 000 dogs are imported annually from Italy into Germany for slaughter. Dogs are also imported into Germany from Spain and Greece. The animals are slaughtered, the meat is sold and the hides tanned.

In Germany the slaughtering of dogs is authorized by law. What steps will the Commission take to put an end to this commerce and harmonize legislation in the various Member States?

**Joint answer to Written Questions  
E-637/934 and E-686/93  
given by Mr Steichen  
on behalf of the Commission  
(11 June 1993)**

According to the information available to the Commission no Member State allows the slaughter of dogs or cats for human consumption. The Commission does not, therefore, intend to propose any measures on the subject.

**WRITTEN QUESTION E-796/93  
by Ursula Braun-Moser (PPE)  
to the Commission  
(19 April 1993)  
(94/C 336/09)**

*Subject:* Distortion of competition in passenger transport resulting from the 'place of departure' criterion contained in the Sixth VAT Directive

In its proposal for a Council Directive amending the Directive on the value added tax arrangements applicable to passenger transport the Commission uses the 'place of departure' criterion in assessing the rate to be applied, that is to say the normal, reduced or zero rate.

This rule can lead to distortion of competition between the Member States using the normal rate and neighbouring States using the zero or reduced rate, since it encourages companies to select a place of departure outside their national borders in order to benefit from lower tax rates. This places German companies, which are subject to a 15 % rate, at a distinct disadvantage.

Moreover, the Commission proposal to levy the full rate of value added tax on transport services will make passenger transport in the EC relatively more expensive than travel to third countries. This would lead to considerable losses in the EC tourist sector.

Is the Commission aware of these distortions of competition and what steps can it take to remedy them?

(<sup>1</sup>) COM(92) 416 final.

**Answer given by Mrs Scrivener  
on behalf of the Commission  
(25 October 1993)**

The Commission's proposal for a Directive amending the Sixth VAT Directive is aimed merely at establishing a new rule of territorial application for passenger transport by road or inland waterway whereby the place of departure will be used as the criterion for determining the place where the service is provided.

The new rule is necessary because, following the abolition of checks at the Community's internal borders, it has become difficult to apply the existing rule, according to which transport is taxed on the basis of the distances covered in the different Member States.

The proposal allows Member States to maintain existing exemptions, whatever the means of transport used. Closer approximation of VAT rates is to be achieved at a later stage, on the basis of a study that is to take particular account of the situation with regard to competition. In addition Directive 92/77/EEC (<sup>1</sup>) on the approximation of rates allows Member States to tax passenger transport at a reduced rate of not less than 5 %.

All these measures are likely to limit considerably the re-location of departure points and price increases. As regards the risk of re-location, the Commission is looking into a measure to deter carriers from choosing a non-member country as a fictitious place of departure for an intra-Community road journey. Furthermore, the amount of VAT currently charged on transport services varies considerably depending on the countries crossed, owing to differences between the arrangements applied by Member States. The Commission's proposal cannot therefore be expected to lead to a systematic increase in prices.

(<sup>1</sup>) OJ No L 316, 31. 10. 1992.

**WRITTEN QUESTION E-826/93  
by Sir James Scott Hopkins (PPE)  
to the Commission  
(21 April 1993)  
(94/C 336/10)**

*Subject:* Increasing freight by rail

What proposals does the Commission intend to bring forward to encourage greater use of the railways for freight throughout the Community? With some 90 % of freight

throughout the Community going by road, is not this a most urgent problem, particularly with regard to environmental considerations?

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

(21 October 1993)

The great majority of freight transport in the Community consists of short distance movements which are not suitable for rail transport. In relation to the long distance, high volume flows, where the railways can offer an efficient alternative to road, the Commission has indicated its intention to support rail transport. However, all Commission actions have to respect the Community rules notably on competition and State aids. With this proviso the Commission has already proposed that a network of routes suitable for combined road/rail <sup>(1)</sup> transport be established in the Community. When the proposal is approved it will provide the base for Community support for appropriate infrastructure measures. The Commission has also recently instigated a new programme, under Commission Decision 93/45/EEC <sup>(2)</sup> designed to improve the quality of service on combined transport (PACT, Pilot Actions for Combined Transport). The impact of these measures will also be enhanced by the recent Council agreement on the introduction of new fiscal measures for road freight transport.

<sup>(1)</sup> COM(92) 239 final.

<sup>(2)</sup> OJ No L 16, 26. 1. 1993.

**WRITTEN QUESTION E-996/93**

**by Mihail Papayannakis (GUE)  
to the Commission**

(3 May 1993)

(94/C 336/11)

*Subject:* Special interests of aboriginal peoples

The Community has signed a number of international agreements with third countries affecting the interests and demands of the aboriginal communities in those countries who are concerned is that long-standing treaties signed with the former central government should be upheld and that their ancient customs and ways of life be respected.

A case in point is Canada. Can the Commission say whether and how it takes account of the interests and the demands of the aboriginal communities (Inuit, Mic-mac etc.) in shaping its relations with Canada, e.g. in the fisheries sector?

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

(22 June 1993)

The Framework Agreement for commercial and economic cooperation of 20 September 1976 between the European Communities and Canada <sup>(1)</sup> is inspired, as stated in its preamble, by the common heritage, special affinity and shared aspirations which unite the countries of the European Communities and Canada. The Trans-atlantic Declaration on relations between the Community and Canada of 22 November 1990 reiterates the common attachment to those shared values and explicitly includes the commitment to support democracy, the rule of law, and respect for human rights and individual liberty.

There is no doubt that those openly proclaimed objectives encompass *inter alia* the rights and liberties of minority groups, including the aboriginal populations. The Commission scrupulously respects this principle in its relations with Canada.

<sup>(1)</sup> OJ No L 260, 24. 9. 1976.

**WRITTEN QUESTION E-1216/93**

**by Leen van der Waal (EDN)**

**to the Commission**

(18 May 1993)

(94/C 336/12)

*Subject:* Swine vesicular disease

On 26 March 1993 the Commission issued a Decision (93/179/EEC) <sup>(1)</sup> repealing Decision 93/128/EEC <sup>(2)</sup> concerning certain protection measures with regard to swine vesicular disease, in the Netherlands and Italy.

In the fourth recital the Commission states that certain protection measures specific to the situation in the Netherlands and Italy must be adopted with regard to swine vesicular disease.

What protection measures are these, and why do they need to be adopted only for the situation in the Netherlands and Italy and not for all Member States?

<sup>(1)</sup> OJ No L 74, 27. 3. 1993, p. 93.

<sup>(2)</sup> OJ No L 50, 2. 3. 1993, p. 29.

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

(3 August 1993)

In February the swine vesicular disease situation within the Community required the establishment of some additional protection measures to ensure that the disease did not spread via trade in live pigs. The Commission thus adopted Decision 93/128/EEC concerning certain protection measures, with regard to swine vesicular disease, in the Netherlands and Italy. These interim measures, were reviewed by the Standing Veterinary Committee and on 26 March 1993 replaced by measures in Decision 93/177/EEC <sup>(1)</sup>. Subject to certain health conditions listed in Decision 93/177/EEC pigs originating from the Netherlands and Italy could again enter into intra-Community trade. Further on 26 March 1993 the Commission adopted Decision 93/178/EEC <sup>(1)</sup> whereby all Member States were requested to participate in a specified serological screening programme and to apply the same protection measures when swine vesicular disease is suspected and confirmed. The interim measures introduced by Decision 93/128/EEC were only established as specific disease problems occurred in the Netherlands and Italy.

The general Community measures for the control of swine vesicular disease are given in Council Directive 92/119/EEC <sup>(2)</sup>, and the measures provided for in this Directive are applicable in all Member States.

<sup>(1)</sup> OJ No L 74, 27. 3. 1993.

<sup>(2)</sup> OJ No L 62, 15. 3. 1993.

**WRITTEN QUESTION E-1227/93**

by Lord O'Hagan (PPE)

to the Commission

(18 May 1993)

(94/C 336/13)

*Subject:* Pollution of water and beaches

The Commission will be aware that European Community legislation on the purity of water and beaches is very expensive to enforce, particularly in the south-west of the United Kingdom.

1. Is the Commission satisfied that all Member States are complying with the legislation on this topic?
2. Which Member States are not fully complying?

3. What steps has the Commission taken to ensure that these recalcitrant States do comply?
4. Has the Commission recommended taking this matter up in the Court of Justice?

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

(7 July 1993)

The Honourable Member is referred to the Commission's Report to the Parliament on its control of the application of Community law, 1992 <sup>(1)</sup>, and to the Commission's report on 'Quality of Bathing Water, 1991'.

<sup>(1)</sup> COM(93) 320.

**WRITTEN QUESTION E-1501/93**

by Rogério Brito (CG)

to the Commission

(14 June 1993)

(94/C 336/14)

*Subject:* The right of organization and the principles of representation, association and transparency in the Portuguese agricultural sector

Without any constitutional or legal basis under national or Community law, the Portuguese Government is continuing arbitrarily to give sole recognition or, to be more precise, to impose as the sole socio-professional interlocutor in the Portuguese agricultural sector the Confederation of Portuguese Farmers (CAP). In this way it is shouldering aside the most significant organization in terms of real influence and representativity of small and medium-sized farmers, the National Farmers' Confederation (CNA). At the same time, it is attempting to reduce or detract from the scope and effectiveness of measures by associated producer organizations, such as the Association of Tras-os-Montes Farmers (two documents received by the signatory concerning this question have been forwarded to the Commission to date).

Moreover such a situation encourages favouritism in and the absence of transparency, is even conducive to fraud, with the CAP being involved in cases of corruption perpetrated by those in positions of authority and associated organizations. The CAP is also accused of abuse of influence and of political and financial privileges wrongfully accorded

by the Government, leading to unfair discrimination between similar organizations, preventing the democratic expression of the wishes and organizational structures of Portuguese farmers and undermining the Community's own credibility.

Since the Commission's attention has already been drawn to this on other occasions and the author of this question is awaiting an answer to a question tabled by him several months ago, what steps has the Commission taken or will it take to ensure that the rights and principles of representation, association and transparency are respected and given the necessary credibility?

**Answer given by Mr Flynn  
on behalf of the Commission**  
(18 March 1994)

The Honourable Member's attention is drawn to the Commission's supplementary answer to Written Question No 573/93 from Mr Brito <sup>(1)</sup>.

<sup>(1)</sup> OJ No C 268, 26. 9. 1994, p. 3.

| Series | B     | DK    | D     | GR  | E     | F     | IRL | I     | L     | NL    | P     | UK    | Total  |
|--------|-------|-------|-------|-----|-------|-------|-----|-------|-------|-------|-------|-------|--------|
| L + C  | 4 597 | 563   | 2 235 | 421 | 2 275 | 2 361 | 158 | 2 410 | 1 715 | 778   | 841   | 1 426 | 19 780 |
| S      | 996   | 644   | 1 595 | 80  | 389   | 1 225 | 95  | 957   | 674   | 690   | 212   | 3 508 | 11 065 |
| Total  | 5 593 | 1 207 | 3 830 | 501 | 2 664 | 3 586 | 253 | 3 367 | 2 389 | 1 468 | 1 053 | 4 934 | 30 845 |

**WRITTEN QUESTION E-1706/93**  
**by Jaak Vandemeulebroucke (ARE)**  
**to the Commission**  
(28 June 1993)  
(94/C 336/16)

*Subject:* Use of languages

I read a notice of invitation to open tender in connection with the LEDA Action Research Programme <sup>(1)</sup>.

In point 6 (c) of the notice, the Commission States that tenders must be submitted in one of the official languages of the Community, but that it would be appreciated if French or English were used.

Why did the Commission do this? Does it not think that it is contravening the language provisions adopted by the Council in accordance with Article 217 of the Treaty establishing the European Economic Community?

**WRITTEN QUESTION E-1607/93**  
**by Bryan Cassidy (PPE)**  
**to the Commission**  
(18 June 1993)  
(94/C 336/15)

*Subject:* Supplement 'C' and 'S' to the *Official Journal of the European Communities*

Can the Commission provide me with the current breakdown of the circulation of the 'C' and 'S' series to the *Official Journal of the European Communities*, separately by Member State?

**Answer given by Mr Pinheiro  
on behalf of the Commission**  
(19 November 1993)

The 'C' series of the *Official Journal of the European Communities* is normally distributed with the 'L' series. The breakdown by Member State of the circulation for each number of L + C and S was, at the beginning of June 1993:

I have tabled dozens of questions to the Commission on the way in which it constantly attempts to play down the importance of lesser-used languages. Many of these questions have not been answered. Can the Commission tell me if an answer will be forthcoming, and if so, when?

<sup>(1)</sup> OJ No C 39, 13. 2. 1993.

**Answer given by Mr Delors  
on behalf of the Commission**  
(21 December 1993)

The notice of tender for the LEDA Action-Research Programme states that

'It would be appreciated when submission is in a language other than French or English, if a translation in either language could also be attached to facilitate understanding and accelerate examination of proposals'.

The objective here is simply to accelerate the overall procedure for the examination of submissions, which is of benefit to tenderers, who often wait for a considerable time before being informed of the results of tender procedures. There was no obligation on the part of tenderers to provide a translation.

The Commission accepts, however, that the notice might be interpreted as such, and will not include this phrase in future tenders.

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**WRITTEN QUESTION E-1798/93**

by Anita Pollack (PSE)

to the Commission

(20 July 1993)

(94/C 336/17)

*Subject:* Europass for pensioners

Following the Commission recommendation 89/350/EEC <sup>(1)</sup> on a Europass for pensioners which was supposed to have been implemented by January 1991 but which has not been put into practice in any of the 12 Member States to date, will the Commission admit it has caved in to the overwhelming pressure from Member States to do nothing about this recommendation?

If it is in fact to be ignored will the Commission have the honesty to withdraw it and, if not, will it outline the steps it plans to pursue its implementation?

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<sup>(1)</sup> OJ No L 144, 27. 5. 1989, p. 59.

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

(20 October 1993)

The Commission has been carrying on discussions with Member States on implementation of its recommendation of 10 May 1989 on a European Over Sixties' Card.

In order to increase awareness in the field of concessions to older people travelling outside their own countries a Report on 'Travel and Culture: Access to Concessions by Older people in Europe' and a Travel Guide showing special advantages were published. Copy of the report and the guide are transmitted direct to the Honourable Member and to the Secretariat-General of the Parliament.

Based on a suggestion made by a wide range of interests in the ageing field the Commission intends to promote a symbol for special concessions for older people in the area of culture and leisure throughout the Community.

In addition, the Commission intends to pursue the possibility of mutual recognition by Member States of existing travel card schemes for older people.

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**WRITTEN QUESTION E-1886/93**

by Sotiris Kostopoulos (PSE)

to the Commission

(15 July 1993)

(94/C 336/18)

*Subject:* Special vehicle taxes maintaining fiscal disparity on the European car market

There is still significant fiscal disparity on the European car market even since 1 January 1993 because some national authorities have maintained special taxes on new (and even used) cars. What possibilities are open to the Commission to take measures to abolish these taxes?

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

(6 October 1993)

In accordance with Article 3 (3) of Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products, <sup>(1)</sup> Member States may introduce or maintain taxes levied on products other than mineral oils, alcohol and alcoholic beverages, and manufactured tobacco provided that those taxes do not give rise to border-crossing formalities in trade between Member States.

If Member States chose to apply such taxes and if the latter satisfied the above condition and were consistent with Article 95 of the EEC Treaty, those taxes could not, subject to examination, be regarded as being in breach of Community tax rules.

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<sup>(1)</sup> OJ No L 76, 23. 3. 1992.

**WRITTEN QUESTION E-1904/93**by **Sotiris Kostopoulos (PSE)**

to the Commission

(15 July 1993)

(94/C 336/19)

*Subject:* Energy problem of the Greek islands

The Greek islands, or at least some of them, are faced with a serious energy problem. What steps will the Commission take to solve this problem?

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

(11 November 1993)

The answer to the Honourable Member's question can be found in the Commission's report of 23 December 1992 on the Greek Islands in the Aegean Sea <sup>(1)</sup>.

In this report the Commission sets out proposals which take account of the specific needs, considered collectively, of the smaller and medium-sized Greek islands of the Aegean Sea, with the exception of Crete and Evvia.

<sup>(1)</sup> COM(92) 569 final.

**WRITTEN QUESTION E-2036/93**by **Carlos Perreau de Pinninck Domenech (RDE)**

to the Commission

(23 July 1993)

(94/C 336/20)

*Subject:* Community tenders published in the *Official Journal of the European Communities*

Can the Commission supply information on the participation of Spanish firms in Community tenders published in the *Official Journal of the European Communities*?

Could it also state whether the *Official Journal* is published on the same date in all the Member States?

If not, do businessmen in the various Member States have other means at their disposal for finding out about such invitations to tender?

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

(11 November 1993)

The number of Spanish firms participating in invitations to tender published in the *Official Journal* is not available. The

notice of contracts awarded only states the total number of firms participating in an invitation to tender. There are no plans for a breakdown by Member State.

The nine language versions in the *Official Journal* are published simultaneously in Luxembourg and placed in the postal system in the nine Member States on the day of publication.

The electronic version is available on the TED data base which contains all the published notices from the day of publication. They remain accessible until the deadline. The TED data base is available worldwide.

Information concerning notices of invitation to tender is available from the Commission's Euro-info centres.

**WRITTEN QUESTION E-2156/93**by **Mark Killilea (RDE)**

to the Commission

(26 July 1993)

(94/C 336/21)

*Subject:* International Year of the Family

1994 has been designated International Year of the Family.

Can the Commission indicate at this stage what measures, if any, it intends to take in support of this event, and if so, what level of funding is envisaged for such measures?

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

(19 October 1993)

The Commission is planning a number of initiatives as a Community contribution to the International Year of the Family.

It is currently preparing a report on Europeans' perceptions of the family today (subjects such as marriage, divorce, role of the father and the mother and children's education, reconciling family life with a career, and solidarity between the generations), based on a recently completed Eurobarometer survey. The report will be available at the start of 1994 and will be disseminated to a wide audience.

At the same time, the Commission is in the process of organizing a conference on the future of the family, to take place in the second half of 1994. The level of funding will depend on the resources available to the Commission for the family in 1994.



**WRITTEN QUESTION E-2163/93**

by Christine Oddy (PSE)

to the Commission

(26 July 1993)

(94/C 336/22)

*Subject:* Rehabilitation of ex-offenders

Does the Commission have details of schemes in all 12 Member States for rehabilitation of ex-offenders? What steps does it intend to take to coordinate information in this area?

Does the Commission have details of which Member States have legislation similar to that of the United Kingdom's 'Rehabilitation of Offenders Act' which allows less serious crimes not to be disclosed after a certain period of time has elapsed?

Answer given by Mr Flynn  
on behalf of the Commission

(3 May 1994)

The Commission is using the opportunity offered by the decision of Parliament in its final adoption of the 1993 budget to develop knowledge on Member State policy and practice on all aspects of the reintegration of ex-offenders into employment and the labour market. This activity aims to package and disseminate this information and to help develop and improve Member State action through this process.

**WRITTEN QUESTION E-2164/93**

by Christine Oddy (PSE)

to the Commission

(28 July 1993)

(94/C 336/23)

*Subject:* Rehabilitation and employment of ex-offenders

How much money has been allocated to the budget line for research and policy projects in the area of ex-offenders?

What are the main decision criteria for allocating the money? What specific examples of projects have been funded under this budget line?

Answer given by Mr Flynn  
on behalf of the Commission

(3 May 1994)

In 1993, the amount allocated by Parliament for this activity was ECU 1,5 million. No specific amount was allocated in the 1994 budget.

The principal criteria for allocating funds are:

- improving knowledge of policies and practice of the Member States
- improving policies and actions by supporting research, development and evaluation
- contributing to a better understanding of the particular approaches to integration needed by ex-offenders
- demonstration of either transnational activity or transfer of trans-national lessons
- projects must be for activity with a clear labour market link.

In 1993, the Commission supported 12 projects under this budget line. Among the projects were APRES (Belgium), Equipo Estrategias (Spain), I.A.R.D. (Italy), NI-ACRO (Northern Ireland), and Lawtec (UK).

**WRITTEN QUESTION E-2207/93**

by Gianfranco Amendola (V), Jean-Pierre Raffin (V) and Paul Staes (V)

to the Commission

(29 July 1993)

(94/C 336/24)

*Subject:* Implementation by the Commission of the policy of transparency in its relations with Parliament's representatives

Whereas on 2 June 1993 the Commission issued a press release (IP(93) 427) informing the press that the Commission had adopted internal rules to ensure more effectively that other Community policies took environmental considerations into account;

whereas the document containing those rules is not being supplied to Members of Parliament on the instructions of the private office of Commissioner Paleokrassas, who is forbidding its distribution,

1. can the Commission say whether the contents of Directive 90/313/EEC<sup>(1)</sup> also apply to the Commission?
2. irrespective of its reply to that question, can it say whether it considers that it should comply with that Directive in its relations with Parliament?

3. can it say why Parliament's representatives may not know in detail what arrangements the Commission is making to implement more effectively Article 130r of the Treaty but must be contented with a meagre press release?
4. can it say how it understands the concept of transparency in its relations with Parliament and its representatives?

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

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

(22 November 1993)

The spirit and contents of Directive 90/313/EEC will be observed by the Commission in its relations with the Parliament even though the Directive is addressed to the Member States.

On 2 June, the Commission agreed a series of measures designed to ensure that the Commission in its own work would take account of the need to ensure a better integration of environmental protection requirements into the definition and implementation of Community policies. A copy of the Commission's internal documents is sent directly to the Honourable Member and to the Secretariat-General of Parliament. Its detailed contents were also communicated in a press release issued after the meeting and were thus made available to the Honourable Members.

The Commission's interpretation of the concept of transparency is set out in a number of communications on the matter (<sup>1</sup>) transmitted to the Parliament, the Council and the Economic and Social Committee.

(<sup>1</sup>) OJ No C 63, 5. 3. 1993; OJ No C 156, 8. 6. 1993; OJ No C 166, 17. 6. 1993.

**WRITTEN QUESTION E-2234/93**

by Anita Pollack (PSE)

to the Commission

(30 July 1993)

(94/C 336/25)

*Subject:* Anabolic steroids in beef

What are the number of recorded incidents of clenbuterol abuses in

1. each Member State individually,
  2. the EC as a whole,
  3. beef imported from third countries,
- in each of the last three years?

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

(3 February 1994)

The results of testing for clenbuterol and other beta-agonists reflect largely the volume of testing and the method of selection of the live and slaughtered animals for sampling. Member States do not all have the same strategy. In some cases programmes are based largely on random sampling, in others a more targetted approach is applied, focussed on suspect animals or on fattening farms. The diversity of approach among the Member States makes it difficult to carry out a valid comparison of results. Member States are not required to publish results of analyses.

In its communication of 21 April 1993 on residues (<sup>1</sup>), the Commission proposed that the rules be revised to ensure that Member States operate comparable programmes, and that sampling be based on a targetted approach. The Commission's proposals require also that results of residue testing programmes be published by Member States. A ban on beta-agonists for all purposes, other than the therapeutic treatment of horses and of pet animals, is also proposed.

There has been a substantial increase, from some 12 000 in 1990, 100 000 in 1991 to 133 500 in 1992, in the number of analyses for beta-agonists carried out by the Member States. Some 300 positive results were identified in 1990, 1 500 in 1991 and 2 068 in 1992.

The Commission is not aware of positive results following analyses of meat from third countries.

(<sup>1</sup>) COM(93) 167 final.

**WRITTEN QUESTION E-2271/93**

by Filippos Pierros (PPE)

to the Commission

(1 September 1993)

(94/C 336/26)

*Subject:* Human rights in Albania

Article 1 of the Commercial and Economic Cooperation Agreement between the European Community and Albania stipulates that respect for democratic principles and human rights, such as those enshrined in the Helsinki Final Act and in the Paris Charter for a New Europe, constitutes an essential component of this Agreement.

Given that Article 21(3) of the same Agreement provides that part — or the whole — of this Agreement may be suspended in the case of serious violations of the main provisions, will the Commission say what specific measures it intends to take in an attempt to put an end to the flagrant violations of human rights taking place in Albania which have recently come to a head with the expulsion of Archimandrite Chrysostomos Maidonis?

**Answer given by Mr Van den Broek  
on behalf of the Commission**

(9 November 1993)

The Commission is closely monitoring the human rights situation in Albania, paying special attention to the treatment of religious groups. The Community and its Member States have repeatedly reminded the Government of Albania of its commitment to abide strictly by relevant CSCE provisions.

In this context the adoption in March 1993 of a constitutional law of human rights, which includes provisions on the rights of minorities, has been a positive step. However much still remains to be done with regard to its implementation *inter alia* by the adoption of legislation to ensure that all members of the Greek minority effectively enjoy their fundamental rights. The work of the 'Albania Task Force', established by the Council of Europe earlier this year on request of the President of Albania, is helpful in this respect. The Community and its Member States will continue to urge the Albanian authorities to take the necessary measures.

The Commission will continue to follow closely developments in the field of human rights and democratisation in Albania favouring a constructive dialogue between all the parties concerned.

**WRITTEN QUESTION E-2305/93**

by Carmen Díez de Rivera Icaza (PSE)

to the Commission

(1 September 1993)

(94/C 336/27)

**Subject:** Appropriations allocated to Greece under the European Regional Development Fund (ERDF) and environmental programmes

Can the Commission give a breakdown of projects in Greece which have received ERDF assistance in the past four

financial years and the use made of Community funds under EC environment programmes?

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

(1 March 1994)

The European Regional Development Fund (ERDF) supports operational programmes in Greece, not individual projects.

Two environment programmes are part-funded: the Greek operational programme on the environment and the Envireg Community initiative.

In the case of the operational programme, the amount of ERDF aid committed in each year is as follows:

(ECU million)

|      |      |
|------|------|
| 1990 | 0,44 |
| 1991 | 3,34 |
| 1992 | 3,86 |
| 1993 | 9,78 |

The ERDF aid committed each year for Greece under the Envireg initiative is:

(ECU million)

|      |       |
|------|-------|
| 1991 | 4,80  |
| 1992 | 13,16 |
| 1993 | 60,96 |

Expenditure carried out so far mainly involves municipal waste water treatment plants and waste disposal.

**WRITTEN QUESTION E-2565/93**

by Klaus Riskær Pedersen (NI)

to the Commission

(1 September 1993)

(94/C 336/28)

**Subject:** Financial institutions' solvency ratios

Details have appeared in the international financial press concerning an extensive financial market on which leading banks issue standby letters of credit which are transferred to beneficiaries who subsequently can sell back the paper to the banks. The issues are neither registered on any market nor to be found in any electronic pricing or trading system. In addition, apparently, the issues are off-balance-sheet items for the issuing banks. Furthermore, purchased SLCs can

reportedly be used by a bank as an asset for solvency ratio calculations.

1. Can the Commission confirm that such issues take place and say how extensive the market is and which authority supervises it, given that the market is largely denominated in US dollars?
2. Can the Commission confirm that these issues enable banks to expand their off-balance-sheet business, and can it say whether it is true that the paper can be regarded by certain financial institutions as an asset in connection with solvency requirements?
3. Where are traders registered and how much transparency is there for outsiders not involved in actual trading, and is it correct that this is overwhelmingly an electronic market?

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

*(11 February 1994)*

1. The Commission does not have any information on the existence of an organized market in stand-by letters of credit (SLC) in the Community. This does not mean that these instruments may not have been bought and sold. According to information from national authorities, such operations between banks are rather rare and sometimes they have been approached by third parties with fraudulent intentions. For this reason the Commission is unable to indicate the size of any such market.

As to supervision of operations by credit institutions, this is a matter for the banking supervisory authorities of each Member State as part of their prudential function, specifically when they assess the solvency of the institutions concerned.

2. Each time a bank issues a stand-by letter of credit, the 'off-balance-sheet' total is indeed increased and this must be reflected in the 'off-balance-sheet' section of the institution's annual accounts. It is not true, however, that such issues may be considered as 'own funds' under Council Directive 89/299/EEC on the own funds of credit institutions. To the contrary, SLC operations are risk items and therefore require to be covered by own funds of the issuing institution in accordance with Council Directive 89/647/EEC on a solvency ratio for credit institutions.

The Commission has difficulty in understanding how and in what other form a credit institution might generate own

funds in the context of SLC transaction. If it buys stand-by letters of credit from the beneficiary, this cannot lead to the creation of own funds. If in issuing a stand-by letter of credit it receives a deposit in return, that deposit cannot count as an item of own funds.

3. Apart from stand-by letters of credit being recorded under the appropriate headings in the annual accounts of banks, the Commission is unaware of any other register for such transactions or of any information concerning such a market in the Community.

#### WRITTEN QUESTION E-2678/93

by Sotiris Kostopoulos (PSE)

to the Commission

*(3 September 1993)*

*(94/C 336/29)*

*Subject:* Checking the consistency of current legislation, policies and Community programmes

Is the Commission satisfied with the measures taken to check the consistency of current legislation, policies and Community programmes with a view to bringing them into line with each other?

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

*(19 November 1993)*

The Commission is always attentive to the consistency of legislation, policy and programmes in the Community. To concentrate its efforts, it is gradually perfecting the planning instruments which it presents to Parliament and the other institutions from time to time. It considers that, in the light of both the joint declaration of 21 April 1993 and the Belgian programme for the Council Presidency for the second half of 1993, considerable progress has been made this year. It is determined to step up its practical contribution to bringing about a more consistent Community fabric; the Treaty on European Union will provide valuable support for this.

**WRITTEN QUESTION E-2724/93**

by Glyn Ford (PSE)  
to the Commission  
(8 September 1993)  
(94/C 336/30)

*Subject:* Role of medical secretaries

Can the Commission provide a State-by-State analysis of the job description and comparative salary grading of medical secretaries?

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

(4 November 1993)

The Commission does not have the data requested by the Honourable Member.

If the profession is a regulated profession for the purposes of the general systems on the mutual recognition of professional qualifications <sup>(1)</sup> the national co-ordinators designated under the respective Directives (Directive 89/48/EEC <sup>(1)</sup> and Directive 92/51/EEC <sup>(2)</sup>) may be able to give the information sought by the Honourable Member. A current list of the co-ordinators is being sent direct to the Honourable Member and to the Secretariat-General of the Parliament.

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

<sup>(2)</sup> OJ No L 209, 24. 7. 1992.

**WRITTEN QUESTION E-2775/93**

by Patrick Cooney (PPE)  
to the Commission  
(28 September 1993)  
(94/C 336/31)

*Subject:* Damage to Wexford Quays

Could the Commission inform me whether the Irish authorities in seeking EC structural funding for the main drainage project in Wexford, Ireland, involving the building of an interceptor sewer along the Quays in Wexford Harbour have taken into account the damage that may be done to the famous Wooden Quays and to the present scale of the Wexford Quays front? Is the Commission happy that these historic quays are to be destroyed and that the Irish authorities have taken all possible measures to avoid this outcome?

Answer given by Mr Schmidhuber  
on behalf of the Commission

(15 December 1993)

The Irish authorities have applied for Community assistance from the cohesion financial instrument for the first phase of the Wexford Drainage Scheme and the Commission is expected to approve this application shortly. This stage includes the planning and design work for the scheme, and the initial construction phase. It does not include the interceptor sewer under the quays, which will be a later stage of the construction programme. If the authorities wish to receive Community assistance from the cohesion instrument for the later stages of the scheme, it will be necessary to make a further application. Until a formal application, with a detailed description of what is proposed, is received, the Commission cannot comment on the matter.

Similarly, if the project were to be co-financed under a programme supported by the European Regional Development Fund, the administering national authority would need to ensure that Community law is to be complied with before funding would be granted.

**WRITTEN QUESTION E-2784/93**

by Anita Pollack (PSE)  
to the Commission  
(28 September 1993)  
(94/C 336/32)

*Subject:* Air pollution: Nitrogen dioxide

Given the detrimental effects to human health of nitrogen dioxide, is the Commission satisfied that the limit values for nitrogen dioxide emissions laid down in Directive 85/203/EEC <sup>(1)</sup> are sufficiently stringent?

Are any proposals being developed to tighten up these limit values?

<sup>(1)</sup> OJ No L 87, 27. 3. 1985, p. 1.

**WRITTEN QUESTION E-2785/93**

by Anita Pollack (PSE)  
to the Commission  
(28 September 1993)  
(94/C 336/33)

*Subject:* Limit values for nitrogen dioxide

Is the UK conforming with the limit values for nitrogen dioxide laid down in Directive 85/203/EEC on air quality standards for nitrogen dioxide?

**Joint answer to Written Questions  
E-2784/93 and E-2785/93  
given by Mr Paleokrassas  
on behalf of the Commission  
(30 March 1994)**

The Commission has made a critical assessment of the air quality policy introduced over the years since the 80s and drawn a number of conclusions. These will be taken into consideration in the draft Council framework Directive on air quality assessment and management which will shortly be put forward by the Commission.

One of the points covered in the draft will be the laying down of environmental air quality objectives for a number of substances, including in particular nitrogen dioxide. The quality objectives proposed will be based on the recommendations of competent working parties, in particular the work now being carried out by the World Health Organization. It is very likely that the limit values currently in force will be revised (downwards).

On the subject of compliance by the United Kingdom with the limit values laid down in Directive 85/203/EEC, it would appear from the information supplied by the UK authorities that the threshold was exceeded once only in London in 1989.

More generally, the Commission has started infringement proceedings against the United Kingdom for failure to implement the Directive fully. The various points raised in the reasoned opinion sent include the problem of the inadequate number of stations for the measurement of ambient NO<sub>2</sub> concentrations.

**WRITTEN QUESTION E-2894/93  
by José Valverde López (PPE)  
to the Commission  
(11 October 1993)  
(94/C 336/34)**

*Subject:* Evaluation of the operational research programme in Spain

Can the Commission give details of the state of implementation of the operational research programme in Spain and release the progress reports pertaining thereto?

**Answer given by Mr Millan  
on behalf of the Commission  
(1 March 1994)**

At the last meeting of the Monitoring Committee for the operational programme for scientific infrastructure in Spain, the Spanish authorities reported that virtually all the funds had been committed and that payment under the programme amounted to 57,09%.

The Spanish authorities draw up a record of each meeting of the Monitoring Committee.

**WRITTEN QUESTION E-2922/93  
by François Guillaume (RDE)  
to the Commission  
(18 October 1993)  
(94/C 336/35)**

*Subject:* Scope of the monopoly granted to undertakers in certain Member States

In certain Member States, particular undertakers hold a recognized monopoly at local level, in that they have contracts granting them the exclusive right to provide services.

Can the Commission say whether, in the light of Community law — particularly Article 86 of the Treaty establishing the European Economic Community — such an arrangement can prevent an undertaker without exclusive rights from providing undertaking services against payment, at the request of the family of a deceased person, within the territory of a municipality which has granted exclusive rights to another undertaker?

**Answer given by Mr Van Miert  
on behalf of the Commission  
(27 January 1994)**

In its preliminary ruling of 4 May 1988 in Case 30/87 *Bodson v. Pompes funèbres des régions libérées* <sup>(1)</sup>, the Court of Justice held that

‘Article 86 of the EEC Treaty applies in a case in which a number of communal monopolies are granted to a single group of undertakings whose market strategy is determined by the parent company, in a situation in which those monopolies cover a certain part of the national territory and relate to the “external services” for funerals,

— where the activities of the group, and the monopoly enjoyed by the undertakings in

question over a part of the territory of a Member State, affect the importation of goods from other Member States or the possibility for competing undertakings established in other Member States to provide services in the first-mentioned Member State,

- where the group of undertakings occupies a dominant position characterized by a position of economic strength which enables it to hinder effective competition on the market in funerals, and
- where that group of undertakings charges unfair prices, even though the level of those prices is fixed by the contract specifications which form part of the conditions of the contract for the concession.'

The situation referred to by the Honourable Member, which involves the effects, at local level, of national legislation on a single communal monopoly, and not a group of communal monopolies as in case before the Court of Justice, does not seem to be caught by Article 86 of the EC Treaty, which concerns the existence of dominant positions within a substantial part of the common market. Nevertheless, it cannot be excluded that such a situation may be referred to the national authorities under national competition law.

Moreover, if the Honourable Member, in referring to certain Member States, essentially has France in mind, it should be pointed out that the communal monopoly in question, which was established by the Law of 28 December 1904 and liberalized to a certain degree in 1986, was abolished, albeit subject to transitional provisions, by Law No 93-23 of 8 January 1993 amending Title VI of Book III of the Municipal Code and governing funerals <sup>(2)</sup>.

<sup>(1)</sup> [1988] ECR 2479.

<sup>(2)</sup> *Journal officiel de la République française*, 9 January 1993, p. 499.

#### WRITTEN QUESTION E-2935/93

by Víctor Arbeloa Muru (PSE)

to the Commission

(18 October 1993)

(94/C 336/36)

*Subject:* Local authorities and the subsidiarity principle

Does the Commission not feel that local authorities are, more than anyone, in need of the subsidiarity principle, given that the principle of local autonomy lacks the conceptual, procedural and organizational basis obtaining in respect of relations between States or communities and

the federal level, and that their sphere of competence is not marked out by clear-cut, exclusive powers which would, furthermore, be difficult to uphold in court under our legal system?

#### WRITTEN QUESTION E-2939/93

by Víctor Arbeloa Muru (PSE)

to the Commission

(18 October 1993)

(94/C 336/37)

*Subject:* The benefits of subsidiarity

Does the Commission not feel that from a political standpoint, in addition to making Community bodies aware of the issue of regionalism and acting as a criterion for the allocation of powers, the subsidiarity principle can also provide valid grounds for the designation or creation of new levels of responsibility and, in short, a generalization and strengthening of regionalism in the Community?

#### Joint answer to Written Questions

E-2935/93 and E-2939/93

given by Mr Millan

on behalf of the Commission

(14 January 1994)

The principle of subsidiarity inspired the wording of the second paragraph of Article A of the Treaty on European Union, which states that decisions are to be taken as closely as possible to the citizen.

However, the application of subsidiarity to the relations between Member States and regional or local authorities is a matter of institutional organization within each Member State and falls within the competence of each Member State. Nevertheless, the Commission is convinced that regional and local authority involvement in the project of European construction is essential.

The establishment in the Treaty on European Union of the Committee of the Regions is an important step towards greater participation by regional and local authorities, whose position is also strengthened in institutional terms.

**WRITTEN QUESTION E-2975/93**by **Panayotis Roumeliotis (PSE)**

to the Commission

(25 October 1993)

(94/C 336/38)

*Subject:* Problems with markets for Greek peaches

According to recent statements by representatives of farming cooperatives and Greek civil servants, 30 % of this year's peach crop in central Macedonia (some 350 000 tonnes) will be withdrawn from the market because of the impossibility of transporting produce through the former Yugoslavia.

How does the Commission intend to deal with this problem faced by Greek producers?

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

(1 March 1994)

To deal with the problem referred to by the Honourable Member, the Council has granted aid of ECU 2,3 per 100 kg for the marketing years 1991/92 and 1992/93 (to be increased to ECU 4 per 100 kg from 1 October 1993) for Greek fruit and vegetables dispatched to other Member States with the exception of Italy, Spain and Portugal (Regulations (EEC) No 525/92, (EEC) No 3438/92 and (EEC) No 936/93).

**WRITTEN QUESTION E-3002/93**by **Raphaël Chanterie (PPE), José Valverde López (PPE), Karl-Heinz Florenz (PPE), Caroline Jackson (PPE), Ursula Schleicher (PPE), Mary Banotti (PPE) and Ria Oomen-Ruijten (PPE)**

to the Commission

(29 October 1993)

(94/C 336/39)

*Subject:* Fifth Environmental Action Programme

1. The Fifth Programme of policy and action in relation to the environment and sustainable development is intended to halt the relentless deterioration of the general state of the environment by means of changes in the ecological structure. What measures could initiate a fundamental change of ecological course, and when does the Commission expect to submit proposals for this purpose?

2. What new political, legislative and financial measures has the Commission already taken, or does it intend to take,

following the UN Conference on Environment and Development in Rio de Janeiro in 1992?

3. What measures does the Commission intend to take to coordinate environment policy within the Commission and in the individual Directorates-General in a worthwhile and efficient manner? Does the current organizational structure of the Commission ensure comprehensive and legally effective application of the fundamental principle laid down in Article 130r (2) of the EEC Treaty that environmental protection requirements shall be a component of the Community's other policies?

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

(14 April 1994)

1. The adoption of the Community's Fifth Environment Action Programme 'Towards Sustainability' has already launched a fundamental change of the Community environmental policy. The programme's main objective is to change the present patterns of consumption, production and behaviour. Only by socio-economic measures built on partnership can the structural changes needed to reach sustainable development be achieved. One of the key elements here is the integration of environmental considerations into other policies and sectors. The Programme focuses on five economic sectors: industry, energy, transport, agriculture and tourism.

Measures in the Programme will be introduced over the next years as far as there is a need to do this at Community level. In 1993 the Commission proposed several new measures and began discussions with representatives of a range of sectors. In November 1993 together with the Belgian Presidency, the Commission organized a major conference on 'Environment and Development / Towards a European Model of Sustainable Development', at which representatives of public authorities, industry, NGOs and academia gave their view on how to achieve sustainability and shared responsibility and how to measure progress through the use of indicators.

In the spirit of subsidiarity and shared responsibility, these measures will complete those introduced at national, sub-national and company level.

2. The implementation of the outcome of Unced has to be seen as a long-term, cross-sectoral endeavour which affects almost every aspect of the Community's internal and external policies. The Fifth Programme forms the key element of the implementation within the Community, while the decisions are also being progressively integrated into the Community cooperation policy. The Community submitted a progress report on the initial follow-up to Unced at the first substantive session of the UN Commission



on Sustainable Development (CSD). A copy of this report is sent to the Honourable Member and to Secretariat-General of the Parliament. A new report to the CSD is in preparation and will be submitted at the second session.

3. On 2 June 1993 the Commission adopted a series of internal measures which, in compliance with Article 130 of the EC Treaty, are designed to ensure a better integration of environmental protection requirements and of sustainable development into its preparation of proposals for Community policies as well as into its on-going activities. This set of mechanisms will strengthen and improve existing procedures and practices and seek to ensure that environment considerations are taken into account at the early stages of definition of policy and action. In considering all its actions, the Commission will examine if there are implications for the environment and will assess their impact if this is the case. The Commission's legislative programme will indicate which proposals require such an assessment.

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**WRITTEN QUESTION E-3020/93**

by Luigi Vertemati (PSE)  
to the Commission  
(29 October 1993)  
(94/C 336/40)

*Subject:* Holidays and consumer protection

A service referred to as 'pronto soccorso vacanze' (holiday rescue service), set up by consumer protection groups belonging to the European Bureau of Consumers' Unions, operated in southern Europe during the summer of 1993.

This has shown that there are many cases of hotels, travel agencies and tourist organizations failing to provide satisfactory services.

Will the Commission therefore state whether a country-by-country survey of the work of the 'holiday rescue service', in the various countries of southern Europe has been carried out and whether its results could be made available?

Has this survey highlighted the need to deal with problems in this area through legislative proposals to supplement the Directive on package holidays?

Does the Commission intend to propose any initiatives in the coming months to deal with the problem of failure to provide satisfactory tourist services?

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

(11 January 1994)

In 1993 an assistance service for holiday-makers was piloted in Italy, at the initiative and with the financial support of the Commission, by an Italian consumer association.

This experiment proved to be a great success amongst consumers in general and among tourists who encountered difficulties during their holidays. First results show that over 5 000 complaints were introduced, mainly concerning over-booking and other hotel problems.

The deadline for transposing Council Directive 90/314/EEC<sup>(1)</sup> of package travel, package holidays and package tours was 31 December 1992, and so it is not possible to establish a link between the problems referred to and failure to implement the Directive properly. Hence it would seem premature to consider statutory amendments at this stage.

At any event, and before taking other initiatives, the Commission intends to widen the experiment in 1994 to other Member States with a big tourist trade.

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

**WRITTEN QUESTION E-3055/93**

by Ernest Glinne (PSE)  
to the Commission  
(29 November 1993)  
(94/C 336/41)

*Subject:* Measures taken by the Zurich multinational insurance company

According to a report by the International Federation of Commercial, Clerical, Professional and Technical Employees (FIET), 15 avenue de Balexert, 1269 Châtelaine — Geneva (Switzerland), appearing in its journal (Issue No 5, 1993) the Zurich insurance company recently launched what can only be described as a text-book example of a social dumping offensive. In January 1993 it purchased part of the British Municipal Mutual Insurance Co. (MMI) — one of the largest insurance companies in the United Kingdom (2 300 staff in the spring of 1992 providing services to local authorities and frequently to other members) — the Zurich cancelled the collective agreement with the MSF Union concluded 20 years previously.

At the beginning of March 1993, almost 1 600 MMI posts were transferred to the new employer, the Zurich Municipal, staff having to accept without consultation, the immediate revocation of their pension entitlements,

forfeiting their MMI cover for the considerably lower benefits offered by the Zurich company. The director of the new company subsequently stated that it was not the policy of the Zurich company to sign written agreements with any recognized union and would take measures to end the current agreement, since collective agreements were not binding and no period of notice was required. In my opinion, this is a gross violation of ILO Conventions, European directives (particularly with regard to consultation in respect of redundancies, restructuring and company transfers) and the spirit of the European Social Charter.

What is the Commission's opinion and what steps will it take?

**Answer given by Mr Flynn  
on behalf of the Commission**  
(28 January 1994)

Community law contains no provisions concerning trade union rights. The Community Charter of Fundamental Social Rights for Workers set out certain principles regarding freedom of association and collective bargaining, but it is not legally binding.

Under Article 118 of the EC Treaty, the Commission has a responsibility to promote close cooperation between Member States which extends to 'the right of association, and collective bargaining between employers and workers'.

The Commission has no plans to submit proposals to the Council on harmonizing trade union rights at European level. This matter is in any case no longer within the Community's jurisdiction in the social field as set down in the Agreement on Social Policy annexed to the Treaty on European Union.

Concerning the Community Directives on collective redundancies (75/129/EEC) and transfers of businesses (77/187/EEC), non-recognition of the unions by MMI's new management could present a problem if, in future, it stands in the way of the requirement for information and consultation of workers' representatives in the conditions set down in these two Directives.

A further point is that Directive 77/187/EEC provides for the transfer of work contracts maintaining full observance of the obligations and rights of the parties in the event of any business transfer within the meaning of the Directive. This includes collective agreements in force at the time of transfer, which remain applicable at least until their expiry date. However, in this case it would first have to be established whether Zurich's takeover of MMI was in fact a 'transfer of undertaking' within the meaning of the said Directive, which would not be the case if the operation

involved simple acquisition of capital in the company concerned.

**WRITTEN QUESTION E-3064/93**  
**by Honor Funk (PPE) and Reimer Böge (PPE)**  
**to the Commission**  
(5 November 1993)  
(94/C 336/42)

*Subject:* Audit of beneficiaries of export refunds

In its resolution of 12 February 1993 (A3-0037/93) <sup>(1)</sup> the European Parliament welcomed the audit of beneficiaries of export refunds by the Court of Auditors and called on the Court of Auditors to further extend it. In this connection and, in particular, concerning the carrying out of audits by the Court of Justice the following points arise:

1. The final paragraph of Article 87 of the consolidated version of the Financial Regulation applicable to the general budget of the European Communities <sup>(2)</sup> reads as follows:

'The grant of Community funds to beneficiaries outside the institution shall be subject to the agreement in writing by the recipients to an audit being carried out by the Court of Auditors on the utilization of the amounts granted'

Although these Financial Regulation provisions are, as such, only directly binding on the Commission, does the Commission nevertheless take the view that they are, without further transposition, also binding on private undertakings receiving subsidies and, if so, on what legal basis?

2. If the answer to this question is positive, does the Commission foresee problems in so far as this might hamper the implementation of national law? In the Commission's opinion, how will this affect the principle of equal treatment in all Member States?
3. How does the Commission explain the difficulties referred to by the Court of Auditors in carrying out the audit?
4. If the answer to Question 1 is negative, how does the Commission consider the provisions can be transposed and who does it consider to be responsible for doing so?
5. If the Commission considers that transposition is necessary and that the Commission itself is responsible for doing so, what steps has it taken to date?

6. If Member States are responsible for transposing the provisions, what steps has the Commission taken to ensure that it is done in a uniform manner by all Member States, and does it know what stage has been reached? What steps will the Commission take if one or more Member States have not yet carried out the necessary transposition?

(<sup>1</sup>) OJ No C 72, 15. 3. 1993, p. 187.

(<sup>2</sup>) OJ No C 80, 25. 3. 1991, p. 1.

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

(22 February 1994)

1. Article 206a of the EC Treaty (which has become Article 188c by virtue of the Treaty on European Union) establishes the right of the Court of Auditors to audit undertakings which qualify for Community assistance. Paragraph 3 of the said Article reads as follows:

'The audit (by the Court of Auditors) shall be based on records and, if necessary, performed on the spot in the other institutions of the Community and in the Member States. In the Member States the audit shall be carried out in liaison with the national audit bodies or, if these do not have the necessary powers with the competent national departments. These bodies or departments shall inform the Court of Auditors whether they intend to take part in the audit.'

The other institutions of the Community and the national audit bodies or, if these do not have the necessary powers, the competent national departments, shall forward to the Court of Auditors, at its request, any document or information necessary to carry out its task.'

2 to 4. It should be noted that the power to monitor beneficiaries of Community aid bestowed on the Court of Auditors by the EC Treaty is similar to the power conferred on the Commission by Article 9 of Council Regulation (EEC) No 729/70 on the financing of the common agricultural policy.

In both cases, the national authorities are required to facilitate the audits in question, including on the spot checks.

It can also happen in either case that the national authorities are unable to comply with an application for assistance in carrying out such audits because to do so would conflict with certain national provisions, for example, on confidentiality or professional secrecy or the protection of information stored on computer.

In such circumstances, specific provisions such as Articles 6 and 8 of Regulation (EEC) No 4045/89 (ex-ante scrutiny of

accounts), Articles 3(3) and 10 of Council Regulation (EEC) No 595/91 (information system on irregularities) and, where appropriate, the Court of Justice, place limits on the Commission's powers of audit.

The Commission believes that the difficulties to which the Honourable Members refer are similar in kind and, in the absence of any specific provisions governing the audits carried out by the Court of Auditors, should be resolved in a similar manner using the criteria limiting the Commission's powers of audit which the Court of Justice developed most notably in its judgments of 10 January 1980 in Case C-267/78 ('Como') and of 9 October 1990 in Case C-366/88 ('sampling').

The Commission does not believe that the absence of more detailed rules such as exist for checks carried out by the Commission seriously prejudices either the auditing role of the Court of Auditors or in this context the equal treatment of beneficiaries of Community aid in the Member States.

5 and 6. If a Member State systematically and unjustifiably refused to assist the Court of Auditors in its auditing, the Court could inform the Commission with a view to its opening the infringement procedure provided for in Article 169 of the EC Treaty against the Member State in question.

**WRITTEN QUESTION E-3262/93**

by José Valverde López (PPE)

to the Commission

(23 November 1993)

(94/C 336/43)

*Subject:* Evaluation reports conducted on CSFs for Spain

What evaluation reports has the Commission received relating to Community support frameworks for Spain?

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

(25 February 1994)

At present the Commission has received the following evaluation studies of the various Community Support Frameworks (CSFs) for Spain (the title of the study, the company that carried it out and the date of receipt of the final report are given for each CSF):

## Objective 1 CSF:

- 'The Economic Impacts of the Community Support Frameworks for the Objective 1 regions (1989—1993)' — Jörg Beutel (April 93);
- 'Evaluation macro-économique du CCA 1989—1993 relatif aux régions de l'objectif 1 de l'Espagne' — Cadmos SA (April 91);
- 'Evaluation de la mise en œuvre du CCA 1989—1993 relatif aux régions de l'objectif 1 de l'Espagne' — Cadmos SA (October 91);
- 'Impacto económico de las inversiones de los fondos estructurales comunitarios en España' — NERA (January 1992);

The first three studies were carried out at the Commission's initiative, the last was part-financed with the Member State under the technical assistance provided for in the CSF.

## Objective 2 CSF:

- 'Evaluation ex-ante des interventions financières communautaires dans les zones objectif 2 de la région de la Catalogne' — Estudis (May 1991);
- 'Evaluation et impact de la politique régionale communautaire au Pays Basque' — Information y desarrollo (July 1991).

## Objective 3 and 4 CSFs:

- 'Evaluation ex-ante du cadre communautaire d'appui objectifs 3 & 4 Espagne' — Cirem (June 1991).

## Objective 5 (b) CSF:

- 'Ex-ante evaluation of objective 5b CSF/OP in Sierra de Madrid' — CEP (November 1991);
- 'Evaluación ex-ante del Objetivo 5b MCA/PO de Cantabria' — CEP (November 1991).

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**WRITTEN QUESTION E-3385/93**

by **Mary Banotti (PPE)**

to the Commission

(26 November 1993)

(94/C 336/44)

*Subject:* Structural Funds

What portion of Structural Funds are targeted by the Irish Government's National Plan to the County Enterprise Boards?

Is the Commission aware that the gender balance on these boards was so deplorable that they had to be enlarged to enable the co-option of women members?

Does the Commission consider that funds to the County Enterprise Boards should be blocked until they reflect more equal gender balance?

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

(1 March 1994)

The National Development Plan provides for expenditure of £ Irl 114 million on Local Enterprise. The expected contribution by the Structural Funds towards this amount is not indicated in the Plan.

New Regulations governing all Structural Funds, which came into force in August 1993, adopt a much more pro-active approach in the area of promotion of equal opportunities between men and women. Under the new European Social Fund (ESF) Regulation, reference is made directly to areas of work in which women are under-represented, to women without vocational qualifications and to women returning to the labour market.

The Commission recognises the important contribution women make to local development and will seek to ensure that the structures agreed in the Community Support Framework to support local development, will encourage their involvement in the economic development of their communities.

The composition of the County Enterprise Boards is a matter for the Irish authorities and the Commission does not propose to take a position on the question.

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**WRITTEN QUESTION E-3433/93**

by **Fernando Suárez González (PPE)**

to the Commission

(2 December 1993)

(94/C 336/45)

*Subject:* Cooperation with Central America

The Commission has allocated ECU 1 026 535 under budget heading B7-3014, Training, to a project entitled 'Training for trade union training officers'.

Can the Commission explain what this project consists of, who is receiving the funds and who has the proper training for training training officers?

**WRITTEN QUESTION E-3436/93**by **Fernando Suárez González (PPE)**

to the Commission

(2 December 1993)

(94/C 336/46)

*Subject:* Cooperation with Central America

The Commission has allocated ECU 630 000 under budget heading B7-3014, Training, to a project entitled 'Strengthening trade unions in Central America'.

Can the Commission explain who decides which trade unions are to be strengthened, how this goal is achieved and who is really the ultimate recipient of the contribution made by the European taxpayer?

**Joint answer to Written Questions**

E-3433/93 and E-3436/93

given by **Mr Marín**

on behalf of the Commission

(6 April 1994)

As part of the Community's cooperation with Central America, the Commission has financed two measures to strengthen trade unions. It is to these that the Honourable Member refers in his two questions.

The aim of the project entitled 'Training for trade union training officers' is to develop a training programme for such officers covering various aspects (e.g. teaching methods, labour law, the contribution of trade unions to regional economic policy) and organize regional seminars and conferences for national trade union leaders on the role of unions in the process of intra-American integration. The outcome of these activities has been very positive.

The bodies receiving funding and executing the project are the International Confederation of Free Trade Unions (ICFTU), established in Brussels, in cooperation with the Inter-American Regional Organization of Workers of the ICFTU (ORIT) of Mexico City and the Latin-American Centre for Workers (CLAT), based in Caracas, which is acting on behalf of the World Confederation of Labour (WCL).

The persons responsible for running this training programme were instructors from affiliated trade unions and outside experts or people with professional training (e.g. economists, specialists in labour law).

In addition to this project, the Commission approved one to strengthen and modernize Central American trade unions and here the International Labour Organization (ILO) was, in principle, to be the implementing body. But, because the

Community's and the United Nations' financial rules are incompatible, the ILO was unable to sign up for the project, the Commission has had to re-formulate it and implementation has therefore not yet begun.

Here, the aim is to set up trade union advisory units in each of Central America's six capitals. The main duty of the units will be to equip the trade unions with up-to-date systems for obtaining macro-economic information to give the unions the proper resources with which to carry out their own analyses as a first step towards drawing up consistent proposals for social policy.

The beneficiaries could be any trade union organization without distinction that might be consulted whenever any special regional or national plans relating to labour are being drawn up. Clearly, priority will be given to the most representative trade union associations or federations in each country and, where there is a trade union coordinating body, it will be called upon to take a lead in implementing the project.

**WRITTEN QUESTION E-3478/93**by **Christine Oddy (PSE)**

to the Commission

(11 November 1993)

(94/C 336/47)

*Subject:* European patent

Is the Commission aware that despite the Convention on the Grant of European Patents, once a European patent is granted it is still subject to conditions governed by national patents (Article 2(2))?

Consequently patent holders can lose their patent rights for failure to comply with a national condition.

What steps will the Commission take to block this anomaly and to expedite the introduction of a European patent under centralized administration?

**Answer given by Mr Vanni d'Archirafi**

on behalf of the Commission

(1 December 1993)

Article 2(2) of the Munich Convention on the Grant of European Patents (the 'European Patent Convention') does indeed provide that a European patent is to have the same effect and be subject to the same conditions as a national patent in each of the contracting States for which it is granted; but it goes on to say that this is so 'unless otherwise provided in this Convention'.

And in fact Article 138 of the Convention states that a European patent may be revoked under the law of a

contracting State, with effect for its territory, only on certain specified grounds, for example because the subject-matter of the patent is not patentable within the terms of the Convention, or because the patent does not describe the invention in a manner sufficiently clear and complete for it to be reproduced by a person skilled in the art.

A national court which revokes a European patent is able to do so because the European Patent Convention permits the national legislation to provide for revocation in certain specified cases, and not because some special feature of the domestic legislation has been invoked.

It has to be recognized, though, that while the grounds on which a European patent may be revoked by a national court are the same in all the States party to the European Patent Convention, this does not mean that the courts in different contracting States will necessarily understand a particular problem in the same way.

It is for this reason that in the very sensitive area of legal protection for biotechnological inventions the Commission has submitted a proposal for a Directive which seeks to ensure that national legislatures and courts will take the same approach to the problems which may arise <sup>(1)</sup>.

The present situation will come to an end with the entry into force of the Agreement relating to Community Patents. The Community patent is to have a unitary character. It will have equal effect throughout the territories to which the Community Patent Convention applies, which is to say the 12 Member States, and may be revoked only in respect of the whole of these territories. A Common Appeal Court is to be set up in order to ensure consistency in the treatment of Community patents by the lawcourts <sup>(2)</sup>.

<sup>(1)</sup> OJ No C 44, 16. 2. 1993.

<sup>(2)</sup> OJ No C 401, 30. 12. 1989.

#### WRITTEN QUESTION E-3535/93

by Alexandros Alavanos (GUE)

to the Commission

(13 December 1993)

(94/C 336/48)

*Subject:* Water pollution as a result of the uncontrolled disposal of sewage

Many industries and residential dwellings in Athens have illegally connected their sewage systems to rainwater drainage systems or natural reservoirs such as Kifisos, as well as rivers and other waterways in Attiki, with the result that unknown quantities of urban and industrial effluent are pouring into the sea, especially the Saronic Gulf.

This is a widespread public health hazard, causing serious pollution in the Saronic Gulf and undermining the effectiveness of major anti-pollution projects, such as the Community-funded biological purification plant at Psittalia.

Frequent projects have been made by the authorities in riverside areas of Athens. In certain cases, they have gone so far as to block the illegal conduits. However, they do not have sufficient funds or powers to monitor the situation constantly, while the central government authorities have not been efficient enough to locate and block all the illegal connections and prevent new ones, appearing.

1. What steps will the Commission take to ensure that the Psittalia biological purification plant operates effectively by combating other sources of urban and industrial pollution of the Saronic Gulf?
2. Will it provide funding for a comprehensive programme to locate illegal conduits discharging into waterways in Attiki?
3. What steps will it take to ensure that Greece effectively implements Community policy concerning civil liability for pollution, so as to prevent the practice of connecting illegal outlets?

Answer given by Mr Paleokrassas  
on behalf of the Commission

(15 April 1994)

In accordance with the principle of subsidiarity referred to in Article 3b of the EC Treaty and the 'polluter pays' principle referred to in Article 130r, the Commission has no power to act at municipal level to locate or dispose of the urban or industrial waste polluting the Saronic Gulf.

The Commission monitors the application of Council Directive 91/271/EEC concerning urban waste water treatment <sup>(1)</sup> which makes it compulsory to collect and treat waste from agglomerations with a population equivalent or more than 2 000, in accordance with a timetable spanning the period 31 December 1998 to 31 December 2005, depending on the size of the agglomeration and the characteristics of the receiving waters.

The Member States and local authorities are therefore not required to comply with the provisions relating to the collection of urban waste water until 31 December 1998 at the earliest for discharges from agglomerations of more than 10 000 p.e. into sensitive areas.

<sup>(1)</sup> OJ No L 135, 30. 5. 1991.

**WRITTEN QUESTION E-3585/93**by **Hemmo Muntingh (PSE)**

to the Commission

(14 December 1993)

(94/C 336/49)

*Subject:* Protection of birds of prey in the Dadia Forest, Greece

The Dadia Forest is one of the last remaining areas in Europe providing mature, original habitat for birds of prey and has the highest diversity of species of amphibians and reptiles. A reserve was founded here by ministerial decree in 1980. However, the whole area was declared a 'forest' in 1978 and thus came under the management of the Souflion Forestry Service. The resulting forestry activities have proved disastrous for wildlife and have increased considerably in scale over the last two years. The interests of wildlife play a very subordinate role to those of forestry. Despite the worthwhile objectives of a project initiated in 1992 under the auspices of WWF-Greece with EC funding, hardly anything has been achieved in the way of practical measures and agreements for the basic protection of the area.

1. Is the Commission aware that the Dadia Forest Reserve harbours one of the most intact and valuable populations of birds of prey in Europe (including globally threatened species) and that the area is recognized as a Special Protection Area (Community bird directive) and an Important Bird Area (Corine register) and has been officially designated a national park?
2. Does the Commission agree that an area accorded such exceptional status under international (Community) and national legislation should have the highest possible level of protection, that wildlife interests should take precedence over all others and management should be entrusted to a body that has only such objectives in mind? If not, why not?
3. Is the Commission aware that the Forestry Service's management policy is at present heavily in conflict with the interests of wildlife in the area?
4. Is the Commission aware that bulldozers are being used to create an extensive network of paths and firebreaks through highly sensitive breeding grounds and grazing herds are being excluded from the area? If so, can the Commission say what measures will be taken to bring an immediate halt to these activities? Who is responsible for ordering and financing them?
5. Is the Commission aware that all management and practical measures have to be assessed and approved by

the Ministry for the Environment before they are implemented by the Forestry Service but in fact this is not done, with the result that the reserve is suffering irreversible damage? Does the Commission know the reason for this? How and by what means is it planning to remedy the matter?

6. Does the Commission agree that management should not be in the hands of local forestry officials but dealt with by an independent management committee that will ensure appropriate, environment-friendly management? Would it not be desirable for an independent person or body to be able to carry out regular checks into the environmental consequences of policy implemented?
7. Is the Commission aware that, despite a project financed by the WWF in 1992, the trends described above have in fact increased in only the last two years? What is the Commission planning to do to halt these disastrous developments, when will it act and what financial means will it use?

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

(5 April 1994)

The Commission is fully aware of the importance of the Dadia Souflion site and its bird population. It is for this reason that Greece has classified the core area of the site as a Special Protection Area under Council Directive 79/409/EEC on the conservation of wild birds.

The Commission shares the opinion expressed by the Honourable Member that nature conservation must be given priority in this area. This definition and implementation of mechanisms to guarantee this and the management of the area in such a way that other land uses are compatible, fall under the responsibility of the Greek authorities.

However, in 1986 under the ACE Programme, the Commission granted financial support for the protection and management of the area in question, which proved to be the first successfully implemented project under this programme in Greece. In 1992, under the Acnat Programme, a further significant amount was granted for this purpose.

Last April the Commission official responsible for monitoring these projects visited the area and held a joint meeting with the NGO executing the project, the forestry authority and the local authority. From this meeting, it appeared that there was a good understanding and collaboration amongst bodies, favouring the site's conservation.

Neither on this occasion, nor at any stage since, has the international NGO of high repute executing the project, reported difficulties such as those indicated by the Honourable Member. The Commission will use these indications to request up-dated information and undertake, as far as necessary, the measures available under its competence to safeguard the conservation and appropriate management of this Dadia Souflion forest area.

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**WRITTEN QUESTION E-3590/93**

by Sotiris Kostopoulos (PSE)

to the Commission

(14 December 1993)

(94/C 336/50)

*Subject:* Quality and quantity of drinking water

Given the serious water shortage in the Community, Parliament has called for a common policy to safeguard the quality and quantity of drinking water throughout Europe for present and future use and has proposed a number of Directives. Does the Commission share Parliament's views on this matter?

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

(22 March 1994)

The Commission position is set out in the Fifth Action Programme entitled 'Towards Sustainability — A European Community Programme of Policy and Action in relation to the Environment and Sustainable Development' <sup>(1)</sup>. This states that Community policies must aim at ensuring that water demand and water supply are brought into equilibrium on the basis of more rational use and management of water resources.

As requested by the Council resolution of 25 February 1992 on the future Community ground-water policy <sup>(2)</sup>, the Commission has started to elaborate an action programme for ground-water which will also take into account quantitative aspects of water management and a general policy for managing fresh water resources.

<sup>(1)</sup> COM(92) 23 final Vol. II.

<sup>(2)</sup> OJ No C 59, 6. 3. 1992.

**WRITTEN QUESTION E-3615/93**

by Christopher Jackson (PPE)

to the Commission

(17 December 1993)

(94/C 336/51)

*Subject:* 'Simplified Procedures' used by customs authorities of Member States

A Commission communication <sup>(1)</sup> on the customs union in the context of the Single Market recommended that the efficient management of the customs union required a revision of customs working methods. Specifically, 'efforts should concentrate on increasing the use of simplified procedures which allow for the targeting of resources to higher risk areas'.

The Commission services have followed up the communication with a study defining a strategy for harmonizing the implementation of simplified procedures in the completed Single Market.

This study, published in April 1993, highlighted market differences in the implementation of simplified procedures in the Member States. Clearly, complying with interpretations of simplified procedures which differ from Member State to Member State burdens pan-European economic operators with costs that are unnecessary in a single market. The study stressed the need for direct participation of economic operators in discussions with the customs administrations at Community level.

1. Does the Commission agree there is an urgent need to implement harmonized simplified customs procedures in the Single Market?
2. Will the Commission involve economic operators in procedural meetings of customs administrations at Community level and in the associated working groups?
3. Will the Commission initiate a cost-benefit study to determine the most desirable way forward for harmonization of simplified procedures?

<sup>(1)</sup> COM (90) 572.

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

(28 January 1994)

1. Yes.
2. The Advisory Committee on Customs Matters and Indirect Taxation (Commission Decision 91/453/EEC) <sup>(1)</sup>, on which a variety of economic, trade and consumer sectors are represented (List of members 92/C 80/03) <sup>(2)</sup>, is the most appropriate forum for consultation between economic operators and the Commission on customs-related matters.



3. The Commission already has a wide range of information at its disposal on the use of customs simplified procedures. A broad Commission strategy on future customs policy was recently endorsed by national customs administrations at the highest level. This covers simplified procedures, among other matters, and is aimed at ensuring that economic operators benefit from similar levels of facilitation wherever in the customs territory they carry out activities involving the intervention of customs.

(1) OJ No L 241, 30. 8. 1991.

(2) OJ No C 80, 31. 3. 1992.

### WRITTEN QUESTION E-3632/93

by Sotiris Kostopoulos (PSE)

to the Commission

(17 December 1993)

(94/C 336/52)

*Subject:* Qualifications for voting in the European elections

Have the Member States adopted the legislative measures required to allow Europeans, within the spirit of European citizenship, to vote in their country of residence (and not necessarily their country of origin) in the European elections?

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

(27 April 1994)

After having consulted the Parliament<sup>(1)</sup>, the Council adopted on 6 December 1993 Directive 93/109/EC<sup>(2)</sup> implementing article 8B, paragraph 2 of the Treaty on the European Union and guaranteeing citizens of the Union residing in another Member State the right to vote there in European Parliament elections.

According to Article 17 of the Directive, Member States had to adopt the laws, regulations and administrative provisions necessary to comply with this Directive no later than 1 February 1994 and therefore enable the citizens of the Union to participate in the European elections held in June this year in their Member State of residence.

To date all Member States apart from Belgium have implemented the Directive. Belgium has, however, taken all accompanying administrative measures to ensure that

citizens from other Member States will be able to participate in the European elections held in June.

(1) OJ No C 29, 6. 12. 1993.

(2) OJ No L 329, 30. 12. 1993.

### WRITTEN QUESTION E-3679/93

by Sotiris Kostopoulos (PSE)

to the Commission

(3 January 1994)

(94/C 336/53)

*Subject:* Areas of ecological importance

Does the Commission consider that it would be a good idea to propose to the authorities of the Member States that they impose a ban on building — i.e. homes, industrial plant and tourist facilities — on public and private areas of ecological importance?

Answer given by Mr Paleokrassas  
on behalf of the Commission

(14 April 1994)

Management of public and private areas is a matter for the authorities of the Member States.

However, where sites are important in respect of a Community legal act those authorities must comply with that act and apply the appropriate measures.

### WRITTEN QUESTION E-3754/93

by Cristiana Muscardini (NI) and Jas Gawronski (ELDR)

to the Commission

(12 January 1994)

(94/C 336/54)

*Subject:* A Community observatory of industrial regions in decline

The area between the regions of Piedmont and Liguria, known as Valle Scrivia, which has a population of 850 000 and whose industries are important for the livelihoods of three million people, is undergoing a major industrial crisis.

Will the Commission take the appropriate measures to set up a Community Observatory for the area in order to

update the general picture of the crisis, ascertain the region's needs and shortages, coordinate agriculture and industry, and permit private consortia to be established among the various enterprises which are in crisis?

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

(30 March 1994)

The Commission is aware of the industrial crisis affecting the Valle Scrivia basin.

A report analysing the problems facing the different regions of the Community is regularly published under the auspices of the Commission. National, regional and local authorities are responsible for analysing needs and imbalances and defining measures at the level of individual areas.

**WRITTEN QUESTION E-3832/93**

**by Jas Gawronski (ELDR)  
to the Commission**

(17 January 1994)

(94/C 336/55)

*Subject:* Protecting the Olympus massif in Greece

In Article 130r of the Maastricht Treaty, the Community undertakes to pay special attention to protection of the natural and cultural heritage, basing its policy *inter alia* on the precautionary principle and on the principles that preventive action should be taken to prevent environmental damage (paragraph 2).

The Olympus massif in Greece undoubtedly represents a comprehensive symbol of our cultural heritage and is one of the rare natural areas still preserved in Europe's mountains, but it is also a magnet for investors in intensive tourism, which could destroy it.

1. What action has the Commission taken in response to requests for finance for tourist development projects in the Olympus massif?
2. To what extent are the Commission and the Greek Government's Environment Department coordinating the work of carrying out the environmental impact study in accordance with EEC Directives and

monitoring implementation of tourist development projects which have been approved?

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

(7 April 1994)

The Commission has not been officially informed of any development projects planned in the Mount Olympus area. If the Greek authorities were to make an application for financing such development the Commission would take all the measures necessary to enforce Community legislation on the environment.

**WRITTEN QUESTION E-3833/93**

**by Raymond Chesa (RDE)  
to the Commission**

(17 January 1994)

(94/C 336/56)

*Subject:* Moroccan tomato exports to the European Community

Is the Commission aware that in spite of the agreements concluded between the EEC and Morocco authorizing the latter to export up to 88 000 tonnes of tomatoes to the Community, during the 1991/92 marketing year Morocco exported more than 150 000 tonnes to the Community?

Moroccan tomatoes supply the European market mainly from November to May and arrive in such quantities that they are sold at prices which are often lower than our own production costs. Late (October to November) and early (from mid-February onwards) European crops are confronted de facto with very tough competition.

Does the Commission plan to take steps to halt Moroccan tomato imports when the threshold of 100 000 tonnes is crossed and to introduce an effective reference price system for tomatoes during the autumn/winter period so as to avoid future price disruption?

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

(8 April 1994)

Under the cooperation agreement of 1976 and the supplementary protocol of 1988, between 15 November

and 30 April Morocco benefits from a zero tariff quota for tomatoes. This quota was originally set at 86 000 tonnes, including 15 000 for April, and under the 'new Mediterranean policy' the quota has been increased by 3 % (2 580 tonnes) a year over the period 1992 to 1995. In 1993 it was 91 160 tonnes.

During the period in which the quota applies, imports in excess of the quota are not prohibited, but are subject to a customs duty of 4,4 %. At other times of year the customs duties are 11 % or 18 %.

In addition, Morocco has bilateral arrangement with France, based on the Protocol annexed to the EC Treaty, giving it a duty-free quota for imports to the French market of 120 000 tonnes of tomatoes.

From 1996 relations between the Community and Morocco will be governed by a new agreement, for which the Commission has just received a negotiating mandate. Under the terms of this mandate it is proposed that the French tariff quota should be integrated into the Community quota to make up an overall amount of 134 604 tonnes. Based on the level of actual imports, the future quota should thus be significantly lower than the total of the two present quotas.

Given the absence of reference prices between 20 December and 1 April, the Commission has proposed, in the context of the recent Uruguay Round Agreement, the tariffication of the present system and the introduction of an 'entry price' applicable throughout the year.

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**WRITTEN QUESTION E-3835/93**

by **Filippos Pierros (PPE)**

to the Commission

(8 December 1993)

(94/C 336/57)

*Subject:* Role of Greek companies in Tacis contracts

Greek companies accounted for only 0,5 % of the number and 0,2 % of the financial volume of Tacis contracts signed until 15 September 1993. These figures are significantly lower than the corresponding ones for all other Member States except Portugal, whose figures are lower even than Greece's.

To what specifically does the Commission attribute the tiny presence of Greek firms in Tacis contracts, and does it foresee greater participation by them in 1994?

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

(28 January 1994)

In evaluating tenders for contracts in the Tacis Programme, the criteria which are considered are objective criteria relating to the technical merit of the bid, including the firm's capacity to fulfil the task, its past experience in similar work and its experience in the country in which the project is to be done. The nationality of the firm plays no part in the decision. A relatively low volume of contracts won by the firms of any particular Member State is therefore likely to reflect only their difficulty in fulfilling these objective criteria.

In the particular case of Greece, it seems likely that the predominance of small and medium-sized enterprises makes it difficult for large numbers of Greek firms to accept the financial risk of participating in tenders when they are invited. In addition, it seems that Greek firms have relatively little experience of preparing tender documents for external assistance programmes.

Regarding services contracts, which are generally awarded on the basis of a restricted tender from a shortlist compiled by the Commission from a register of firms, Greek firms were shortlisted 89 times, representing 25 % of all cases. In 27 of these cases, the Greek firms declined to submit an offer. In 25 other cases, the evaluation of the tenders submitted is not yet complete.

The Commission has already taken a number of steps to assist Greek firms to participate more fully in the Tacis Programme. It has organised a seminar in Greece to explain how Tacis contracts are organized and how bids should be submitted. The Commission has also decided to give advance information about forthcoming projects to all interested bodies, which will help firms to concentrate their resources on those projects which are most relevant to their expertise. It has also been the Commission's experience that small firms or those with limited experience of programmes such as Tacis, can benefit from participating in Europe-wide consortia in tendering for contracts.

**WRITTEN QUESTION E-3855/93****by Henry McCubbin (PSE)****to the Commission***(17 January 1994)**(94/C 336/58)**Subject:* Charges for access to ECHO and TED

Would the Commission please explain that, whilst its policies proclaim to be to help SMUs, a decision has been taken to charge European Information Centres for access to the ECHO host database and, in particular, the TED Database which is widely used by EICs to help SMUs?

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

*(5 May 1994)*

It is Commission policy to facilitate consultation of ECHO and TED by SMEs, in particular via the Euro Info Centres.

Another concern, however, is to avoid distorting the information market, where most of the players are SMEs, and to enhance synergy between the public sector and the private sector on this market.

These were the reasons why it was decided to introduce a charge for the use of the data bases by EICs, but — at the same time — the Commission is on the basis of a pilot action looking into the possibility of giving financial support to the EICs to encourage the use of this instrument, while continuing its policy of non-discrimination on the information market.

Further, so far as in particular TED is concerned, the Commission has negotiated a group rate for the EICs as frequent users of the system.

**WRITTEN QUESTION E-3904/93****by Sotiris Kostopoulos (PSE)****to the Commission***(24 January 1994)**(94/C 336/59)**Subject:* Support for Europe's cinematographic heritage

With reference to the recent appeal by the Director-General of Unesco, Mr Federico Mayor, to save the international

cinematographic heritage, can the Commission state what steps the Community is taking and what resources it is employing in support of Europe's cinematographic heritage?

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

*(28 March 1994)*

The Commission shares the sentiments expressed by the Director-General of Unesco in his appeal to save the international cinematographic heritage.

As regards the European cinematographic heritage in particular, the Commission is involved primarily via the Lumiere project, part of the Media Programme, in which the majority of European film libraries participate.

The main aim of the project, whose funding has been increased for 1994, is to preserve and restore old films.

Over 65 restoration projects have been undertaken by various film libraries since 1991 with the support of Lumiere.

Lumiere is also working on a project to recover and identify lost films.

Looking ahead to the 1995 centenary of the cinema, there are plans for a public awareness campaign on the theme of preserving the cinematographic heritage, which would include a short film to be screened before restored works at the major European festivals.

Another Lumiere initiative for 1995 is the planned production in electronic form of a European directory of the cinema, which will bring together and harmonize the various national filmographies.

This type of measure is included in the recommendation for saving and preserving film adopted by Unesco and reaffirmed by Federico Mayor in his appeal of 2 November 1993.

The Commission is also supporting film festivals and will give priority in 1994 and 1995 to events which celebrate the European cinematographic heritage, such as the Pordenone festival in Italy (Giornate del cinema muto) and Cinememoire in Paris.

## WRITTEN QUESTION E-3982/93

by Sotiris Kostopoulos (PSE)

to the Commission

(19 January 1994)

(94/C 336/60)

*Subject:* Establishment of a computer network for exchanges of personal data relating to insurance, etc.

Will the Commission say whether — and if so when — it intends to set up a computer network between the countries of the European Union on exchanges of personal data relating to insurance, the preconditions for insurance etc?

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

(22 April 1994)

The Honourable Member asks whether the Commission intends to set up a computer network for the exchange, between the countries of the European Union, of data relating to insurance. This answer will deal in turn with three aspects of the matter raised by the question:

- (a) systems for the exchange of data on the supply of services;
- (b) systems for the exchange of data on the demand for services;
- (c) systems for the exchange of data between supervisory authorities.

The question should also be seen in the light of the two proposals for Council Directives currently under discussion:

- with regard to the establishment of databases, the proposal on the legal protection of databases <sup>(1)</sup>;
- with regard to the computer processing of personalized data, the proposal on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(2)</sup>.

- (a) The Commission considers that databases giving information on the supply of insurance services and detailing, for each product and market, information such as the cover proposed, terms, charges and performances are best set up by the economic operators concerned, rather than via a public initiative.

The aim of the single market in insurance services has indeed been to make the whole range of services available in the different Member States accessible to consumers, while achieving a minimum degree of harmonization of prudential supervision of

insurance firms (licensing and supervision solely in the home Member State) which enables them to offer their full range of services throughout the Community, provided that each of those services complies with the public policy measures in force in the host Member State.

This legislation is thus designed to provide a framework within which the economic operators concerned (insurance firms and agents, companies specializing in data systems, etc.) can set up and operate such computer networks on a commercial basis.

Since there would be no reason to promote one sector of the economy more than another when setting up a computerized catalogue of the range of products and services available in the single market, it is clear that, because of its scale, such a development would be beyond the current resources of the Commission.

By contrast, sectoral projects on the initiative of economic operators could benefit from the practical effects of Community measures to promote the development of trans-European telecommunications networks, for example as regards the inter-operability of systems.

- (b) Demand for insurance services might also be expressed in the form of a tender specification on the basis of which an invitation to tender could be published, but the above arguments would still apply *mutatis mutandis*.

Nevertheless, the Commission would draw the Honourable Member's attention to the field of public procurement. On the basis, in particular, of Directive 92/50/EEC relating to the coordination of procedures for the award of public service contracts, the Commission felt justified in proposing to the Council that a data communications network be set up for the publication of invitations to tender for public contracts, including invitations to tender in respect of insurance services where these are covered by the Directive (i.e. the estimated amount involved is more than ECU 200 000).

- (c) The increased cooperation and greater exchange of information between the insurance supervisory authorities in the Member States following the introduction of the single licensing and supervisory arrangements could result in a specialized data communications network being set up between them. The purpose of such a network, access to which would be strictly confined to the supervisory authorities on account of the professional secrecy requirements governing the data which they gather on firms, would be to facilitate insurance supervision in the single market. The feasibility of

the project and the possible involvement of the Commission, in the context of the measures to promote data communications networks between administrations, are still under discussion with the Member States.

(<sup>1</sup>) COM(93) 464 final — SYN 393, 4. 10. 1993.

(<sup>2</sup>) COM(92) 422 final — SYN 287, 15. 10. 1992.

#### WRITTEN QUESTION E-3996/93

by Sotiris Kostopoulos (PSE)  
to the Commission  
(26 January 1994)  
(94/C 336/61)

*Subject:* Plight of crocus growers in Kozani

Crocus growers in the region of Kozani have recently suffered enormous damage owing to snowfall in the region. How does the Commission intend to express its interest in this matter?

Answer given by Mr Steichen  
on behalf of the Commission  
(6 April 1994)

The Commission has received no information regarding the damage caused to saffron crocus crops by bad weather in Kozani. However, it would remind the Honourable Member that the Community does not have any legal or financial instruments for compensating harvest losses resulting from natural disasters.

#### WRITTEN QUESTION E-4046/93

by José Vázquez Fouz (PSE)  
to the Commission  
(31 January 1994)  
(94/C 336/62)

*Subject:* Artificial reefs

Regulation (EEC) No 4028/86 (<sup>1</sup>) made provision for supporting structural action to build artificial reefs intended to encourage the reproduction of marine species. Seven years on, how does the Commission rate the introduction of artificial reefs?

How many schemes have been carried out at what total and average cost and in which Member States?

How many checks has the Commission carried out in situ?

(<sup>1</sup>) OJ No L 376, 31. 12. 1986, p. 7.

Answer given by Mr Paleokrassas  
on behalf of the Commission  
(28 March 1994)

The Commission has been financing the creation of artificial reefs to help restock marine populations for ten years under the fisheries structural Regulations, namely Regulation (EEC) No 2908/83 until 1986 and Regulation (EEC) No 4028/86 thereafter. Since 1 January 1994, Regulation (EEC) No 2080/93 (<sup>1</sup>) has replaced Regulation (EEC) No 4028/86, and also includes in its objectives measures relating to artificial reefs. Under this Regulation it is up to Member States to decide what projects to finance.

Three Member States established artificial reefs part-financed by the Community in the period 1983—1993. The table below shows the breakdown of Community financing of the reefs.

(ECU)

| Member State | Number of reefs | Total cost | Average cost per reef | Total Community contribution | Average Community contribution per reef |
|--------------|-----------------|------------|-----------------------|------------------------------|---|
| Spain        | 28              | 9 470 592  | 338 235               | 4 621 426                    | 165 051                                 |
| Italy        | 14              | 17 664 188 | 1 261 728             | 8 761 939                    | 625 853                                 |
| France       | 12              | 1 949 308  | 162 442               | 927 617                      | 77 301                                  |

The scientific studies accompanying the establishment of these structures are still under way, but they are extremely long-term projects and this fact, combined with the fact that many of the installations have been financed relatively recently, means that the Commission has not yet been able to draw definitive conclusions regarding an assessment of artificial reefs for re-stocking purposes. On-the-spot checks will be carried out as part of normal inspection missions.

(<sup>1</sup>) OJ No L 193, 31. 7. 1993.

**WRITTEN QUESTION E-4070/93**

by Sir James Scott-Hopkins (PPE)

to the Commission

(1 February 1994)

(94/C 336/63)

*Subject:* Blade-stopping time

Does the Commission agree that the requirements for blade-stopping time contained in the current draft European standards for many types of gardening tools are inadequate? What new proposals does it have in this field?

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

(11 March 1994)

As indicated in the Commission's answer to the Honourable Member's Written Question No 1415/90 <sup>(1)</sup>, garden tools straddle the fields of machinery safety and electrical safety. They are accordingly covered by Council Directives 89/392/EEC <sup>(2)</sup> and 73/23/EEC <sup>(3)</sup>.

In the context of Directive 89/392/EEC, the Commission has given the European standardization bodies CEN and Cenelec a mandate to draw up harmonized standards for various types of machinery, including garden tools. In 1993 these bodies received a second mandate to revise the existing standards relating to Directive 73/23/EEC on the basis of Directive 89/392/EEC. Such harmonized standards, drawn up on the basis of consensus between all interested parties, are intended to translate into technical terms the essential health and safety requirements of the abovementioned Directives.

In their first draft standards, CEN and Cenelec provide that the blade-stopping time for garden tools is to be reduced progressively.

In accordance with the principles of the new approach to technical harmonization, defined in the Council resolution of 7 May 1985 <sup>(4)</sup>, it is entirely a matter for the European standardization bodies to define the technical content of harmonized standards in accordance with their own procedures.

<sup>(1)</sup> OJ No C 312, 12. 12. 1990.

<sup>(2)</sup> OJ No L 183, 29. 6. 1989.

<sup>(3)</sup> OJ No L 77, 26. 3. 1973.

<sup>(4)</sup> OJ No C 136, 4. 6. 1985.

**WRITTEN QUESTION E-73/94**

by Sotiris Kostopoulos

to the Commission

(14 February 1994)

(94/C 336/64)

*Subject:* Disposal of the large quantities of tobacco from Greece's 1993 tobacco crop

In view of the large quantities of tobacco from the 1993 Greek tobacco crop which are still unsold, does the Commission intend to take steps to ensure the full disposal thereof?

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

(20 April 1994)

Community Regulations do not provide for intervention purchases in the tobacco sector. Accordingly, Member States may not intervene in the market through the financing of intervention or purchases made by cooperatives.

**WRITTEN QUESTION E-115/94**

by Ria Oomen-Ruijten (PPE), Raphaël Chanterie (PPE), Doris Pack (PPE), Viviane Reding (PPE) and Jan Sonneveld (PPE)

to the Commission

(17 February 1994)

(94/C 336/65)

*Subject:* European assistance to flood victims

1. Can the Commission give any information on the consequences of the serious flooding in France, Germany, Luxembourg, Belgium, and the Netherlands?
2. Can it give an estimate of the damage in each Member State or region?
3. What assistance will the Commission give to the affected regions and the victims? Can the Commission give details for each Member State or region?
4. What funds are available from the 1993 European Disaster Fund?
5. Is it possible to use the European Disaster Fund for this purpose in 1994?

6. What financial help do victims receive from the various Member States?

7. Can the Commission give details of all payments from the European Disaster fund in 1992 and 1993?

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

(25 April 1994)

1, 2 and 6. The Commission would suggest that the Honourable Members would obtain more accurate information by contacting the relevant authorities in the Member States.

3. On 24 December 1993 and 7 January 1994 the Commission granted emergency aid amounting to ECU 500 000 and ECU 300 000 respectively to the victims of this disaster. The breakdown by Member State was as follows:

(ECU)

|             |         |
|-------------|---------|
| Belgium     | 200 000 |
| Germany     | 195 000 |
| France      | 195 000 |
| Luxembourg  | 15 000  |
| Netherlands | 195 000 |

This humanitarian gesture is a real token of Community solidarity with the victims of the floods.

The aid was distributed by the national Red Cross societies in accordance with Community rules and procedures governing emergency aid to disaster victims. It was intended to help victims' families, the injured and the most needy of the homeless by providing money, first aid and essential supplies.

The Commission is informed by the Red Cross that the aid went to the following areas:

- Belgium: the provinces of Hainaut, Walloon Brabant, Namur, Liège and Luxembourg
- Germany: the Länder of Rhineland-Palatinate, North Rhine-Westphalia, Saarland and Bavaria
- France: the regions of Nord/Pas-de-Calais, Picardy, Champagne-Ardenne, Ile-de-France, Lorraine, Rhône-Alpes, Provence-Alpes-Côte d'Azur, Midi-Pyrénées, Languedoc-Roussillon, Aquitaine, Poitou-Charentes and Upper Normandy
- Luxembourg: the entire country

— Netherlands: the provinces of Limburg, North Brabant, Gelderland and Overijssel.

4. There is no European Disaster Fund as such, but there is a budget item for emergency aid to disaster victims in the Community (B4-3400) which is managed by the Commission. Since the appropriation in this item for 1993 was used in full, there are no longer any funds available for this purpose.

5. The 1994 appropriation of ECU 5 million was drawn on the second tranche of ECU 300 000 distributed in Germany, France and the Netherlands.

7. In 1992 eight tranches of emergency aid were distributed, totalling ECU 3,45 million, and in 1993, 16 tranches totalling ECU 5,38 million.

#### WRITTEN QUESTION E-132/94

By Sotiris Kostopoulos (PSE)

to the Commission

(17 February 1994)

(94/C 336/66)

*Subject:* Quantity of alcohol produced in the Community used to produce fuel

How much alcohol produced in the Community will be used to produce fuel?

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

(5 April 1994)

The Commission has no data on the production of ethanol for fuel, which is in any event negligible compared with the amounts of petrol produced in the Community (121,8 million tonnes in 1993). Nevertheless the following information will help to clarify the situation:

- wine alcohol: the alcohol from wine used as fuel comes from the distillation of vinification by-products and over-production of wine. This use of such products is



not likely to disturb the traditional Community markets in alcohol and spirits.

Some of this alcohol (approximately 1—2 million hl per year) is exported to non-member countries, the rest (1,2 million hl) being sold on the Community market.

This alcohol will be dehydrated and in most cases directly mixed with petrol or transformed into ETBE (ethyl-tertio-butyl-ether), a petrol additive, in the proportions permitted under Directive 85/536/EEC.

— grain alcohol and in particular beet alcohol: there are a number of pilot projects in France and Italy. The quantities produced are negligible except in France, where the following quantities of ETBE have been marketed:

— in 1991: 500 hl

— in 1992: 42 692 hl

— in 1993: 346 359 hl.

In spite of Community and national support measures, the use of bio-alcohol is still limited.

#### WRITTEN QUESTION E-149/94

by Neil Blaney (ARC)

to the Commission

(17 February 1994)

(94/C 336/67)

*Subject:* Consolidated text of the Maastricht and Rome Treaties

What is the situation concerning the availability of a consolidated version of the Treaties of Rome and Maastricht?

Does not the Commission agree that the availability of such a consolidated text would be an important contribution to transparency as regards the activities of the Community?

Does the Commission agree that an annotated text might be required to make the consolidated text easily accessible to all Community citizens?

Answer given by Mr Delors  
on behalf of the Commission

(21 April 1994)

At the end of 1993, the Office for Official Publications of the European Communities began publishing a new edition of 'Selected instruments taken from the Treaties', which incorporates the provisions of the Treaty on European Union.

This publication takes the form of two books of two volumes each. The first book, which deals with texts currently in force, combines in consolidated form the Treaty on European Union and the Treaties establishing the EEC, the ECSC and the EAEC. The second book will contain the full set of basic Treaties, amending Treaties and Acts of Accession.

So far, only Volume 1 of book 1 has appeared. A provisional version of this consolidated text was first published on 31 August 1992 <sup>(1)</sup>.

This consolidated version is also to be found on the Celex database.

The Commission feels that this work will make an effective contribution to improving transparency.

The Commission has produced, on its own account and in association with other bodies, a number of brochures illustrating the principal innovations introduced by the Treaty on European Union, and will continue this task of bringing the text of the Treaty and details of its implementation to a wider audience. However, it is for universities to produce commentaries on the treaties, although, of course, the task of interpretation will ultimately lie with the Court of Justice.

<sup>(1)</sup> OJ No C 224, 31. 8. 1992.

#### WRITTEN QUESTION E-200/94

by Sotiris Kostopoulos (PSE)

to the Commission

(22 February 1994)

(94/C 336/68)

*Subject:* Progress as regards compensation for Greece owing to the continuing conflict in the former Yugoslavia

Will the Commission say whether any progress is being made as regards compensation for Greece owing to the continuing conflict in the former Yugoslavia?

Answer given by Sir Leon Brittan  
on behalf of the Commission

(17 March 1994)

The Commission is aware of the problems that the crisis in the former Yugoslavia is causing some Member States as well as some other countries bordering on Serbia and Montenegro.

In the Community context, Council Regulation (EEC) No 525/92 introduced, for 1991, temporary financial compensation for the transport from Greece of certain fresh fruit and vegetables. Council Regulation (EEC) No 3438/92 extended this aid to cover 1992 and 1993. Commission Regulation (EEC) No 936/93 subsequently set the level of compensation under Regulations (EEC) No 525/92 and (EEC) No 3438/92 at ECU 2,3 per hundred kilogrammes of net weight.

This sum was increased to ECU 4 per hundred kilogrammes of net weight by Commission Regulation (EEC) No 2827/93 of 15 October 1993.

The Commission estimates that, for 1991 and 1992, Greek exporters of certain fruit and vegetables have received some ECU 10 million under these special measures. All regions of Greece are eligible, and this includes Crete.

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**WRITTEN QUESTION E-232/94**

by Carmen Díez de Rivera Icaza (PSE)

to the Commission

(24 February 1994)

(94/C 336/69)

*Subject:* Corine and the European Environment Agency

With the entry into force of the European Environment Agency, both the Corine Programme and its funding will come under this Agency, as agreed.

Could the Commission confirm this fact and say how Corine has been incorporated in the agency?

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

(8 April 1994)

The achievements of the Corine Programme will form an essential basis for the activities of the European Environment Agency. The Corine information system, the common methods and nomenclatures and the networks of experts are already being used to implement the Community's environment policy. Provision has therefore been made under the 1994 budget to maintain, utilize and develop these results within the framework of the Agency's tasks.

**WRITTEN QUESTION E-238/94**

by Raymonde Dury (PSE)

to the Commission

(24 February 1994)

(94/C 336/70)

*Subject:* Human rights violations in Libya

Between January 1989 and April 1990 hundreds of people were arrested in Libya during demonstrations against the present regime. These persons are still detained without trial and, seemingly, without any charges having been brought against them. Many of them are students, teachers or employees. Their families have no information about what has happened to them. International organizations such as Amnesty International are concerned at their detention and are calling for them to be released if they are not accused of violent action or incitement to violence. In any event, they must be given a fair trial and be allowed to obtain the assistance of lawyers and doctors.

Given the current plans to reintroduce penalties such as torture — flogging, stoning, amputation, etc. — into the Libyan penal code, what measures will the Commission take to bring pressure to bear on the Libyan authorities so that human rights are respected?

**Answer given by Mr van den Broek  
on behalf of the Commission**

(25 April 1994)

The Commission is informed of the continuing violation of human rights in Libya and, more specifically, of the denial of a fair trial to a large number of people held in detention for several years without charge. The Government of Libya is well aware of the great importance the European Union pays to the respect of human rights in its external relations. The Commission expects Libya to honour the commitments it has undertaken when acceding to the International Covenants on Civil and Political as well as on Economic, Social and Cultural Rights.

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**WRITTEN QUESTION E-282/94**

by Sir James Scott-Hopkins (PPE)

to the Commission

(25 February 1994)

(94/C 336/71)

*Subject:* What is meant by 'the millenium'?

To what date is the Commission referring when it mentions in official documents 'the millenium'? Is the Commission

aware that, whilst many of my constituents intend to celebrate the millenium on 1 January 2000, the UK Department of National Heritage apparently believes that the appropriate date is 1 January 2001?

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

(14 April 1994)

The Commission does not have a special definition of a 'millenium'. It endeavours, as always, to be logical. A millenium covers a period of ten centuries or 1 000 years. Under these circumstances, the third millenium can only commence once the first two thousand years of the Christian era have ended, that is to say on 1 January 2001. The Commission would thus agree with the Department of National Heritage.

**WRITTEN QUESTION E-312/94**

**by Sotiris Kostopoulos (PSE)**

**to the Commission**

(28 February 1994)

(94/C 336/72)

*Subject:* Further support for the research sector

The new research framework programme, which is scheduled to start towards the end of 1994, is due to be considered during the Greek presidency. In view of this, can the Commission say whether it is in favour of increasing the Community's budget for research and of strengthening this sector, particularly in the southern European countries, as a means of promoting convergence?

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

(29 April 1994)

In its proposal concerning the Fourth Framework-Programme <sup>(1)</sup>, the Commission estimated overall financing for Community research and technological development activities at ECU 13,1 billion. This represents a slight increase compared with the figure for 1993 which, extrapolated to cover the same period, is approximately ECU 12,3 billion.

In view of the differences between the Council and Parliament regarding the funding of the Fourth Framework-Programme, the Conciliation Committee, provided for in Article 189b (63) of the EC Treaty, met on 4 and 21 March 1994 and agreed on an overall appropriation

of ECU 12,3 billion, to which ECU 0,7 billion could be added in 1996. This agreement between the Council and Parliament is a compromise which will enable Community RTD to be maintained at the same level.

Community research will thus continue to contribute to the strengthening of social and economic cohesion, as studies have shown. Less developed regions benefit from the scientific and technical quality of Community activities (Report EUR 13994). This objective is among the selection criteria for Community activities listed in Annex II to the Fourth Framework-Programme <sup>(1)</sup> and it is more particularly emphasized in the description of activities three (dissemination and optimization of results) and four (training and mobility of researchers) in Annex III.

<sup>(1)</sup> COM(93) 276.

**WRITTEN QUESTION E-343/94**

**by Gerardo Fernández-Albor (PPE)**

**to the Commission**

(1 March 1994)

(94/C 336/73)

*Subject:* Possible Community action against the effects of discharging toxic waste into the rias of Galicia (Spain)

The toxic waste discharged into the rias of Galicia represents a threat to public health and the abundance of seafood found there.

In view of the fact that the situation remains a delicate one as regards both public health protection and industrial production in the area, can the Commission say what Community programme could help to solve the conflict of interests in the area concerned so that, following appropriate action, both public health and the industrial production affected will be adequately protected?

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

(7 April 1994)

The Commission would remind the Honourable Member that it falls to the Member States to take the necessary measures to dispose of toxic waste in accordance with the Community's environment policy and legislation.

The Commission is able to provide financial help if the Member State so wishes. Discussions are currently under way on Spain's Objective No 1 regional development plan.

If the Spanish authorities so propose, this plan could result in action along the lines expressed by the Honourable Member.

In addition, Spain also receives appropriations earmarked under the Cohesion Fund for environmental and transport projects during the period 1993—1999. This instrument can also be used to fund projects of this type.

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**WRITTEN QUESTION E-349/94**

**by Anita Pollack (PSE)**

**to the Commission**

*(1 March 1994)*

*(94/C 336/74)*

*Subject:* Social needs of the elderly

Given the lack of comparable statistical data on social and health services and pension and social security schemes in the European Union, does the Commission plan to set up databases in order to collect objective information on these areas and on the economic and social needs of elderly women in particular?

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

*(4 May 1994)*

The Commission does not intend to set up new databases on the issues of economic and social needs of elderly women.

Nevertheless, in the context of the European year of older people and solidarity between generations, the European observatory on ageing and older people has collected and published comparative information on the situation of older people in Europe, including the particular situation of older women. The Commission intends that this work should be developed further in the future.

Further in 1992 Eurostat has published comparable statistics on social protection for the function 'old age' covering the period from 1980 to 1988 and showing expenditure on benefits, including different types of benefit (e.g. home help, accommodation) as well as the corresponding numbers of beneficiaries.

Also within the framework of the European year of older people and solidarity between generations, the Commission has funded an analysis of the mortality by main causes of death of people over 55 years old and the results of this analysis have been published. In addition an inventory for data collection on morbidity, invalidity and handicaps of people over 55 years old has been established and it is envisaged that this inventory will be expanded in order to

obtain more detailed information on the type of data available in the Member States.

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**WRITTEN QUESTION E-464/94**

**by Tullio Regge (PSE) and Rinaldo Bontempi (PSE)**

**to the Commission**

*(7 March 1994)*

*(94/C 336/75)*

*Subject:* Employment threats facing disabled citizens in Italy

Mr Innocenzo Cipoletta, Director-General of Confindustria (the Italian Manufacturers' Association), recently asked the Italian Labour Minister to suspend the practice of compulsory employment as a means of tackling the production and employment crisis in Italy.

Furthermore, FIAT has announced that it is selling its UPAs in northern Italy (the workshops in which most of its disabled and incapacitated workers are employed) to its small suppliers, which may lead to 'surreptitious' dismissals. In its Melfi factory, FIAT has not taken on any disabled workers among its 1 356 employees, 1 300 of whom are on job-training schemes.

Does the Commission not agree that the conduct of Confindustria and Italy's largest car manufacturer is contrary to the principles set out in the Community charter of the Fundamental Social Rights of Workers, especially chapter 26? Does it not agree also that, in the light of the White Paper on competitiveness, growth and employment, efforts must be made to help integrate disabled people into working life and enlist the aid of all the parties concerned (economic, social and institutional) to ensure that disabled people are not made to feel marginalized and cut off from society?

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

*(6 May 1994)*

The Community charter on fundamental social rights of workers states that all disabled people must be entitled to additional concrete measures aimed at improving their social and professional integration. The Council recommendation of 24 July 1986 on the employment of disabled people in the Community also referred to the use of quotas to promote employment. However the Commission has no enforcement powers in this area.

The Commission proposes to consider the specific position of disabled people in relation to employment following both the White Paper on 'Growth, competitiveness, employment — the challenges and ways forward into the 21st century'

and the Green Paper on 'European Social Policy — Options for the Union'. The social partners, NGOs and all other interested parties are expected to be involved in the development of any new initiatives in this area.

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**WRITTEN QUESTION E-482/94**

by Ernest Glinne (PSE)

to the Commission

(14 March 1994)

(94/C 336/76)

*Subject:* Portable telephones and health risks

Some scientists believe that portable telephones may present health risks, or even cause brain tumours in users.

These telephones generate powerful electromagnetic fields close to the head. Thus there is interaction among biological structures very close to a radiation source.

According to medical experts, the safety threshold is 4 w/kg or 4 mw/g, allowing a safety coefficient of 10 because not all biological tissues absorb energy in the same way.

1. What research has been carried out in Member States concerning the risks attendant on portable telephones?
2. What European provisions exist concerning the exposure of people to this type of electromagnetic radiation?

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

(4 May 1994)

The Honourable Member is referred to Written Questions No 757/93 by Mr John Bird and No 554/93 by Mr Llewellyn Smith <sup>(1)</sup> which listed previous answers provided by the Commission.

The value of 0,4 W.Kg<sup>-1</sup> cited by the Honourable Member, is indeed the ceiling level for the protection of workers against the thermal effects of electromagnetic radiation in the range of frequencies used by portable radiotelephone equipment, put forward by the Commission in its proposal for a Directive on physical agents <sup>(2)</sup>.

As regards 'athermal' effects, including carcinogenicity, the available experimental and epidemiological evidence, whilst

inconclusive, justifies the formulation of hypotheses for testing by further investigation as a matter of priority. The Commission is supporting such investigations, notably in the context of Community programmes and actions in the field of public health.

Finally, European standards pertaining to mobile communications equipment are not yet available, but the Commission has forwarded to the European Committee for Standardization and to the European Committee for Electrotechnical Standardization mandates for developing relevant safety emission limits.

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<sup>(1)</sup> OJ No C 207, 30. 7. 1993.

<sup>(2)</sup> OJ No C 77, 18. 3. 1993.

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**WRITTEN QUESTION E-518/94**

by Sotiris Kostopoulos (PSE)

to the Commission

(14 March 1994)

(94/C 336/77)

*Subject:* The creation of structures for upgrading the image of itinerant traders

Can the Commission state whether it intends to create structures for improving the image of itinerant trading, markets and itinerant traders throughout the Community?

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

(3 May 1994)

The Commission has no mandate to create structures for improving the image of itinerant trading, markets and itinerant traders.

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**WRITTEN QUESTION E-525/94**

by Sotiris Kostopoulos (PSE)

to the Commission

(14 March 1994)

(94/C 336/78)

*Subject:* Drawing up a Directive for stamping out poliomyelitis

Does the Commission intend to give consideration to the need for a Directive on stamping out poliomyelitis, based on a triple strategy: vaccination, epidemiological monitoring and the development of research laboratories?

**Answer given by Mr Flynn  
on behalf of the Commission**  
(3 May 1994)

The Commission has no plans to examine the need for such a directive. However as announced in its communication <sup>(1)</sup> the Commission intends to propose action aiming at encouraging cooperation between Member States and coordination of their policies and programmes in the field of communicable diseases, which includes, of course, poliomyelitis.

(1) COM(93) 559 final.

**WRITTEN QUESTION E-568/94**

**by Sotiris Kostopoulos (PSE)**  
**to the Commission**  
(15 March 1994)  
(94/C 336/79)

*Subject:* Rights of pensioners' associations in Gibraltar

Given that the British Government has unilaterally decided to abolish the pension rights acquired by some 15 000 workers in Gibraltar and, in particular, to abolish the Gibraltar Social Insurance Fund, does the Commission intend to take any measures to protect the social rights of pensioners' associations in Gibraltar?

**Answer given by Mr Flynn  
on behalf of the Commission**  
(6 May 1994)

The matter of the abolition of the Gibraltar Social Insurance Fund, which initially had been dealt with exclusively on a bilateral basis, is currently being examined by the Commission and the Administrative Commission on Social Security for Migrant Workers.

The Commission has asked the UK authorities for further information to clarify matters such as the reasons behind the failure of the Funds, the nationalities and categories of persons affected, the effects on other forms of benefit and the method of calculating acquired rights.

The answer which has just been received is now being examined in the light of the principles of Community law regarding the coordination of national legislation on social security. These include the principles of equal treatment and

of the maintenance of rights which have already been acquired or which are in the process of being acquired, with the aim of guaranteeing the free movement of workers.

**WRITTEN QUESTION E-595/94**

**by Bouke Beumer (PPE)**  
**to the Commission**  
(9 March 1994)  
(94/C 336/80)

*Subject:* Reliability of inflation figures

Inflation figures play an extremely important role in socio-economic activities. There must be no doubt about the reliability of current and expected inflation figures. Not only must the premises on which inflation figures are based be carefully chosen: they must also be constantly updated to avoid the risk of published inflation figures differing from actual figures by many tenths of a percentage point.

1. Can the Commission indicate for each Member State in which year the premises for the calculation of inflation figures were adopted?
2. Are the inflation figures which the European Union uses in its publications and communications derived from the Member States' national statistics, or does the European Union have a different methodology of its own?
3. Does the Commission consider the present figures on current and expected inflation sufficiently reliable?

**Answer given by Mr Christophersen  
on behalf of the Commission**  
(4 May 1994)

1. The base period for the weights used in the consumer price indices of Member States are shown in the table below:

| Member State | Base period<br>(12 months ending<br>on date shown) |
|--------------|--|
| Belgium      | May 1988   |
| Denmark      | December 1987                                      |
| Germany      | December 1985                                      |
| Greece       | October 1988                                       |
| Spain        | March 1991   |
| France       | December 1992                                      |
| Ireland      | December 1987                                      |

| Member State   | Base period<br>(12 months ending<br>on date shown) |
|----------------|--|
| Italy          | June 1990  |
| Luxembourg     | August 1987 <sup>(1)</sup>                         |
| Netherlands    | December 1990                                      |
| Portugal       | March 1990   |
| United Kingdom | June 1993  |

<sup>(1)</sup> 15 months to August 1987.

2. The Statistical Office of the European Communities publishes each month the consumer price indices as published in Member States, without adjustment. It also publishes a weighted average for the 12 Member States.

3. As far as existing consumer price indices are concerned, the Commission is aware that national indices are compiled using different methodologies. Although generally of good quality, the indices are not directly comparable. The Protocol on convergence criteria referred to in Article 109j EC Treaty requires that inflation be measured on a comparable basis, taking into account differences in national definitions. Progress is now being made on a project to harmonize consumer price index methodologies in Member States.

The Commission does not publish consumer price index forecasts, but its annual forecasts of the price deflator of private consumption have been quite accurate in recent years.

#### WRITTEN QUESTION E-655/94

by Gerardo Fernández-Albor (PPE)

to the Commission

(17 March 1994)

(94/C 336/81)

*Subject:* Community programme to reduce the effects of Alzheimer's disease

Medical specialists are claiming that the rise in the number of Alzheimer sufferers as a result of the ageing of the population will be such that this form of senile dementia will constitute the major epidemic of the 21st century.

Forecasts indicate that by 2025, the number of sufferers will have doubled, making the illness the third largest health

problem in Western society after cardiovascular disease and cancer.

Given these forecasts, and bearing in mind the Community campaign against cancer, does the Commission think that specific Community action should be taken to help prevent the spread and reduce the effects of Alzheimer's disease?

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

(3 May 1994)

The Commission is well aware of this probable increase in the incidence of Alzheimer's disease and is taking action to counter it. The Honourable Member is asked to refer to replies given by the Commission to the following previous Questions on this subject: 1025/84 <sup>(1)</sup>, 1093/86 <sup>(2)</sup>, 504/87 <sup>(3)</sup>, 2364/87 <sup>(4)</sup>, 442/90 <sup>(5)</sup>, 1340/92 <sup>(6)</sup>, 2578/92 <sup>(7)</sup> and to Oral Questions H-981/88 <sup>(8)</sup> and H-978/91 <sup>(9)</sup>.

Community action to counter the disease has been concentrated on research to ascertain its causes, and within the biomedical and health research programme, on-going concerted action on 'Risk factors for dementing disease', involving 16 teams from 10 different countries, is aiming at a better understanding of the aetiology and pathogenesis of senile dementia of the Alzheimer type <sup>(10)</sup>.

In addition, several initiatives included in the European Year of the Older People and Solidarity between Generations 1993 were concerned with senile dementia and Alzheimer's disease.

<sup>(1)</sup> OJ No C 26, 28. 1. 1985.

<sup>(2)</sup> OJ No C 54, 2. 3. 1987.

<sup>(3)</sup> OJ No C 351, 29. 12. 1987.

<sup>(4)</sup> OJ No C 303, 28. 11. 1988.

<sup>(5)</sup> OJ No C 272, 29. 10. 1990.

<sup>(6)</sup> OJ No C 195, 19. 7. 1993.

<sup>(7)</sup> OJ No C 99, 4. 7. 1993.

<sup>(8)</sup> Annex OJ 2/378, 24. 5. 1989.

<sup>(9)</sup> Annex OJ 3/409, 9. 10. 1991.

<sup>(10)</sup> Council Decision of 9 September 1991 adopting a specific research and technological programme in the field of biomedicine and health (1990—1994) OJ No L 267, 24. 9. 1991.

**WRITTEN QUESTION E-672/94**

by Sir James Scott-Hopkins (PPE)

to the Commission

(21 March 1994)

(94/C 336/82)

*Subject:* Women and economic and social policy

Following the publication of the Green Paper on Social Policy, does the Commission support a policy of positive discrimination in favour of women in economic and social policy?

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

(4 May 1994)

The Honourable Member asks if the Commission supports a policy of positive discrimination in favour of women following the publication of the Green Paper on social policy 'options for the Union'.

The Commission is responsible for the elaboration of equal opportunities policy at Community level. The fundamental principle of equality between men and women operates in the fields of pay (Article 119 of the EC Treaty — Council Directive 75/117/EEC<sup>(1)</sup>), working conditions and vocational training (Council Directive 76/207/EEC<sup>(2)</sup>), social security (Council Directive 79/7/EEC<sup>(3)</sup>) (Council Directive 86/378/EEC<sup>(4)</sup>), the self-employed (Council Directive 86/613/EEC<sup>(5)</sup>) and the protection of pregnant workers (Council Directive 92/85/EEC<sup>(6)</sup>). The legal basis for this policy has been clarified by the Court of Justice on many occasions.

The *acquis communautaire* allows for certain positive actions in favour of women where the intention is to bring women into a situation of real equality with men (Article 2(4) of Directive 76/207/EEC). In this context, the Commission and Council have created special programmes such as NOW, IRIS and LEI aimed at women. These aim to improve the level of participation of women in the economy and to correct the negative effect of past discriminations against women. In this context, it is true to say that the Commission supports a policy of positive discrimination within the limits laid down by Community law. Exceeding those limits would be a breach of Community law.

In the Green Paper, the Commission emphasizes the urgency of making better use of the often under-utilized talents of women in the economy. In social terms, there is a great need to address the particular problems facing women: poverty, single parenthood, low-paid and insecure employment. The Commission then asks whether special measures such as quotas, targets or other forms of positive action should be used to help ensure a fuller participation of women in areas

in which they are under-represented. This question remains to be explored in the coming months.

For its own part, the Commission has a positive action policy to ensure a better representation of women in those grades which have traditionally seen little female presence<sup>(7)</sup>.

The Honourable Member may also note that the question of positive actions and discrimination will go before the Court of Justice in Case C-450/93 Kalante. The decision of the Court is awaited with much interest by the Commission.

(1) OJ No L 45, 19. 2. 1975.

(2) OJ No L 39, 14. 2. 1976.

(3) OJ No L 6, 10. 1. 1979.

(4) OJ No L 225, 12. 8. 1986.

(5) OJ No L 359, 19. 12. 1986.

(6) OJ No L 348, 28. 12. 1992.

(7) cf. Equal opportunities: second positive action programme for female staff of the Commission (1992—1996).

**WRITTEN QUESTION E-703/94**

by Marianne Thyssen (PPE)

to the Commission

(21 March 1994)

(94/C 336/83)

*Subject:* Non-use of Dutch in Eures course

1. What reasons can the Commission give for organizing a Eures course for Euro-advisers in languages other than that of the majority of the participants in the course?
2. What policy will the Commission pursue on the use of languages in future Eures courses and in the associated documents?
3. Does the Commission intend to reduce other costs (e.g. subsistence allowances) in the interests of the multilingual character — and hence the effectiveness — of its programme?

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

(6 May 1994)

The objectives, content and methods of training for Euro-advisers have been drawn up and validated by the Commission and public employment services in the Member States.

The primary objective of the training is to enable Euro-advisers to exchange information and to cooperate in trans-national actions relating to employment and training.



In order to achieve this objective, it was necessary, as far as possible, to have direct communication (without interpretation) between the stagiaires themselves and between the stagiaires and the training officers.

Once the linguistic ability of the Euro-advisers had been evaluated, it proved possible to adopt two working languages per group by combining French, English and German. The public employment services prefer two working languages to be used for teaching purposes.

Furthermore, there is not a majority language in groups where there are 5 to 10 different nationalities.

Considering the results which have been obtained (cohesion of the network) and the evaluation of the stagiaires, this training method has proved to be efficient and fulfils the objectives. The documents given to the stagiaires are, as far as possible, in their mother tongue when they constitute a point of reference for the Euro-advisers' work (e.g., Regulations, outlines of Community programmes).

As mentioned in the first paragraph, reducing the linguistic handicaps and thereby reducing the communication difficulties between Euro-advisers will guarantee the success of the Eures network. Increasing the number of languages which are interpreted may also reduce the efficiency of training, since it does not stimulate communication between stagiaires.

Finally, the Honourable Member will note that the general information data base (INFO 92) which acts as support to Eures for Euro-advisers includes the nine Community languages as does the corresponding teaching and promotional material.

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**WRITTEN QUESTION E-740/94**

by **Rolf Linkohr (PSE)**

to the Commission

(25 February 1994)

(94/C 336/84)

*Subject:* Disapproving remarks by Commissioner Matutes concerning the CO<sub>2</sub> tax

'Transport Commissioner Abel Matutes, who is also responsible for energy matters, has in Athens advocated abandoning, in their present form, the plans now before the Council of Ministers for the introduction of the high CO<sub>2</sub> tax in the European Union.' (vwd-Europa, 9 February 1994).

1. Can the Commission confirm this report?

2. How is it possible for a Member of the Commission to criticise in public a proposal for a Directive which it has itself submitted?
3. Does the Commission still stand by its original proposals, or must Commissioner Matutes' remarks be construed as indicating that the Commission proposes to water them down or withdraw them?

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

(30 March 1994)

The proposal from the Commission for introducing a tax on carbon dioxide emissions and on energy dates from May 1992.

Since then the Council — in its various forms i.e. Ministers of Economic Affairs and Finance, Environment Ministers and Energy Ministers — has been actively at work on that proposal, prompted by successive Council Presidencies and the present one in particular.

The opinion of Parliament on the proposal is eagerly awaited, for without it the Council is unable to reach a decision.

There is, therefore, no question of dropping the proposed CO<sub>2</sub> energy tax, indeed it was referred to in the White Paper on growth, competitiveness and employment submitted to the Brussels European Council in December last year. The Commission can confirm that the existing proposal is indeed the basis on which discussions continue.

The concern of Mr Matutes, which he has voiced on several occasions, does not relate to the proposal itself, on which the Commission has already reached a decision: he is worried about the delay with the proposal, and in particular the fact that difficulties with the discussions now in progress cannot possibly warrant failure to act on the other fronts of the Community's strategy for reducing CO<sub>2</sub> emissions.

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**WRITTEN QUESTION E-783/94**

by **Henry McCubbin (PSE)**

to the Commission

(22 March 1994)

(94/C 336/85)

*Subject:* Occupational pension rights of migrant workers

In his answer to my Written Question No 3612/93 <sup>(1)</sup>, Commissioner Flynn replied that it should 'be kept in mind

that the double taxation of occupational pension rights of migrant workers which results from the withdrawal of tax advantages at the moment of an international transfer of pension assets can be avoided by leaving the pension rights in the pension scheme in the country of origin, where they should be adequately protected against inflation'.

What does the Commission believe to be adequate protection against inflation for a pension? Is it the same protection as European civil service pensions receive for instance?

(<sup>1</sup>) OJ No C 251, 8. 9. 1994, p. 35.

**Answer given by Mr Flynn  
on behalf of the Commission**  
(4 May 1994)

Ideally, occupational pension rights should not be affected by job changes during a worker's career. In practice, however, a person who remains with the same employer during his or her entire career will receive a higher occupational pension than a person who has worked, with the same earnings, for several employers with similar occupational pension arrangements. This short-fall of occupational pension rights can result from long waiting and vesting periods and from insufficient inflation protection of deferred benefits, as the Commission has shown in its communication of 22 July 1991 (Supplementary social security schemes: the role of occupational pension schemes in the social protection of workers and their implications for freedom of movement) (<sup>1</sup>). The Commission intends to present a proposal for framework legislation ensuring that migrant workers do not suffer any undue loss of occupational pension rights.

In the absence of waiting and vesting periods, occupational pension rights would not be affected by mobility if they were revalued in line with an individual's earnings. It would, however, not be reasonable to impose on the individual's previous employers an obligation to increase pension rights whenever a subsequent employer awards a pay increase. A more sensible approach would be to use average earnings or consumer prices for indexing deferred pension rights. Even this limited protection of occupational pension rights is not very common in the Member States but improvements are gradually being introduced in some of them.

As far as the choice between a transfer and leaving pension rights in the previous employer's occupational pension

schemes is concerned, it should be kept in mind that transfer amounts are calculated so as to reflect the actuarial value of the deferred pension. If the deferred pension is not protected against inflation the available transfer amount will be correspondingly lower.

(<sup>1</sup>) SEC(91) 1332 final.

#### WRITTEN QUESTION E-815/94

by Sotiris Kostopoulos (PSE)

to the Commission

(23 March 1994)

(94/C 336/86)

*Subject:* Setting up a Community mechanism for channelling funds to the unemployed as an act of solidarity

In view of the fact that recent Community research into unemployment (conducted by Eurobarometer) revealed that workers support the idea of paying taxes to create jobs, and that this would clearly make it easy to set up a Community solidarity fund for employment, can the Commission take steps to set up a Community mechanism to channel the funds paid by workers as an act of solidarity towards the unemployed?

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

(6 May 1994)

One of the objectives of the Commission's White Paper on 'Growth, competitiveness and Employment' is to achieve a wider distribution of jobs and income. This requires a thorough-going reform of the labour market, and the effort to be made calls for adaptations and policies at all levels. The Commission is not, however, currently proposing the creation of a Community solidarity fund.

**WRITTEN QUESTION E-842/94**

by Sir Jack Stewart-Clark (PPE)

to the Commission

(30 March 1994)

(94/C 336/87)

*Subject:* Future actions for older people — Second EU programme for older people

The Commission announced its intention to bring forward proposals for a second EU programme on older people in December 1993. When will these proposals be tabled? Will they be presented in time for the current Parliament to give its opinion before the June 1994 elections? If not, the start of the next EU programme is likely to be delayed well into 1995, taking account of a Council Decision in December 1994 and the need for preparatory work.

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

(4 May 1994)

As announced at the closing conference of the European year of older people and solidarity between generations, the Commission is currently preparing a new set of actions for older people.

At this juncture it is clear that the new programme will not be adopted by the Commission in time to enable Parliament to give its opinion before the June elections. It is hoped that Parliament's opinion and the Council's Decision can be given early in the second half of this year.

**WRITTEN QUESTION E-858/94**

by Terence Wynn (PSE)

to the Commission

(30 March 1994)

(94/C 336/88)

*Subject:* Food shortages in Eritrea and Ethiopia

Given the increasing food shortages which are occurring in Eritrea and Ethiopia, could the Commission please indicate:

1. How much food aid does the EU plan to send to Eritrea and Ethiopia for this financial year 1993/94;
2. What is the time scale for the food aid for this financial year to be delivered to Eritrea and Ethiopia;

3. Does the EU plan to support the Ethiopian Government's plan for a food reserve in Ethiopia?

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

(25 April 1994)

The FAO/WFP crop assessment reports for Ethiopia and Eritrea, which were published towards the end of 1993, forecasted food-aid needs of 875 000 tonnes and 255 000 tonnes for Ethiopia and Eritrea, respectively.

The Commission, acting on information from its food monitors, in Addis Abeba and Asmara, had already decided at the end of November to make some advance allocations to NGO partners of 36 540 tonnes and 29 898 tonnes in favour of Ethiopia and Eritrea, respectively. This decision was complemented by a Commission food-aid programming mission undertaken to coincide with the Appeal launched by The Relief and Rehabilitation Committee in Addis Abeba on 13 December 1993.

Food aid allocations in tonnes programmed to date are:

| Channel                | Quantity  | Delivery schedule   |
|------------------------|---|---------------------|
| 1. Ethiopia            |   |                     |
| Government of Ethiopia | 50 000 wheat                                      | May—July            |
| NGOs                   | 78 200 cereals<br>4 755 oil<br>5 298 pulses       | February onwards    |
| WFP                    | 20 000 wheat<br>1 500 oil<br>3 220 other products | not yet known       |
| Red Cross              | 18 000 cereals                                    | not yet known       |
| 2. Eritrea             |   |                     |
| Government of Eritrea  | 20 000 wheat                                      | Under consideration |
| NGOs                   | 45 000 cereals<br>3 000 oil<br>4 500 pulses       | February onwards    |
| WFP                    | 10 000 wheat<br>2 300 other                       | not yet known       |

The Commission, in its desire to support the new governments in these countries has made it clear that it will closely monitor the food security situation and consider further allocations if necessary. In wishing to give further support to Ethiopia and Eritrea, the Commission has put a high priority on selecting rehabilitation and development food-aid programmes through the NGOs.

Support for the Emergency Food Reserve in Ethiopia will be given through the monetization of the 50 000 tonnes of wheat through the Government. It is planned to utilize counterpart funds to carry out local purchases from future harvests.

If so, can the Commission state whether, apart from membership, European status requires it to comply with any Community rules and, if so, which rules apply?

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

(3 May 1994)

**WRITTEN QUESTION E-893/94**

by Sotiris Kostopoulos (PSE)

to the Commission

(30 March 1994)

(94/C 336/89)

*Subject:* Financial irregularities which have occurred in vocational training seminars organized in Attica for Greeks from Northern Epirus

Serious financial irregularities, involving several million drachmes, occurred in vocational training seminars organized in the prefecture of Attica in 1992 by the National Institute for the Housing and Rehabilitation of Greek Returnees. Does the Commission intend to take any action to solve this matter and ascertain who was responsible?

The European Franchise Federation is a professional organization that groups together numerous national franchise organizations. It represents this form of commerce at Community level, has a representative on the Committee on Commerce and Distribution (CCD) established by the Commission Decision of 20 May 1981<sup>(1)</sup> and helped prepare the European franchise code of practice adopted by the CCD on 8 July 1992.

In general terms European professional trade organizations are not covered by specific Community legislation. Franchise agreements, however, are governed by Commission Regulation (EEC) No 2087/88 of 30 November 1988 on the application of Article 85(3) of the EEC Treaty<sup>(2)</sup>.

<sup>(1)</sup> OJ No L 165, 23. 6. 1981.

<sup>(2)</sup> OJ No L 359, 28. 12. 1988.

Answer given by Mr Flynn  
on behalf of the Commission

(6 May 1994)

The Commission was not aware of any financial irregularities in vocational training seminars organized in Attica for Greeks from northern Epirus but will raise the question at the next follow-up committee meeting.

The Honourable Member may, however, like to ask the national authorities for information on the training seminars in question. Their address is:

Ministry of Labour  
ESF  
Pireos 40  
GR-10182 Athens.

**WRITTEN QUESTION E-1174/94**

by Sotiris Kostopoulos (PSE)

to the Commission

(5 April 1994)

(94/C 336/91)

*Subject:* Prisoners in the EU

What is the prison population per Member State of the EU?

What percentage of prisoners are receiving vocational training or have acquired some form of skill? Finally, have any measures been taken to modernize and standardize the rules under which the correctional system is run by public and private bodies in the Member States of the EU?

**WRITTEN QUESTION E-899/94**

by Jean-Pierre Raffin (V)

to the Commission

(30 March 1994)

(94/C 336/90)

*Subject:* European Franchise Federation

Is the Commission aware of the existence of a European Franchise Federation?

Answer given by Mr Christophersen  
on behalf of the Commission

(4 May 1994)

The Commission's Statistical Office has not compiled any statistics on the prison population. It intends, however, to include a chapter on the prison population in the forthcoming second edition of one of its publications, the

'Social Portrait of Europe'. This will contain figures on the current situation and changes.

The Council of Europe, through the European Committee on Crime Problems (ECCP), has regularly collected statistical data on prison populations in the Member States since 1983.

The ECCP has not compiled data on numbers of prisoners receiving vocational training.

The Council of Europe, guided by the ECCP, is taking measures to standardize management of the correctional system.

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